



## Implementation of Mayor Regulation Number 30 of 2021 concerning Guidelines for the Delivery of Infrastructure, Facilities and Public Utilities for Housing and Residential Areas in Bengkulu City

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### ABSTRACT

This study aims to determine the implementation of Mayor Regulation Number 30 of 2021 concerning Guidelines for the Handover of Infrastructure, Facilities and Public Utilities of Housing and Residential Areas in Bengkulu City. The research approach used is a qualitative approach where researchers obtain information through interviews with informants and supported by documentation related to research problems. The results of the research obtained are that the implementation of Mayor Regulation Number 30 of 2021 has not run optimally. This can be seen from the target number of developers who submit infrastructure, facilities and public utilities that have not met the achievement target. Due to the lack of socialization to developers, there is still a lack of understanding about the delivery of infrastructure, facilities and public utilities. As well as the Bengkulu mayor regulation Number 30 of 2021 which is a guideline in the delivery of infrastructure, facilities and public utilities for housing in Bengkulu City which was recently issued so that no socialization activities are planned to be carried out. The implementation of the Mayor's Regulation is still not optimal in terms of application in the field or to developers. In addition, improving the quality of resources regarding infrastructure, facilities and public utilities must be implemented immediately.



## INTRODUCTION

House is one of the basic human needs, in addition to the need for food and clothing. The house is needed not only as a place to live and protection against climatic and weather conditions, but also as a place to embody social values in the family. The need for housing is the right of every citizen, because it is guaranteed by the latest amendment to the 1945 Constitution in article 28 (1) that "everyone has the right to live in physical and spiritual prosperity, to have a place to live. to live and to a safe, good and healthy environment and have the right to health care".

Home as part of human rights is also regulated in Law Number 39 of 1999 concerning Human Rights which states that, "Every person has the right to have a place to live and have a decent living". In a broader setting, the International Covenant on Ecosoc has also recognized the human right to the need for adequate housing, as has also been ratified by Indonesian legal provisions through Article 11 of Law Number 11 of 2005 concerning Ratification of the International Covenant on Ecosoc, which states that "The States Parties to the present Covenant recognize the right of everyone to a standard of living adequate for himself and his family, including food, clothing and housing, and to the continuous improvement of living conditions".

The development of human housing needs today is not only limited to ordinary houses, but also requires housing infrastructure, public facilities and services (PSU) to support daily life. This is regulated in Article 20(2) of Law Number 1

of 2011 concerning Housing and Residential Areas, which states: "(1) Housing in the sense of the article includes houses or flats, as well as infrastructure, public facilities and infrastructure"

Article 19 of the Law on Housing and Housing Areas No. 1 of 2011 generally allows state and/or regional governments to manage housing, for example in the form of state housing (perumnas), special housing. for civil servants, etc., housing management by the private sector/housing developer (housing owner) individually or in the form of a company with a legal entity and housing management by non-governmental organizations. PSU for government accommodation. PSU in privately owned housing (developer housing) owned by private companies or legal entities offered by the developer itself or the provision of government PSU support to the government, especially for low-income community housing (MBR) and NGO-assisted housing units. The organization receives state support.

According to Article 1 (25) of Law Number 1 of 2011 concerning Housing and Residential Areas, everyone who is a member of a housing developer (founder of housing) is an individual and a legal entity. In terms of capital, there are many types of developer housing, including small builders, medium builders and large builders. At the same time, property developers also differentiate themselves in the execution of housing construction as builders of small to large residential buildings.

Because this explanation does not rule out the possibility for individuals with capital that is also not too large to build a



small residence, for example by taking advantage of the availability of land that is not too large, building a residence of only 15 houses. , where the housing unit is the number of flats. At least one flat is being built according to Article 13 Paragraph 3 Paragraph 1 of the Regulation of the Minister of Public Housing of the Republic of Indonesia Number 12 of 2014 concerning Development Preparation Guidelines. Plans and Development of Housing and Settlement Areas in Provincial and Regency/City Areas.

The criteria for developers can be seen in Article 79(5) of the Regulation of the Minister of Public Housing of the Republic of Indonesia Number 32/PERMEN/M/2006 concerning Technical Guidelines for Areas and Environments That Can Be Developed. Only the construction of green open spaces (including mounds) in construction areas (Kasiba) that have been completed is required to comply with the design standards related to the Indonesian National Standard Number SNI03-1733-2004 concerning Housing Environment Design Methods. in urban areas. SNI realizes that housing planning must provide ecological centers that can accommodate various sectors of activity (economic, social, cultural), from the smallest neighborhood with 250 people to the largest with 120,000 people, located and organized in an integrated manner in design development. . and calculation, the need for environmental facilities and infrastructure. If the calculation is based on the basic assumption of the neighborhood, where an average of 5 residents live in a house, then 50 apartments are calculated

for 250 residents. According to Article 140 of the same Ministerial Decree, housing construction requirements also apply to Pre-Construction Environments (Lisiba) / Standalone Lisiba. Bengkulu City as the second largest city on the west coast of Sumatra Island after Padang City has an area of 152 km<sup>2</sup> with a population of 371,828 consisting of 187,655 men and 184,173 women (BPS.go.id).

Based on the results of the pre-research conducted, information was found that the housing built in Bengkulu City was very large and wide. Data from the Public Housing and Settlement Areas and Land Affairs Office of the City of Bengkulu states that there are 110 housing units in the City of Bengkulu. That means that with so many existing housing, of course, many public facilities are also provided in accordance with the area of housing being built. However, this condition is inversely proportional to the realization of the number of PSUs handed over to the Regional Government. The number of infrastructure, facilities and utilities handed over to the Regional Government of Bengkulu City according to data from the Public Housing and Settlement Areas and Land Affairs Office of Bengkulu City as of October 2022 is only around 30% of the number of housing being built in Bengkulu City.

## RESEARCH METHODE

The researcher chose a qualitative approach in this study because this approach is more appropriate or more appropriate to the research title raised. In this case the researcher approaches the





problem by going directly to the research location and gathering information directly using interview techniques. This technique is more appropriate because according to the researcher, the title on implementation is more appropriate to use a qualitative approach rather than a quantitative one. Because researchers do not need a lot of respondents, researchers only need a few informants related to the problem to be studied.

In this study, the basis for choosing a qualitative approach is also associated with the research subject to be studied. In this case, the subject of research is an information system created by the government to provide information about regional development. So this approach is more suitable to be used as a research method. In addition, there are not many people who will be involved or people who are needed to obtain information or data. Only people who are involved and related to the use of the system will be used as research informants. Therefore, this research is more suitable if it uses a qualitative approach.

## RESULTS AND DISCUSSION

Socialization according to Soekanto in Lindriati, et al (2017) explains that socialization is a social process where an individual gets the formation of attitudes to behave in accordance with the behavior of the people around him. The delivery of Public Infrastructure, Facilities and Utilities to the Regional Government has actually been stipulated in the Regulation of the Minister of Home Affairs Number 9 of 2009 concerning Guidelines for Handing Over

PSU Housing and Residential Areas and Law Number 01 of 2011 concerning Housing and Residential Areas. Article 47 paragraph 4 explains that infrastructure, facilities and public utilities that have been completed by everyone must be submitted to the district/city government in accordance with statutory provisions.

However, Mayor Regulation Number 30 of 2021 concerning Guidelines for the Submission of Public Infrastructure, Facilities and Utilities for Housing and Residential Areas in the City of Bengkulu will only be issued in 2021. Which means that many issues related to the obligation to hand over Public Infrastructure, Facilities and Utilities are still unknown or do not understand the contents from the Regulation of the Minister of Home Affairs Number 9 of 2009 concerning Guidelines for Submission of PSU Housing and Settlement Areas and Law Number 01 of 2011 by leaders from the Bengkulu City Government, specifically to the Bengkulu City Public Housing and Settlements Service.

### Planning in Preparation for Submission of Infrastructure, Facilities and Public Utilities

Suyatno et al (2018: 55) argues that planning or planning is a function of management which includes organizing, implementing and supervising.

Based on the above opinion, it can be concluded that planning is a preliminary determination of activities to be carried out in the future. In connection with the definition above, in an activity or work program such as the Handover of Public



Infrastructure, Facilities and Utilities, it is necessary to have a good and correct plan in accordance with the rules. In preparing a plan related to the handover of Public Infrastructure, Facilities and Utilities, which is used as a guide in addition to Minister of Home Affairs Regulation Number 9 of 2009 and Law Number 01 of 2011, Mayor Regulation Number 30 of 2021 Concerning Guidelines for Handing Over Public Infrastructure, Facilities and Utilities Housing and residential areas in the city of Bengkulu are also used as a reference in planning the handover activities in the territory of the Bengkulu City Government.

Information obtained by researchers during research, in the process of handing over Public Infrastructure, Facilities and Utilities at the end of 2021 and 2022 has not been fully guided by Mayor Regulation Number 30 of 2021, Minister of Home Affairs Regulation Number 9 of 2009 and also Law Number 01 of 2011. This is because the delivery at the end of 2021 and 2022 has not gone through the actual mechanism. Where in the process of submitting Public Infrastructure, Facilities and Utilities in 2021 and 2022, there has not been a Verification Team that should have been formed to handle the process of Handing over Public Infrastructure, Facilities and Utilities.

### **Delivery of Public Infrastructure, Facilities and Utilities**

According to Abdullah (2014: 151) implementation is a process of a series of school follow-up activities, a program or policy is established, which consists of making decisions, strategic and operational

steps or policies that become reality in order to achieve the goals of the program that were originally set. Information received by researchers while conducting research in the field, in the Submission of Infrastructure, Public Facilities and Utilities is carried out through three stages, namely preparation, delivery implementation, and post delivery. One of the most important parts in the Handover of Public Infrastructure, Facilities and Utilities is the existence of a Verification Team whose job is to ensure that the Public Infrastructure, Facilities and Utilities submitted by the housing developer comply with applicable rules and standards.

Based on the information obtained from the informants, in 2021 and 2022 the process of handing over Public Infrastructure, Facilities and Utilities has not used or a Verification Team has not been formed. While it is known that the Verification Team is very important in carrying out the Submission process of Public Infrastructure, Facilities and Utilities to the Bengkulu City Government.

### **Evaluation of the Implementation of the Submission of Public Infrastructure, Facilities and Utilities Policy**

Evaluation is carried out because not all public policy programs achieve results according to what has been planned. Public policies often fail to achieve the goals and objectives that have been set before. Wibawa (2004:9-10) suggests that policy evaluation intends to find out 4 aspects, namely (1) the policy-making process, (2) the implementation process, (3) the consequences of the policy, and (4) the



effectiveness of the impact of the policy. Evaluation of the first and second aspects is called implementation evaluation while evaluation of the third and fourth aspects is called policy impact evaluation.

Based on the results of the research, an evaluation of the delivery of infrastructure, facilities and utilities has been carried out. Where from the results of the evaluation carried out only about 30% of the infrastructure, facilities and utilities submitted from the target achievement of at least 85% of the number of housing in Bengkulu City. The target of handing over housing infrastructure, facilities and utilities in Bengkulu City has not been achieved because socialization activities have not yet been carried out regarding the obligation to hand over housing infrastructure, facilities and utilities established to the Regional Government of Bengkulu City.

## **Implementation of Mayor Regulation Number 30 of 2021**

Implementation is the provision of means to carry out something that has an impact or effect on something. Something that is done to have an impact or effect can be in the form of laws, government regulations, judicial decisions and policies made by government agencies in state life (Oktasari, 2015: 1340).

The issuance of Bengkulu Mayor Regulation Number 30 of 2021 is a derivative regulation from Law Number 1 of 2011 concerning Housing and Residential Areas. This regulation was issued to further clarify the mechanism of

implementation regarding the Handover of Public Infrastructure, Facilities and Utilities to the Regional Government of Bengkulu City. In this regulation, all mechanisms for handing over housing infrastructure, facilities and utilities in the City of Bengkulu are explained. Starting from the administrative requirements, the verification team and the mechanism when handing over infrastructure, facilities and public utilities.

When compared with the mayor's regulations that have been issued, the delivery of infrastructure, facilities and public utilities has not run optimally or optimally. This is because one of the reasons is because the policy has just been issued by the Regional Government of Bengkulu City. In addition, there is also a lack of understanding regarding the handover of infrastructure, facilities and public utilities which were previously stated in Law Number 01 of 2011 prior to the issuance of the Mayor's regulation.

## **Obstacles in the Implementation of Mayor Regulation Number 30 of 2021**

Obstacles that occur in the implementation of the Mayor Regulation are as follows:

1. There is still a lack of understanding of the Public Housing and Settlements Service regarding the obligation to hand over public infrastructure, facilities and utilities to the Regional Government;
2. The absence of Standard Operating Procedures in the implementation of handover of public infrastructure, facilities and utilities to the Regional Government;



3. There is no socialization activity carried out by the Public Housing and Settlements Service to developers regarding the developer's obligation to hand over public infrastructure, facilities and utilities to the Regional Government;
4. The Verification team has not been formed whose task is to inspect public infrastructure, facilities and utilities proposed by the developer;

## CONCLUSION

Socialization regarding the Submission of Infrastructure, Facilities and Public Utilities has never been carried out by the Bengkulu City Public Housing and Settlement Service, especially regarding Law Number 01 of 2011. The leaders of the Bengkulu City Public Housing and Settlement Service also do not understand that in Law Number 01 of 2011 there are directives for every housing developer to hand over public infrastructure, facilities and utilities to the Regional Government when the housing construction has been completed. Derivative regulations based on Law Number 01 of 2011 were also drafted late, so that in 2021 Mayor Regulation Number 30 of 2021 was just issued. The delivery of public infrastructure, facilities and utilities in 2022 has not been fully guided by the Mayor's Decree No. 30 of 2021 because during implementation, a verification team has not been formed or formed in the process of handing over infrastructure, facilities and public utilities. The delivery of public infrastructure, facilities and utilities in 2022 will not go through a special verification team

according to existing regulations, but only a few parties will be involved and directly coordinated with the Regional Secretary and Mayor.

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