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**MANAGING PUBLICLY OWNED URBAN VACANT LAND
REDEVELOPMENT PROJECTS IN BANGKOK, THAILAND.**

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MANAGING PUBLICLY OWNED URBAN VACANT LAND REDEVELOPMENT PROJECTS IN BANGKOK, THAILAND

Abstract

The paper has been intended to focus on '*decision making process*', there have been many '*controversies*' from both sides of inputs and outputs. Conflict resolution has been the issue discussed not only among all levels of policy makers, politicians, physical planners but also from the input side which is their citizens and private entrepreneurs in order to reach the most acceptable solution. Directions of the solutions are occasionally diverse, included the economic and commercial approach, social benefit approach, esthetic and city green , etc.

The complication of factors in urban land redevelopment policy has been found in many stages of decision-makings. Many of the decisions on land utilization were not from the essential demands; in fact it usually is instantaneous and not indicated clearly in the policy level. 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, delayed the proposal and created vacant space. Then finally it is ended without proper facility accommodated on the land.

An amount of publicly owned land in the case of Bangkok-Thailand, it has been found vacant or some of them have not been utilized as the proposed plan. The citizens who will be affected from the plan usually be disregarded by policy-makers, just in order to expedite the plan. The paper will select three important public land owner organizations; Treasury Department (TRD), State Railway of Thailand (SRT) and Expressway and Rapid Transit Authority (ETA). But in this case, the main organization actors; unfortunately, the complexity nature of these under-utilized space confronts many involved stakeholders, not only the land owner but also the Bangkok Metropolitan Administration (BMA) and the surround communities. Urban land redevelopment policy decision-making process should not rely on only one actor and there should not be only one final solution.

Key word : Urban Void, Vacant land, Land Management, Under-utilized, Land Utilization, controversy, Conflict resolution, policy, Decision Making

INTRODUCTION : DEFINING VACANT LAND AND ANY OTHER TERMS

There have been a number of literatures discuss on the issue of vacant land. The terms are included *under-utilized land*, *urban void*, *urban wastelands*, *abandoned property*, *remnant parcel*, *derelict zone*, *dead space*, or even new definitions in some books like *TOAD* , *in rem foreclosure property*, *'terra incognita'* , and a similar meaning like *'lost space'* those are usually negatively identified as the problems of city beautification, deteriorated environment, poor visual quality, undesirable and untidy condition, the cause of violation and public safety problems, and even produce more severe negative effects to environment like *'Brownfield'*. In common, this type of land has been 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).

By assessing of these literatures, the terms can be categorized into these followings;

a) ***Vacant land*** – it has been the most common term recently used. 'Vacancy of the land' can be related to the legally identification, usages, occupancy, and environment related reclamation.

1. Legal definition of the vacant land is "land for which a patent never has been issued."(Land Office, Maryland)¹.

2. In term of occupancy, the Canadian Board of Treasury defined vacant land as;

"Land which remains free of buildings, structures or human activities, except for agricultural, forestry, or conservation purposes. Land on which no permanent structure has been erected and/or which is undeveloped." (Treasury Board Secretariat: Real Property Management)

3. Pagano and Bowman (2000) gave the definition of vacant land in their questionnaires used in survey examining of vacant land and abandoned structures in 70 cities as the following which was focused on the usage of the land:

"Vacant land includes not only publicly-owned and privately-owned unused or abandoned land or land that once had structures on it, but also the land that supports structures that have been abandoned, derelict, boarded up, partially destroyed, or razed"

4. Part IIA of the Environmental Protection Act 1990 and Pollution, Prevention and Control (PPC) in United Kingdom gave some definitions on vacant land and other similar types of under-used land like Brownfield and derelict land which can be reclaimed under Environmental Protection Act that:

Vacant land can be described as land on which some previous productive use has ceased for a significant period of time and also land which would benefit from development or improvement...

Land may be polluted but it cannot be classified as contaminated unless it fulfils the definitions given in the Environmental Protection Act (1990). Contaminated land is: "Any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that:

¹ <http://www.mdarchives.state.md.us/msa/stagser/s1259/113/html/modpats2.html>

- significant harm is being caused or there is a significant possibility of such harm being caused; or
- pollution of controlled waters is being, or is likely to be caused"

b) **Voids**

1. As the low quality of physical urban space – as indicated in Parole – a project of gruppo a12 :

"The voids of the city are spaces which disrupt the urban tissue, leaving it incomplete and throw into question the use of those spaces. Sometimes called urban ruins, they are at the limit between private and public space, without belonging either to the one or to the other. Urban voids are containers of memory, fragments of the built city and the 'natural' environment; memories of the city which constitute a random, unplanned garden."(Parole - a project of gruppo a12, udo noll & peter scupelli)²

2. As as the 'lacking' phenomenon - as in Bo Grönlund's article ; "Filling the voids of urbanity" ; which they emphasized the meaning of the voids in term of urban concept and the characteristic of 'lacking function', 'lack of aesthetic experiences', and 'lack of difference':

"Voids - the word can refer to many different kind of phenomena, as we are not talking about voids in an absolute sense. 1) Lacking function. 2) Lacking people. 3) Lack of aesthetic experiences. 4) Lack of difference

3. As the effects of the economic, politic, and culture - In addition, Grönlund also found out the root of the problem. The mechanisms, which create the urban voids, are listed in 3 sources ; economics, politics and culture.³

It is interesting that the origin of the urban void problem is from the other issues not only from the urbanization itself. Even the culture of a society is also assessed as one of the mechanisms that create voids.

4. As the potential for urban re-development – Perera (1994) stated in his research about the potential of the voids to accommodate informal sectors.

"Urban Voids" are unutilized, under-utilized or abandoned land and premises which exist in urban areas due to outdated or defunct uses. Urban voids can even be created by identifying dilapidated premises which has potential to redevelop for new urban functions. The term should not be confused with open areas such as parks or side-walks which have specific functions assigned to them. As used in legal terms (e.g., null and void contracts – the contract exists but not effective), void means ineffective in urban planning context too." (Perera, 1994)

c) **Lost/dead space** - the leftover unstructured piece of land or lost space - Trancik (1986) defined that are no-man's land, abandoned sites.

d) **Terra Incognita** - Bowman and Pagano (2004) named their book on Vacant land as "Terra Incognita : Vacant land and Urban Strategies". The authors have not given the meaning of terra (land) + incognita (concealed, unknown) directly but the

² Parole - a project of gruppo a12, udo noll & peter scupelli
http://parole.aporee.org/work/print.php?words_id=410 [March,2002]

³ Filling the void of urbanity - Århus School of Architecture: Conference Dec. 5 to 7, 1994 on The Information Society and the City http://hjem.get2net.dk/gronlund/Aarhus_void94.html [March, 2002]

book discussed on the issue of vacant land and other similar terms extensively. They explored the various meanings including conceptualizations of vacant land as both “good” and “bad”. They gave some examples of both opposite directions by these following partners; opportunity/problem and positive/negative.

e) *In rem (foreclosure) property /In rem status* - City ownership for nonpayment of taxes has been called an “in rem” status as described by Saving Affordable Housing (SAH, Cooperative Housing in Harlem⁴) in the case of New York city. It was because of a result of widespread disinvestment and abandonment in the 1960s and 1970s, a large stock of buildings fell into this situation

f) *Abandoned/Absentee property* - It is included not only land but also the unused structure. As City of Albany, New York has focused in their policies on Abandoned Properties Statement [July 2003]⁵.

g) *Derelict land* - The UK Environment Agency⁶ listed the derelict land as one of the environmental indicator, and defined it as the following:

Derelict land is defined as 'land so damaged by industrial or other development as to be incapable of beneficial use without treatment'. It is often associated with redundant coal mining areas and railways. ...

The stock of land and buildings available for recycling is continually changing as new sites appear and old sites are developed. Of the derelict land reclaimed between 1988 and 1993, the most common use was for sport and recreation (37%); the next most significant uses were for industry and commerce, and agriculture and forestry.

- Categories of land not covered by the surveys include:
- sites regarded as derelict from natural causes
- land damaged by development that is subject to enforceable planning conditions
- land still in industrial or other recognised use
- land damaged by development which has blended into the landscape in the process of time
- vacant land including sites awaiting development
- abandoned buildings awaiting demolition as part of a development scheme
- neglected or unsightly land

From the Irish Derelict Sites Act 1990 section 3 :

3.—In this section “derelict site” means any land (in this section derelict site. referred to as “the land in question”) which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because of—

(a) the existence on the land in question of structures which are in a ruinous, derelict or dangerous condition, or

(b) the neglected, unsightly or objectionable condition of the land or any structures on the land in question, or

(c) the presence, deposit or colleffion on the land in question of any litter, rubbish, debris or waste, except where the presence, deposit or collection of such litter, rubbish, debris or waste results from the exercise of a right conffered statute or by common law.

⁴ <http://www.nhi.org/online/issues/90/507w104.html> [SAH, Cooperative Housing in Harlem, National Housing Institute – February 2005]

⁵ <http://www.albanyny.org> [City of Albany, New York – February 2005]

⁶ <http://www.environment-agency.gov.uk/> [The Environment Agency – February 2005]

h) **TOADs** or temporarily obsolete abandoned derelict site – which greatly complicates brownfields redevelopment. (Greenburg et al, 1990, 1996, 2000).

i) **Brownfield** – It is a special term on the usage of the land that is mostly related to the prior uses which environmentally contaminated the site. It causes the land to vacant in a certain period of time in order to be reclaimed for further uses in a proper manner. As from the UK Environmental protection Act 1990⁷

Brownfield land is the common term for "Previously Developed Land". Previously developed land is defined as land which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed surface infrastructure.

US researchers like Greenburg and his team (2000) defined brownfields as an abandoned, idled, or underused industrial or commercial property where more effective use is hindered by real or perceived contamination.

In Thailand, there are also some definitions on the vacant land. As being described in report done by M.I.T. Consultants Team (1994), there are varieties of convertible vacant lands. It will be clarified and analyzed to find out the characteristic of the voids, their locations, the physical characteristic and the relationship to the uses in the study. Since the under-utilized land is a ready-to-be developed piece of land, the M.I.T. Consultants Team (1994) also listed of the sources of convertible land for the public parks development of Bangkok. The study had looked to the potential and opportunity of the vacant lands in different ownership and gave some examples of the potential land as these followings;

- Disused housing and factories
- Storage facilities and waste disposal areas
- Interstitial spaces in industrial sites or new development not suitable for housing
- Land in abandoned areas
- Pond, or water retention areas
- Land created along canals and rivers
- Land along railways, roads and expressways, both old and new

In the following years; 2002; BMA again had consulted Kasetsart University to produce the Bangkok Green Plan. In the study, there is an effort to find under-utilized and vacant plots, which belong to both public and private to be developed as the parks. Policy and Planning Department (PPD) introduced the Green Space Master Plan for Bangkok (with consultation from Kasetsart University). This plan has aimed to gain more green space to reach the target average ratio of 4.968 sq.m./capita within 25 years phasing. The plan has looked for the vacant and under utilized space under both public and private ownership, especially the land under the elevated expressway/bridge, right-of-way (ROW) of main transportation route, and existing undeveloped green area.

The purpose of green space according to the plan, the space will be utilized as recreational park, urban forest park, water retention area, and the suggestions also

⁷ <http://www.grc.cf.ac.uk/lrn/> [The Geoenvironmental Research Centre's Land Regeneration Network - February 2005]

aimed to encourage communities and private sectors in planting more trees in their property including parking space and vacant and undeveloped land.

Publicly owned vacant 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.

PUBLICLY OWNED VACANT LAND UTILIZATION PROBLEMS IN BANGKOK, THAILAND

Some of the photographs below are the example of the under-utilized spaces created by elevated structure, which has been assumed from the study that there should be the feasibility to be utilized for the public use instead of being left as an abandoned space or occupied by specific private purpose.



Figure 1: under-utilized land under elevated expressway

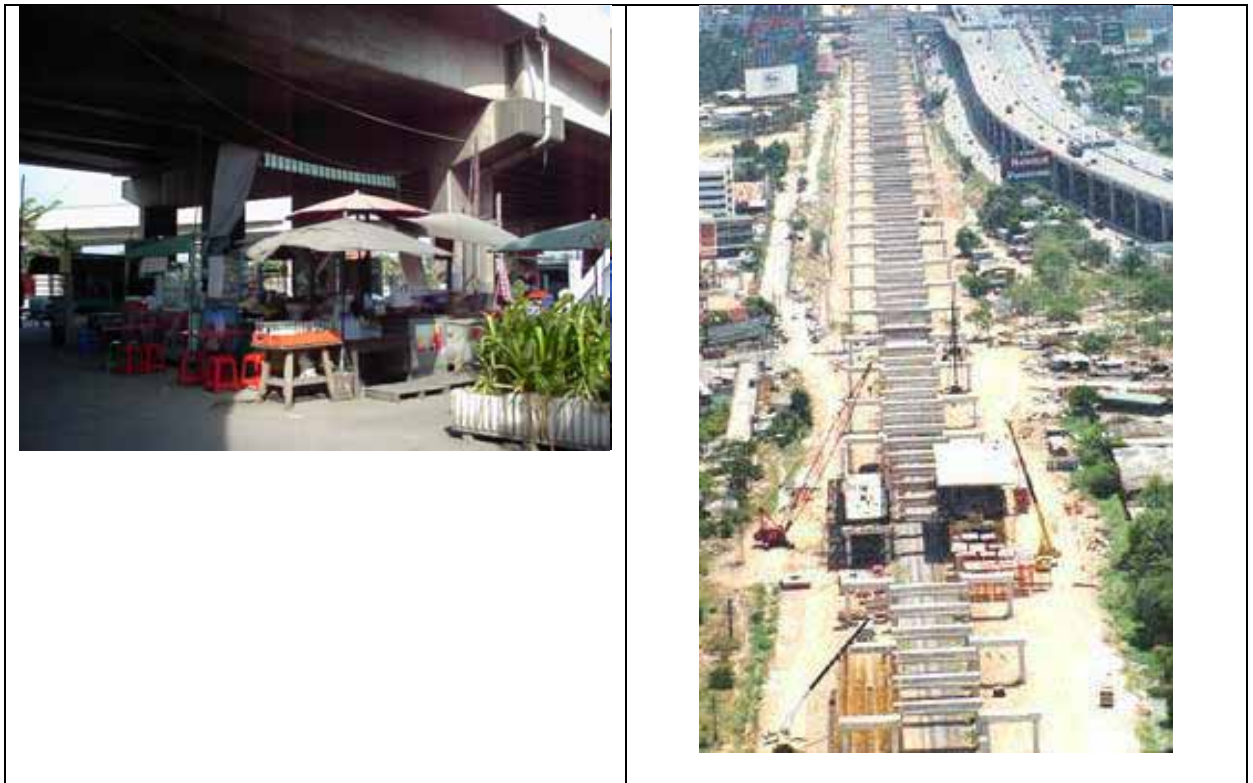


Figure 2: under-utilized land under the elevated road/bridge and under and along the Hopewell / rail line



Figure 3: under-utilized land adjacent to the bridge and along the old fortress conservation site

DIRECTIONS OF LAND UTILIZATION

Utilization or redevelopment alternatives of the land are often influenced by several approaches. Most of them are strongly related to economic benefit. And in opposite, the schemes from state or city usually involve more on the social like park and green space. A Report on Vacant Land Management and Neighborhood Restructuring by

Philadelphia City Planning Commission (Vacant Land in Philadelphia, June 1995)⁸ listed the principles for restructuring their neighborhood dealing with the vacant land as the followings;

- Stabilize, preserve, and reinforce physically intact blocks.
- Encourage the redevelopment of sites that support and strengthen existing community anchors.
- Assemble and market strategic sites having long-term redevelopment potential; encourage low-maintenance interim uses for these sites until they are ready for new development.
- Increase residential open space in existing and redeveloping neighborhoods.
- Reestablish the importance of the streetscape as a key neighborhood design principle.
- Modernize the Zoning Code to reflect neighborhood restructuring principles.
- Bring Nature back into the City.
- Change attitudes and expectations about vacant land reuse possibilities, both within City government and in the neighborhoods.
- Create mechanisms for the better management and maintenance of vacant land.

The examples of physical utilization of vacant lands have been given in only few literatures. Graham A. (Mossop and Walton, 2001 : 78-87) gave some cases in her articles titled 'Soft Architecture and Invisible Mending' on Walla Mulla Parks, Sidney, Australia. It is a small patch of wastelands dissected by the South Sidney overpass in the glue-sniffers, hypodermic a narcotic, and homeless hostel area. This space was dropped dead and no-one would even notice, competing with street action, Graham; an public artist; had been challenged and created her art pieces of urban life (see Figure 4).

⁸ Online - <http://www.philaplanning.org/plans/vls.pdf> [A Report on Vacant Land Management and Neighborhood Restructuring by Philadelphia City Planning Commission (Vacant Land in Philadelphia, June 1995), July 2002]

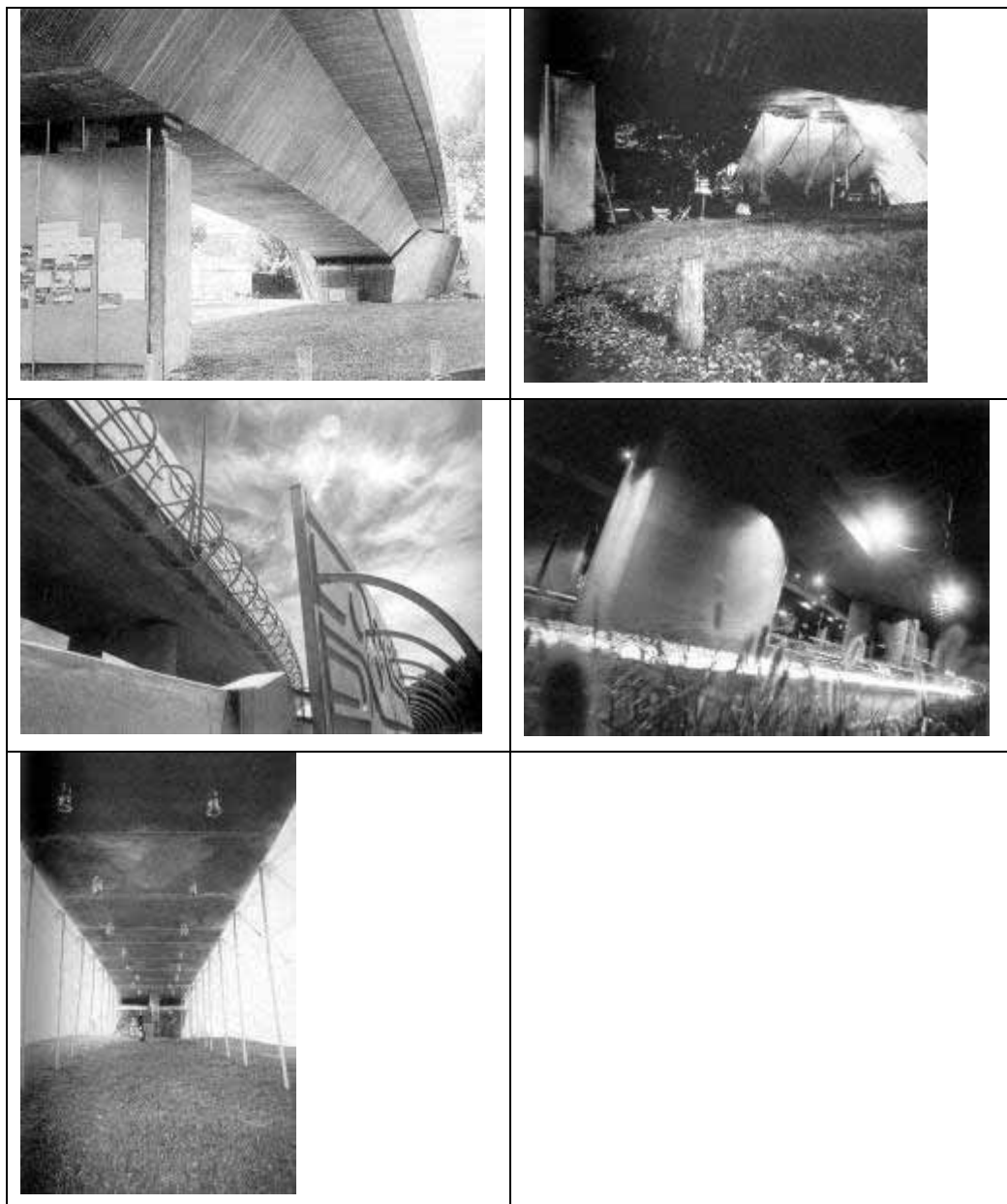


Figure 4: Examples of utilization of vacant land under elevated structures by public artists : project in Sidney (excerpted from City Space – Art & Design)

Marston described the work of Wallace, Roberts & Todd in 'Overtown Pedestrian Mall' (Cerver, 1997 : 164-173) that there is a project located in Overtown, an American district in Miami, where the construction of two major highways and a rail road line cut the community of African-American district in half. The Overtown pedestrian mall project is part of a cultural and economic revitalization plan that aims to stimulate private investment and increase community pride in this historical district. The project involved public agencies, neighborhood associations, landscape planners, civil engineers, and even a local artist; Gary Moore. The area undertrucks, once decaying, has been transformed into urban space (see Figure 5)



Figure 6: Examples of utilization of vacant land under elevated structures as an commercial space : Paris Viaduct

According to the studies done by the same author, a piece of publicly owned vacant 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. The surveys had given some illustrations for the respondents in order to select their utilization schemes as shown in Figure 7



Photo 1- Pocket park



Photo 2- Park and Ride (Parking)



Photo 3-Play lot/Sport field



Photo 4- Out door market



Photo 5- Shopping arcade



Photo 6- Street mall



Figure 7: Set of activities photos used in questionnaires

As can be found from the surveys results, there really were the strong distinctions across groups of actors. 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)

1. **Decision Makers / Land owner organization / Policy Makers** – TRD, SRT, and ETA
2. **Land owner employees (non-decision makers)**
3. **Implementers/operators** – BMA1, BMA2
4. **Policy-motivators**
 - Public agencies
 - Private agencies
 - Citizens ; direct effected, indirect effected, and non-effected

The author has assumed that 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 done by the author¹⁰, questionings about only the preferences on land utilization of each plot could be responded in 2-3 different major directions. 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 IN LAND REDEVELOPMENT

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. The following conclusions from the prior study were explained below;

- The '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.
- 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.
- 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.

¹⁰ A survey was made in June 2003 and the result was used for Fulbright Junior Research Program and City Futures Conferences [July 2004].

- 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.

Situation regarding to the urban vacant land becomes more and more severe as being indicated by the attempts to initiate several programs in order to redevelop the land. This research requires certain criteria used in selecting of study areas, which involves the full range of involved actors (public agencies, state enterprises, local government, district offices, community participation, private entrepreneur, etc).

The author reviewed some projects proposed by both land owners organizations and other involved agencies, those are included the sites under elevated transportation structure such as bridges, fly-over, under-utilized land adjacent along the old conservation site, vacant lots/or pre-occupied by squatters lots, site of relocated/re-functioned institute (military school), etc. The recent situation of publicly owned under-utilized land seems to be in crisis and waits for the sound policies to serve for the all stakes.

CONFLICT RESOLUTION

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 un-smoothly 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 Course. The protests were not yet quite convinced since the decision-making process has not well described to the public. [PRD online - http://www.thaimain.org/cgi-bin/newsdesk_local.cgi?a=311&t=index_eng_local.html]

FINAL CONCLUSION

There is not only single factor involves but also as many as three directions ; economic, social, and environment. It has been already discussed by many researchers, especially in the model of land use change management as 'a three-legged stool'. Kaiser, Godschalk, Chapin Jr. (1995) gave the good metaphor that each leg of the stool also called 'value' is necessary and has its integrating structure in resolving their conflict claims through the land use change management process.

The author introduced 'PLM decision making Tripod' to represent the balancing of the three decision making directions. The legs of the tripod may not be the same size, but all of them need to balance.

PLM Decision Making Tripod



Thus, the study defined the possibilities of 'convertible' publicly owned vacant land. Many factors and indicators have shown the significance relationship of utilization whether or not the space is utilized properly. The convertibility of the urban vacant land is the important issue providing in the study. The alternatives are opened wide and the further implications should focus on the decision-making process

of how we should concern while utilizing those space in policy level. 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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