

EFFECTIVENESS OF SUPERVISION OF TRANSFER OF INFRASTRUCTURE, FACILITIES, AND PUBLIC UTILITIES (PSU) FUNCTIONS INTO COMMERCIAL BUILDINGS IN MALANG: A SOCIO-LEGAL APPROACH IN THE PERSPECTIVE OF GOOD GOVERNANCE

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Abstract

Land conversion of Infrastructure, Facilities, and Public Utilities (PSU) into commercial buildings in Malang City is a phenomenon that is increasingly widespread and has caused various spatial problems. This research aims to analyze and evaluate the effectiveness of policies and supervision practices carried out by the Malang City Government in preventing PSU misuse. Using socio-legal methods and a qualitative approach, data was collected through in-depth interviews and document studies involving officials of the Public Works Office and housing developers. The results showed that weak law enforcement mechanisms, lack of coordination between agencies, and low awareness of developers are the main factors that trigger uncontrolled land conversion. Based on Lawrence M. Friedman's legal system theory framework, this research highlights how the interaction between legal substance, legal structure, and legal culture determine the success of PSU management. The research concludes that although regulations are in place, their implementation is still weak. Therefore, it is necessary to strengthen legal supervision, increase transparency, and apply the principles of good governance and sustainability as an effort to prevent further violations and maintain Malang City's spatial layout to be more organized and equitable.

Keywords: PSU function change; legal supervision; spatial planning; good governance.

1. Introduction

The provision of adequate housing is a basic human right as guaranteed in Article 28H paragraph (1) of the 1945 Constitution (Indonesia, Pemerintah Pusat, 1945). To realize

The conversion of Infrastructure, Facilities, and Public Utilities (PSU) land into commercial buildings in Malang City is a complex phenomenon that involves various factors. In general, land conversion occurs when land that was originally planned for public facilities, such as parks, roads, or green open spaces, is converted to commercial use, such as the construction of shopping centers or luxury housing. This process is often influenced by economic pressures and the need for infrastructure development that is considered more financially lucrative. For example, the development of Malang Town Square (MATOS) and Olympic Garden Mall (MOG) in Malang City shows the conversion of land previously designated as green open space or other public facilities into commercial areas (Susilaningih & Bo, 2014, p. 82).

In dealing with this problem, the Public Works, Spatial Planning, Housing, and Settlement Areas Office (DPUPRPKP) of Malang City has a strategic role in regulating and supervising land use in accordance with its designation. Based on Malang City Regional Regulation No. 5/2019, DPUPRPKP is responsible for policy formulation, implementation, and supervision in the field of public works and spatial planning (dpuprpkp.malangkota, 2019, p. 3). However, the implementation of these policies and supervision still faces various obstacles. One of them is the lack of public and developer awareness of the importance of PSU submission to local governments. In 2022, the Malang City Government continued to encourage housing developers to submit PSUs, but the realization was not optimal (Malang, 2022). In addition, weak law enforcement and lack of coordination between related agencies are also obstacles in monitoring land use change.

To overcome these problems, collaborative efforts are needed between the government, the community, and developers. Increased socialization about the importance of PSU, strict law enforcement against violations of land use change, and transparency in the licensing process can be the first step in maintaining the spatial sustainability of Malang City.

This research aims to analyze and evaluate the policies and supervision practices implemented by the Malang City Government in overcoming the problem of conversion of Infrastructure, Facilities, and Public Utilities (PSU) into commercial buildings. The conversion of PSU that is not in accordance with its designation can reduce the quality of the residential environment and disrupt the welfare of the community (Maryati et al., 2021, p. 101183). Therefore, evaluation of existing policies and the effectiveness of their supervision is crucial to ensure that PSU continues to function in accordance with its original purpose.

In addition, this research also aims to provide policy recommendations that can improve the effectiveness of PSU management to maintain the quality of decent housing. The recommendations are expected to be a reference for the Malang City Government in formulating more effective and efficient policies in PSU management, so as to improve the quality of life of the community and create a comfortable and sustainable residential environment.

The conversion of PSU land into commercial buildings in Malang City is an issue that requires serious attention from various parties, including the local government, developers, and the community. An effective PSU management policy and a strong monitoring system are key in maintaining the balance between development and the sustainability of the residential environment. Despite the existence of regulations, the practice in the field shows that there are still many challenges in its implementation, ranging from weak coordination between agencies to the lack of awareness of the community and developers of the PSU submission obligations. Therefore, this research not only aims to evaluate existing policies but also provide recommendations that can improve the effectiveness of PSU management in order to maintain the quality of decent housing and prevent land abuse (Permadi, 2023, p. 292) that has a negative impact on the community and the spatial layout of Malang City.

2. Materials and Methods

The theoretical foundation is an important part of legal research because it is the basis for analyzing and understanding the phenomenon under study (Budianto, 2020, p. 1339). In the context of land conversion of Infrastructure, Facilities, and Public Utilities (PSU) into commercial buildings in Malang City, this research uses Lawrence M. Friedman's Law Enforcement Theory as the main approach. This theory highlights three main components in the legal system, namely legal substance, legal structure, and legal culture (Flora et al., 2023, p. 119), which play a role in determining the effectiveness of policies and supervision of spatial utilization.

Legal substance includes rules and regulations that govern land use and spatial planning, including Malang City Regional Regulation No. 5/2019 (Indonesia, Kota Malang, 2019) and Law No. 26/2007 on Spatial Planning (Indonesia, Pemerintah Pusat, 2007). In the context of this research, legal substance functions as an instrument that regulates the designation of PSUs and prevents their misuse by housing developers and the commercial sector. However, although regulations are available, their implementation in the field still faces obstacles in the form of mismatches between planning and implementation.

Legal structure refers to the institutions and state apparatus responsible for enforcing spatial regulations. In this study, the legal structure includes the role of the Public Works, Spatial Planning, Housing, and Settlement Areas Office (DPUPRPKP) of Malang City, which has the authority to supervise the utilization of PSUs. However, the effectiveness of supervision is often hampered by the lack of coordination between agencies and limited resources in field supervision. Previous studies show that many cases of land conversion occur due to weak government control over developers who do not submit PSUs as required.

Legal culture describes the awareness of the community and developers of the applicable laws. In the case of PSU conversion, the low awareness of developers and weak legal sanctions have caused many violations to occur. Based on Friedman's theory, if a society has a weak legal culture, then no matter how good the legal substance and structure are, policy implementation will still not go well.

In the context of this research, Lawrence M. Friedman's Law Enforcement Theory provides a framework for understanding how spatial policies in Malang City are implemented, and why there are still gaps in their implementation. By referring to this theory, this research will evaluate the effectiveness of existing regulations, identify constraints in the institutional structure responsible for supervision, and examine how the legal culture of the community and developers contribute to the problem of PSU conversion.

Thus, this theory helps in formulating more effective policy recommendations based on the principles of Good Governance, where transparency, accountability, and consistent law enforcement are the main factors in creating a more equitable spatial system (Biswas et al., 2019, p. 234).

This research uses a socio-legal research method (Atikah et al., 2024, p. 2) with a qualitative approach to analyze the discrepancies in the implementation of regulations related to the conversion of Infrastructure, Facilities, and Public Utilities (PSU) into commercial buildings in Malang City. This method combines normative legal analysis with an empirical approach, conducted through interviews with officials of the Malang City Public Works, Spatial Planning, Housing and Settlement Areas Office (DPUPRPKP) and housing developers. The socio-legal approach allows for a more in-depth analysis of the effectiveness of spatial planning policies in Malang City as well as the obstacles faced in its supervision.

Strengthening the socio-legal approach in this research is obtained through the addition of quantitative data that shows the high level of land conversion in Malang

City, which directly affects the effectiveness of supervision and law enforcement against misuse of Infrastructure, Facilities and Public Utilities (PSU). Based on a report from the East Java Provincial Bappeda, agricultural land in Malang City is shrinking by an average of 70-80 hectares per year or around 5-6 percent, which shows high land conversion pressure due to the need for urban space that increases every year (Bappeda Provinsi Jawa Timur, 2011). geospatial research by Brawijaya University also noted that paddy fields experienced the sharpest decline in 2018-2019, at a rate of 25.42 percent per year, where 31.38 percent of the land was converted into residential areas (Hermawan et al., 2025, p. 1). This is in line with data from the PUPRPKP Office of Malang City which notes that until the end of 2022, as many as 146 PSUs have been officially handed over by developers to the Malang City Government, indicating that government supervision in PSU management is still reactive rather than preventive (Malang, 2022). In addition, other studies show that the conversion of state land functions such as Green Open Space (RTH) to commercial functions has occurred since the 1970s, including the construction of shopping centers such as MOG and MATOS over former sports facilities and RTH (Susilaningsih & Bo, 2014, p. 82). This quantitative data strengthens the empirical approach in the research by providing a real picture of the discrepancy between regulations and practices in the field.

The research conceptual framework refers to Lawrence M. Friedman's Law Enforcement Theory, which states that legal effectiveness depends on legal substance, legal structure, and legal culture (Flora et al., 2023, p. 119). In the context of this research, legal substance refers to spatial regulations governing PSU utilization, legal structure includes institutions responsible for supervision, and legal culture reflects the level of compliance of the community and developers in carrying out their obligations towards spatial planning. An evaluation of these three aspects allows this research to identify obstacles in the implementation of the regulation and the effectiveness of its supervision. This research relies on two main categories of sources, namely primary and secondary legal sources. Primary legal sources include various legal documents and regulations that form the basis for analyzing the PSU conversion policy. Meanwhile, secondary legal sources consist of academic literature, scientific journals, as well as the results of previous research relevant to PSU conversion and land governance.

Data collection in this research was conducted through in-depth interviews (iProbe, 2022) and document studies to gain a more comprehensive understanding of the policies and challenges in the implementation of the regulation on the transfer of function of Infrastructure, Facilities and Public Utilities (PSU) in Malang City. Interviews were conducted with Malang City DPUPRPKP officials and housing developers, aiming to explore the extent to which the regulation has been implemented and identify factors that cause deviations in its implementation. In addition, document studies were conducted to analyze spatial regulations, government reports, and various relevant policies to obtain a comprehensive picture of the effectiveness of PSU management. In this study, a purposive sampling technique was used (Salmaa, 2023), which is the selection of samples based on certain criteria relevant to the research, thus ensuring that the selected subjects have a direct relationship with the problems studied. The research sample includes DPUPRPKP officials in Malang City who are responsible for PSU supervision, housing developers involved in PSU conversion, and communities affected by the conversion. To analyze the data, this research applied a descriptive qualitative method, grouping the findings based on main categories such as regulatory non-conformity, supervision constraints, and social and economic factors that influence compliance with spatial regulations. With this approach, the research aims to identify gaps in PSU management policies and develop recommendations that can improve the effectiveness of supervision and law enforcement related to PSU conversion in Malang City. All research followed ethical guidelines (ICC/ESOMAR, 2016), to ensure transparency, respondent privacy, and compliance with international ethical standards (ESOMAR,

2016). Written informed consent was obtained, and confidentiality was maintained.

3. Results and Discussion

Infrastructure, Facilities, and Public Utilities (PSU) is a vital element in urban spatial planning, serving as supporting infrastructure that ensures the smooth running of community activities and the sustainability of the settlement environment. PSU includes various facilities such as road networks, drainage, drinking water supply, sanitation, landfills, and green open spaces (RTH) (Ditjen Bina Pembangunan Daerah, 2024). The availability of adequate PSU not only improves the quality of life of residents, but also encourages the creation of a healthy and productive environment.

In Indonesia, regulations related to PSUs are regulated in several laws and regulations. Law No. 26/2007 on Spatial Planning emphasizes the importance of a spatial structure consisting of an arrangement of settlement centers and a network system of infrastructure and facilities that function as support for the socio-economic activities of the community (Indonesia, Pemerintah Pusat, 2007). In addition, Government Regulation Number 12 of 2021 emphasizes that the PSU component is important to ensure the development of housing and residential areas that are organized and in accordance with the carrying capacity and capacity of the environment (Indonesia, Pemerintah Pusat, 2021).

Local governments have a crucial role in PSU management (dkpp.dumaikota, 2023). For example, the Sleman Regency Government emphasizes that public and social facilities in housing must be maintained in terms of availability, function, and sustainability so that the quality of housing can be well maintained and slums are not created (bappeda.slemankab, 2020). Accurate PSU data collection is also an important step to identify housing and residential areas that need PSU development or repair, so that it can support the creation of a sustainable, timely, complete and accurate reporting system (perkim.id, 2023).

By understanding the concept and regulation of PSU in urban planning, it is expected that all parties, including the government, developers, and the community, can play an active role in realizing a livable, sustainable, and compliant residential environment. Good cooperation between all stakeholders will ensure the sustainability and quality of PSU, which in turn improves the overall quality of life of the community (Media Kalbar, 2024).

The conversion of Infrastructure, Facilities and Public Utilities (PSU) into commercial buildings in Malang City has become a concerning phenomenon, especially in residential areas such as Sigura-Gura Residence and Griya Mandiri. PSU, which includes facilities such as roads, drainage channels and green open spaces, should function to support the quality of life of the community (Nurchahyo, 2024). However, the conversion of these lands for commercial purposes is often not in accordance with their original designation, resulting in various problems in urban planning (Fitriah & Irwan Noor, 2020, p. 2).

One of the significant impacts of PSU conversion is that it is inconsistent with the established spatial plan. Land conversion without proper planning can disrupt the balance between built-up area and open space, which is essential for the sustainability of the urban environment (Lourenço et al., 2020, p. 123096). In addition, a decline in the quality of the residential environment is also an inevitable consequence. Uncontrolled land conversion can lead to a reduction in green spaces and other public facilities, which negatively affects the comfort and health of residents.

Disruption to the drainage system is another impact that needs serious attention. The conversion of PSU land, especially those related to waterways or infiltration areas, can result in drainage systems not functioning optimally. This increases the risk of waterlogging or flooding in residential areas. Studies show that the use of irrigation channels as drainage channels, as well as land elevations that are lower than the water

level in the channels, can exacerbate this condition (Juwono & Subagiyo, 2017, p. 260).

The phenomenon of PSU land conversion also reflects the lack of synergy between the government and developers in maintaining the quality of the urban environment. The obligation to hand over PSUs by developers to local governments, as stipulated in the Minister of Home Affairs Regulation Number 9 of 2009 (Indonesia, Kementerian Dalam Negeri, 2009) and Malang City Regional Regulation Number 2 of 2013 (Indonesia, Kota Malang, 2013), is often not fulfilled properly. As a result, public facilities that should be managed by the government for the benefit of the community become neglected or converted without a clear permit.

To overcome this problem, stricter government supervision of PSU land conversion practices is needed. In addition, active community participation in monitoring and reporting violations is also important to ensure that PSU is used as intended. Thus, the quality of the settlement environment can be maintained, and the risk of disasters such as flooding can be minimized.

The provision of infrastructure, facilities, and public utilities (PSU) in residential areas is a fundamental element in efforts to organize livable, healthy, and sustainable housing. Based on Article 1 point 1 of Law Number 1 Year 2011 on Housing and Settlement Areas, housing management is a system that includes land provision, funding, and the role of the community in forming an integrated residential area. Housing is not just a place to live, but must also be equipped with infrastructure such as roads, drainage, clean water systems, lighting, and open spaces that support the social and economic life of the community (O'Sullivan et al., 2023, p. 7).

Regional spatial regulations, particularly Malang City Regional Regulation No. 6 of 2022 on the Regional Spatial Plan of Malang City, emphasize that residential areas include housing, public facilities, social, and city infrastructure (Indonesia, Kota Malang, 2022). Article 60 of the regulation also explains that the development of residential areas must be integrated with transportation network systems, clean water, waste management, disaster evacuation routes, and green open spaces (3). However, facts on the ground show that not all developers comply with these provisions optimally. Data collection of PSUs is one of the crucial steps that needs to be carried out from the early stages of planning to the development process so that the provision of these facilities can be monitored and in accordance with standards.

From the interview with the Head of the Licensing Division of the Investment and One-Stop Service (DPMST), it is known that the increasing need of the community for housing also encourages the importance of the availability of social and public facilities such as parks, roads, places of worship, schools, and posyandu. He emphasized that the construction of these facilities cannot be separated from the responsibility of the developer and must be closely monitored by the local government to ensure the quality of the settlement environment. This is in line with the research findings, which show that weak supervision in the early stages of licensing is often a loophole for violations in the field.

Furthermore, an interview with the Head of the Housing Division of DPUPRPKP Malang City, revealed that the process of providing PSU starts from the planning stage, which includes location permits, planning, and PBG (formerly IMB). Initial control must be carried out so that the proposed site plan really becomes a reference in development. In the development stage, the developer's responsibility includes land maturation and provision of infrastructure according to the approved plan. Local governments together with related agencies have the authority and responsibility to carry out continuous supervision so that violations of PSU development can be prevented.

As part of the socio-legal approach, this research also highlights the importance of collecting data on PSUs as the basis for submission from developers to the government. The data collected should include the name of the housing, location, land size, type of facility, and coordinate points. This data collection is not only an evaluative tool but

the fulfillment of this right, the implementation of housing and residential areas requires adequate Infrastructure, Facilities, and Public Utilities (PSU). However, in Malang City, there is a problem of conversion of PSU functions into commercial buildings that have an impact on reducing environmental quality and incompatibility with spatial plans.

For example, in some housing estates such as Sigura-Gura Residence and Griya Mandiri, it was found that land that should have been used for public facilities such as musala was instead converted into commercial housing. This causes disruption to the drainage system and increases the risk of flooding in the area. This phenomenon shows weaknesses in regulation and supervision on the part of the local government in controlling spatial planning in Malang City (Nanda, 2024).

Several studies have addressed the role of local governments in PSU management and urban spatial issues, including from the perspective of spatial and environmental impacts. The study by Adifa & Sungkowo (2024) highlighted how land conversion for residential areas can lead to mismatches with the physical conditions of the land, such as slope levels that are at high risk of landslides and so on (Adifa & Sungkowo, 2024, p. 1). In their study of the Sidorejo area, Godean sub-district, it was found that much of the land was converted inconsistently with its designation in the Regional Spatial Plan (RTRW), causing significant environmental problems.

In addition, a study by Hayati & Kriswibowo (2023) discussed the importance of Good Environmental Governance in green open space (RTH) governance (Hayati & Kriswibowo, 2023, p. 308). They highlighted that the management of public space and urban land must pay attention to sustainability and legal aspects, including applicable regulations in maintaining the proportion of green land in urban areas (Jabbar et al., 2024, p. 96). This research provides insight into how good spatial policies can reduce the negative impacts of land conversion, while highlighting the lack of implementation of regulations in monitoring land management.

Meanwhile, research by Sutanto (2021) highlighted the policy and implementation of the delivery of housing Infrastructure, Facilities, and Public Utilities (PSU) in Pamekasan Regency (Sutanto, 2021, p. 1491). The study shows that the main obstacles in PSU management are the lack of public awareness of their rights to PSUs and weak law enforcement mechanisms from the local government. The study also highlights that existing policies are often general in nature and require further technical regulations to be effectively implemented.

However, although previous studies have discussed aspects of land governance, environmental impacts of conversion, and PSU policies, there are still gaps in the analysis related to the effectiveness of supervision and law enforcement policies applied by local governments in preventing the conversion of PSU into commercial buildings. Adifa & Sungkowo's (2024) study focuses on technical factors and land suitability, while Hayati & Kriswibowo's (2023) study emphasizes aspects of green space policies. Sutanto's (2021) research focuses more on the implementation of PSU policies in certain areas, but does not specifically discuss the effectiveness of supervision in suppressing the practice of PSU conversion that is not in accordance with the spatial plan.

This research fills the gap by analyzing specifically the policies and effectiveness of supervision carried out by the Malang City Government in overcoming the problem of PSU conversion into commercial buildings. In contrast to previous research that focuses more on technical aspects, green space policies, or implementation of PSU policies, this research will examine PSU from a legal and land governance perspective to produce policy recommendations that are more effective in overcoming this problem.

This research has urgency because many developers illegally divert PSU functions into commercial buildings, which has an impact on the disruption of housing area governance, decreased environmental quality, and increased risk of disasters such as flooding. In the context of *ius constituendum*, this research is expected to provide recommendations for more effective policies to enforce the provisions related to PSU.

also a legal basis in assessing the feasibility of PSU handover. This activity is regulated in Permendagri No. 9/2009 (Indonesia, Kementerian Dalam Negeri, 2009) and is a prerequisite in the transfer of PSU management from the developer to the government. Accurate and transparent data collection is very important, not only to support spatial planning, but also as part of public education so that developers understand their legal obligations and increase community participation in creating a comfortable and sustainable residential environment.

The main problem in PSU management in Malang City is the slow process of handing over public facilities by developers to the Local Government. In an interview with the Head of the Housing and Settlement Area Section of Malang City, many developers have built public facilities but have not handed them over as required. In some cases, the PSU land is converted into residential houses and sold to the public without legal procedures. This creates a discrepancy between the spatial plan and the reality of land use in the field.

This phenomenon indicates structural and regulatory weaknesses in the supervisory system. Based on the provisions of Article 11 of Law Number 1 Year 2011 (Indonesia, Pemerintah Pusat, 2011) and Article 11 of Permendagri Number 9 Year 2009 (Indonesia, Kementerian Dalam Negeri, 2009), the delivery of PSUs should be carried out a maximum of one year after the maintenance period, and must be adjusted to the approved site plan. However, its implementation in Malang City shows the City Government's indecisiveness in carrying out its supervision and control functions, as also emphasized in Article 17 of Malang City Local Regulation Number 2 of 2013. In practice, developers continue to manage and even utilize PSU land because it is still incorporated in the master certificate that has not been separated.

From the socio-legal approach used, it was found that there is a discrepancy between legal norms and implementation in the field. Although administrative sanctions such as revocation of business licenses have been regulated in legislation, including in Article 150 and Article 157 of Law No. 1/2011, local government supervision has not been fully effective. In addition to administrative violations, the actions of developers who build and sell houses on PSU land can also be subject to criminal and civil liability. Criminal sanctions include imprisonment for a maximum of 10 years or a fine of up to IDR 5 billion, while from the civil side, the community as residents have the right to claim compensation on the basis of default.

Furthermore, based on interviews, the community suffered material losses such as a decrease in property value and immaterial losses due to environmental damage, such as flooding. This strengthens the elements of default and tort as referred to in Article 1246 of the Civil Code and Article 1365 of the Civil Code. As explained by Yahya Harahap and Subekti, developers can be held liable for costs, losses, and interest if there is a causal relationship between the default and the losses suffered by the community. Synchronizing with the background findings and methods used, this research emphasizes the importance of reformulating supervision policies based on the principles of Good Governance and sustainability. The Malang City Government needs to increase transparency, enforce the law consistently, and provide strict sanctions to developers who abuse their authority. Thus, the goal of sustainable and equitable urban spatial planning can be achieved. The Public Works, Spatial Planning, Housing, and Settlement Areas (DPUPRPKP) Office of Malang City has an important role in overseeing Public Infrastructure, Facilities, and Utilities (PSU). The 2019 Government Agency Performance Report (LKIP) shows that DPUPRPKP is responsible for the formulation and implementation of policies related to public works, spatial planning, housing, and residential areas. In addition, the agency also manages water resources, irrigation systems, drinking water supply, and city drainage systems (dpuprpkp.malangkota, 2019).

However, in carrying out its functions, DPUPRPKP faces various challenges. One of them is the weak law enforcement mechanism against developers who do not comply

with the PSU submission provisions. The lack of strict sanctions and effective supervision can encourage developers to ignore their obligations, thus hampering the provision of decent public facilities for the community.

In addition, the lack of coordination between government agencies is also an obstacle. Without good synergy between DPUPRPKP and other agencies, such as the Regional Development Planning Agency (Bappeda) and the Environmental Agency, the PSU planning and supervision process can be fragmented. This can lead to policy inconsistencies and ineffective implementation in PSU management.

The low awareness of developers and communities on the importance of PSU submission is also a challenge. Many do not understand that PSU plays a vital role in creating a comfortable and sustainable residential environment. Therefore, intensive socialization and education efforts are needed to increase the understanding of all parties regarding the importance of PSU in urban development.

The conversion of Infrastructure, Facilities and Public Utilities (PSU) by developers without a valid permit is a serious violation of Indonesian laws and regulations. PSUs, which include facilities such as roads, drainage channels, and green open spaces, are supposed to be handed over to local governments to manage for the benefit of the community. However, some developers ignore this obligation, converting PSU land for commercial purposes without following the applicable procedures.

Such violations may be subject to administrative sanctions in accordance with applicable regulations (Adhyatma et al., 2018, p. 117). Such sanctions include written warnings, restrictions on development activities, temporary or permanent suspension of development implementation work, temporary or permanent suspension of housing management, temporary control by the government (sealing), the obligation to dismantle the building itself within a certain period of time, and the obligation to rebuild housing in accordance with the agreed criteria, specifications, requirements, infrastructure, facilities, public utilities, and standards (Saufa Ata Taqiyya, 2021).

In addition to administrative sanctions, developers who carry out PSU conversion without a permit can also be subject to criminal sanctions. For example, in the context of conversion of agricultural land to non-agricultural land without a permit, the perpetrator may be subject to imprisonment and fines in accordance with applicable laws and regulations (Darman, 2020, p. 13).

However, the implementation of regulations related to the handover and management of PSUs often faces obstacles. One of the main problems is weak supervision and law enforcement by local governments. Although there are regulations governing the mechanism of PSU handover by developers to local governments, supervision of the implementation of these regulations is still considered weak (Heriani, 2022a).

To evaluate the effectiveness of the legal system in tackling this problem, Lawrence M. Friedman's Law Enforcement Theory can be used as an analytical framework. Friedman argues that the success of law enforcement is influenced by three main components: the structure of law, the substance of law, and legal culture (Burdatun, 2016, p. 464).

Legal structure refers to the institutions and law enforcement officers that play a role in implementing the rules (Zuhdi et al., 2025, p. 48). In this context, the role of local governments and related agencies is crucial. Legal substance includes applicable regulations and policies, which must be clear and comprehensive to prevent legal loopholes (BPHN, 2014). Meanwhile, legal culture relates to the attitude and awareness of the community and business actors towards the importance of complying with existing rules. These three components must function synergistically to achieve effective law enforcement.

Thus, to tackle violations of PSU function change by developers, it is necessary

to strengthen these three aspects. Strengthening the capacity and integrity of law enforcement officials, improving regulations governing PSU, and increasing legal awareness among the public and developers are strategic steps that must be taken. This holistic approach is expected to ensure that PSU is managed according to its designation, thus supporting the creation of a sustainable and quality residential environment.

To improve the effectiveness of Infrastructure, Facilities, and Public Utilities (PSU) management in Malang City, a comprehensive set of strategic policies is needed. One of the main steps is to increase transparency in the licensing process. By providing open access to licensing information, the public can monitor and ensure that every housing development meets the set standards. This transparency also prevents corruption and abuse of power in the licensing process.

Strengthening law enforcement against developers who violate the rules is also key. The Malang City Government needs to apply strict sanctions for developers who do not comply with the PSU submission provisions. This step not only provides a deterrent effect but also ensures that people's rights to public facilities are fulfilled. In addition, strict and routine supervision needs to be carried out to ensure developer compliance with applicable regulations (Heriani, 2022b).

The utilization of technology in the monitoring mechanism can also improve the effectiveness of PSU management. By using geographic information systems (GIS) and other digital platforms, the government can monitor the status and condition of PSUs in real-time. This allows early detection of violations or damage, so that a quick and appropriate response can be made. The implementation of this technology also facilitates coordination between relevant agencies in PSU management.

In addition, socialization to the community and developers regarding the importance of PSU in urban spatial planning is an important step. By increasing the understanding of all parties regarding the vital role of PSUs in creating a livable and sustainable residential environment, it is expected that awareness and active participation in maintaining and managing PSUs will increase. The Malang City Government can organize seminars, workshops and public campaigns to disseminate this information (Bidang Komunikasi dan Informasi Publik, 2021).

In this research, it has been identified that the conversion of Infrastructure, Facilities, and Public Utilities (PSU) that is not in accordance with regulations has a negative impact on the quality of the residential environment in Malang City. These impacts include a decrease in the quality of public services, incompatibility of land use, and potential conflicts between communities and developers. In addition, challenges in law enforcement and supervision by the local government, such as weak law enforcement mechanisms and lack of coordination between agencies, exacerbate this problem.

To overcome these problems, the application of good governance principles is crucial (Anggara et al., 2022, p. 347). Good governance emphasizes transparency, accountability, community participation, and fair law enforcement in PSU management. By applying these principles, it is expected that PSU management can run more effectively and in accordance with applicable regulations. In addition, a sustainability-based approach needs to be integrated in PSU policies to ensure that the management of public facilities not only meets current needs but also considers the impact on future generations.

The Malang City Government needs to evaluate and revise the existing PSU policy, prioritizing transparency in the licensing and monitoring process. The use of information technology, such as geographic information systems (GIS), can assist in real-time monitoring and management of PSUs. In addition, increasing the capacity of law enforcement officials and increasing public awareness through socialization and education on the importance of PSUs in urban spatial planning should also be a priority.

With a more transparent and accountable policy, as well as active participation

from all stakeholders, it is hoped that the problem of PSU conversion can be minimized. This will support the creation of a more organized, sustainable spatial layout of Malang City, and be able to improve the overall welfare of the community.

4. Conclusions

The conversion of Infrastructure, Facilities, and Public Utilities (PSU) into commercial buildings in Malang City is a phenomenon that not only contradicts applicable regulations, but also has a negative impact on the quality of the residential environment and community welfare. The novelty of this research lies in the focus of analysis on the effectiveness of supervision by the Malang City Government and the application of Lawrence M. Friedman's Law Enforcement Theory as an evaluative instrument. It was found that although regulations are available, such as in Law No. 1 Year 2011, Permendagri No. 9 Year 2009, and Malang City Regional Regulation No. 6 Year 2022, implementation in the field is still weak due to weak coordination between agencies, low developer awareness, and limited supervision by relevant agencies. The urgency of this research is apparent given the massive practice of PSU land conversion that is not in accordance with its designation, which causes material and immaterial losses to the community as well as the potential loss of public assets. Therefore, this research emphasizes the importance of reformulating supervisory policies based on the principles of good governance and sustainability, increasing transparency in the licensing process, and providing strict sanctions for violations committed by developers, as part of a long-term effort to realize a fair, sustainable and participatory PSU management system in Malang City.

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