

Evaluation of apartment development policy: Case study of implications for Malang City regional spatial planning (2018-2020)

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ABSTRACT

This study examines the compatibility of the Malang City Spatial Plan with the Begawan Apartment development and its resulting impacts. The RTRW aims to establish spatial patterns based on principles such as integration, harmony, sustainability, usability, openness, justice, and accountability. Using a qualitative descriptive approach, the research involved interviews with the Malang City Department of Manpower, Investment, and Comprehensive Services, the Begawan Apartment director, and residents of Tlogomas Village (RW 5 and RW 7). Analysis was conducted through William Dunn's public policy framework to assess Malang City's regulations on apartment construction. Findings indicate that while no specific regulations govern Begawan Apartments, it has obtained a construction permit. The development has led to negative effects, including reduced green space crucial for rainwater absorption and air quality improvement, conflicting with regulations designating the Brantas River area as green space. However, positive impacts include economic benefits for local SMMEs and increased job opportunities for residents.

Keywords:

village funds; tourist village; community empowerment

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INTRODUCTION

Urbanization is the movement of people from rural areas to urban areas. With urbanization, the proportion of the population living in urban areas increases (Anisyaturrobiah, 2021; Haris, 2015; Hidayati, 2021). Malang city is a city that is a destination for population migration from the countryside or is also a destination city for tourists and students who want to vacation and also get an education. The impact of urbanization has caused an increase in the need and demand for houses in Malang City from year to year, while the amount of land in Malang City is becoming more and more limited

and land prices are becoming more and more expensive, so with the limited land and also the increase in land prices, many people prefer to choose apartments and guest houses as one of the easiest advancements to get a place to rest. This can be seen from the large number of apartment developments located near various universities in Malang city and in the riverside areas.

The construction of guesthouses and apartments is one of the impacts of the high demand for housing in Malang City. A very dense living environment has triggered a huge demand for better housing, environment and facilities, especially for high economic groups who need access to places close to their workplace and also for students who need access to housing close to universities. Therefore, building multi-story houses or apartments is a solution to solve this problem.

It is important to build apartments because building structures, which are typically large and multi-story, typically produce many units. An example is the Begawan Apartment, which has 959 units with parking capacity for 199 cars. With a single apartment building, it can accommodate up to 959 people if you count one person per unit. Therefore, the construction of apartments is considered relevant and many immigrant residents in Malang City prefer to use apartments due to their wide and convenient access. However, the construction of apartments also carries many requirements and requires authorization from the department responsible for spatial planning.

The discourse for better urban planning has many procedures, one of which is the implementation of urban spatial planning which is generally carried out in all regions of Indonesia (Pambudi & Sitorus, 2021; Simamora & Sarjono, 2022). Large cities such as Surabaya, Semarang, Bandung and Malang are usually cities that are classified as cities that have problems with special spatial planning aspects of apartment construction. This is because basically large cities have very large population densities. Especially Malang City as one of the big cities, although the population frequency decreased from 2018 to 2020, the availability of housing has not been able to meet the number of housing applications.

Table 1. Population data by subdistrict of Malang City from 2018 to 2020

Subdistrict	2018	2019	2020
Klojen	102.584	102.018	101.410
Blimbing	180.104	180.805	181.426
Kedungkandang	192.316	194.341	196.298
Sukun	194.321	195.659	196.917
Lowokwaru	196.793	197.859	198.839
Total general	886.118	870.682	847.890

Source: Central Statistics Agency of Malang City (Badan Pusat Statistik Kota Malang, 2023)

In the data shown in contained a decline from 2018 to 2019. It then declined significantly from 2019 to 2020 due to COVID-19. However, with a decrease significant It is also unable to meet the high demand for existing housing. a Malang. Furthermore, the large number of tourists and students coming to Malang City are only temporary, which further reinforces the reasons why the construction of guesthouses and apartments is more relevant.

If we look at it judicially, there is nothing that specifically regulates the construction of apartment buildings in Malang City, so there are many pros and cons regarding the construction of apartments. In the research, the problem that will be discussed in this research is the construction of the Begawan apartment building which is located at Jalan Raya Tlogomas No. 1-3, Tlogomas, District. Lowokwaru, Malang town. The layout of this apartment is not much different from Soekarno Hatta's apartment, but the layout of Begawan's apartment is still a bit far from the river bank. According to InvestigNews.com,

the side of this apartment building hangs over the bank of the Brantas River and several construction pillars were also found that were 10 meters above the ground with a 45 degree slope, not even the foundation of this apartment was touching the ground (InvestigasiNews.co, 2021).

The construction of Begawan Apartments in Malang City was started in 2018, after obtaining a construction permit on June 6, 2018. Since the beginning, this development has caused a lot of problems among the residents, the government and also the apartment. Many residents rejected this development until there was a Begawan resolution that made three promises, namely a promise to build the Begawan Resi Bawono punden, a promise of the apartment's ability to build a road to the punden, and also a promise that the apartment would empower local residents to become workers in the apartment.

Another impact of the construction of this apartment is that there will be a decrease in the flow of water in the location around the Begawan apartment building, because this is due to the large amount of water consumption that will be used by the residents of the apartment, which will then have an impact on the decrease in water flow in the wells dug by the local residents. In general, the regulations relating to urban territorial planning take into account the applicable laws. If we look at the regional spatial planning policies listed in Law Number 6 of 2007 on spatial planning, not all regions in Indonesia have the same policy formulation because the geographical conditions of each region are different. Meanwhile, according to Article 14, paragraph 2, of Law Number 32 of 2004 on Regional Government, the mandatory issues that fall under the authority of regional governments for districts/cities are matters of scale, including the authority to plan, use and supervise spatial planning (Gischa, 2020).

Of course, the formulation of the RTRW of Malang City is synchronized with the Regional Medium Term Development Plan (RPJMD). The discussion in the Regional Medium-Term Development Plan of Malang City for 2018-2023, specifically CHAPTER IV, contains two points of discussion, namely, the first is Public Works and Spatial Planning Matters which analyzes the problems arising in matters of public works and spatial planning, one of which is the lack of supervision of the adequacy of Spatial Planning (spatial design position). The second is Housing and Settlement Issues, which looks at two emerging issues in housing and settlements, namely the lack of optimal management of residential areas in river basins and the absence of regulations on the ease of home ownership for residents.

The formulation of the RPJMD was reformulated by the Department of Public Works, Spatial Planning and Residential Areas of Malang City (DPUPRPKP) in the form of a Strategic Plan according to its function. One of the functions of point 15 (fifteen) of the DPUPRPKP of Malang City is the implementation of urban spatial planning. So that all forms of implementation related to urban spatial planning are the responsibility of the DPUPRPKP (Gischa, 2020).

Based on the problems explained above, this research will aim to analyze the apartment development policies in the spatial plan of Malang City, and also what impacts the Spatial Plan of Malang City has on the apartment development of Begawan. This research refers to three previous studies, the first is the Spatial Planning Policy Analysis (RTRW Analysis Study in Malang City) with a discussion on the description and evaluation of whether the spatial planning policies of Malang City are appropriate for the intended use (Suyeno & Sekarsari, 2018).

The second previous investigation was the impact of apartment and hotel development in Sidoarjo from an environmental policy perspective. This research analyzes the influence of Sidoarjo apartment and hotel construction on environmental policy and also identifies local government efforts to overcome these problems (Ikhwan, 2020). The third previous

investigation is Impact on Development. *The Jarrrdin Apartments* on Environment and Society is linked to the Regional Regulation Number 18 of 2011 on the Regional Spatial Planning of the City of Bandung, the discussion of this literature is to analyze the regulations governing the construction and management of apartments/rusunawa, this research also aims to identify and analyze the implementation of the Regional Regulation number 18 of 2011 (Putra & Ismelina, 2017).

The concept of public policy is also used in this research. Dunn & Wibawa (2000) whose basic premise is that the process of policy analysis is a series of intellectual activities carried out in a political series. William Dunn stated that the process of policy analysis consists of finding the problem or the cause of a problem, through the process of policy development to overcome an existing problem, to the emergence of policy recommendations that have been formulated.

METHOD

This research uses the descriptive qualitative research method proposed by Creswell, with the objective of explaining or describing data through detailed observations, interviews based on existing phenomena (Creswell, 2015). This method aims to understand a phenomenon in depth. To obtain data, the researchers also focused on observations and interviews with parties involved in the construction of the Begawan Apartment. The selection of respondents uses a snowball sampling approach, that is, the researcher determines which respondents can and have the right to be interviewed (Salmaa, 2023).

RESULT AND DISCUSSION

Development planning

One of the strategic policies of the regional government in regulating regional spatial planning in an area is to create Regional Spatial Planning regulations (RTRW) (Ulenaung, 2019). Especially the city of Malang. In its implementation, reference is made to the RTRW regulations of Malang City 2010-2030, which at this planning stage are improvements to previously existing policies but experienced several deviations. In implementing this policy, it is in accordance with its role in industrial areas, residential areas, flats and also public facilities. However, open green spaces still do not meet established standards.

Ideally, the construction of apartments in Malang City should be in line with the regulations issued by Malang City which are regulated in Malang City Regional Regulation Number 1 of 2012 on Buildings CHAPTER 11 Article 4 which states that the principles of construction regulation are (1) integration, (2) harmony, (3) sustainability, (4) efficiency and success, (5) openness, (6) union and partnership, (7) protection of interests public and justice, (9) responsibility.

The interview conducted with the Malang City Licensing Service was related to the development planning and integrity of permits for the Begawan Tlogomas apartment building. From the results of an interview with Mr. Sugeng Prasutowo, S.H as a representative of the Malang City Licensing Service, he said that the Begawan apartment has had a building permit since the beginning of construction. When processing the construction permit, Begawan of course used AMDAL (Environmental Impact Analysis) which in the preparation of this AMDAL also involved the community. So this AMDAL not only discusses the impact on society but also the impact on the environment.

Mr. Sugeng Prasutowo also made a statement regarding concerns about the wells drilled in the Begawan building, stating that to address the concerns of residents, there is a provision called SIPA (Groundwater Extraction Permit) issued by the provincial licensing service as the one that has the rights in this regard. He also stated that because the IMB had

basically been issued for Begawan, Begawan was said to have legality and was in a position to construct an apartment building in the Tlogomas area.

From the results of the interview, it is clear that the Licensing Service has fulfilled its duty to give permission to parties submitting applications to construct buildings with the conditions and equipment that have been met. This means that if the conditions for construction are met, an IMB (Building Construction Permit) will be issued. With reference to the interview results, it was explained that the Begawan building had received an IMB based on information from the licensing authority and had the right to build.

Interviews were also conducted with the Begawan apartment, and representatives Ms. Karin and Mr. Lukman provided information that there are already permits for Begawan from IMB, AMDAL, ANDALALIN and there are also operational permits. So, according to Begawan, they have the right to construct the building thanks to the permits they have obtained. Starting in 2020, this building will be one hundred percent constructed and ready for occupancy.

Planning compliance with policy

Five general steps in policy analysis according to [Dunn & Wibawa \(2000\)](#) namely, definition, prediction, recipe, description and evaluation. If we put it in context with the construction process of the Begawan Tlogomas apartment in Malang city, there were many defects. Starting from permits with related agencies, supervision by authorized institutions and planning in accordance with relevant agencies are just a formality.

Malang City Regional Regulation Number 4 of 2011 on Regional Spatial Planning of Malang City for 2010-2030 Chapter 2 Vision and Mission, Part One Article 2 of the vision states that the development of Malang City is directed towards the vision "Realize Malang City as a city with quality education, a healthy and environmentally friendly city, a city of cultural tourism, towards an advanced and independent society." Furthermore, the second part of the Mission, Article 3 of the Malang City Development Mission, is the Mission (1) of creating economic equality and a center for growth in the surrounding area. Mission (2) Achieve improvements in public health, Mission (3) Achieve environmentally friendly development implementation. Mission (4) Realize economic equality and growth centers in the surrounding area. Mission (5) Create and develop cultural tourism. Mission (6) create public services of excellence.

In this case, if it is contextualized with this mission, especially with mission 3, that is, achieving environmentally friendly development. This mission is not easy to implement in cities and Malang City in particular. Because when carrying out the development, of course, we consider aspects of the City's Regional Territorial Plan ([Hastri et al., 2022](#)). In Malang City itself, we can observe the formulation of spatial planning in the Malang City Regional Regulation 2010-2030 Chapter 3 Part One Principles Article 4 The spatial planning of Malang City is carried out on the basis of the principles of integration, harmony, harmony and balance, sustainability, utility and success, openness, union and partnership, protection of public interests, legal certainty and justice, responsibility and sustainability within the scope of Malang City, which is environmentally friendly and in relation to the province of East Java and the surrounding autonomous regions.

The description of the ideal development regulated in the PERDA of Malang City to be carried out analyzes the description of the vision and mission of regional development in Malang City; Ideally, the development in Malang City is aimed at achieving environmentally friendly development implementation in accordance with the description of mission 4 above. This means that when carrying out development, it is necessary to consider aspects

of urban planning that have been regulated, including geographical location, location of development and potential impacts on the environment.

Meanwhile, according to the Regional Regulation Number 4 of 2011 of Malang City regulating the RTRW of Malang City for 2010-2030, the environment in the Brantas River water body area and the buildings in the river border area are included in the category of Open Green Space (RTRW). Meanwhile, the Begawan apartment building was built right next to the Brantas River, so if you look at the PERDA above it seems that this construction violates the law.

Therefore, it is clearly visible that there is a violation, based on the RTRW (Regional Spatial Planning of Malang City) regulations that the construction of buildings on the river bank must be more than 10 to 15 meters away, while the construction of this apartment is done along the Brantas River in Malang City. This can be reviewed again when the development of Begawan is put into context with the clearly ineffective regulations implemented. However, this development has transparency in its construction which can be accessed on the official website and online platforms (Abi et al., 2023).

With the violation of this development, it can be said that the construction of the Begawan apartments is not in accordance with the RTRW regulations, which in these regulations do not allow buildings to be built along the Brantas River, but as stated above, the construction of this apartment was built along the Berantas River, a distance of no more than 10 to 15 meters as has been regulated.

Travel process

The path to construct the Begawan Apartments has many stages and procedures that must be followed so that it is expected to have a positive impact on the development of Malang City in accordance with the vision and mission of the Regional Spatial Plan of Malang City. The development impact stated by Apriando explained that the construction of apartments could have a negative impact on the surrounding environmental infrastructure. The reduction of groundwater supply for residents in the surrounding environment, which could lead to droughts for residents in the apartment building environment, is an example of the negative impact of apartment construction.

If we put it in context in the construction of the Begawan apartment, it can be specified that it has positive and negative impacts, especially for the residents of RW 5 which is behind the Begawan building and RW 7 which is the focal point for the construction of the Begawan building. Interviews were conducted with the two heads of RW. The owner of RW 7 stated that the positive impact of the construction of this building starting in 2020 has not yet been seen because the units have not been one hundred percent sold. However, in the construction process Begawan still involves local residents because otherwise AMDAL will not be accepted by the residents of RW 7. Begawan also provided compensation funds of more than 300 million for RW 7 after the residents of RW 7 approved the development.

The head of RW 7 also explained that the negative impact felt by the construction of the Begawan apartment was that when there was an event, the community also suffered losses in terms of comfort, where there was a lot of noise. The second was the impact of crowds, for example parking for people who came to this event would be very disruptive because their minds were outside the building, which upset local residents.

Meanwhile, according to Mr. Zainal, as president of RW 5, during the interview, his statement was that the positive impact of this development was yet to be felt. However, there is an MOU of RW 5 with Begawan according to which local residents can work in the apartment. In this development, Begawan also provided 1 million per family card to residents in RW 5 and RW 7, Tlogomas Village, Malang City, as areas affected by the Begawan

development. Meanwhile, the negative impact is the noise that occurs when there is an event held by Begawan. Therefore, there is an agreement that if there is an activity or event organized by Begawan, they must ask permission from the surrounding RW affected by noise, and activities that cause crowds and noise must stop after 22:00 WIB.

The construction of Begawan also has an impact on the surrounding environment, according to the results of interviews conducted with RW 5 as one of the RWs that geographically feels the impact of this development the most, stating that the construction of Begawan has had an acoustic impact, several residents' houses have experienced cracks, cell phone networks and television channels have been lost. This sparked a protest from RW 5 towards Begawan. Meanwhile, RW 7 stated that there was no environmental impact affecting RW 7.

Evaluation and planning recommendations

In line with the thought [Dunn & Wibawa \(2000\)](#) that in the concept of policy analysis there must be an aspect of policy evaluation, so the results and recommendations of the evaluation are based on the Regional Regulation Number 4 of 2011 on the spatial planning of Malang City for 2010-2030. It contains spatial plans that are one of the references for the construction of apartment buildings in Malang City. What is a recommendation and evaluation of the researchers is, first of all, that there are still many buildings on the river border, so if we refer to the RTRW of Malang City there are still hotspots, so it is necessary to confirm the violations committed in the construction of this apartment and also it is necessary to carry out major renovations to improve the location of this apartment.

The second is that there is a separate study regarding apartments, in this case there is no specific regulation that regulates apartment buildings, so there is the possibility of violations in construction due to the lack of legal references for development. The third is that the bus stop to overcome traffic jams is still in the study stage, where during the construction of this apartment there are many traffic jams right in front of the construction of this apartment, so it is necessary to overcome the congestion that occurs in the surrounding area. And finally, the open green spaces that are disturbed by this development must be addressed to address the disruption of open green spaces in the surrounding area.

Recommendations addressed to the Malang City Government, especially the Malang City DPRD, to immediately approve regulations regarding apartment buildings, so that it will be easier for the people of Malang City or related parties when they want to build an apartment building. These standards can be used as a clear reference when it comes to the construction of apartment buildings.

CONCLUSION

Based on the results of the investigation carried out by the researchers, it can be concluded that the construction of the Begawan apartment building received a building construction permit (IMB), and also to obtain the IMB was carried out in accordance with the existing rules or procedures, but there are still defects in its progress where there are violations in the construction that do not comply with the provisions regulated in the RTRW (Regional Spatial Planning) of Malang City. The building was built along the Brantas River, at a distance of less than 10-15 meters.

According to the results of this research, there are negative impacts and positive impacts. The negative impact of the Begawan apartment building according to the results of this research is the reduction of open green spaces as an area for rainwater harvesting, and also a reduction of air pollution which in the open green space regulations of Malang City stipulates the Brantas River border area as part of the open green spaces. Other impacts

based on the results of this research are noise due to construction activities and damage to several residents' homes due to initial construction. On the other hand, the residents of Begawan also suffered interruptions to the Internet network and television channels due to obstruction of buildings.

Meanwhile, regarding the availability of water discharge in the surrounding community, so far, according to the results of this research, there has not been any problem of reducing water discharge into the environment or into wells dug in the surrounding community, because at the beginning of construction there was a contract between the surrounding community and Begawan not to drill for water for consumption in the Begawan apartment building. Of course, this is seen in the impact of the policies adopted by the government, as well as the appearance of defects in the flow of travel.

Meanwhile, the positive impact of the construction of the Begawan apartment building based on the results of this research is that when the construction of the Begawan apartment building influenced the community activities, which initially in the residential areas became commercial activities, that is, trade and services as supporting activities for the apartment, which resulted in an increase in the income of the community around the construction of the apartment building, as well as the regional income in Malang City.

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