

Title of paper

**CONTROVERSIES IN PUBLIC LAND MANAGEMENT DECISION
-MAKINGS : CASE STUDY OF LAND UTILIZATION IN
BANGKOK, THAILAND¹.**

Author

Ariya Aruninta

Institutional affiliations

Assistant Professor (Chulalongkorn University, Bangkok, Thailand)

PhD Candidate (Asian Institute of Technology, Pathumthani, Thailand)

Contact person (if more than one person) -

Telephone +66 1 842 9241

Office : +66 2 218 4418

Fax +66 2 218 4407

Email aariya@chula.ac.th

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Abstract

The controversy after announcing an urban land policy has been found regularly. Most of them involved the diversity of needs and conflict directions of utilization. The problems of controversies in publicly owned land utilization is usually related to ‘black box’² policy, in-efficient decision-making, poor land management, poor co-ordination, ignorance of public land actors, politic, and market involvement (economic factors). The study focused on Thailand cases in these following issues;

- The recent decision-making process in publicly own land.
- Ad-hoc policy in public organizations and decision-making without the participation of all involved actors.
- Publicly owned lands and potential alternatives of utilization.
- Involved actors and their attitudes toward land utilization policies.

Any publicly owned vacant land itself can be transformed into valuable public land, provides the equal opportunity of public services distributed through the districts. The surveys listed utilization examples and asked respondents to select the most preferred ones. The choices were referred to different directions to usually achieve the sustainable and sound urban land planning. The results from several analyses seemed to form major common patterns of directions and actors.

The study objectives aimed to assess the decision-making process, and offer the systematically and holistically approaches for urban land management especially for the land owner agencies and Bangkok Metropolitan Administration (BMA, city level government), affected various aspects of city environment and communities. The integrated approaches would make it necessary to perhaps accommodate the alternative public activities into the space and to formulate organizations strategies and practical urban renewal public policy scheme. The factors respond to past, present and future of this urban environment study are the controversies in legal issue, demographic variations and district inhabitants needs, economic development of the city, the linkages to national policy and the real needs of the population which will be taken in account and be analyzed in the study.

This research requires certain criteria used in selecting of study areas, which involves the full range of actors (public agencies, state enterprises, local government, district offices, community participation, private entrepreneur, etc). Case study will be public agency who own the under-utilized land, vacant lots/or pre-occupied by squatters lots, or site of relocated/re-functioned institution. The three major organizations, at this stage, will be The Treasury Department, Ministry of Finance (TRD), The State Railway of Thailand (SRT), and The Expressway and Rapid Transit Authority (ETA).

Finally this study will try to improve decision-making in policy level and systematically find the resolution strategies to utilize those spaces with less conflict. The methodology using in this study is ‘Policy analysis’. The processes involve extensive data gathering from many responsive stakeholders, elaborate calculations using empirical and quantitative data.

² ‘The Black Box’ A systems view of organization (Murray, 1986)

CONTROVERSIES IN PUBLIC LAND MANAGEMENT DECISION-MAKINGS: CASE STUDY OF LAND UTILIZATION IN BANGKOK, THAILAND

Introduction

Urban land management policy for under-utilized space has been the issue discussed not only among physical urban planners but also in all levels of policy makers, politician, and their citizens. The under-utilized land is usually concerned as one of the negative outcomes of urban sprawl. In North America and Europe, governments have been paying significantly more attention to redevelop under-utilized land for community sustainability and quality of life (De Sousa C.A.,2002).

The definition of under-utilized space includes urban voids, vacant land, *in rem*³ properties, abandoned property, and lost space which are identified as the problems of city beautification or poor visual quality and un-tidiness. Parts of them produce more severe effects such as 'Brownfield'. It is also recognized as a significant barrier to the revitalization of central cities and it is one of the most visible and demoralizing signs of inner city decline (Accordino & Johnson, 2000), in the meanwhile on the more positive side; those spaces are also the potential of re-development project for economic, social, and environmental purposes.

Some of the literatures call this event as '*hope*' instead of '*blatant*' and become an important urban redevelopment policy (Greenberg, Lowrie, Solitare, and Duncan, 2000), offers tremendous opportunities for development of new housing, businesses, and public amenities in cities (Leigh, N. G., 2003). Pagano and Bowman (2000) stated in their vacant land researches about the reusing of vacant land and abandoned structures that can represent an opportunity for economic growth and recovery of a diverse range of urban areas. Brophy and Vey (2002) also agreed that not only the vacant properties provide an opportunity for urban revitalization, but they also offer an alternative source of developable land to green space at the edges of metropolitan areas. In addition, Wood B. (1998) remarked on the Dutch case that the re-use of vacant lands reflects the very latest concepts and developments in the fields of architecture and urban planning. Even though the city opportunities for attractive development sites, designing and implementing effective responses to the problem of vacant property looms is also a critical economic development issue (Kromer J., 2002). Kromer also stressed in the case of Baltimore and Philadelphia vacant property that it is the test of political will, policy making ability, and management capacity of the cities.

The complication of factors involved in land utilization has related to several stages of decision-makings. But the aims usually are not indicated clearly in any stage. Several projects can be found that the involved actors have changed the prior decision-makings from time-to-time without convincing reasons. This has led to the improper and inefficient land use, chaos and conflicts between land owner/developer and citizens, difficulties in preceding a projects and leaving the land un-built and vacant.

³ Tax delinquent properties in urban neighborhoods—often abandoned and derelict (Keating L. and Sjouquist D., 2001)

Publicly owned under-utilized land in the case of Bangkok, Thailand has been found not successful in term of urban land policy, some of them were protested after the policies were made. The citizens who will be affected from the policy usually be in the other side of the policy-makers. The decision-making process is eventually performed within organization and aims for the organization benefits. Land owners organization, other involved organization, and citizens were studied in this paper in order to find the criteria for future policy-making on public land management.

Diverse Individual Needs and Roles

Compared among the largest public land owners in Thailand, Treasury Department (TRD), Ministry of Finance and State Railway of Thailand (SRT) have owned the largest amount of land. Both of them have their own interests and land utilization policy seems to be the self beneficial approach. The decision-makings have been in ‘close system’, which lead to ‘no-answer-questions’ from all involved actors after the policy was publicized. At the same time, the SRT projects involved several actors and regardless the citizens in their proximity, such as the mega project of transportation hub in Pahon-yothin area. This project had a thousand pages wonderful proposal, but it is still not feasible due to the limited resources, strong impact to the environment, and lacking of the co-operation among involved organizations. Even the TRD project nearby also faced the same problem. The plan has been hanged due to the corruption between the TRD head officer and the developer consultant. Both proposals in Pahon-yothin area are recently left there. They have been also the further target of ad-hoc decision-makings in land utilization. Whenever the government wants a piece of land to locate a building, these plots will be raised up without convincing criteria was given except a specific individual agenda.

In large urban projects, the differences between public entities and private institutions or local community organizations often reflect conflicting interests (Lungo M., 2002). The severe case was given in Lungo’s article that a project for a new airport for Mexico City in Texcoco, there was a serious conflict between state interests and community rights to the land which had caused social unrest and even the kidnapping of public officials. Finally, the federal government withdrew from the project, assuming huge political and economic costs of this decision.

It is the fact that everyone has their own expectation depending on their roles and past experiences. The conflicts can be regarding function, the expected benefit area, value, appearance, etc. Giving the example case of \$500 million Soldier Field improvement project in Chicago; it was the conflict on economic and esthetic issues. Ryan B. (co-director of City Design Center, UIC) was quoted in “Experts are split on stadium’s makeover”⁴ that the new Soldier Field stadium is an ‘*uneasy compromise*’ and it is an esthetic disaster so did Michael V. who has a negative feeling about the stadium, but at the same time, DeCelles P. (Manager of HOK Sports Architecture Firm) and Garofalo D. (AIA fellow) like it. Garofalo D. was quoted in the same news that people are simply

⁴ Dailysouthtown Newspaper, Sunday, September 28, 2003, by John Dobberstein, Mark J. Konkol, and Dan Lavoie.

resistant to change. The project team convinced in SFO website⁵ that '*the cost of doing nothing*' on the stadium is a lost opportunity to revitalize Soldier Field and its city-essential surrounding using funding sources from state agency, Chicago Bears and NFL, and in addition, there is also another lost opportunity to pump \$200 million into the Chicago economy.

On the case of vacant land in Philadelphia⁶, there were several problems listed with the recommendations. One of the issues was conflicting roles of city agencies regarding property acquisition and deposition, occasionally, policy conflicts between departments arise which resulted in missed development opportunities. It also related to the City's revenue collection objectives against community economic development goals. Referring to the residential preference surveys, the desire for more living space was ranked high, and the integration of residential neighborhood open space and other redevelopment objectives should be considered. Fairmont Venture, Inc. (1999) prepared cost benefit analysis of Philadelphia case, cost benefit is one of the measurable basis but at the same time the consultant firm agreed to further investigate the less tangible ones like 'quality of life', 'public good', 'civic engagement and other social externalities' and the alternative for 'the future development of residential, recreational, commercial or industrial reuse'. The benefit of such a study is determining the appropriate role for the government and also presumed significant changes in the vacant land management and administration system.

An example of 'Mega-event Politics' in urban development, Andranovich, Burbank, and Heying (2001) explained that there are conflicts which used to be opened to public scrutiny and resolution by voters in the development of convention centers. The shifting away of policy-making arena from cities to special purpose governments or the state government resulted in a lack of public scrutiny and local accountability. The contributions of the convention centers seemed to be to the needs of middle class visitors than the residents; who perhaps prefer parks and police, or the more social purposes. Similarly, spending of a city between for economic development and affordable housing, as Basolo V. (2000) analyzed from the N=221 survey. The result indicated that city governments tend to spend more of their own source revenues on economic development than affordable housing programs.

One of the consequences of urban renewal strategy; 'Gentrification'⁷; there were the controversies and conflicts between the old and new residents. These consequences were perceived by vary stakeholders both negatively and positively depend on the perspectives of the stakeholders, and also degree of 'voluntariness' of displacement. Kennedy and Leonard (2001) pointed out the political dynamics of gentrification around four key issues. All of them reflect the controversial nature start from the different definition to different people, variety of stakeholders, the economic growth versus the social investment, and even the conflicts of gentrification itself that has quickly

⁵ <http://www.sfo.com/~csuppes/NFL/misc/index.htm?../ChicagoBears/> [Nov 2003]

⁶ Vacant Land in Philadelphia : Dimensions of the Problem. A Report on Vacant Land Management and Neighborhood Restructuring (June, 1995) Philadelphia City Planning Commission

⁷ The process of neighborhood change that results in the replacement of lower income residents with higher income ones. (Kennedy M. and Leonard P., 2001)

changing nature and the methodical pace of bureaucracies and the long timeframes financing.

Burgess and Bier (1998) also discussed on the issues of public policy and the controversies among different organizations in the case of Northeast Ohio rural sprawl. They mentioned about the fragmentation in land development especially by state agencies that effect development pattern, such as the Department of Transportation, that they do not consider much the local plans and coordinate between governmental jurisdictions or levels, or between various government agencies, that has effected un (*well*) planned growth. In the same study, case of Minnesota, there were different groups affected by regional development pattern, some of them gained and some lost. But in order to respect to land use and regional development goal, they used efficient analysis tools and maps and rather encourage development that is economically, ecologically, and socially beneficial to its residents and the region instead of stopping growth and development totally.

But as Wood B. (1998) described the significance character of the Dutch case in the multinational comparative studies of vacant land policy in Europe, there seemed to be less diversity. In the decision-making procedure, the Netherlands is widely regarded as a '*consensus society*', their organizations avoid or resolve conflict and try achieve consensus and co-ordination. This is not similar to any other European countries, vacant land problems do not exist as such in this country. One of the reasons is the Dutch people have great concern for the quality of the spatial environment of their country. They believe in the social role of land development and a pragmatic attitude towards achieving the wanted spatial environment.

Wood also concluded other European countries cases (ie. Britain, France, Italy). Especially the British case, there is a dedicated regeneration agencies called Urban Development Corporations (UDCs). They are the resolution of local and central government conflicts. He also argued that at the same time the agencies always are '*in a hurry*' and require more economic objectives which are conflict with the social objectives from the local communities. The suggestion was agreed to have the more effective public participation which may be quite difficult to achieve.

The researcher has assumed the actors as the key factors resulting decision-making. The needs and roles of each actor sometime oppose others in order to satisfy the common interests within groups. According to the two surveys; Q1 for organizations (actual N=137) and Q2 for citizens (N=400); it resulted some significant findings which follow the assumption. Questionings about only the preferences on land utilization of each plot could be responded in 2-3 different major directions as will be elaborated in this paper. Within the involved organizations, there were diversities in roles. For examples the land owners would like to gain more benefit from their plots while the Park Department in Bangkok Metropolitan Administration (BMA) may look for the more green space. Citizens in each district have different roles and their own determination in order to satisfy their needs. People in residential area may need more green area for recreation, while people in the commercial area may ask for more parking spaces. Briefly, in the case of 'organizations', role of each organization was identified in this study as a significant factor, and in the case of 'citizens', zones and the existing land uses of respondents have strong influence.

Controversies

Since involved actors' roles and the objectives are different from a decision to another. The literatures gave some preliminary conclusions that there eventually are conflicts and followed by controversies in several urban land utilization projects worldwide. In Bangkok, Thailand; under the democratic government; urban development policies have been delayed or preceded unsmoothly due to protests and objections from influenced stakes. Once the decision had been made especially those without public involvement at the initial stage, convincing conflict resolutions have to be prepared.

In the policy study aspect, the most important cause relates to land-use policies, zoning legislation, the failure of decision-making on massive urban renewal projects which not recognize the importance of spatial order to social function (Tracik R., 1986). Lampe and Kaplan (1999) categorized the land use conflict into four broad issues; 1.) facility setting, 2.) infrastructure, 3.) growth and development, and 4.) environmental and resource conservation/restoration. They investigated eight case studies and found a reveal of discrepancy between the stated positions and the underlying interests or issues that motivate the parties.

The recent controversies in Bangkok were about the attempt to utilize the publicly owned land which sometime has already been occupied by informal low income communities. One of the cases is on monastic property; a special kind of public land which included temple land and other idled property of the temple. These controversies were deal with believe, trustful decision-making with the fear that the private sector will reclaim the temple land as for their own benefit as happened before on the case of Alpine Golf Course⁸. The protests were not yet quite convinced since the decision-making process has not well described to the public.

Conflicts Resolution

This study has assumingly found out the origin of the sound public policy in urban land management using the controversies of the various actors stake in land utilization. Conflicts resolution is aimed to reach in the future research. The methodologies used in this paper are the analysis of causal relationship and find common interests in order to divide each group of actors into clusters. Complexity and diversity nature of the stakeholders' interests should be at least unfolded and classified in the smallest numbers of categories. The following reviews will support the assumption and to encourage further studies in urban land public policy.

⁸ The land was originally donated to a temple in PRACHUAP KHIRI KHAN. But the temple abbot sold it to the developers of the Alpine golf course, which was co-owned by the then interior minister SANOH THIENTHONG, before its rights were transferred to the temple. Mr. SANOH later sold the golf course to THAI RAK THAI Party leader THAKSIN SHINAWATRA. Head of the special panel MEECHAI RUCHUPHAN, meanwhile, said the issue was complicated, with several laws involved. However, he added, the buyer should not be worried as the seller would take responsibility in this case.

[PRD online - http://www.thaimain.org/cgi-bin/newsdesk_local.cgi?a=311&t=index_eng_local.html]

Initial efforts of urban vacant land redevelopment have been debated among policy analysis researchers. Most of interesting outcomes and conclusions lead to the potential levels of involved actors in decision-making. As in the findings from Goldstein, Jensen and Reiskin (2001), there are three levels of involvements in urban vacant land redevelopment; the broad government policy, government itself to play their role and give in detail policy and further restructuring coordinate functions, and the important of public/private partnerships and community and neighborhood entities.

In the Dutch case as already be cited, Wood B. (1998) explained about the only few conflicts between municipalities and some businesses which can be found in the Dutch 'the compact city' policy. The government resolves them by ensuring the most suitable land to compromise the policy and business requirement. Negotiation and the use of a covenant (contracts but lack their legal status) is increasingly important one of the public instrument in the cases.

The key themes of International Seminar on Urban Vacant Land by the Lincoln Institute and the Prefeitura da Cidada do Rio de Janeiro in Brazil (April 27-29, 1999) were addressed and discussed. They were about the complex causes of vacant lands, land management, the uses of vacant land, management instrument, etc. One of them is interesting and led to this paper research question. It was the theme on 'solutions to conflicts between market efficiency, social equity and environmental sustainability'. These issues show the nature of controversy of land policy and the factors involved. At least three majors things form the triangle of conflicts, they are ;

- Market efficiency (economic)
- Social quality
- Environment

In order to improve social equity Dowall D. E. (1999) suggested that the government should work with community and business leaders in real estate market. The government should provide infrastructure and urban services to all neighborhoods regardless of social or economic status. Some of the land uses are very difficult to be calculated into economic value, such as open space for recreation. And the land use for environment conservation purpose and the high economic value of a piece of land for real estate development is difficult to be converted to social value. Land use decisions should be determined and compared among various values in the level of sophistication and reliability, included a variety of disciplines, methodologies, and approaches. (Fausold & Lilieholm, 1996)

'The politics Matters' is also added into the consideration as Bowman and Pagano (1996) explained about the shifting of economics and political coalitions in the envisioned city of tomorrow. They emphasized that the politics plays an important role in explaining the path and direction a city chooses. Altshuler, Alan, and Luberoff (2003) analyzed the changing politics of urban mega-projects and mentioned about '*Do No Harm*' *planning* in their article that is the resolution to build an urban development mega-project with less negative side effects and to avoid substantial neighborhood and environment disruption. One of the main ideas is to balance between the mitigating harm and providing net benefits to protesting groups. They also suggested that the requirement of voter approval tends to have a salutary effect on the bargaining between business groups that stand to benefit financially from the proposed investments and the more general interests of local taxpayers and residents.

The challenge of this study is like what Lungo M. (2002) concluded that it is how to navigate between the interests and conflicts when there are many owners and

stakeholders of the land. And it is always true that especially the last urban projects contribute to building a share image of the city among the inhabitants and the users.

Lampe and Kaplan (1999) have categorized the land use conflicts in their study 'Resolving Land-Use Conflicts Through Mediation: Challenges and Opportunities' into four types; *facility sitting, infrastructure, growth and development, and environmental and natural resource conservation/restoration*. The discrepancies between the stated positions and underlying interests or issues that motivate the parties always be revealed in the case studies. There have been several involvements in each case but the failure to include individuals who have the authority to close on key policy issue also be found. And some of the cases found the disputes in the history of interaction, it is one of the impact on the parties to agree on the mediation and required a knowledgeable and respected professional mediator in conflict resolution process. In the study, it appears to have also bona fide conflicts in both public and private interests and roles along the processes, mediators and a third-party neutral was urged and well established in the method of conflict resolution. Land-use mediator is an expert in land use planning, development issues, the regulatory process, and interpreting regulations.

De Sousa C. A. (2002) concluded in the paper on 'Turning Brownfield into Green Space in the City of Toronto' that the development of such a project should require extensive public-sector involvement and a concerted effort among people from various domains in the social landscape of the city (from planners to community representatives). Potential funding sources could be created through the involvement of public and private interest groups.

Brophy P.C. and Vey J. S. (2002) gave ten steps of seizing city assets to urban land reform. The consideration on partnership with citizens, community development organizations, business owners, and other neighborhood stakeholders is emphasized especially in private owned vacant properties. The paper recommended to view those actors as allies in the development process, and stressed on the importance of their involvement in developing the city's plan and facilitating its implementation. There will be differences of opinion among them, thus ongoing collaboration is essential and all parties should work from a shared agenda.

Compromising, negotiation, trade-off, win-wining, and all kinds of multi-actors involvement in decision-making should be encouraged. Establishing of public agencies to form channels of participation from all potential stakeholders (both public and private agencies and citizens) may be time lag, but finally the development projects will be built instead of being hanged.

Land management policy and decision-making

Public land management (PLM) is defined as the management procedure that dues with public own plots of land. Most of public land has been legally utilized for public purposes. The public organizations in this research will be government, state, and state-enterprise. PLM is defined as an aspect in public policy because of its characteristic; PLM has been implemented by government and affected to citizens.

Decision-making is a dynamic process: a complex search for information, full of detours, enriched by feedback from casting about in all directions, gathering and discarding information, fueled by fluctuating uncertainty, indistinct and conflicting concepts. The process is an organic unity of both pre-decision and post-decision stages overlapping within the region of partial decision-making. There are two basic approaches to modeling human decision-making: the outcome-oriented approach and

the process-oriented approach (Zeleny, M., 1982, :85-97). Harrison, E.F. (1995) also pointed out the levels of decision-making that decision-making occurs at several levels. The first most basic level is started from individual acting to satisfy his or her psychological needs. Beyond that there are levels of group, organizational, and even global decision-making. What this study will aim to focus is the decision-making in organization level.

Research design

There were two sets of questionnaires distributed; Q1 (involved organizations) and Q2 (citizens). Researcher applied the conceptual hypothesis of 'WIMBY' (Welcome Into My Back Yard) into Q2 questionnaire design. The evaluation of two alternatives (Diagram A and B in Figure1) can be explained below.

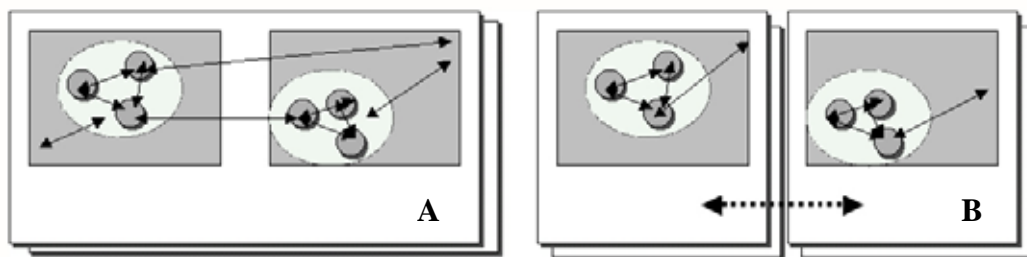


Figure 1: Diagram A 'WIMBY' was selected as the survey conceptual design. Diagram B was not selected.

Diagrams simplify the concepts of survey sampling. While diagram A had been selected to be used in this study under the concept of 'WIMBY', diagram B was shown another alternative of survey design using different set of questionnaire in order to answer the questions of satisfaction to each cluster plots (grey circles) of under-utilized land which are more familiar to the respondents of each district/cluster (grey rectangles).

The 'WIMBY' concept can be explained in this survey design as how the citizens feel about decision-making on under-utilized plots. It emphasizes on the two different clusters (districts), in each cluster has three case studies plots which belong to three different land owners. Diagram A will use the same set of questionnaire, but is aimed to compare the two districts in terms of attitude toward the plots in their home location/off their home location. The comparison issues include familiarity of the site, utilization directions (cross this following factors; districts, actors, and existing land use).

Method of sampling in this study is stratified sampling. This kind of sampling is drawn by subset of population. Q1 has been grouped by the subset of organizations; BMA, SRT, ETA, TRD, etc (Table 1). In Q2, it has been grouped by zones of land use ; residential, commercial and government office zones (Table 3). It assumes that each subset should have the similarity of directions and represents the attitude pattern of the population.

Size of samplings of questionnaires distribution is calculated using Yamane's Table. The overall error rate is as high as 5%, which is ranked in high accuracy. In Q2, due to the limitation of resources, there will be 2 error rates applied; the acceptable 10% error rate will be used for the land use sampling, thus the sample size will be 200 samples, and the rest of the overall 400 samples ; another 200 samples ; will be sampled at district offices.

The study emphasizes on land utilization, and this is the reason why land use colors concept was used for sampling location. Each group of respondent resides in each land use color is assumed to express different direction of land utilization, for example the

respondents who are in commercial area maybe interested in economic development and the ones in residential zone maybe interested in social development.

The sampling at district office is actually a new idea of random sampling. Since the study needs the public opinion from the ones who are eligible to comment and express their attitudes toward PLM and land utilization. Willingness and democracy will be concerned in the sampling. All the respondents must be in the age of potential voter (+18 years old), they have to be a resident of that district, they should be interested in urban land management either in their proximity or other districts in Bangkok. Therefore, brief information will be provided from the surveyors, to clarify for full understanding of the plots, so the respondents will be able to decide whether or not they could answer to the questionnaire. Some medias like a small exhibition can be installed at the survey location in district office with kind assisting of survey team.

Table 1: Q1 (Organizations) planned sampling size divided by actors

Implementer/operator* [80]		Non-decision maker workers* [75]			Policy motivator (public)*	Policy motivator (private)*	Total
District officers, BMA workers	BMA Council, Represen - tative	SRT	ETA	TRD	Others: OCMLT, TAT	Others: Unilever, AIS, PTT	
40	40	25	25	25	45	40	240**

* Stratified by unit of organizations.

** +5% Error of 500-1,000 population [Yamane, Taro (1973) "Statistics : An Introductory Analysis"]

Table 2: Q1 (Organizations) actual sampling size – 137 samples returned (57%)

Implementer/operat or* [43]		Non-decision maker workers* [72]			Policy motivator (public)*	Policy motivator (private)*	Total
BMA2 (District officers, workers)	BMA1 (Council, Represen - tative)	SRT	ETA	TRD	Others: OCMLT, Chutujak NGO Communit y	Others: Unilever, AIS, PTT	
27	16	17	25	30	15	7	137**

Sampling location

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid TRD	30	21.9	21.9	21.9
ETA	25	18.2	18.2	40.1
SRT	17	12.4	12.4	52.6
BMA1	16	11.7	11.7	64.2
BMA2	27	19.7	19.7	83.9
Chatujak	6	4.4	4.4	88.3
OCMLT	9	6.6	6.6	94.9
PTT	7	5.1	5.1	100.0
Total	137	100.0	100.0	

Table 3: Q2 (citizens) actual/planned sampling size divided by land-uses and districts

	Population (potential voters)	Geographic / physical land-use area*			Random at District office (ID section)	Total
		Blue	Red	Yellow		
Rachatewee	50,000	28	48	24	100	200
Chatujak	120,000	12	15	73	100	200
	170,000	200			200	400**

*Stratified by unit of land-use. Blue – Government use, Red – Commercial and High density residential area, Yellow – Residential area

** +5% Error of >100,000 population [Yamane, Taro (1973) “Statistics : An Introductory Analysis”] 250 samples are also acceptable within ** +10% Error of >100,000 population

Utilization alternatives of a publicly owned land

A piece of publicly owned land can be potentially utilized in different categories. This paper has divided the alternatives of utilization into;

Esthetic approach – it covers all kinds of projects focus on city beautification such as sculpture installation, ornamental garden, flower decoration, water feature with no activity.

Transport purposes – serve for transportation and solve the traffic congestion problem (ie. Transportation hub, parking, park ‘n’ ride, etc)

Recreation purposes – there are two types of recreation ; passive and active recreation. Passive recreation is referred to sitting or strolling in the park, picnic, bird watching, etc. Active recreation is all kinds of sport, jogging, etc.

Commercial uses – generate economical benefit and perhaps partly of tourism services (ie. Shops, kiosk, market, mall, arcade, flea market, etc.)

Environment purposes – those uses for better urban environment, conserve the green vegetation area, storm drainage, water retention area, or sanitary landfill can be listed in this category.

Social welfare – for the better living purposes (ie. Social housing, public library, police station, learning centre, museum, etc.)

The study was planned to find out the major directions of land utilization. As can be found from the surveys results, there really were the strong distinctions across groups of actors.

Land management actors

Data collection process in this study is emphasized on all possible actors. Refer to different policy analysis theories. They can be categorized as followings;

- City Policy Making Theory – local official decision-makers
- Public Choice Theory – Local official decision-makers, potential residents (all levels)
- Elites on Policy Making Theory – Community power
- Pluralist Theory – Participation of many diverse interests
- Political factors - Local institutions, interest groups, inter-government
- Regime Theory – Political actors, economic actors, coalition members, government (resources coordinators), public-private relationship
- Interested Groups Theory – Combination of regime theory and community power

The survey respondents are the involved actors which are ranged from all levels of officers (decision makers, implementation workers, involved organization workers), and covered all kinds of citizen (in residential, commercial and government zones).

Cross districts - Case study districts are Chatujak and Rachatewee. Characteristic of each district shows the important concept of land utilization, Chatujak is a residential district with some urban sprawl, Rachatewee is a CBD extension part of Bangkok.

- Chatujak district – it is a larger size district with mostly residential land use (yellow). There are already several parks located in the proximity.
- Rachatewee district – it is a small size district near the CBD⁹. Very small fractal of residential area here which most of them are hi-rise condominiums. Large portion of the land is commercial use (red) and government offices.

Cross zones – Land use zoning (by colors) is used in this study for sampling of all interest groups in addition to the sampling at the district office (see N in Table 3)

- District offices
- Yellow (Residential Zone)
- Red (Commercial Zone)
- Blue (Government Zone)

Cross case study plots - the study categorized four types of under-utilized space; 1) non utilized (left vacant), 2) partly utilized, 3) un-intended utilized, and 4) fully utilized but improper (with or without proposal attached). Then selection of the case study tried to cover all types of under-utilized land, and the six case studies were selected as in Table 5. Public organizations who own the under-utilized plot are Treasury department (TRD), State Railway of Thailand (SRT) and Expressway and Transit Authority (ETA), each of them own two plots of the case studies, one in each district.

Cross organizations – In the group of involved organizations. They were categorized into three sub-divisions; implementers/operators, land owner employers (non-decision makers), policy motivators (public/private)

⁹ CBD – Central Business District

Land owner employers (non-decision makers)

- **TRD** - The attitude on property right that can be transferred to assets creates more abandoned land. People try to get a title deed or other similar tenure for investment loan or mortgage even they have no plan on those pieces of land.
- **SRT** - It applies the same lease/rental rate in all plots. Beside, it has to be in bidding process started with the minimum rate to evaluated land price of 25% for 5 years contract, 27% for 15 years contract, 31% for 20 years contract, and 36% for 30 years contract. The longer period contract makes SRT the more disadvantage. The rental fee will increase 5% each passing year except the shorter than 3 years contract.

Purposes of the renting are categorized into 6 types;

1. Business development project
 2. For shop-houses
 3. For agriculture and residing
 4. For entrance, access road
 5. For other purposes
 6. Building leasing.
- **ETA** - Samples were given such as land under the expressways where they used to be occupied by rented storages in the past caused severe damage to expressway structure after catching fire. Thus, ETA has tried to revise rent/leasing contracts and systemize land utilization by field surveying and questionnaires, rearranging kiosks and smaller fragmental contracts.

In summary, the ETA has the right on the land in the expressway ROW and the construction of permanent structure and planting are prohibited. The activities in the area have to be concerned regarding not to be harmful to the traffic and expressway. Unfortunately, there have been some conflicts on utilization of the ETA voids on the issues of the purposes of the activities which do not follow ETA objectives; as indicated in the Coup Decree of 290. In addition, any contract agreements between ETA and private entrepreneurs have to follow the above decree. The Office of Public Prosecutor informed the ETA on the misuse of the expropriated land, but the prior comments from the Office of Council of State of Thailand ; governmental legal institution ; defined the Coup Decree of 290 in another direction. The conflicts on legal issue will be analyzed in the study by using cases and questions on the ETA land.

Implementers/operators – BMA1, BMA2

Policy-motivators

- Public
- Private
- Others

Questionnaires

The questions in both surveys focus on directions of land utilization and urban policy.

Q1 – Some questions on policies were added in order to verify the level of policy making they involve. There are ten questions in the questionnaire as followings;

I. General Information about the respondents

II. Familiarity in vacant land plots

1. Involvement in vacant land management

- The perception/involvement in public under-utilized/vacant land
- My organization has been involved in management, maintain, and develop their own property.
- My organization has been involved in maintain, develop other public organization's property.
- My organization has been involved in attaining right to develop other public organization's property.
- My organization has been involved in establishing of policy or making decision in develop other public organization's property.

2. Familiarity of space

3. Involvement of space

4. Have you ever used or visited these following areas?

5. Have you involved in management of those vacant lands (listed above)?

5.1 If answer "yes" in 5. Please select the involved activities.

- Decision-making in land development
- Maintenance
- Collecting rental fee
- Survey and on-site data collection
- Others. Please, specify

III. Activities

6. In these following districts, which direction should the vacant land be utilized?

- Esthetic, transport, recreation (passive/active), commercial, environment, and social welfare

7. In which degree, should these vacant lands be utilized?

8. Preferred activities. Rank from first priority.

- Garden, parking, recreation (passive/active), market, storage, and others... (specify)

9. List appropriated activities in each plot (multiple selections would be applicable).

IV. Experiences and satisfaction Use the following photos of activities which can represent land utilization to answer all questions in question 10.



Photo 1- Pocket park



Photo 2- Park and Ride (Parking)



Photo 3-Play lot/Sport field



Photo 4- Out door market










<p>Photo 5- Shopping arcade</p>  	<p>Photo 6- Street mall</p> 
<p>Photo 7- Public square</p> 	<p>Photo 8- Green way/Jogging</p> 
<p>Photo 9- Pleasure park</p> 	<p>Photo 10- Pond</p> 
<p>Photo 11- Multipurpose plaza</p>	<p>Photo 12- Indoor market</p>

Figure 2: Set of activities photos used in questionnaires Q1 and Q2

10. Satisfaction. Rank the degree of satisfaction on the activities if provided in each plot. Use the following photos of the existing condition of all six case studies and the attached project information to answer all questions in question 11

Set 1: TRD1					
Set 2: SRT1					
Set 3: ETA1					
Set 4: TRD2					
Set 5: SRT2					
Set 6: ETA2					

Figure 3: Set of existing photos used in questionnaires Q1, Q2

11. Appropriation of existing physical environment

12. Select which direction(s) have to be concerned for vacant public land utilization.

- Coordination among organizations
- Public acceptance
- Budget allocation
- Benefit collection
- Livable city
- City tidiness

13. Rank each form of government support programs in terms of how important it is to vacant public land management.

- Transforming of asset to capital
- Against narcotic program
- Life long learning
- New parliament house
- Infrastructure development
- Environmental conservation
- Tourism development
- Counter corruption
- Bureaucratic reform

Q2 – This questionnaire was designed for citizen. There were less questions than Q1. Most of them ask about the experiences and satisfaction on public land management directions.

I. General Information about the respondents and how they spend their leisure time

- 1) Reading 2) Watching TV/Radio 3) Pets 4) Planting 5) Strolling/sitting 6) Traveling 7) Sport/exercise 8) Shopping 9) Movie 10) Music/concert 11) Computer games/Internet 12) Staying home 13) Other outdoor activities 14) Other indoor activities

II. Familiarity in vacant land plots

1. Familiarity of space

2. Accessibility to space

3. Have you ever used or visited these following area and/or their proximity?

3.1 Mode of transportation to the areas

4. Have you involved in those vacant land (listed above)?

4.1 Please list the involved activities.

- Visitor, renter, maintain the land, other...specify

III. Activities

5. In your neighbor area, which direction should the vacant land be utilized?

- Esthetic, transport, recreation (passive/active), commercial, environment, and social welfare

6. List appropriated activities in each plot.

- Garden, parking, recreation (passive/active), market, storage, and others... (specify)

IV. Experiences and satisfaction

Use the same set of activities photos as Q1 to answer all questions in question 7

7. Satisfaction. Rank the degree of satisfaction

Use the same existing photos as Q1 and the attached project information to answer all questions in question 8

8. Appropriation of existing physical environment

9. Select which policy have to be concerned by the national government for vacant public land utilization.

- Coordination among organizations
- Public acceptance
- Budget allocation

- Benefit collection
- Livable city
- City tidiness

Case studies assessment

The surveys were also analyzed separately; Q1 (the respondents were organization actors, N=240)¹⁰, and another one was Q2 (N=400, the respondents were citizen of the two districts). The research has found three important findings. They were referred to the cross-tab analyses.

The result from survey shows the different directions of stakeholders and actors. The data collection started from sampling plan, which related to land-use zoning. A systematically process of samplings for questionnaires distribution of this study will focus on sampling elements, which are *the multi actors* in PLM and land utilization. There will be two sets of questionnaires due to the different responding to the policy. Questionnaire 1 (Q1) is planned for the actors in the organizations, who are involved in policy making but the respondents maybe not the actual decision maker. Questionnaire 2 (Q2) is planned for the Bangkokian citizen who actually be influenced by the PLM policy and land utilization, the respondents should respond and express their attitudes toward the PLM policy and land utilization both in their proximity and in the neighbor areas of Bangkok. The opinions from both questionnaires can be assumed as the policy inputs or preferred directions of each group actors.

¹⁰ Actual return rate of N=200 was 137

Table 4: Comparison of plots.

	Chatujak District			Rachatewee District		
	Set1:TRD 1 (T1) Old Northern bound bus terminal	Set2:SRT1 (S1) Railway Engineering School, Pahonyothin	Set3:ETA1 (E1) 2 nd Stage Express way, Pahonyothin	Set4:TRD 2 (T2) Department of Livestock Development, Rachatewee	Set5:SRT2 (S2) Railway Factory, Makasan	Set6:ETA2 (E2) 2 nd Stage Expressway, Urupong
Property owner	Treasury Department, Ministry of Finance	State Railway of Thailand	Expressway and Rapid Transit Authority	Treasury Department, Ministry of Finance	State Railway of Thailand	Expressway and Rapid Transit Authority
Area (approx)	60 Rai (24 Acres)	80 Rai (32 Acres)	10 Rai (4 Acres)	10 Rai (4 Acres)	140 Rai (56 Acres)	10 Rai (4 Acres)
Future plan/proposal	Bangkok Terminal (delayed under NCCC)	Convention complex zone of Pahonyothin complex development (delayed due to feasibility and economic recession)	-	Public-Private-partnership commercial development (trade land with BTS project – cancelled)	Commercial complex development (delayed due to feasibility and economic recession)	-
Boundary :North	High density commercial area/private office buildings	SRT Resident	SRT Resident	Shop-houses commercial area	Makasan swamp, 1 st Stage Express way	New Petchburi Road
Boundary :South	High density commercial area/private office buildings	Railway Family Park (Vajira Benjatas Prince Park)	Sirikit Queen Park	Condominium, commercial area/small private office buildings, and private own roads to condominium	Railway hospital , SRT Resident	Mahanak canal
Boundary :East	Pahonyothin Road, BTS and future MRT Morchit Station, Chatujak holiday market, Chatujak parkt	2 nd stage expressway	New Norther Bound Bus Station, Kampangpetch 2 Road	Phayathai Road, BTS – Phayathai Station	1 st stage expressway	Rama VI Road
Boundary :West	High density commercial and residential area	Railway Family Park (Vajira Benjatas Prince Park), Railway police department	Sirikit Queen Park, Railway Family Park (Vajira Benjatas Prince Park), SRT Resident	Condominium	Old railway tracks	Thai Ladies Association School, Sudarak School, Baan Krua low income high density residential communityigh
Type of underutilized land*	Type 2, 4(parking/vacant bldg)	Type 1, 2	Type 2, 3	Type 4 (office)	Type2 (factory)	Type 1, 3
Present usage	Temporary park and ride	Field, old academic building	Bus terminal facilities (garage, parking, kiosks)	DLD office	Old railway factory	Trespassing street vendors, temporary kiosks, temporary garbage dump site

*Type1-Non utilized (left vacant), Type 2-Partly utilized, Type 3-Unintended utilized, and Type4-Fully utilized but improper (with or without proposal attached)

Result from ‘cross districts/zones’ theme

Refer to the overall utilization preferences of respondents in both districts, the study found the interesting output as;

- Residential respondents (Y) in Rachatewee district are quite interested in the esthetic.
- Overall respondents in Chatujak district are more interested in transportation and environment than Rachatewee district.
- Both districts prefer passive recreation to commercial purpose.

Result from ‘cross actors’ theme

Preferences of each group of actors, initially started from the comparison of overall preference of involved organizations and citizens toward district development directions. The study found the similarity of preference pattern of both districts and compared the citizens and involved organizations actors as the following;

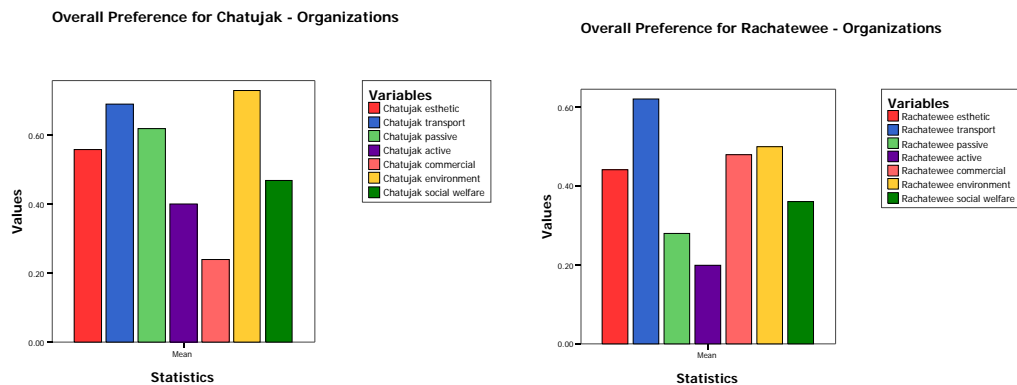


Figure 4: Utilization preferences of involved organizations on each district

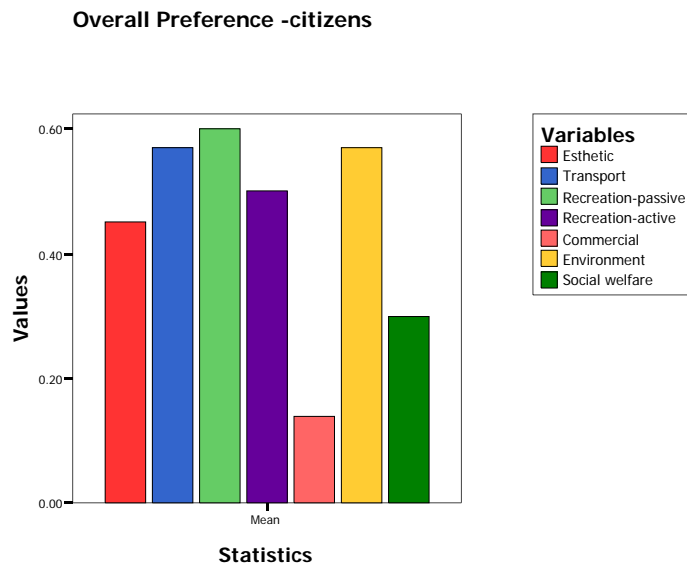


Figure 5: Utilization preferences of citizens

After that the study went across the involved organizations. The overall utilization for each district from different organizations showed the diversity of preferences. The owners of the study plots are TRD, ETA, and SRT, they seemed to focus in different policies. ETA focuses on esthetic and environment, while TRD is in transportation, and SRT is more in transportation and commercial. The following charts show that each purpose interested each organization distinctively.

Esthetic Purposes – this direction does not much interest TRD and SRT but in opposite to BMA2, ETA (for Chatujak district) and BMA 1 (for Rachatewee District).

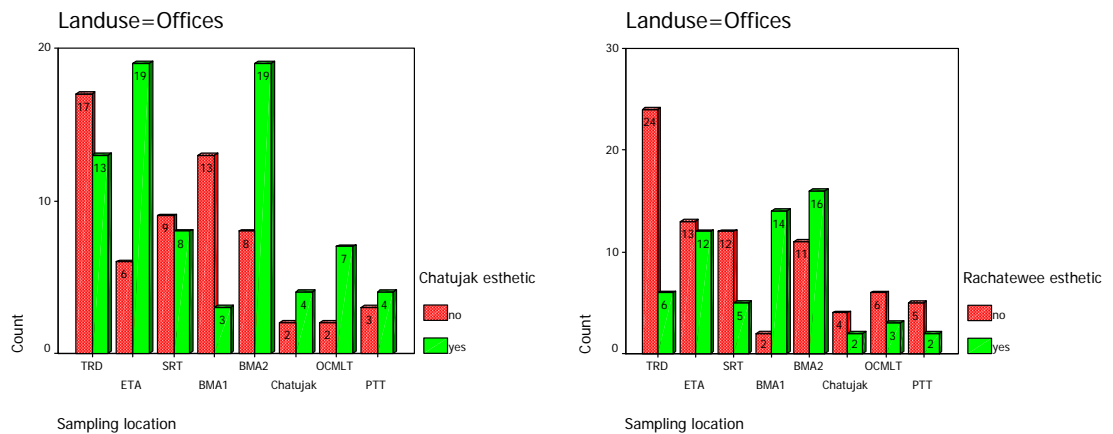


Figure 6: Cross organizations analysis on esthetic purposes of both districts

Transportation purposes – it interests almost all organizations especially BMA2, but not only in BMA1 (for Rachatewee).

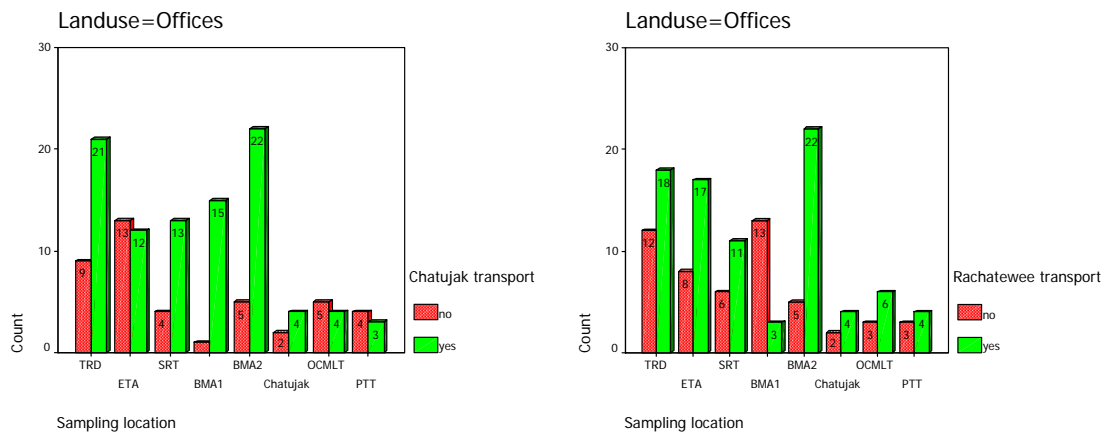


Figure 7: Cross organizations analysis on transportation purposes of both districts

Passive recreation purposes – It does fit to Chatujak district but not quite to Rachatewee.

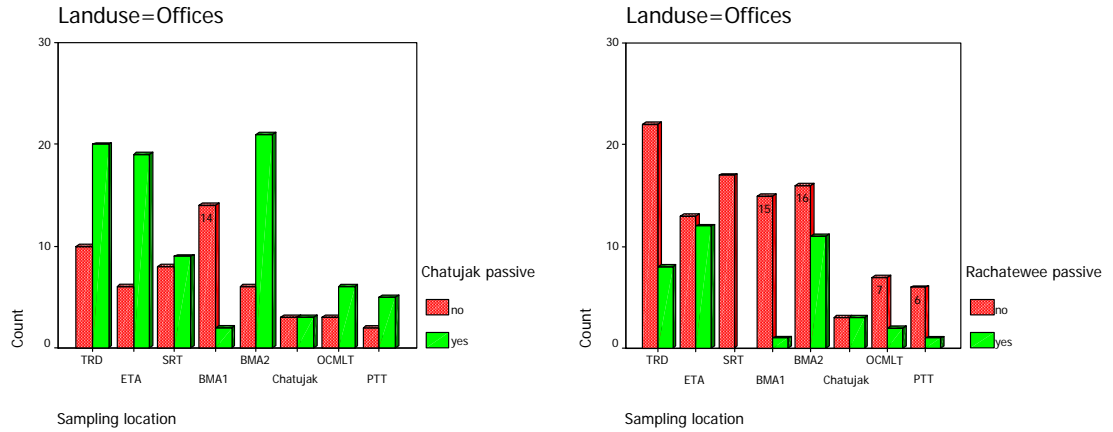


Figure 8: Cross organizations analysis on passive recreation purposes of both districts
Active recreation purposes – It quite interests all organizations for Chatujak district but not to Rajchatwee district.

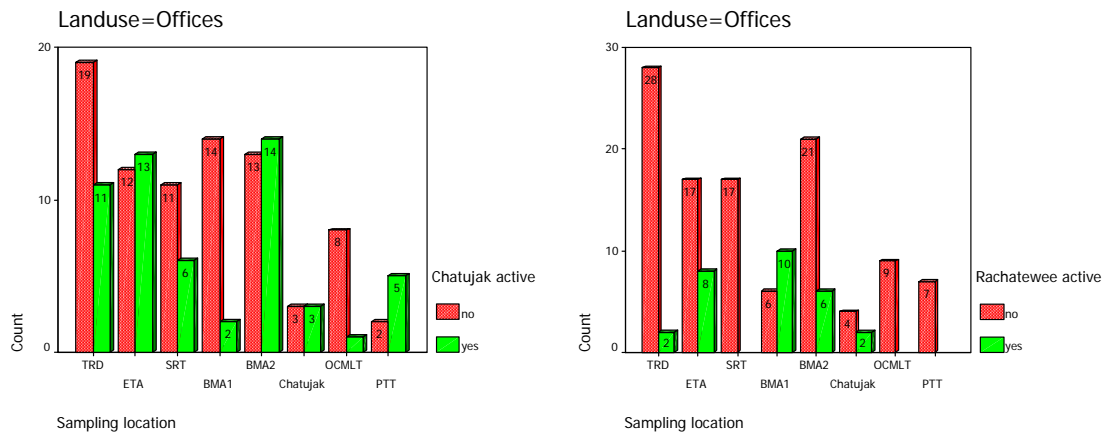


Figure 9: Cross organizations analysis on active recreation purposes of both districts
Commercial purposes – fit to Rachatewee district more than Chatujak district.

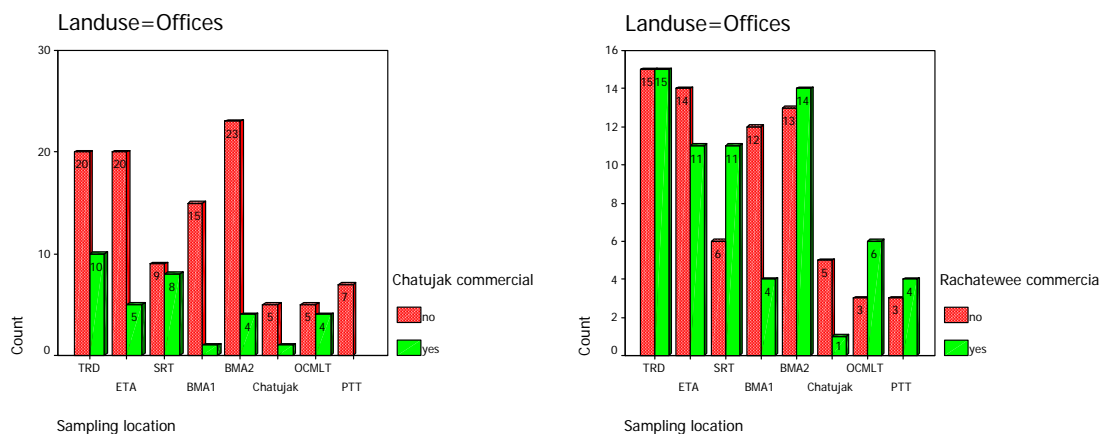


Figure 10: Cross organizations analysis on commercial purposes of both districts
Environmental purposes – it interests most of organizations in both districts.

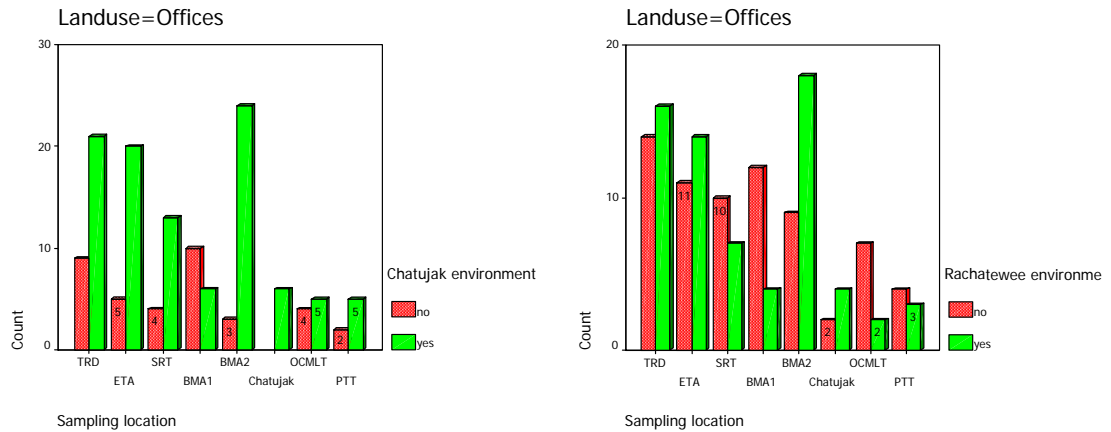


Figure 11: Cross organizations analysis on environmental purposes of both districts

Social welfare purposes – it interests TRD, ETA and SRT (those land owners) only for Chatujak district plots. In addition, the Chatujak officers are interested in social welfare policy.

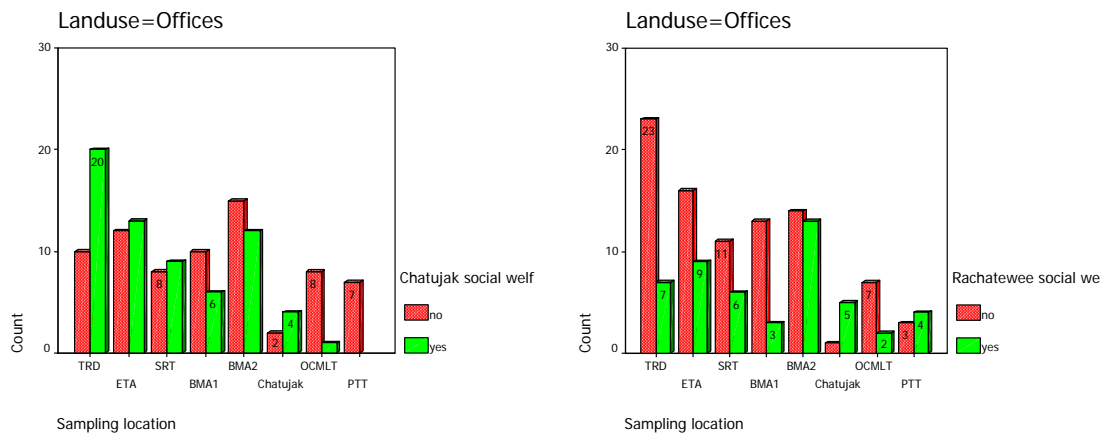


Figure 12: Cross organizations analysis on social welfare purposes of both districts

Result on preference on each plot

Refer to the question 6 in Q2 survey, six directions of land utilization were the choices for the six plots case study. They are; garden, parking, passive recreation, active recreation, market, storage, and others (open question). If we look to each plot and find out the ranking of choices across the district, the result was found that the similarity of both districts preference ranking is closed to each other. But it is different to the involved organizations. The study found interesting results which lead to the different preferences between citizen actors and involved organizations in some case study plots. The best examples are plot T2 and E1. T1 and E2 have some differences and the rests are quite in the similar pattern.

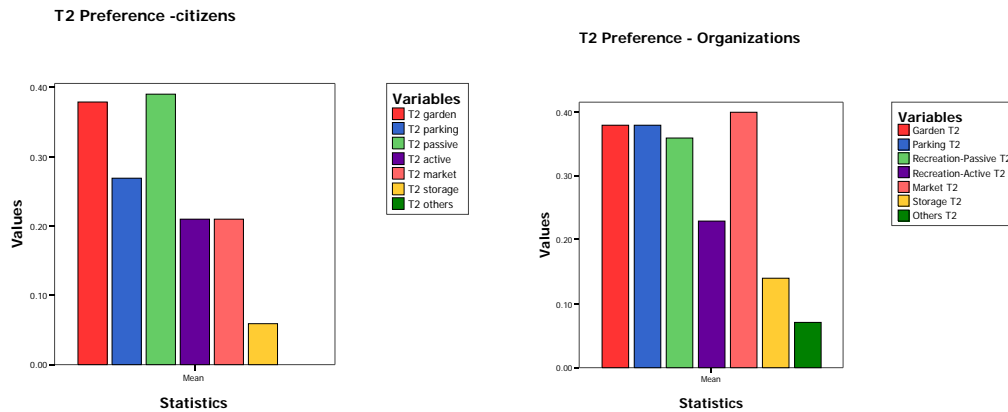


Figure 13: Cross plots analysis on utilization preferences of plot T2

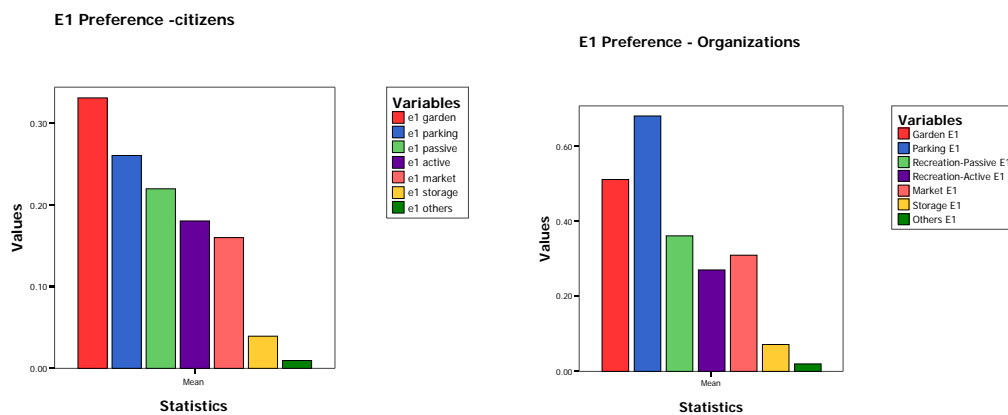


Figure 14: Cross plots analysis on utilization preferences of plot E1

The acceptance of utilization – The study compared cross actors direction for each plot. The six case study plots are in two districts (1=Chatujak, 2=Rachatewee), and belong to three organizations (T=TRD, S=SRT, E=ETA). The acceptance of each direction of utilization was counted from the sum of “yes” responding which is greater than the sum of “no” responding (Table 6).

Garden

T1 plot was agreed by BMA 1, BMA2, Chatujak officers and OCMLT to be utilized as a garden. The others include those citizens from both districts were not interested in this utilization scheme.

T2 plot was agreed to be garden only from BMA2.

S1 plot was agreed by several organizations to be a garden but not to citizens of both districts.

S2 plot was agreed by BMA1 and BMA2 to be utilized as a garden.

E1 plot TRD, ETA, OCMLT and BMA 2 agreed to utilized E1 as a garden

E2 plot was like E1 that TRD, ETA, BMA2, OCMLT agreed to utilized E2 as garden but citizens from Rachatewee also were interested to have the plot in their district be utilized as a garden.

Parking

T1 plot was agreed by almost all actors to be utilized as parking spot, except the citizen from Rachatewee district.

T2 plot was agreed only from TRD (land owner) to be utilized as a parking.

S1 and S2 plots were not quite fit to be utilized as parking.

E1 plot was agreed by all organizations to be utilized as parking but not accepted by any citizens.

E2 plot was agreed to be utilized by TRD, ETA, OCMLT and Chatujak officers as the parking spot.

Passive recreation

T1 plot was not agreed to be utilized for passive recreation purposes except the BMA2 respondents.

T2 plot was not agreed to be utilized for passive recreation purposes except the BMA2 and SRT respondents.

S1 plot was agreed to be utilized for passive recreation purposes except the BMA1 and Rachatewee citizen respondents.

S2 plot was only agreed by TRD, ETA, BMA1, BMA2, and Chatujak officers to be utilized for passive recreation.

E1 plot was only agreed by ETA (land owner) and OCMLT who both are transportation organizations to be utilized for passive recreation purposes.

E2 plot was not agreed to be utilized for passive recreation purposes except the ETA (land owner).

Active recreation

T1 plot and T2 plot were not agreed to be utilized as an active recreation place.

S1 plot was agreed by several groups of actors to be utilized as for an active recreation purpose except citizens from Rachatewee district, SRT (land owner) and OCMLT.

S2 plot was agreed from only BMA1 and Chatujak officers to be utilized as for an active recreation purposes.

E1 plot was not agreed from any actor while E2 plot was agreed only by BMA1 and BMA2 to be utilized as for an active recreation purposes.

Market

T1 plot and T2 plot were agreed only by TRD (land owner) to be utilized as a market while T2 plot was also agreed by BMA1 too.

S1 plot and S2 plot were not agreed from all actors to be utilized as a market, while S2 had quite a high number of acceptances from SRT (land owner) but still less than the “yes” respondings.

E1 plot and E2 plot were not agreed by almost all of actors to be utilized as a market. Especially, all of OCMLT respondents said “no” for market activities in E1 plot so do they in E2, but the BMA1 had a strong recommendation to accept market activities for E1, and respondents from ETA were quite interested in this activity for a significance number. In E2, none of the respondents from Chatujak district workers and OCMLT

check yes in this type of land utilization. The respondents from Rachatewee district themselves, SRT and ETA answered yes to have market activities for quite a significance number.

Storage This type of land usage was similarly not interested to most of the respondents.

Table 6: Acceptance of utilization activities by all actors

Utilization activities	Plots	Actors									
		Chatujak	Rajchate - wee	TRD	ETA	SRT	BMA1	BMA2	Chatujak Officers	OCMLT	PTT
Garden	T1						/	/	/	/	
	T2							/			/
	S1			/	/		/	/		/	/
	S2						/	/			
	E1			/	/			/		/	/
	E2		/	/	/		/	/		/	
Parking	T1	/		/	/	/	/	/	/	/	/
	T2			/							
	S1										
	S2										
	E1			/	/	/	/	/	/	/	/
	E2			/	/				/	/	
Passive recreation	T1							/			
	T2							/			
	S1	/		/	/	/		/	/	/	/
	S2			/	/		/	/	/		
	E1				/					/	
	E2				/						
Active recreation	T1										
	T2										
	S1	/		/	/		/	/	/		/
	S2						/		/		
	E1										
	E2						/	/			
Market	T1			/							
	T2			/			/				
	S1										
	S2										
	E1						/				
	E2										
Storage	T1										
	T2										
	S1										
	S2										
	E1										
	E2										

Urban Policy and controversies in Bangkok land management

Refer to the surveys, respondents from each organization showed their approaches to the national level policies. The Q1 questionnaire asked about the policies and found diversity of policy approaches. The study gave nine choices of national policies to respondents to rank which direction(s) seem to be in what level of importance (not important, moderate important, and very important).

Policy 1 – Transforming of asset to capital

Most of the organizations ranked this choice as a moderate important policy, and the respondents who ranked very important more than the ones who ranks not important, except the respondents from SRT. The respondents from SRT, who is one of the land owners, seemed not to be interested in this national policy.

Policy 2 – Against drug

There was similar answer in all respondents which ranked this policy as the very important policy. Even though this policy is not directly related to land utilization, but eventually most of policy-makers refer and follow it with other urban policy.

Policy 3 – Life long learning

Life long learning was ranked by most respondents as a moderate important policy. But the respondents from SRT and OCMLT ranked this policy as not much important policy.

Policy 4 – Construction of a new parliament

This policy was ranked as not important policy from most of the respondents.

Policy 5 – Infrastructure development / Policy 6 – Environment conservation

These two policies were found in opposite to policy 4, most of the respondents ranked this policy as a very important policy.

Policy 7 – Tourism development

All of land owner respondents ranked this policy as a moderate important policy while the respondents from operator organizations ranked this policy more important.

Policy 8 – Counter corruption

This policy had an interesting finding. That would be assumed from an abstract nature of the policy or it can interested by only some respondents. The respondents ranked both very important and not important in a similar portion especially the respondent from TRD. It is interesting that one of the case study plot (T1) involved corruption court case, which had been investigated by the National Counter Corruption Commission (NCCC).

Policy 9 – Bureaucratic reform

The interesting finding was from the answers from ETA and BMA1 who ranked this policy very important while the BMA2 ranked this policy not important and very important in a similar portion.

Conclusions and policy implication

First finding is ‘implementer/operator actors’ like BMA have different directions of policy. The BMA1 who is the council members and administrative officers tended to

focus on large scale policy solution. But the BMA2 tended to deal with implementation task and green approach.

Second finding is land owner actors also have different policy direction. ETA focuses on less commercial activities, in opposite to TRD and SRT. Especially SRT seems to pay more attention on commercial and gain benefit from land utilization. This finding should be added into the division of organizations (ie. land owners, operators, and policy motivators) that some of the group members have their individual directions.

Third finding is about the citizen actors. The different types of citizens settlement/occupation (ie. residential, commercial and government offices land use) seem to require different activities. Cross districts experiment showed the willingness to participate in other district decision-makings.

And last finding is the characteristic and nature of existing environment of each district influences the directions of utilization. Citizens from the more urbanized district (i.e. Rajchatewee for instance) tend to look for the more green space. Chatujak district has many parks, but its citizens tended to have more parks for both active and passive recreation.

The suggestion for further study and future PLM policy is to focus on the directions of each involved actor more systematically. The past and recent individual policies and attitude survey should be concerned. The decision-making should encourage participations as much as possible either through the form of committees, public hearing, the accountability and monitoring should be implemented in order to reach the consensus agreement. Conflicts and controversies in PLM have occurred after the hidden process in a box, thus the transparency in the earliest stage is significant.

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