

MARCH 28TH 2023



DUE DILIGENCE REPORT AND ACTION PLAN FOR DEVELOPMENT OF PERMANENT HOUSING AREA

TONDO 2

**MANTIKULORE SUB-DISTRICT
PALU CITY**

**CITY GOVERNMENT OF PALU
CENTRAL SULAWESI PROVINCE
2022**

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GLOSSARY

APBD	Anggaran Pendapatan dan Belanja Daerah
APBN	Anggaran Pendapatan dan Belanja Negara
ATR	Agraria dan Tata Ruang
AWP	Annual Working Plan
Bappeda	Badan Perencanaan Pembangunan, Penelitian dan Pengembangan Daerah
BNPB	Badan Nasional Penanggulangan Bencana
BP2JK	Balai Pelaksana Pemilihan Jasa Konstruksi
BP2P	Balai Pelaksana Penyediaan Perumahan
BPBD	Badan Penanggulangan Bencana Daerah
BPN	Badan Pertanahan Nasional
BTS	Base Transceiver Station
CERC	Contingency Emergency Response Component
CG	City Government
CPMU	Central Project Management Consultant
CSRRP	Central Sulawesi Rehabilitation and Reconstruction Project
DAPs	Disaster Affected Peoples
DDA	Due Diligence Assessment
DDR	Due Diligence Report
DFZ	Disaster Free Zone
DG	Directorate General
DPT	Daftar Penyedia Tetap
EAP	Emergency Action Plan
EROM	Emergency Response Operations Manual
ESMF	Environmental and Social Management Framework
ESS	Environmental and Social Standards
HAT	Hak Atas Tanah
HGB	Hak Guna Bangunan
HPL	Hak Pengelolaan
LARAP	Land Acquisition dan Resettlement Action Plan

LC/LD	Land Clearing/Land Development
LPM	Lembaga Pemberdayaan Masyarakat
MASP	Ministry of Agrarian and Spatial Planning
MPWH	Ministry of Public Works and Housing
NGO	Non-Governmental Organization
NMC	National Management Consultant
NSUP	National Slum Upgrading Project
OSP	Oversight Service Provider
PAUD	Pendidikan Anak Usia Dini
PAPs	Project Affected Peoples
PDAM	Perusahaan Daerah Air Minum
Perkim	Perumahan dan Permukiman
PIM	Pengelolaan Informasi dan Masalah
PIU	Project Implementation Unit
PJU	Penerangan Jalan Umum
PMC	Project Management Consultant
PMU	Project Management unit
Pokmas	Kelompok Masyarakat
PT	Perusahaan Terbuka
PTSL	Pendaftaran Tanah Sistematis Lengkap
PU	Pekerjaan Umum
RAP	Relocation Action Plan
RTP	Ruang Terbuka Publik
RTRW	Rencana Tata Ruang Wilayah
SD	Sekolah Dasar
SDN	Sekolah Dasar Negeri
Setwapres	Sekretariat Wakil Presiden
SHM	Sertifikat Hak Milik
SKPT	Surat Keterangan Penguasaan Tanah
SMP	Sekolah Menengah Pertama
SMPN	Sekolah Menengah Pertama Negeri
SNVT	Satuan Kerja Non Vertikal Tertentu

SPALD-T	Sistem Pengelolaan Air limbah Domestik Terpusat
SPAM	Sistem Penyediaan Air Minum
SPM	Sinar Putra Murni
SW	Sinar Waluyo
TPPT	Tim Pelaksana Pengadaan Tanah
TK	Taman Kanak-Kanak
TMC	Technical Management Consultant
TPS3R	Tempat Pengelolaan Sampah Reuse, Reduce, dan Recycle
WG	Working Group
ZRB	Zona Rawan Bencana

CHAPTER I

PROJECT DESCRIPTION

1.1 Purpose of Activity of NSUP-CERC and CSRRP

Earthquake with the magnitude of 7,4 SR with the depth of 10-kms centered in the north of Palu City in September 28, 2018 cripples the activity of the people with economy and social supporting infrastructure being damaged in Palu, Sigi Regency and Donggala. The National Board of Disaster Management (BNPB) predicts the total damage was more than trillion rupiahs, including houses, public facilities, roads and bridges, irrigation system, drinking water and wastewater and electrical and communication networks.

Better, safer and sustainable redevelopment becomes the vision to recover the lives in Central Sulawesi Province, especially the affected Regency/City, which is Palu City, Sigi Regency and Donggala Regency. There are two programs funded by the World Bank that supports the rehabilitation and reconstruction post-disaster in those areas, they are: the National Slum Upgrading Project (NSUP) and Central Sulawesi Rehabilitation and Reconstruction Project (CSRRP). Particularly in the NSUP Program, the activity funding is done through the activation of Component 5 Contingency Emergency Response Component (CERC) in 2018 which is was accompanied with the updated Emergency Response Operations Manual (EROM) published in August 2020. CSRRP is a continuation program that was effective in September 2020. s

Both programs support the development of permanent housing and supporting infrastructure, and redevelop education, health and public facilities that were damaged by the earthquake in 2018. Project development objective from these two programs are explained as follows:

1. NSUP-CERC¹: to improve access to urban infrastructure and service in targetted slums in Indonesia and to reconstruct and strengthen public facilities and settlement in selected disaster-affected areas.
2. CSRRP²: to reconstruct and strengthen public facilities and safe houses in the disaster affected areas.

¹ Refer to Project Restructuring Paper which was agreed by World Bank and Government of Indonesia in August 2020.

² Refer to Project Appraisal Document dated June 6, 2019

1.2 Description of Development of Permanent Housing and Supporting Infrastructure

In general, the provision of Permanent Housing in Central Sulawesi is conducted through two schemes: stimulant support for permanent housing development by the Government; permanent housing development by Non-Governmental Institution or Organization. The provision of permanent housing by the Government is a stimulant support. Particularly, the stimulant support conducted by the Ministry of Public Works and Housing (MPWH) covers the provision of permanent housing in-situ and/or in new sites that is equipped with the settlement infrastructure, facilities and utilities, in cooperation with the related Local Government. Basically, permanent housing support is given in the form of earthquake-resistant core houses with the provision scheme according to the size of the area. The policy regarding the origin of the land is stipulated at the level of Local Government. Based on the scale and management scheme, the permanent housing relocation is divided into three groups:

- (i) **Large-scale permanent housing** is the development of permanent housing for the Disaster Affected Peoples (DAPs) who are voluntarily willing to relocate to the new housing sites provided by the Central Government and Local Government in the area that is equipped with settlement infrastructure and facilities and utilities that are constructed through the financing of both programs (NSUP-CERC and CSRRP). The construction of this large-scale permanent housing development is conducted by contractors. This type of permanent housing is located in Duyu (Palu City), Pombewe (Sigi Regency), Tondo 1 (Palu City) and three planned areas in Tondo 2, Talise and Petobo (Palu City). The sizes of these areas is around 14 Hectares – 104 Hectares.
- (ii) **Medium-scale permanent housing (satellite sites)** is the development of permanent housing for Disaster Affected Peoples who are voluntarily willing to relocate to the housing sites provided by the Regency/Municipal Government in three affected cities/regencies (Palu, Sigi, Donggala). NSUP-CERC and CSRRP programs mainly build housing and some supporting infrastructure, meanwhile the other infrastructure and utilities are provided by the Local Government and other related institution (State Electricity Company, Local Water Company, etc). The development of this category of permanent housing is done through contractor (on structural component) with the engagement of community (in non-structural component, such as in plot consultation process and management of permanent housing post-occupancy in which accompanied by facilitator). The satellite permanent housing sites are located in Balaroa and Lere (Palu City), Ganti, Lompio, Wani Lumbupetigo, Tanjung Padang, Loli Tasiburi, Loli Dondo, Lende, Tompe, Loli Saluran, Lende Tovea, Wani 1 (Donggala Regency), and Salua,

Lambara, Sibalaya Utara, Bangga Village 1-2-3, South Sibalaya (Sigi Regency). The sizes of satellite permanent housing range from 0,9 Hectares – 7,4 Hectares.

(iii) Self-help permanent housing is construction of earthquake-resistance core houses carried out either by contractor(s) hired by the MPWH under the NSUP-CERC, or by the DAPs themselves under the supervision of the technical facilitators financed by the CSRRP. The houses are built on disaster-free land plots owned by the DAPs (privately owned or family owned, and it is confirmed that it is on the disaster-free zone). The respective local governments verify and confirm land ownership status which should be physically and legally clean and clear.

In particular for the Tondo-2 permanent housing site which is categorized as large-scale housing development, construction will be conducted by contractors. Site planning and detailed design of large scale permanent housing site is conducted by a planning consultant team based on the available prototype design and has been agreed by the Ministry of Public Works and Housing. The planned land area for Tondo-2 permanent housing site has been verified and confirmed that it is located with disaster-free zone (maximum within the Disaster Free Zone / DFZ 2).

Land for large or medium scale permanent housing sites must be physically and legally clean and clear (not in any dispute). The local government is responsible for the land acquisition and manage the land and building ownership. Land ownership will be handed over to the Disaster Affected Peoples occupying the permanent housing which is stipulated with Decree of Regent/Mayor. The management of ownership must be fair to men and women, both in information disclosure and also administration process. For individually owned land, it legality must be proven with the land ownership certificate or other legal proven documents.

The status of the DAPs' previous land remain unchanged and they are not suitable for physical development as they are mostly located within the red zone/disaster-prone areas. This land, however, can be utilized for farming to support the livelihood of the DAPs' families. Such alternative use will be regulated by the Decree of District Head/Mayor. Up to now, such regulation has not been issued. The DAPs who previously lived in the red zone or the center of liquefaction area are no longer living and cultivating their land. Deep trauma of the liquefaction tragedy makes them reluctant to utilize their land. However, some areas of the tsunami affected red zone have been used for outdoor restaurants by the people or boat landing by the fishermen.

1.3 Type of Activity, Funding and Status of Implementation of Tondo-2 Permanent Housing Activity

In the context of development of the Tondo-2 permanent housing site, NSUP-CERC finances the land clearing and development, meanwhile, CSRRP supports the development of permanent housing and supporting infrastructure. Land clearing of the site, financed under the NSUP-CERC, was completed in end of 2020. The table below explains the type of activity, funding and status of implementation of activity up to February 2022.

Table I - 1 Type of Activity, Funding, Status of Implementation

No	Activity	Source of Funds	Total Funds (Rp)	Status of Implementation*
1.	Land clearing and land development	NSUP-CERC	27.335.903.000	100%
2.	Development of Permanent Housing and Supporting Infrastructure	CSRRP	183.000.000.000	Auction preparation
3.	Development of Supporting Public Health Center	CSRRP	1.000.000.000	Auction preparation

* Status of implementation as per February 2022

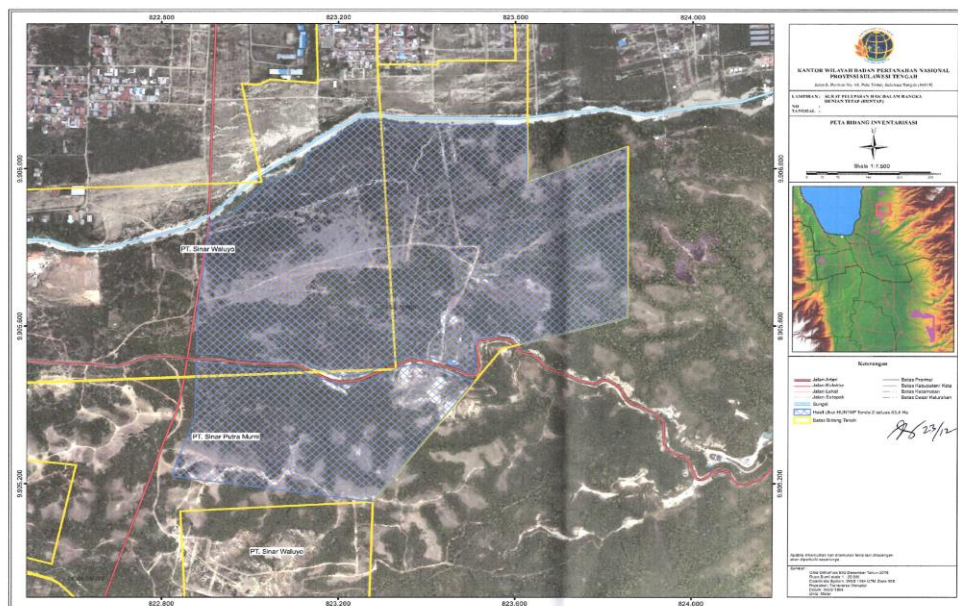
1.4 General Description of Tondo-2 Permanent Housing Site

This part explains the urgency of development of Tondo-2 permanent housing site, whereas the detailed description of its physical and legal land status will be explained in Chapter IV. The development of Tondo-2 permanent housing site is needed to accommodate the DAPs who are listed in the Mayor of Palu Decree No. 360/51//BPBD/2022 dated January 3, 2022³ which stipulates that 1.933 DAPs as the potential recipients of Tondo-2 permanent housing units.

The area allocated for permanent housing, infrastructure and public facility in Tondo-2 area is included in Location Determination that is issued with the Decree of the Central Sulawesi Governor No.369/519/DIS-BMPR G-ST/2018 regarding Location Determination of the Land for the Permanent Housing Sites for the Disaster Affected Peoples in Central Sulawesi Province (attachment 1). Administratively, the Tondo-2 permanent housing site is located in the Tondo Village, Mantikulore District. The land was used to be a building use rights (HGB) under the concessions of PT. Sinar Waluyo (SW) and PT. Sinar Putra Murni (SPM) that has

³ Decree of Mayor No. 360/51//BPBD/2022 dated January 3, 2022 regarding Second Amendment on the Decree of Mayor No. 360/673/BPBD/2020 regarding the Future Recipient of Permanent Residential Support for Earthquake, Tsunami and Liquefaction Natural Disaster Area Program in Palu City.

been abandoned. When it was appointed as the potential location of permanent housing site, the land was an empty land without any building and full of bushes because the holders of the building use rights have not utilized the land and hence was included in the list of abandoned land.



The development of the Tondo-2 permanent housing is not only prepared for the DAPs who originated from the Tondo Village, but also for those coming from other areas in Palu City who voluntarily choose and are eligible to be relocated to Tondo-2. The DAPs of Palu City applied through their village offices and list themselves to be relocated to Tondo-2 permanent housing sites. The applicant lists were then submitted by the village heads to the Local Disaster Management Agency (BPBD) of Palu City. In total, 32 villages have submitted the list containing names of the DAPs who voluntarily choose to be relocated to Tondo-2 permanent housing site.

On May 26, 2020, the Head of the Regional Settlement and Infrastructure Center of Central Sulawesi as the person in charge for the development of the permanent housing, asked support from the Mayor of Palu to settle the claim issue before the development is continued. Further explanation regarding land acquisition process is explained in Chapter IV.

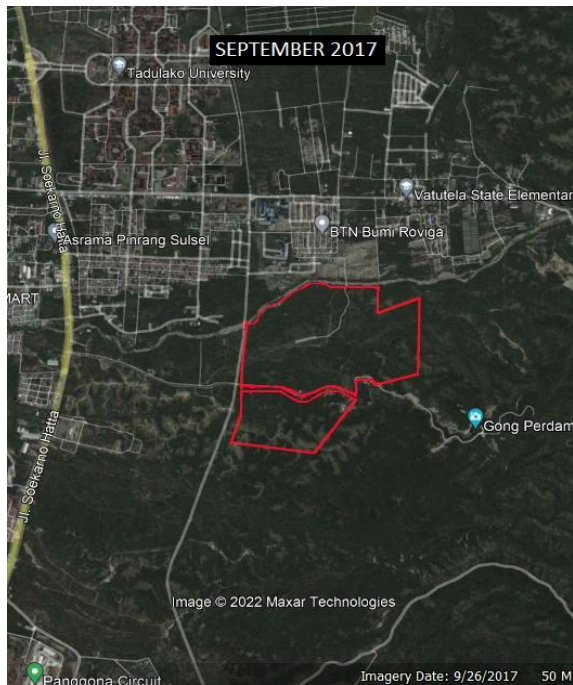


Photo of Tondo-2 satellite image year 2017

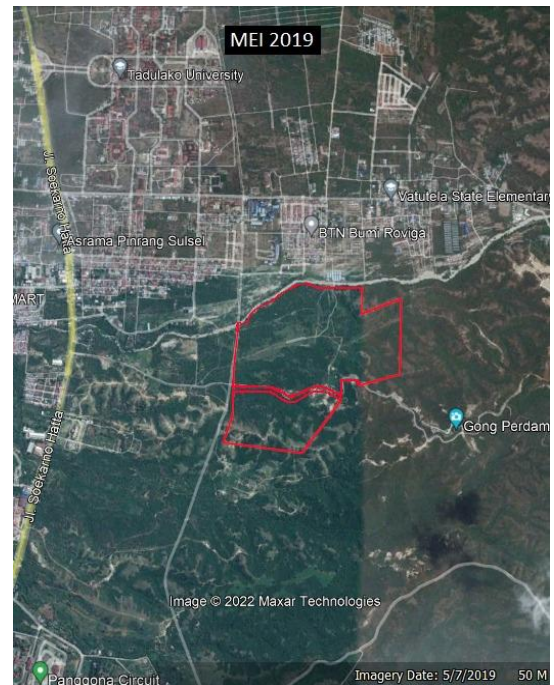


Photo of Tondo-2 satellite image year 2019

Image I - 2 Photo of Tondo 2 Satellite Image Before Land Clearing

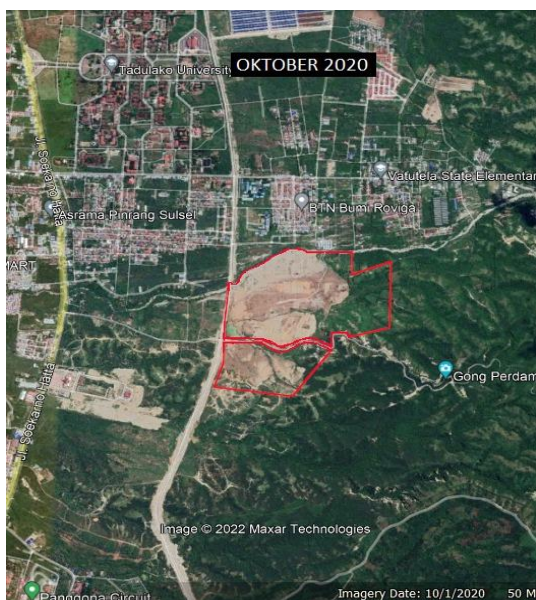


Photo of Tondo-2 satellite image year 2020

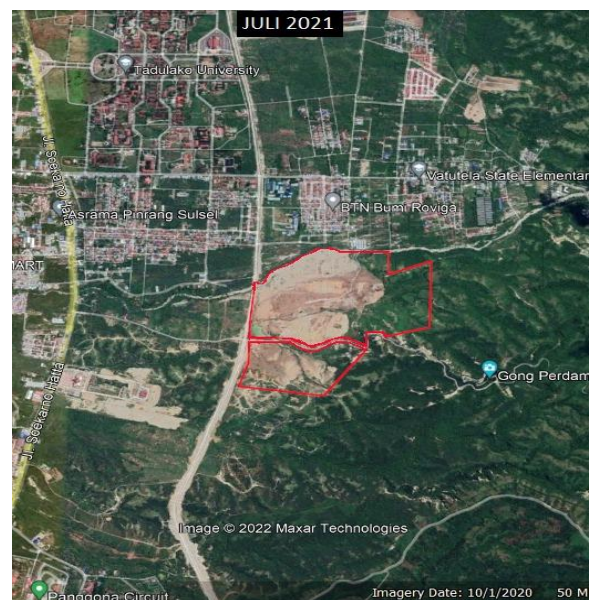


Photo of Tondo-2 satellite image year 2021

Image I - 3 Photo of Tondo-2 Satellite Image After Land Clearing



Image I - 4 Existing Condition of Permanent Housing Site after Land Clearing and Land Development
Source: On-field Documentation, 2020.

CHAPTER II

DUE DILIGENCE ASSESSMENT: PURPOSE, SCOPE AND REPORT STRUCTURE

2.1 Purpose of Due Diligence Assessment

The purpose of the Due Diligence Assessment (DDA) is to review the process of obtaining the land of Tondo 2 from the concessionaires, to understand the situation of the legacy issue that involves land claims that emerged since the land clearing and the processes of addressing such issues by the CG of Palu and to assess whether such processes has been in line with the good practice, principles and requirements specified in the NSUP ESMF, CERC EROM and more specifically for the due diligence assessment, with the CSRRP's ESMF including relevant Government Laws and Regulations. This Report acknowledges the lack of the availability of some of the needed information as the process of addressing the land claims has not been all well-documented, the dynamics of the situation and the process which has progressed quite fast as all involved parties led by the CG of Palu has intensively worked on solving this issue in the efforts to obtain a clean and clear land. Hence, this Report may not cover the latest update of the progress but presents as much as possible information that can be collected at the time of preparation of this Report. Based on the findings of the DDA, this Report will present a set of activities or Action Plan to settle the land claim issues. Details of the DDA and Action Plan which will guide the involved stakeholders particularly the CG of Palu moving forward for settling the land claim issues are presented in Chapter IV and V, respectively.

2.2 Scope of Due Diligence Assessment and Action Plan

The DDA covers the Tondo-2 permanent housing site of 65.3 Ha, an area of which has clear physical boundaries confirmed by the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency and physically has been cleared by the MPWH as well. The assessment reviewed the process of obtaining the land of Tondo-2, the legal status of the land, identification of the claimants and the claimed land; explained and assessed the processes that have been undertaken by the CG of Palu to solve the issues including consultation processes with the land claimants and the ex-concessionaires of the Building User Rights (HGB); confirmation of the proven land documents and locations of the claimed land and ex-HGB land, and identification of activities on the action plan moving forward to settle the issues. The assessment also included reviews of the available supporting

documents/evidence to confirm their consistencies with the processes that have been undertaken by the CG of Palu.

As the process in solving the land claim issues continues and based on the findings of the DDA, the CG of Palu has to continue the process until the issues acceptable to all parties involved is completed. Hence, an Action Plan covering the activities to settle the issues was prepared and is included in this Report. The Action Plan covers activities and targetted outputs/outcomes, time schedule to achieve the objective/target of each activity, responsible institutions, estimated budget needed and source of financing of the activities.

2.3 Scope of Project Affected Peoples

In this document, the main category of the people is grouped into Disaster Affected Peoples (DAPs) and Project Affected Peoples (PAPs). DAPs are peoples who were affected by the liquefaction disaster or tsunami in Central Sulawesi and have the rights to obtain permanent housing. The people in the category of Project Affected Peoples (PAPs) consists of two categories based on the relation on entitlement on land in Tondo-2 permanent housing site. The below table explains in brief from each category of the affected peoples.

Table II - 1 Categories of Disaster Affected Peoples (DAPs) and Project Affected Peoples (PAPs)

No	Category	Boundary/Scope
1.	Disaster Affected Peoples (DAPs) of Tondo-2 permanent housing	Disaster affected peoples of Central Sulawesi in 2018 who meet the criteria as the recipient of permanent housing in Tondo-2 according to the Decree of the Central Sulawesi Governor No. 360 Year 2019 regarding the Criteria of the Rights of Natural Disaster Victims of Central Sulawesi in 2018.
2.	Project Affected People (PAPs) or land claimants.	Individual, group or agency (private or public) that suffer from physical loss (land and/or other asset) and economy (livelihood, access to land use and resources, etc.) either loss that is temporary and/or permanent in nature, as the impact of development implementation. PAPs or land claimants include those who hold Land Tenure Certificates or “ <i>Surat Keterangan Penguasaan Tanah</i> ” (SKPT) and those who hold Land Ownership Certificates or <i>Sertifikat Hak Milik</i> of SHM. The Due Diligence Assessment (see the following explanation in Chapter IV and V) found that the claims are no longer an issue as there was <ul style="list-style-type: none"> • A Letter on the cancellation of the Land Tenure Certificates (“<i>Surat Keterangan Penguasaan Tanah</i>” or SKPTs) dated 1974, but were issued by the Head of the Kelurahan Tondo in 1994 which showed that there was a defect of the administration procedures of their issuance • Identification of the locations of the claimed 37 land plots that are apparently located outside the boundary of the Tondo-2 permanent housing site • Another set of 10 SKPTs issued in 1976 (9) and 1995 (1) which seems to be the same case as those of the 37 SKPTs mentioned above according to the elder leader who is knowledgeable about the history of land status in the area
3.	Project Affected People (PAPs) ex-holders of Building Use Rights.	PT SPM and PT SW stated that the status of the 65.3 Ha ex-HGB land that will be developed as the Tondo-2 permanent housing site was not yet clear and clean. However, the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency confirmed that the claims of PT SPM and PT SW will not affect the status of the 65.3 Ha ex-HGB land, as the concessions had been expired despite only 30 Ha had been released and the

No	Category	Boundary/Scope
		request for rights extension will be considered only if it involves areas outside the Tondo-2 permanent housing site and follows applicable laws and regulations.

2.4 Overview of Land Acquisition of the Tondo-2 Permanent Housing Site

The development of housing, infrastructure and public facility in Tondo-2 permanent housing site that is allocated for DAPs. The land used for the development is an ex-building use rights (HGB) land that previously under the concessions of PT. Sinar Waluyo (PT. SW) and PT. Sinar Putra Murni (PT SPM). The validity of rights expired in August 2019 and September 2019, respectively. At that time, it is known that until the expiration date of the concessions, PT. Sinar Waluyo and PT. Sinar Putra Murni have not conducted any activity on the land, therefore, the land was included in the category of abandoned land according to the applicable laws and regulations⁴. Aside from that, the holders of building rights have not applied for extension of rights according to the applicable laws. The land is then appointed as the potential location for Tondo-2 permanent housing site by the Decree of Central Sulawesi Governor No.369/519/DIS-BMPR G-ST/2018 dated December 28, 2018 regarding Location Determination of the Land for the Permanent Housing Sites for the Disaster Affected Peoples in Central Sulawesi Province.

The Decree of the Governor regarding Location Determination was issued based on the Instruction of President of Indonesia No. 10 of 2018 regarding the Acceleration of Rehabilitation and Reconstruction Post Earthquake and Tsunami Disaster in Central Sulawesi Province and Other Affected Areas, which demands that the Ministry of Agrarian and Spatial Planning/National Land Agency to facilitate land acquisition for the relocation and rehabilitation post-natural disaster. After the issuance of the Location Determination, and during the process of measurement and re-determination of boundaries of the land to be used as Tondo-2 permanent housing site for confirming the area for development, there were few claims on the land. The first claim came from 37 peoples in July 2019 who claimed that they had land tenure rights in Tondo-2. The second claim came from the ex-building use rights concessionaires (PT. SW and PT. SPM) in January 2022, regarding the utilization and

⁴ Refer to Government Regulation No 10/2010 regarding Control and Use of Abandoned Land, that the abandoned land is the land that is given the rights from the state, such as ownership base, business rights, building rights, usage rights and management rights, or ownership on the uncultivated land, but unused according to the condition or nature and purpose of granting the rights or ownership base.

extension of the building use rights for the rest of the concession areas outside of or that is not planned to be used as the Tondo-2 permanent housing site.

The City Government (CG) of Palu has tried to settle these claims together with the relevant parties/offices of Palu City and Central Sulawesi Province, the Ministry of Agrarian and Spatial Planning/National Land Agency, National Disaster Management Agency, Ministry of Public Works and Housing, Disaster Management Task Force of Ministry of Public Works and Housing, and the Office of the Secretariat of the Vice President . The claim from 37 peoples have been settled by the CG of Palu through checking and verifying on the ground on the physical location of the claimed land areas/plots and legal evidence that state that the claimed land locations are outside the boundaries of the land for Tondo-2 permanent housing site.

Meanwhile, the complaint from the ex-building use rights concessionaires is in the settlement process, but as the complaint relates to area outside the Tondo-2 permanent housing site, hence, the case is not directly related with the land of the development for the Tondo-2 permanent housing site. Full description regarding the land acquisition process along with the complaint/claim arise and the settlement efforts are explained in Chapter IV.

2.5 Report Structure

This Report comprises of seven chapters. Chapter I explains the Project description including the nature of permanent housing development, the land of the Tondo-2 permanent housing site, and the current status of land development and plans for the permanent housing and infrastructure development to be financed by the NSUP-CERC and CSRRP. Chapter II explains the purpose and coverage of the due diligence assessment and action plan to settle the land claim issues, and the structure of this Report. Chapter III discusses the institutional arrangement of the Project implementation of land acquisition for the permanent housing sites including for resolving the land claim issues. Chapter IV provides information of the relevant ESSs including Government's Laws and Regulations that are used as references for the Due Diligence Assessment (DDA) and for developing the Action Plan; detail information on the physical and legal status of the land for the permanent housing site in Tondo-2; detail information on the land claimants or Project Affected Persons (PAPs); and, detail information on claims from residents and complaints from former Building Use Right holders, as well as the effort for settling the issues. In this chapter, a section explaining about the Disaster-Affected Peoples (DAPs, or Project beneficiaries who will receive the housing units) who voluntarily will or are interested in to move to the Tondo-2 permanent housing site will also be briefly included. Chapter V covers the DDA on the process of obtaining the land of Tondo-2, the

process of confirming the legal status of the land, identifying of the claimants; the processes that have been undertaken by the CG of Palu to solve the issues including consultation processes with the land claimants and the ex-HGB holders; and identifying activities in the action plan moving forward to settle the issues. The assessment also included reviews of the available supporting documents/evidence to confirm their consistencies with the processes that have been undertaken by the CG of Palu. Chapter VI describes the summary of due diligence assessment including the compliance with ESMF and the government laws and regulations. Chapter VII covers the stakeholders engagement in the development of Tondo-2 permanent housing and the complaint handling and disclosure related to the Project including those related to the process of settling the land claim issues. The last part of the Report is Chapter VIII which explains Monitoring Plan of the implementation of the Action Plan. The Report also includes annexes comprising of copies of Decrees, supporting evidence related to land status, minutes of consultation meetings, agreement letters, etc.

CHAPTER III INSTITUTIONAL ARRANGEMENT

3.1 Structure and Organization of Land Acquisition Working Group

Rehabilitation and reconstruction of house and public facility post-earthquake disaster, liquefaction and tsunami in Central Sulawesi Province must refer to four zones based on the seismic and vulnerability risks. The government has compiled the map of Disaster-Prone Zone (ZRB) that divides the land areas into four zones based on seismic and vulnerability risks, they are:

- a. Zone 1 for development;
- b. Zone 2 for conditional development;
- c. Zone 3 for limited development, and;
- d. Zone 4 for development ban.

Based on this zonation, peoples whose previous houses and buildings are located in Zone 4 (highly dangerous) must be relocated to the safer place to mitigate risks in the future. For the relocation sites, the local government must ensure that the transfer management of land is physically and legally clean and clear and located in a free disaster zone.

In the effort to provide permanent housing for the Disaster Affected Peoples in the new site through relocation scheme, the City Government of Palu formed a Working Group (WG) on Land Acquisition and Resettlement for Post Natural Disaster Rehabilitation and Reconstruction Program in Palu City through the Decree of Mayor of Palu No. 650/801/DPRP ([ctrl + klik](#)). One of the tasks of the Working Group is to prepare the Land Acquisition dan Resettlement Action Plan (LARAP)⁵. The establishment of this WG is very important for accelerating the implementation of post-disaster Rehabilitation and Reconstruction in Palu, including for the Tondo-2 permanent housing development of which involves obtaining land for the site for relocation of the DAPs. The WG consists of a Steering/Managing Team and Implementing Team. The detail of working relationship between Steering Team and Implementing Team can be seen in the image below:

⁵ This document only explains Due Diligence and Action Plan, meanwhile Relocation Action Plan (RAP) document will be prepared separately after identification and verification of Disaster Affected Peoples are completed.

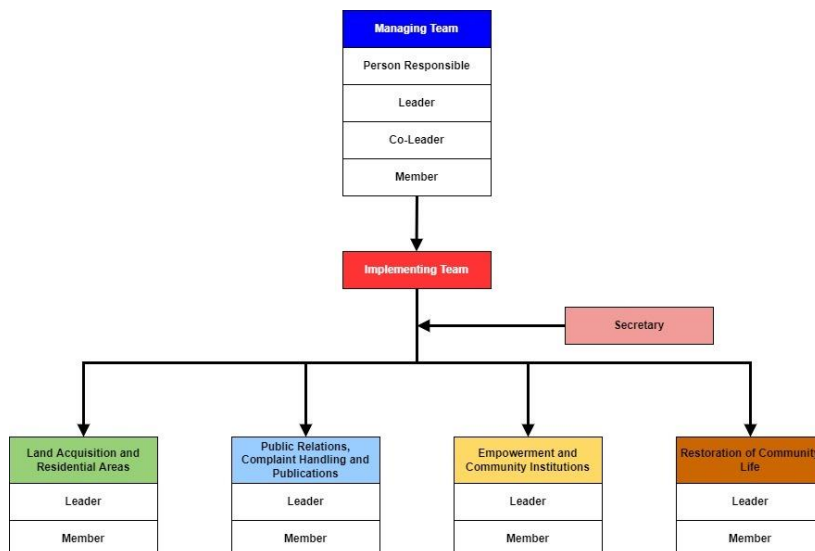


Image III - 1 Structure and Organization of Land Acquisition Working Group

Aside from that, the WG identifies and solves social conflict that arises from the Rehabilitation and Reconstruction activities. Operationally, the tasks of the WG are as follows :

1. Steering Team

- a. Carries out coaching in the implementation of Land Acquisition and Resettlement of Post Disaster Rehabilitation and Reconstruction Program in Palu City;
- b. Conducts regular coordination to evaluate the implementation of Land Acquisition and Resettlement of Post Disaster Area Rehabilitation and Reconstruction Program in Palu City;
- c. Gives direction and policy regarding the implementation of Land Acquisition and Resettlement of Post Disaster Area Rehabilitation and Reconstruction Program in Palu City;
- d. Gives input on strategic policy, program and implementation of Land Acquisition and Resettlement of Post Disaster Area Rehabilitation and Reconstruction Program to the policy makers;
- e. Conducts evaluation and assessment on the implementation of policy, strategy, program and activity of Land Acquisition and Resettlement of Post Disaster Area Rehabilitation and Reconstruction Program.

2. Implementing Team

a. Land Acquisition and Resettlement Working Group

- i. Prepares work plan for land acquisition, asset, regulation and permit for land acquisition and resettlement implementation location of post disaster rehabilitation and reconstruction program;
- ii. Promotes and facilitates the policy makers in the use of government or private asset that can be use as the residential land for people;
- iii. Provides advocacy to relevant stakeholder to prioritize the development, maintenance and safety of housing infrastructure and local settlement area;
- iv. Provides advocacy regarding legal certainty on the lad for housing and settlement area;
- v. Conducts land acquisition plan and resettlement according to regulation of local spatial planning and zoning of Palu City;
- vi. Prepares progress report of implementation of Land Acquisition and Resettlement.

b. Public Relation, Complaint Handling and Publication Working Group

- i. Prepares work plan for public relation, complaint handling and publication;
- ii. Collects, process and analyses information data related to housing, settlement area and community transfer to permanent residential location;
- iii. Continuously provides information to relevant parties regarding housing and settlement area;
- iv. Assesses the service in the area in relation to public relation, complaint handling and publication;
- v. Caries out campaign to increase the service quality of public relation, complaint handling and publication;
- vi. Prepares progress report on the complaint handling of land acquisition and resettlement implementation.

c. Community Institution and Empowerment Working Group

- i. Prepares work plan for community empowerment and institution;
- ii. Plays a role in strengthening human resources capacity in Land Acquisition and Resettlement implementation in Post Disaster Area Rehabilitation and Reconstruction Program;

- iii. Conducts monitoring and evaluation of Land Acquisition and Resettlement implementation activities of Post Disaster Area Rehabilitation and Reconstruction Program;
 - iv. Facilitates the community empowerment in Land Acquisition and Resettlement implementation of Post Disaster Area Rehabilitation and Reconstruction Program;
 - v. Prepares progress report on the management of community institution and empowerment in Land Acquisition and Resettlement implementation.
- d. Community Livelihood Restoration Working Group
- i. Prepares work plan for Community Livelihood Restoration;
 - ii. Conducts advocacy and intermediation with relevant institution, in relation to the usage problem and development of settlement area;
 - iii. Creates partnership with related parties in the implementation of Land Acquisition and Resettlement in Post Disaster Area Rehabilitation and Reconstruction Program;
 - iv. Provides advocacy to Job Training Institute/Bank of People's Credit to facilitate the productive economic business community in the housing and settlement area;
 - v. Prepares progress report on the community livelihood restoration post implementation of Land Acquisition and Resettlement.
- e. Secretariate
- i. Prepares internal meetings for Land Acquisition and Resettlement Working Group for Post Disaster Area Rehabilitation and Reconstruction Program of Palu City;
 - ii. Conducts processing and analyzing progress data and information of the implementation progress of the Working Group's task in Land Acquisition and Resettlement for Post Disaster Area Rehabilitation and Reconstruction Program of Palu City;
 - iii. Conducts administration work on task implementation and responsibility of Working Group of Land Acquisition and Resettlement for Post Disaster Area Rehabilitation and Reconstruction Program of Palu City;
 - iv. Prepares the material to smoothen the task of the Working Group of Land Acquisition and Resettlement for Post Disaster Area Rehabilitation and Reconstruction Program of Palu City;

- v. Prepares and reports the development of implementation of Land Acquisition and Resettlement in Post Disaster Area Rehabilitation and Reconstruction Program to the Mayor of Palu;

The Working Group activities are funded by the Palu City's APBD (City Revenue and Expenditure Budget).

3.2 Structure and Organization of Project Implementation

3.2.1 NSUP-CERC

The Directorate General of Human Settlements and Directorate General of Public Housing, Ministry of Public Works and Housing (MPWH) is the Executing Agencies for the NSUP-CERC implementation who manages the loan for the post-disaster rehabilitation and reconstruction on the Central Sulawesi Province. The Ministry of Public Works and Housing (MPWH) established a *Project Management unit* (PMU) at the Central Government level who is responsible for the entire implementation of emergency response activities, including all aspects related with procurement, finance management, monitoring and evaluation, as well as safeguard implementation. PMU works together with the National Board for Disaster Management (BNPB) and Local Disaster Management Agency (BPBD). The BNPB is in charge of providing input to the MPWH in the preparation of CERC contract package, including disaster declaration statement, update impact assessment report and list of goods and work to be submitted in *Emergency Action Plan* (EAP). At the local government level, both at the provincial or regency/city level, the implementation of CERC activity is carried out by the *Project Implementation Unit* (PIU).

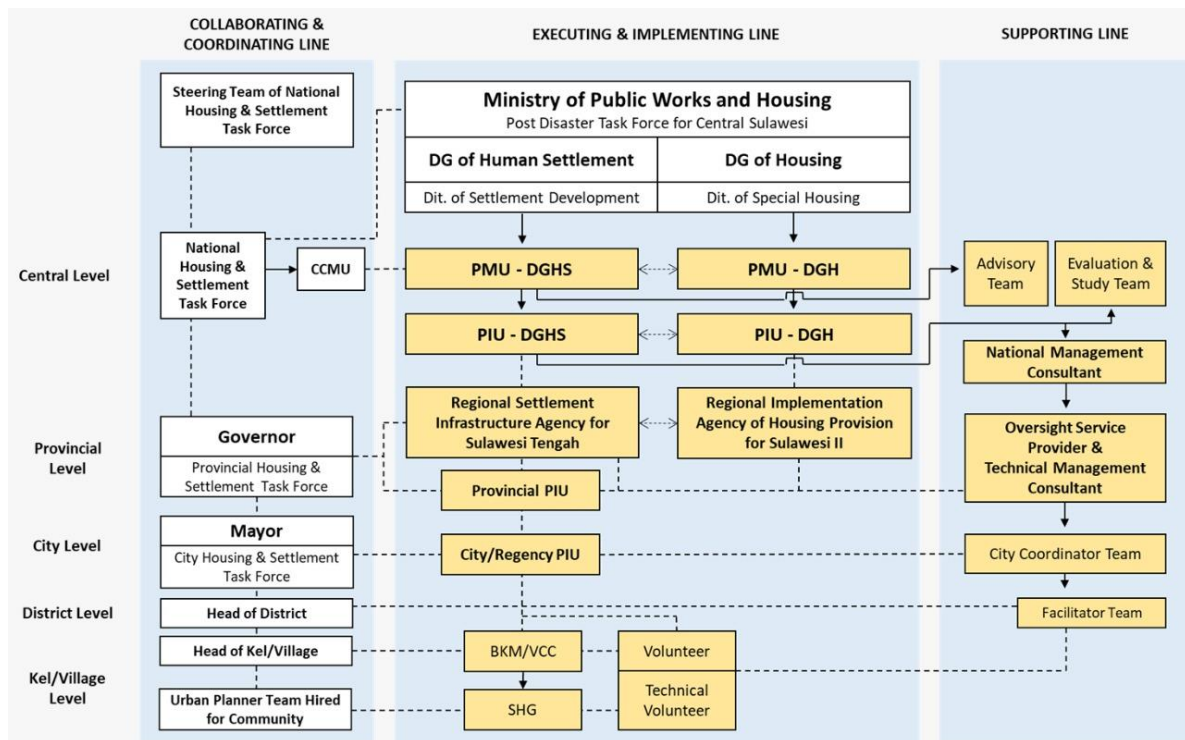


Image III - 2 Organization Structure of NSUP CERC Implementor

Various agencies involved in CERC activities constitute a cross-sectoral coordination and Ministry of Finance provides supports to the sectoral ministries and is responsible for:

- Ensuring the delivery of emergency activity output and result achievement by facilitating the coordination between government institution and agency that participates in the implementation and by handling the arisen coordination issues,
- Reviewing the progress report submitted by PMU and take actions as necessary,
- Giving guidance according to the needs.

During Project implementation, PMU and PIU are supported by the *National Management Consultant/NMC*, *Project Management Consultant (PMC)*, *Technical Management Consultant (TMC)* and *Oversight Service Provider (OSP)*. In principle, the main task of the NMC is supporting and assisting the Project Management Unit (PMU) and Project Implementation Unit (PIU) of Directorate General of Housing in implementing CSSRP project in Central Sulawesi. PMC supports all division of management and project administration. TMC provides investigation of location and survey, prepares detailed technical design, bidding document and supervises the construction for the satellite permanent housing development. Meanwhile, OSP is in charge of assisting the DAPs in the implementation of resettlement in the permanent housing site and provides technical supports for the post-disaster community-based management of house rehabilitation and

reconstruction implementation. OSP also helps facilitating the community from the preparation stage, land acquisition process and resettlement stage, up to the post occupancy monitoring according to the regulation on social safeguards risk management.

3.2.2 CSRRP

The Ministry of Public Works and Housing is the executing agency of CSRRP. *Project Management Unit* (PMU) is responsible for the entire coordination, management, finance administration, control and project reporting. PMU consists of centralized PMU (CPMU) and PMU per sector (PMU of Human Settlements and PMU of Housing Provision). Head of CPMU is the Daily Head of the Disaster Management Task Force of Central Sulawesi of MPWH to increase the synergy of cross sector implementation within the MPWH. In conducting its task to manage the entire project, CPMU is supported by PMU, the latter covers relevant directorates in Directorate General (DG) of Human Settlement and the DG of Housing Provision.

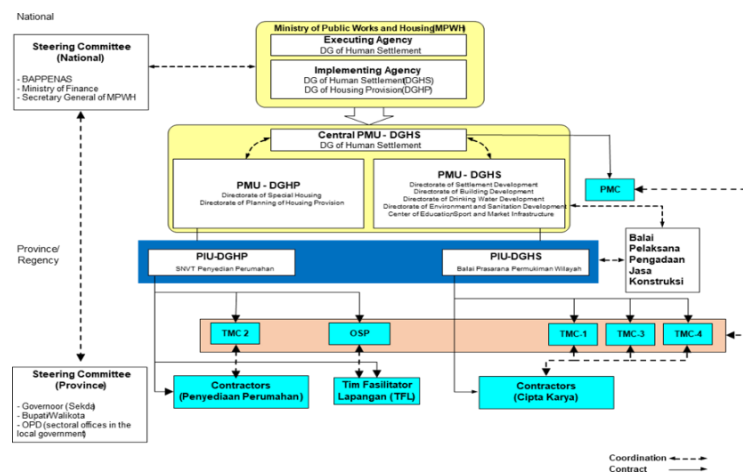


Image III - 3 Organizational Structure of the CSRRP Implementor

The implementation of activities will be the responsibility of the Project Implementation Unit (PIU) based in Central Sulawesi Province, which are the Center of Settlement Infrastructure of Central Sulawesi to manage the human settlements and Non-Vertical Work Unit (SNVT) of Housing Provision of Central Sulawesi. In conducting its task, PIU coordinates with the relevant Local Government. Both PMU and PIU are supported by third party (Consultant Teams) in the project management and implementation. In detail, the working relation between the project implementor of stakeholders in the central to local levels is presented in the above image.

External parties such as professional organizations and relevant NGOs have been

included in the previous meetings with Provincial and Regency/City Government institution, the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency, Disaster Management Task Force of Ministry of Public Works and Housing for rehabilitation and reconstruction of Central Sulawesi. The meetings focused on the discussions on the readiness of permanent housing provision, coordination, and synchronization of related parties for post disaster rehabilitation and reconstruction in Central Sulawesi; collaboration mechanism and involvement with the other construction partners; agreement on investment priority. Consultation, meeting, and follow-up collaboration, especially with the DAPs, will be conducted after the selection of permanent housing provision and location are clearer and agreed upon by the activity implementor parties. Involvement like this must consider the post disaster social and political sensitivity context, especially, in relation to the public perception that overall reconstruction and rehabilitation will probably need longer time than the anticipation made at the initial planning stage.

Table III - 1 Scope of Tasks and Responsibilities of the NSUP-CERC and CSRRP Implementation Team

Position		Scope of Tasks and Responsibilities
National/Central Level		
CPMU		<ul style="list-style-type: none"> Coordinates activities financed by the CSRRP and NSUP-CERC activities; Coordinates, monitors, and evaluates output achievement of the activities supported by the NSUP-CERC and CSRRP; Provides direction, guidance, facilitation, and consolidation according to the needs in the scope of NSUP CERC – CSRRP activities.
Head of PMU		<p>Leads and coordinates the entire NSUP-CERC and CSRRP activities, including planning and programming, monitoring and supervision, reporting, publication, also, evaluation and audit on the implementation of the activities;</p> <ul style="list-style-type: none"> Socialize and implement urban slum area management policy; Prepares the overall work plan and annual work plan of NSUP, NSUP-CERC and CSRRP activities; Coordinates the preparation of implementation guidelines for activities of NSUP, NSUP-CERC and technical guidelines of activities under CSRRP; Coordinates the preparation of document submission for approval prior activity implementation (Prior Review) and post activity implementation (Post Review), also document reporting to the lender, including things related to finance;
Provincial and Regency/City Level		
Housing Provision Center Area II		<ul style="list-style-type: none"> Conducts coordination with stakeholders regarding implementation of activity on the field; Responsible for the entire implementation of activities on field, including conducting monitoring and evaluation on the activity implementation;

Position	Scope of Tasks and Responsibilities
	<ul style="list-style-type: none"> • Prepares AWP to be submitted to PMU; • Supports PMU in facilitating the audit implementation; • Coordinates with Construction Service Selection Implementation Center in the selection of goods/service of activity providers under PIU; • Reports the monitoring result of contract implementation status to PMU; • Conducts monitoring, evaluation and reporting on the implementation of social and environmental safeguards; • Prepares financial report and activity implementation report; • Prepares quarterly and annual reports and submits them to the PMU; and • Conducts management of state asset/properties;
Center for Infrastructure and Settlement of Central Sulawesi Area	<ul style="list-style-type: none"> • Conducts coordination with stakeholders at central level for the implementation of activities in the field; • Responsible for the entire activity implementation in the field, including monitoring and evaluating the activity implementation at the central level; • Prepares Annual Working Plan (AWP) to be submitted to PMU; • Supports the PMU in facilitating audit implementation at the central level; • Conducts coordination with the Construction Service Procurement • Assists the Construction Service Selection Implementation Center (BP2JK) in selecting goods/service provider for the activity under PIU at central level; • Reports the monitoring result on the status of contract implementation at the central level up to PMU; • Conducts monitoring, evaluation and reporting of implementation of social and environment safeguards at the central level; • Prepares financial report and implementation report for activities at the central level; • Prepares quarterly and annual reports at the central level and submit them to the PMU.
PMC	<ul style="list-style-type: none"> • Supports and assists the Project Management Unit (PMU) and Project Implementation Unit (PIU) of the Directorate General of Housing in implementing the CSSRP project in Central Sulawesi; • Coordinates the OSP and TMC activities to synchronize and integrate field activities; • Provides technical support in management of post disaster rehabilitation and reconstruction implementation to the Head of the Center and PMU; • Prepares quarterly and annual report and submit it to the PMU, Head of Center of Housing Provision Area 2 and Head of Center of Infrastructure and Settlement of Central Sulawesi;
TMC	<ul style="list-style-type: none"> • Supports and assists the Project Management Unit (PMU) and Project Implementation Unit (PIU) of Directorate General of Housing in the implementation of CSSRP project in Central Sulawesi; • Prepares technical planning for post disaster rehabilitation and reconstruction activities in Central Sulawesi; • Provides technical support in the management of the post disaster rehabilitation and reconstruction implementation to the Head of the Center and PMU;

Position	Scope of Tasks and Responsibilities
	<ul style="list-style-type: none"> Prepares quarterly and annual report and submit them to the PMU, Head of Center of Housing Provision Area 2 and Head of Center of Infrastructure and Settlement of Central Sulawesi;
NMC	<ul style="list-style-type: none"> Supports and assists the Project Management Unit (PMU) and Project Implementation Unit (PIU) of Directorate General of Housing in the implementation of NSUP-CERC project in Central Sulawesi; Provides assistance to the DAPs during the implementation of the relocation to the permanent housing sites and provides technical support in the management of the community-based post disaster house rehabilitation and reconstruction implementation; Prepares quarterly and annual reports and submit them to the PMU, Head of Center of Housing Provision Area 2 and Head of Center of Infrastructure and Settlement of Central Sulawesi;
OSP	<ul style="list-style-type: none"> Supports and assists the Project Management Unit (PMU) and Project Implementation Unit (PIU) of Directorate General of Housing in the implementation of NSUP-CERC and CSSRP projects in Central Sulawesi; Provides assistance to the DAPs during the implementation of the relocation to the permanent housing sites and provides technical support in management of the community-based post disaster house rehabilitation and reconstruction implementation; Prepares quarterly and annual reports and submit them to the PMU, Head of Center of Housing Provision Area 2 and Head of Center of Infrastructure and Settlement of Central Sulawesi;

Table III - 2 The Role of Institutional Arrangements in Solving Tondo-2 Land Problems

No	Stakeholder	Description
1	Kelurahan Tondo Office	<ul style="list-style-type: none"> Identifies who hold land tenure and ownerships certificates in the permanent housing area. Seeks information on land tenure/ownership and holding consultations/discussions with the them. Presents field findings and aspirations of land tenure/owners to the higher levels Facilitates meetings with interested parties in efforts to resolve land issues
2	Kelurahan and Sub-District Heads	<ul style="list-style-type: none"> Follow up on information from the Kelurahan to the relevant agencies. Facilitate coordination activities with Kelurahan, residents, OSP and related agencies. Facilitate meetings with interested parties to resolve land issues
3	BPBD Palu	<ul style="list-style-type: none"> Regularly coordinates with relevant stakeholders/agencies to evaluate the implementation of land acquisition in the context of post-disaster rehabilitation and reconstruction, Identifies the administrative status of residents who hold land documents.
4	Department of Housing and Settlements of Palu City	<ul style="list-style-type: none"> Prepares a work plan for the provision of land, assets, regulations and permits for the location of the implementation of land acquisition,

No	Stakeholder	Description
		<ul style="list-style-type: none"> • Encourages and facilitates policy makers in terms of the use of government or private assets that allow them to be used for permanent housing development for the community • Reviews information and proof of concessions of the HGB/HGU on Tondo-2 permanent housing site
5	Office of Spatial Planning and Land Affairs of Palu City/Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency	<ul style="list-style-type: none"> • Prepare and implements the land acquisition plan in accordance with the regulations for the regional spatial plan and zoning of the City of Palu • Measures the physical boundaries of the land in the field • Identifying areas of community land ownership
6	Public Works Department of Palu City	<ul style="list-style-type: none"> • Provides directions and policies related to the implementation of land acquisition and the resolution of land problems, • Monitors the implementation of activities in solving land problems • Carries out evaluation and assessment of the implementation of policies, strategies, programs and activities on the implementation of land acquisition and settlement of land problems.
7	Bappeda of Palu City	<ul style="list-style-type: none"> • Prepares for the implementation of internal local government meetings and other related parties in terms of land acquisition for permanent housing • Processes and analyzes data and information on the progress of land acquisition implementation • Prepares and reports the progress of the implementation of land acquisition and settlement of land problems to the Mayor of Palu, • Involves in the preparation of DDR and Action Plans
8	Legal Division of Palu City	<ul style="list-style-type: none"> • Provides advocacy regarding legal certainty of land in permanent housing sites • Collects, processes and analyzes data and information related to land acquisition and efforts to resolve land problems. • Conducts a study and analysis of the legal status of HGB land ownership. • Conducts studies and analyzes the legal status of land ownership by residents.
9	BPPW Central Sulawesi	<ul style="list-style-type: none"> • Facilitates the activities of meetings and coordination with the PMU and World Bank • Provides supports in the implementation of action plans for solving land problems.
10	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency	<ul style="list-style-type: none"> • Provides information on the legal status of HGB/HGU tenures and ownerships • Provides legal considerations in efforts to resolve land issues. • Provides supports for land-related document needs.
11	OSP Team	<ul style="list-style-type: none"> • Coordinates with all parties to resolve land problems in Tondo-2 permanent housing • Conducts analysis and reviews all information obtained. • Assists the City Government of Palu in developing an Action Plan for solving or settle the land problems

3.2.3 Special Roles of the NSUP-CERC and CSRRP Program Implementation Teams in Acquiring Land and Resolving Land Issues

Implementation teams for both programs play an important role in the overall preparation, implementation and monitoring of housing development activities, as well as supporting infrastructure and public facilities in the area. Specifically, in the context of land acquisition⁶ for the Tondo-2 permanent housing, the entire implementation team facilitated the land acquisition process and the resolution of problems related to the land acquisition of the Tondo-2 permanent housing. The Due Diligence Assessment presented in this Due Diligence Report and Action Plan was carried out by the PMUs of CERC and CSRRP with the assistance of the OSP; the Action Plan was developed and implemented by the CG of Palu facilitated by the relevant provincial agencies, PMUs and OSP; and the PMU of CSRRP with the assistance of the OSP will monitor and ensure that activities specified in the Action Plan are consistently implemented. The Central Government particularly the MPWH and the Ministry of Agrarian and Spatial Planning/National land Agency, the Provincial and City Governments, as well as consultant and facilitator teams synergize in finding options for solving the issues, as well as bridging dialogues and consultations with related parties, especially the Project Affected Peoples (PAPs—land claimants), the ex-HGB concessionaires/holders and the Disaster Affected Peoples (DAPs). A Land Issue Settlement Team as part of the Land Acquisition and Resettlement Working Group has been formed to settle the land issues in Tondo-2.

The roles of each party will be illustrated by the descriptions in the following chapters (see also Table III-2). The MPWH facilitates communication for solving the land issues with related parties, either through staff based in Jakarta, or through a team of consultants (OSP, NMC, PMC). These teams intensively provide assistance and facilitation to the City Government, as well as PAPs and DAPs to seek options and agreements to resolve land issues and prepare for the construction of permanent housing. This includes documenting processes and incorporating the information on the processes and data on the PAPs provided by the CG of Palu in this DDR and later, in the RAP document for the relocation of the eligible DAPs.

⁶ As explained in Chapter 1, the term land acquisition used in this Due Diligence Report is the process of obtaining land that is physically and legally clean and clear. This includes activities in obtaining land from the used to be land under the concessions of private sectors, but the concession date was expired in 2019, and in settling the land claim issues agreeable by both the CG of Palu and the claimants through intensive consultations and transparency.

In addition, the project implementation team networked and communicated with non-governmental organizations (NGOs) located in Palu. The aim of this engagement is to promote transparency and more effective oversight of the efforts in solving the land issues and the development of permanent housing.

CHAPTER IV

LEGAL BASIS, LAND FOR THE PERMANENT HOUSING SITE, PROJECT AFFECTED PERSONS, PROJECT BENEFICIARIES

Chapter IV provides information of the relevant ESSs including Government's Laws and Regulations that are used as references for the Due Diligence Assessment (DDA) and for developing the Action Plan; detail information on the physical and legal status of the land for the permanent housing site in Tondo 2; detail information on the land claimants or Project Affected Persons (PAPs). In this chapter, a section explaining about the Disaster-Affected Peoples (DAPs, or Project beneficiaries who will receive the housing units) who voluntarily will or are interested in to move to the Tondo-2 permanent housing site will also be briefly included.

4.1 Legal Basis for Conducting Due Diligence and Preparing Action Plan

In the context of Tondo-2 permanent housing site, the term land acquisition used in this Due Diligence Report (DDR) is the process of obtaining land that is physically and legally clean and clear. This includes activities in obtaining land from the used to be land under the concessions of private sectors, but the concession date was expired in 2019, and in settling the land claim issues agreeable by both the CG of Palu and the claimants through intensive consultations and transparency. Whereas complaint from the ex-building use rights (HGB) concessionaires regarding the utilization and extension of building use rights for the rest of the concession area outside of and that is not planned to be used as the Tondo-2 permanent is in the settlement process. Hence, the issue of the requested extension is not directly related the Tondo-2 permanent housing site.

The Due Diligence Assessment (DDA) for the land acquisition for the development of permanent housing and supporting infrastructure was conducted by referring to the principles and requirements specified in the Environment and Social Management Framework (ESMF) NSUP (2016), *Emergency Response Operations Manual (EROM)* NSUP-CERC (2018, updated in 2021), and ESMF CSRRP (2019), and the applicable laws and regulation in Indonesia. In particular, the Project refers to the principles and protocols explained in the ESMF of CSRRP (particularly Sub-appendix 8.5) for the Due Diligence Assessment related to legacy issues.

Table IV-1 below summarizes the applicability of the three sets of the policy frameworks particularly related to the legacy issues or activities that have occurred in the past that require due diligence.

Table IV - 1 Summary of the Applicability of the Policy Framework

	Topic	NSUP	CSRRP	Country Regulation
Relevant Policies / ESS applied		OP 4.01 and OP 4.12	ESS1, ESS 5, ESS 10	In addition to the list of the national regulations mentioned below, laws and regulations related to land rights (particularly HGB and State Land) and abandoned land as well as Law on the Disaster Management
	Landowners/ holders of land tenure certificates in the proposed resettlement areas or new sites (for permanent housing areas)	For the ex-HGB holders these policies are not applicable as concessions were expired. For land claimants: provide compensation for lost of assets on the land and/or assistance to livelihood	Manage potential physical and economic displacement impacts resulting from involuntary resettlement or the land taking	All laws and regulations related to Land Acquisition for Public Interests (Law No 2/2012, etc.) and Handling of Social Impacts due to Land Acquisition for Public Interests (Presidential Regulation 62/2018, Regulation of the MASP No 6/2020 etc.)
	Land due diligence	Not covered	DD activities will confirm the legal status of the land, physical activities/ actual occupation on the land, as well as technical feasibility	Not covered
	Legacy issues	Not covered	Legacy issues need to be assessed and due diligence carried out as necessary	Not covered
	Entitlement for land/ asset owners/tenure holders who lose temporarily or permanently their sources of income or livelihoods	Compensation will be provided for the loss sources of income or livelihoods based on the value assessment for non-physical aspects carried out by licensed appraisers and facilitation for livelihood restoration	Compensation will be provided for the loss of sources of income or livelihoods based on the value assessment for non-physical aspects carried out by licensed appraisers and facilitation for livelihood restoration	Presidential Regulation No. 62/2018 and the Regulation of the MASP No 6/2020 on Handling of Social Impacts due to Land Acquisition for Public Interest
	Replacement cost	For loss of assets, same principles with	Compensation for lost assets is	No gaps. Independent appraisal team determines compensation for

	Topic	NSUP	CSRRP	Country Regulation
		those in the CSRRP ESMF	<p>calculated at replacement cost. Replacement cost is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement without depreciation or deduction of salvage materials.</p> <p>Entitlement matrix for the Project Affected Peoples (PAPs) will be provided in LARAP, including those entitlement for PAPs without recognizable rights to land</p>	loss of physical and non-physical assets and premium/solatum
	Support for affected persons who have no recognizable legal right or claim to land they are occupying	ESMF: category 2 in the entitlement matrix	Eligibility criteria and entitlement for each category of PAPs will be provided in LARAP, including PAPs fall under this category	Presidential Regulation No 62/2018 and the Regulation of the MASP No 6/2020 on Handling of Social Impacts caused by Land Acquisition for Public Interest. The regulations require provision of compensation and assistance for those who do not own the land but have occupied or utilized the land with a set of criteria
	Forms of compensation	Compensation may take several forms: (a) cash, (b) land replacement, (c) resettlement to other site, (d) shares ownership; or (e) other forms of compensation that are agreed both by the PAPs and the agency requiring the land. Compensation forms depend on the preference of the PAPs and compensation may take combination of	Compensation may take several forms: (a) cash, (b) land replacement/swap, (c) resettlement to other site, (d) shares ownership; or (e) other forms of compensation that are agreed both by the PAPs and the agency requiring the land. Compensation forms depend on the preference of the PAPs and compensation may take combination of	Law 2/2012, Government Regulation No 19/2021 and Regulation of MASP 19/2021 for eligible landowners, compensation may take several forms. For those who have cultivated/used government land, compensation and assistance will be provided to them with a set of criteria (refer to Presidential Regulation No 62/2018 and the Regulation of the MASP No 6/2020 on Handling of Social Impacts caused by Land Acquisition for Public Interest).

	Topic	NSUP	CSRRP	Country Regulation
		these depending on the agreements between PAPs and the agency requiring the land.	these depending on the agreements between PAPs and the agency requiring the land.	
	Cut-off date of eligibility	Set the time for announcing the PAPs as affected and eligible for compensation (including entitlement for various categories of PAPs)	The date set the time limit to determine eligibility of persons living and/or with assets or interests inside the sites proposed for the project activities	When the Nominative List is issued, i.e., after identification and verification and measurement of affected persons/assets
	Land for land	Procedure for land replacement is not covered	Arrangement on land-for-land replacement should be completed prior to the PAPs displacement.	Law No 2/2012 and its implementing regulations provide replacement land as one compensation options, but do not provide details on the procedure for replacement land.
	Compensation options	LARAP should include description of compensation options and resettlement assistance that will be offered to the PAPS.	The project will provide requirements for compensation options, eligibility criteria and entitlements for different PAP categories	Law 2/2012, Government Regulation No 19/2021 and Regulation of MASP 19/2021 provide compensation options.

Relevant Indonesian Laws and Regulations

In addition to the abovementioned laws and regulations in Table IV-1, the following are list of Indonesian Laws and Regulations⁷ related to the obtaining of land for development of permanent housing in Tondo-2.

1. Law No. 7/1984 on the Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women
2. Law No. 4/1994 on the Establishment of Level II Municipality of Palu;
3. Law No. 24/2007 on Disaster Management
4. Law No. 26/2007 on Spatial Planning
5. Law No. 14/2008 on Public Information Disclosure
6. Law No. 32/2009 on Environmental Protection and Management
7. Law No. 2/2012 on Land Acquisition for Development for Public Interest
8. Law No. 23/2014 on Regional Government

⁷ Law 11/2020 (Law on Job Creation) and its implementing regulations also apply since they were enacted.

9. Government Regulation No. 40/1996 on Utilization Rights, Building Purpose Rights, and Right of Use
10. Government Regulation No. 21/2008 on Implementation of Disaster Management
11. Government Regulation No. 11/2010 on Control and Utilization of Abandoned Land
12. Government Regulation No. 19 of 2021 on the Implementation of Land Acquisition for Development for Public Interest
13. Presidential Regulation No. 71/2012 on Implementation of Land Acquisition for Development in Public Interest that has been amended several times by Presidential Regulation No. 40 Year 2014, Presidential Regulation No. 99 Year 2014, Presidential Regulation No. 30 Year 2015, and Presidential Regulation No. 148 Year 2015
14. Presidential Regulation No. 62/2018 on Handling of Social Impacts in the Context of Land Acquisition for National Development
15. BPN Head's Regulation No. 5/2012 on Technical Guidelines for the Implementation of Land Acquisition for Development for Public Interest
16. ATR/BPN Minister's Regulation No. 6/2015 on Amendments to BPN Head's Regulation No. 5 Year 2012 on Technical Guidelines for the Implementation of Land Acquisition
17. ATR/BPN Minister's Regulation No. 6/2020 on Provisions for the Implementation of Presidential Regulation No. 62/2018 on Handling of Social Impacts in the Context of Land Acquisition for National Development
18. Regulation of the Minister of Finance No. 13/2013 on Operational and Supporting Costs for Land Acquisition through the State Revenue and Expenditure Budget (*Anggaran Pendapatan dan Belanja Negara or APBN*)
19. Home Affairs Minister's Regulation No. 72/2012 on Operational and Supporting Costs for Land Acquisition Budgets of Provincial/Regency/City APBD
20. Central Sulawesi Governor's Decree No. 369/516/DIS.BMPR-G.ST/2018 on Location Determination for Relocation of Post-Disaster Recovery in Central Sulawesi Province
21. Regional Regulation of Palu City No. 16/2011 on Spatial Planning of Palu City for 2010-2030

22. Regional Regulation of Palu City No. 10/2016 on Formation and Composition of Local Government Agencies, as amended by the Palu City Regulation No. 8 Year 2017
23. Palu Mayor's Regulation No. 1/2019 on Land Use Plan in Public Interest due to Natural Disasters in Palu City.

Based on the statement of the Minister of Agrarian and Spatial Planning/National Land Agency during the field visits to the State Land ex-abandoned land for the relocation sites of the disaster victims of Palu-Sigi-Donggala on April 20, 2019, land acquisition of permanent housing development refers to Article 49 Law No. 2/2012 regarding Land Acquisition for the Development for Public Interest:

Article 49

- (1) Land Acquisition for Public Interest due to emergency situation because of natural disaster, war, widespread conflict, and plague can be conducted directly for the development after the determination of location for development for Public Interest.
- (2) Before the determination of the development location for Public Interest as mentioned in clause (1), prior notification for the entitled party is submitted.
- (3) If there is any objection or claim on the Land Acquisition implementation, the institution who needs the land can still implement the development activity as mentioned in clause (1).

With limited government funds, a policy is taken for the development of permanent housing and relocation for Disaster Affected Peoples (DAPs) with zero rupiah, as mentioned by the Head of the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency on July 1, 2019, as follows, *"In Article 29, it is mentioned that the development and compensation can be done after the location determination. But, due to budget constraints, we conduct land acquisition without paying any compensation or zero rupiah."* Therefore, the holders of the land rights are expected to release the land voluntarily for humanity. In the case of Tondo-2, the concessions of HGB land were expired in August and September 2019.

Framework for Due Diligence Assessment (DDA)

As stipulated in the ESMF of CSRRP (sub-appendix 8.5), in the case that the land proposed for the development of permanent housing site and public facilities has been acquired by the government, the project is required to carry out due diligence process to ensure that the proposed land is safe and technically feasible for settlement areas and public facilities, legal transfer processes are complete, and potential risks related to informal land

use and occupation are identified. DDA should focus on both legal and physical (actual ground-truthing) of the proposed locations to be financed under the project.

The followings are several criteria to be covered in the DDA, in relevant with the context and particular case in the proposed areas/land:

1. Legal aspect: (i) status of land release and registration of proposed land; (ii) legal evidence of land transfer processes (i.e. land release letter, HPL registration letter under ATR/BPN, etc.); (iii) legal status of the land prior to acquisition; (iv) overlapping claims and/or land disputes (including status of resolution); (v) negotiation processes/evidence of such negotiation with concession owners; (vi) litigation or court case documentation (if relevant); and (vii) in the case of willing buyer and willing seller, records of land transaction and payment/compensation (assess whether compensations reflect replacement costs).
2. Physical land uses and ownership: (i) informal/illegal land uses/ownership; (ii) resettlement impacts as a result of land acquisition processes; (iii) presence of conflicts/land disputes; (iv) presence of emerging land use activities following location announcement (i.e., opportunistic land users/claimants); and (v) restriction of access and land uses.
3. Acquisition processes: (i) consultations with landowners, including with informal/illegal land users; (ii) information disclosure and dissemination, including sufficient lead time for transition to new locations, including harvesting of productive crops; (iii) compensation paid to landowners/ land claimants, including informal land users; (iv) level of satisfaction amongst landowners/ users with the compensation provided and/or negotiation processes; (v) implementation of livelihoods restoration measures to address livelihood displacement and resettlement; (vi) in the case of willing buyer and willing seller, ability of landowners and users to negotiate in good faith; and (vii) legal administrative processes on the remaining of the acquired land parcel for the landowners.
4. Documentation: (i) minutes of negotiation and consultations; (ii) records of grievances and complaints; and (iii) evidence of documentation of legal land status.

Table IV - 2 Number of People of Kelurahan Tondo

No	Age Group	Men	Women	Total
1	1-10	697	676	1373
2	11-20	1054	1067	2121
3	21-30	1044	1165	2209
4	31-40	931	944	1875
5	41-50	817	879	1696
6	51-60	585	498	1083
7	61-70	216	184	400
8	>70	87	86	173
	Total	5303	5554	10.857

Source: Profile of Kelurahan Tondo, 2019

Table IV - 3 Type of Occupation of People in Kelurahan Tondo 2

Occupation	Men	Women
Pharmacist	0	2
Unemployed	793	809
Private Midwife	0	5
Freelance Labor	234	7
Migrant Labor	1	0
Farm Labor	4	0
Private Doctor	0	3
Private Teacher	6	23
Housewife	11	1.698
Honorary Employee	99	129
State Company Employee	18	11
Private Company Employee	369	109
Head of Kelurahan	1	0
Technical Management Consultant	14	1
Contractor	2	0
Mechanic	6	0
Fisherman	46	0
Police	63	1
Peddler	2	2
Grocer	16	12
Civil Servant	639	548
Student	1.907	1.885
House Helper	0	2
Religious Leader	3	1
Scavenger	3	2
Lawyer	4	0
Businessman/woman	3	2
Private Nurse	2	2
Farmer	134	15
Husbandry	11	1
Pensionary	58	25
Artist	2	0
Driver	42	0
Indonesian National Soldier	7	0
Stonemason	46	0

Occupation	Men	Women
Barber	1	1
Tailor	2	4
Carpenter	17	0
Electrician	3	0
Welder	2	1
Makeup Artist	1	0
Journalist	12	2
Entrepreneur	829	192
Total (People)	5.303	5.554

Source: Profile of Tondo 2 Village 2018.

From the number of family heads, some of them were affected by disaster. The distribution of origin of Disaster Affected Peoples (DAPs) who choose to stay in Tondo-2 permanent housing based on the Decree of Mayor can be seen in these table below:

Table IV - 4 Original Village of DAPs of Tondo-2 Permanent Housing Site

NO	VILLAGE	NUMBER OF DAP
1	Baiya	4
2	Balaroa	336
3	Boyaoge	1
4	Besusu Barat	67
5	Besusu Timur	1
6	Birobuli Selatan	1
7	Buluri	32
8	Donggala Kodi	41
9	Duyu	6
10	Kabonena	2
11	Kayumalue Pajeko	3
12	Lasoani	1
13	Lambara	1
14	Layana Indah	47
15	Lere	61
16	Mamboro	44
17	Mamboro Barat	56
18	Palupi	14
19	Panau	56
20	Pantoloan	85
21	Pantoloan Boya	17
22	Pengawu	8
23	Petobo	705
24	Silae	25
25	Taipa	4
26	Talise	79
27	Talise Valangguni	4
28	Tavanjuka	2
29	Tipo	32
30	Tondo	96
31	Ujuna	1
32	Watusampu	101
TOTAL		1.933

4.2.2 Topography

Topography of an area plays a big role in the development activity, especially which relates to erosion process. The steeper the topography and the more open the slope the bigger the surface flow rate and erosion that will happen. On the other hand, the shallow the topography and the denser the vegetation of a slope, the smallest the surface flow rate and erosion that will happen. Kelurahan Tondo is a kelurahan of which some part of the area is dominated with plains and valleys. Based on the analysis of the map and field surveys of the Tondo-2 permanent housing site, it is an area with shallow to slightly slope that is marked with sloping class of 0%-25% which can be seen in Image IV - 2.

Yellow and green color on the map mark the altitude. The yellower the area, the higher the altitude, meanwhile, the greener the area, the plainer the area. Contour line shows the denser the lines, the more tilted the slope.

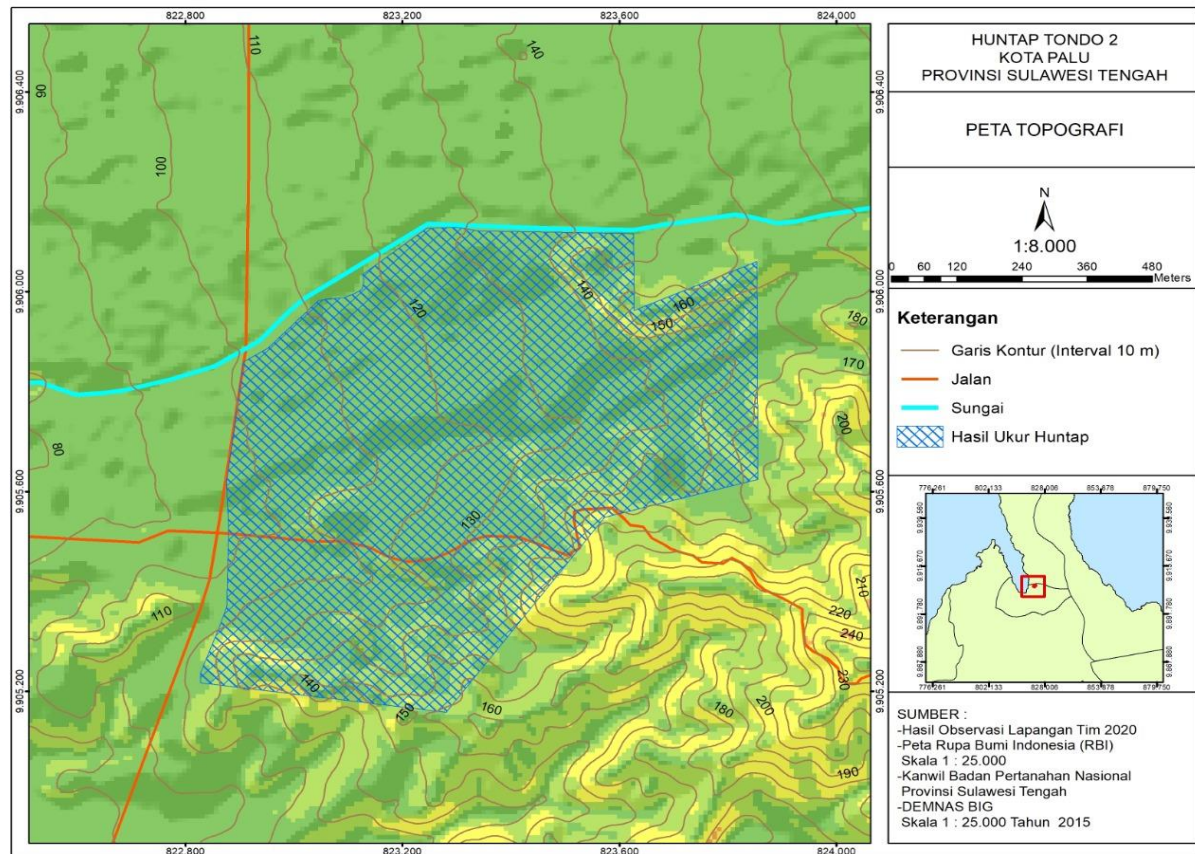


Image IV - 2 Topography of Tondo 2 Permanent Housing Site
Source: Regional Office of National Land Agency of Central Sulawesi, 2020.

On the land contour with steep slope, it should not be used for house site. The house site should use its natural sloping contour (not sloping due to fill method). In the area with steep slope contour is better to be utilized for green space area, roads or other infrastructure

with technical reinforcement, such as retaining wall. Retaining wall is also needed when the land is steep slope contoured, has the risk to affect house/house site, green open space, road or other infrastructure when landslide happens.

Land Development for house site should avoid filling method but cutting or digging can be conducted. The purpose is to build simple house foundation with the depth of 80 cm from the ground level, that does not stand on the unstable landfill land. The form of land development of house site is recommended to be made as terraces.

4.2.3 Potential Disaster Risks

Based on map of Disaster-Prone Zone issued by National Board of Disaster Management (BNPB) of Palu City, the Tondo-2 permanent housing site is located within level 2 disaster prone zone. This means that the location of the permanent housing site constitutes an area that is feasible for settlement and infrastructure development. Based on the Map of the Disaster-Prone Zone, the location of Tondo 2 permanent housing can be seen in the image below:

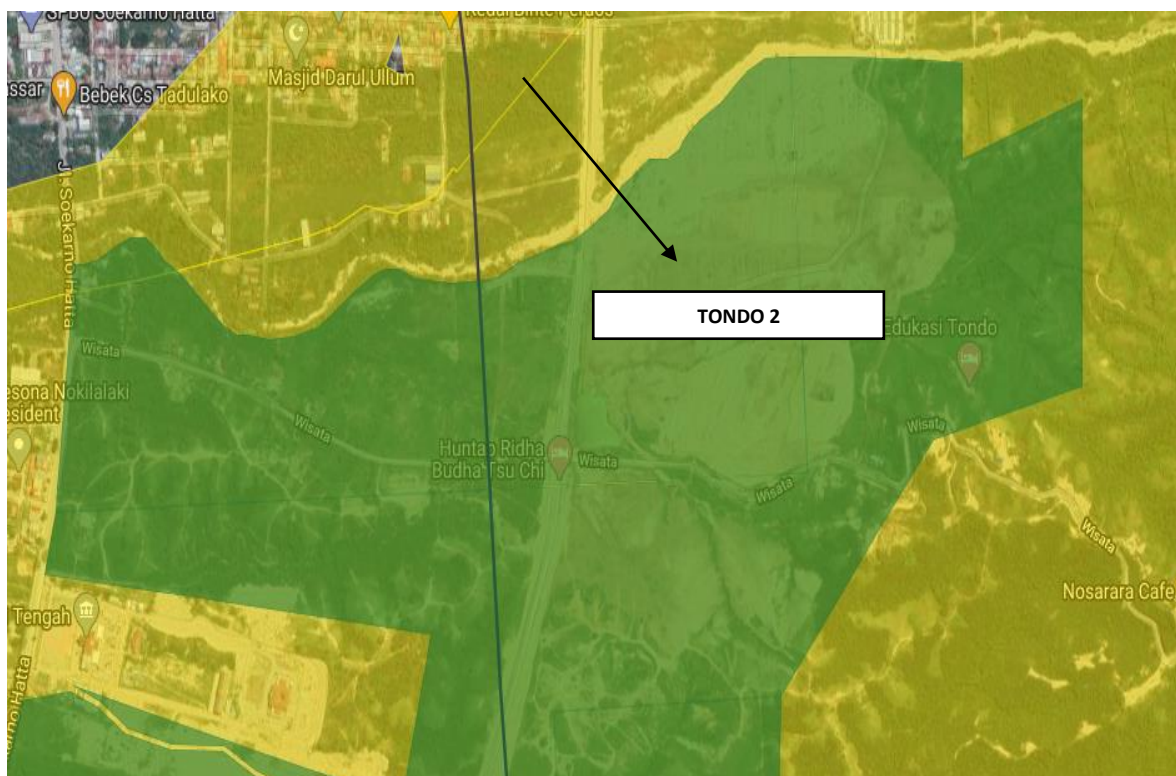


Image IV - 3 Disaster-Prone Zone Orientation of Tondo 2 Permanent Housing Site
Source: <https://goo.gl/maps/SPAWmCYsjLbQ9a358>

The permanent housing site is located in the hilly area of which on the North is directly adjacent to the river in Mali Watershed and disembogues in Bulu Masomba. According to few research, the riverbank is flood-prone area. For the river on the North side

of the permanent housing site, it will be filled with water when there is high intensity rainfall. Therefore, this permanent housing site is included in low level flood-prone zone or Level 1. The description of the watershed for the location of Tondo-2 permanent housing site is presented on the map below:

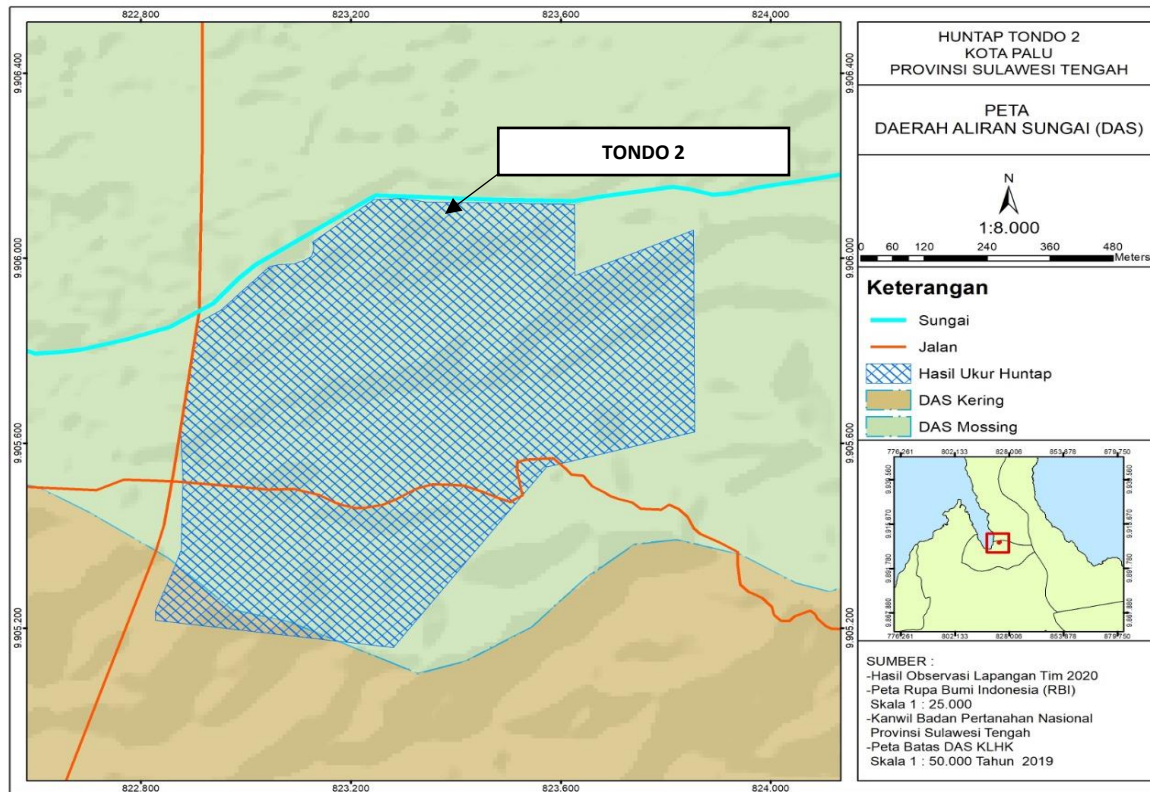


Image IV - 4 Map of Watershed
Source: Office of Land and Spatial Planning of Palu City, 2020.

4.2.4 Accessibility

Kelurahan Tondo is the entrance for the traffic to the Palu City from the north with the city's main road and Trans Sulawesi Road, hence it is situated in a strategic location. The access road towards permanent housing site is a paved road that can be passed by two wheeled and four-wheeled vehicles.

A. Access to/from Downtown

The location of Tondo 2 permanent housing site can be accessed with four-wheeled and two-wheeled vehicles with asphalted road access. The location of the permanent housing site can be accessed from Jl. Ir. Soekarno Hatta and Jl. H.A Matulada. The accessibility to the permanent housing site can be seen in the image below:



Image IV - 5 Accessibility into Permanent Housing Site
Source: Processed from Google Earth, 2020

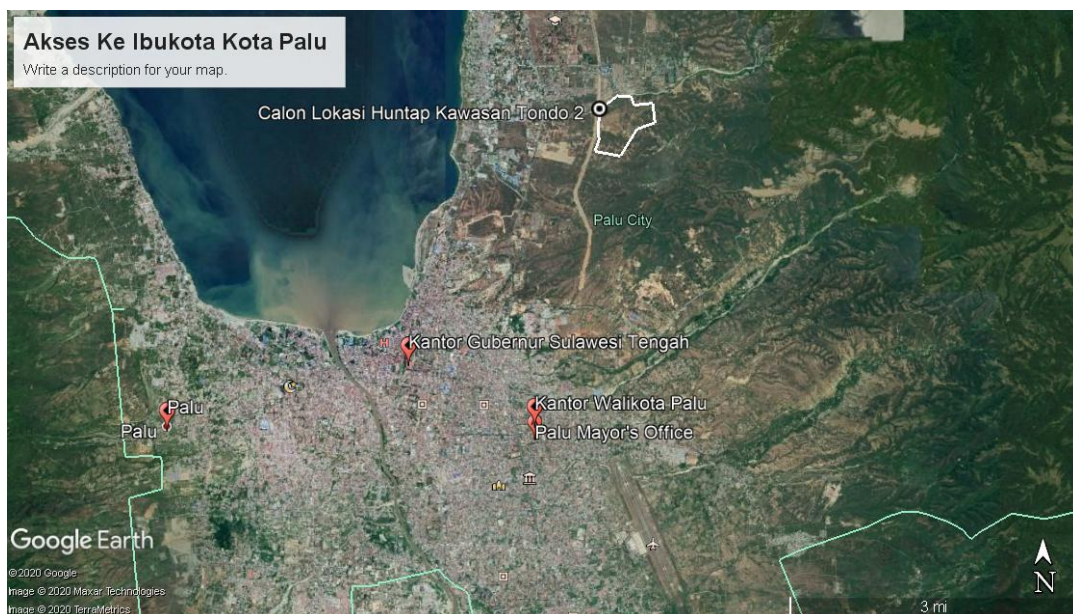


Image IV - 6 Access from the Center of Palu City
Source: Processed from Google Earth, 2020

Table IV - 5 Distance from Permanent Housing Site to the City Center and Nearest Villages

No.	From the Future Permanent Residential Location	Distance (KM)	Travelling Time (minute)	Transportation Route
1.	Capital of Central Sulawesi Province	9,1 Kms	21 Minutes	Land
2.	Capital of Palu City	9,0 Kms	18 Minutes	Land

B. Access to Education Facility

Education facilities in the surrounding areas of the Tondo-2 permanent housing site are eight kindergartens, four elementary schools, four junior high schools and four senior high schools, as seen below:

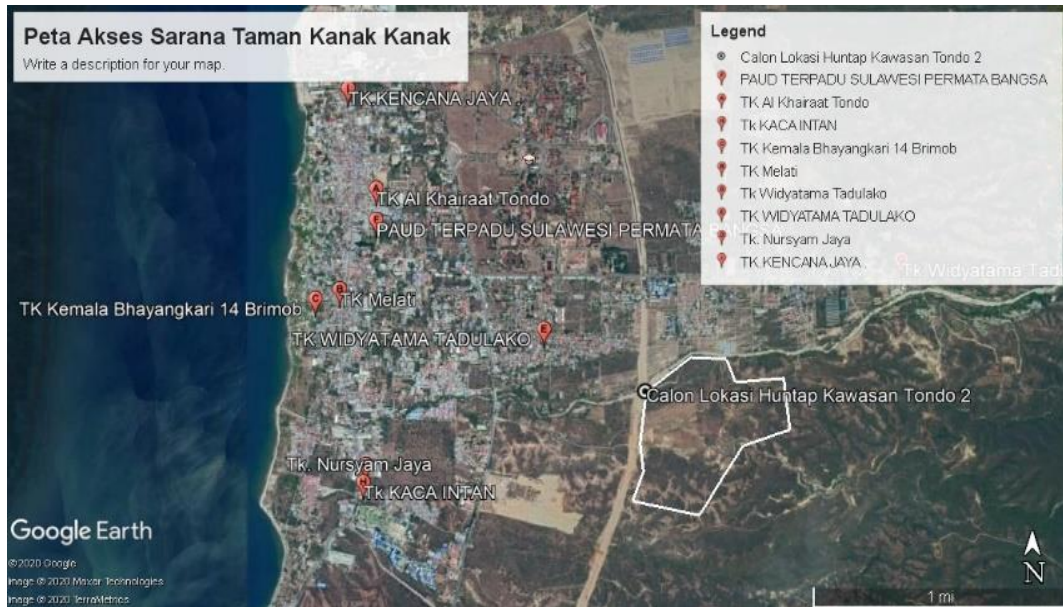


Image IV - 7 Access to Kindergarten Education Facility
Source: Processed from Google Earth, 2020



Image IV - 8 Kindergarten Education Facility
Source: Facilitator Team, 2020

Table IV - 6 Kindergarten Education Facility

No.	School Name	Distance (KM)	Travelling Time (Minute)	Transportation Route
1.	PAUD Terpadu Sulawesi Permata Bangsa	3,2 kms	10 Minutes	Land
2.	PAUD TK Samporoa	1,5 Kms	8 Minutes	Land
3.	TK Alkhairat Tondo	3,8 Kms	11 Minutes	Land
4.	TK Widyatama Tadulakko	1,4 Kms	5 Minutes	Land
5.	TK Kaca Intan	4,6 Kms	12 Minutes	Land
6.	TK Melati	4,5 Kms	12 Minutes	Land
7.	TK Kemala Bhayangkari Brimob	3,5 Kms	11 Minutes	Land
8.	TK Nursyam Jaya	4,5 Kms	10 Minutes	Land

Source: Facilitator Team, 2020

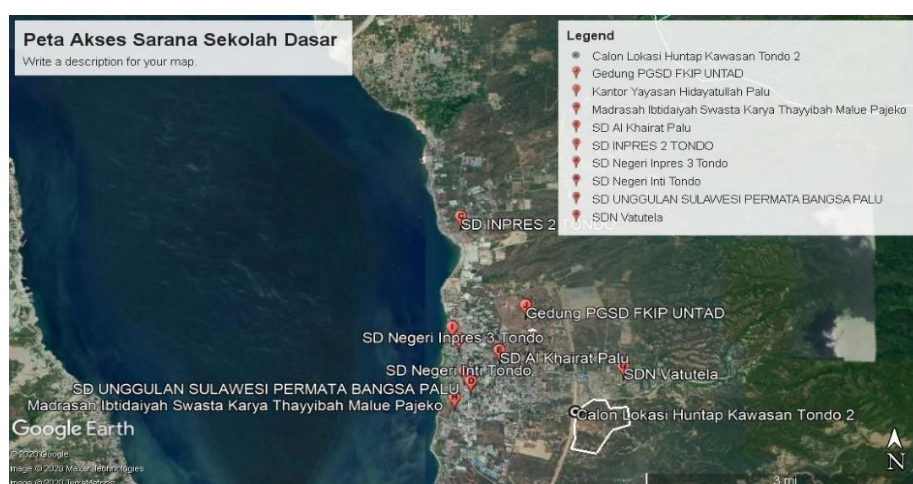


Image IV - 9 Access to Elementary School Education Facility

Source: Data is processed from Google Earth, 2020



Image IV - 10 Elementary School Education Facilities

Source: Field documentation, 2020.

Table IV - 7 Elementary School Education Facilities

Num.	School Name	Distance	Traveling time	Transportation Route
1.	SD Negeri Inpres 3 Tondo	4,1 Km	10 Minutes	Land
2.	SD Alkhairat Palu	2,7 Km	7 Minutes	Land
3.	SDN Vatutela	1,8 Km	4 Minutes	Land
4.	SD Negeri Model Terpadu Madani	4,5 Km	10 Minutes	Land



Image IV - 11 Access to Junior High School Education Facilities
Source: Data processed from Google Earth, 2020



Image IV - 12 Junior High School Facilities
Source: Field documentation, 2020.

Table IV - 8 Junior High School Facilities Around the Tondo-2 Permanent Housing Site

Num.	School Name	Distance	Traveling time	Transportation Route
1.	SMP Negeri Model Madani Terpadu	4,5 Km	10 Minutes	Land
2.	SMPN 12 Palu	5,8 Km	11 Minutes	Land
3.	SMPN 19 Palu	900 M	2 Minutes	Land
4	Madrasah Tsanawiyah Putri Aisyiyah Palu	6,8 Km	12 Minutes	Land



Image IV - 13 Access to Junior High School Facilities
Source: Data processed from Google Earth, 2020



Image IV - 14 High School Education Facilities
Source: Field documentation, 2020.

Table IV - 9 Educational Facilities Around the Tondo-2 Permanent Housing Site

Num.	School Name	Mileage	Traveling time	Transportation Line
1.	MA Alkhairat Tondo	3,2 Km	8 Minutes	Land
2.	SMK Negeri 5 Palu	1 Km	2 Minutes	Land
3.	SMA Negeri 5 Palu	2,9 Km	7 Minutes	Land
4.	SMA Negeri Model Madani Terpadu	4,5 Km	10 Minutes	Land

C. Access to Health Facilities

In the surrounding areas of the Tondo-2 permanent housing site, there are 4 (four) health facilities located in the Kelurahan Tondo area. Access to health facilities can be reached using 2-wheeled and 4-wheeled vehicles.

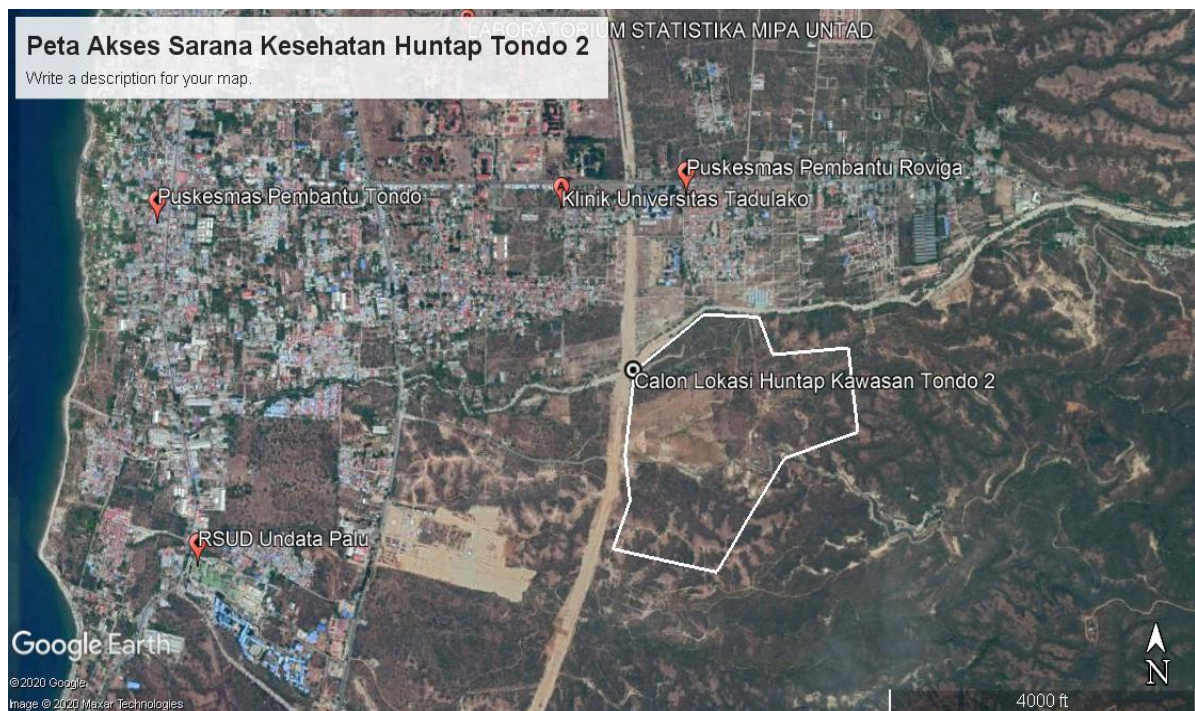


Image IV - 15 Access to Health Facilities Around the Tondo-2 Permanent Housing Site
Source: Retrieved from Google Earth, 2020

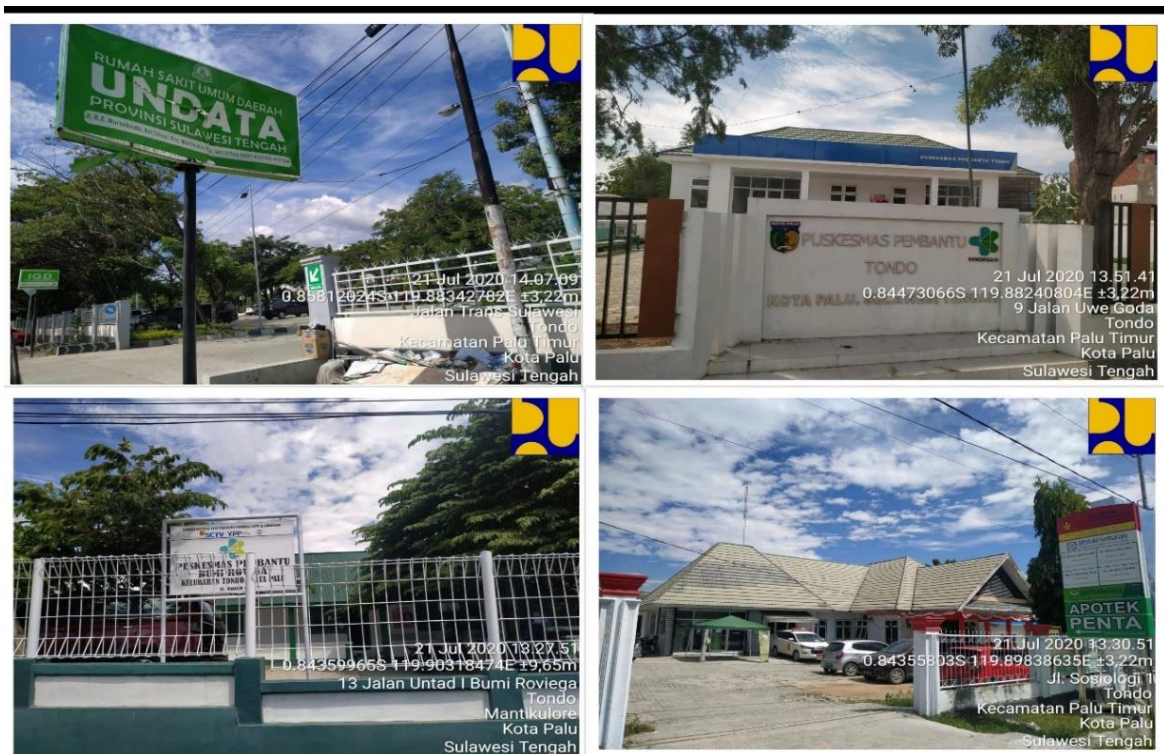


Image IV - 16 Health Facilities Around the Tondo-2 Permanent Housing Site
Source: Field Documentation, 2020

Table IV - 10 Health Facilities Around Permanent Housing Site

Num.	Health Facility	Distance	Traveling time	Transportation Route
1.	Puskesmas Pembantu Tondo	3,1 Km	7 Minutes	Land
2.	Klinik Universitas Tadulako	1,08 Km	4 Minutes	Land
3.	Puskesmas Pembantu Roviega	1,5 Km	6 Minutes	Land
4.	RSUD Undata Palu	5,0 Km	10 Minutes	Land

D. Access to Economic Area

In the surrounding areas of the Tondo-2 permanent housing site in Kelurahan Tondo, there are 1 (one) Traditional Market, 2 (two) Mini Markets, 2 (two) Banks and 1 (one) Pawnshop which can be accessed by using 2-wheeled and 4-wheeled vehicles.



Image IV - 17 Access to Economic Zone Around the Tondo-2 Permanent Housing Site
Source: Retrieved from Google Earth, 2020



Image IV - 18 Access to Economic Zone Around the Tondo-2 Permanent Housing Site
Source: Field Documentation, 2020

Table IV - 11 Economic Facilities Around the Tondo-2 Permanent Housing Site

Num.	Activity	Mileage	Traveling time	Transportation Line
1.	Talise Market	6,9 Km	13 Minutes	Land
2.	Alfa Mart Tondo	3,4 km	8 Minutes	Land
3.	BNS Mart Tondo	4,2 Km	9 Minutes	Land
4.	Tondo Pawnshop	3,1 Km	7 Minutes	Land
5.	Bank BNI Tadulako	3,3 Km	8 Minutes	Land
6.	Bank Syariah Mandiri Tondo	4,2 Km	9 Minutes	Land

E. Access to Clean Water Source

Clean water facilities and infrastructure are not yet available in Tondo-2 permanent housing site,. However, there have been suggestions for clean water in the vicinity of permanent housing site, but according to PDAM Palu City, the PDAM Palu's IPA capacity can only serve 1,303 families so that it is not sufficient to support all the people in the permanent housing site. It is planned that the water resources for the permanent housing of Tondo-2 will be taken from the Poboya SPAM which will also supply the permanent housing of Talise and Tondo-1.



Image IV - 19 Access to Clean Water Sources Around Huntap Tondo 2
Source: Retrieved from Google Earth, 2020



Image IV - 20 Clean Water Source Around the Tondo-2 Permanent Housing Site
Source: Field Documentation, 2020

Table IV- 1
Capacity of Clean Water Sources Around the Tondo-2 Permanent Housing Site

Num.	Activity	Mileage	Traveling time	Water Discharge	Capacity (Families)
1.	IPA PDAM Palu	2,8 Km	7 Minutes	7 L/sec	1.303 Families

F. Drainage System

Drainage is influenced by hydrological conditions, topography, geology, geohydrology, existing land use in the local area and the existing drainage system. The Tondo-2 permanent housing site has a slope of 0-25% which is characterized by hilly land. The permanent housing site is surrounded by hills which results in natural drainage that passes through the area which empties into a dry river to the north of the location.

Flooding can also occur because the discharge/volume of water flowing in a river or drainage channel exceeds its flowing capacity. The location of the permanent housing area has a natural drainage that directly passes through it which can be seen in Image IV- 21. However, overflowing water is not a problem if it does not cause losses, victims die or are injured, do not inundate the settlements for a long time, do not cause other problems for everyday life. When high waterlogging occurs, in a long time, and often then it will interfere with human activities, (National Disaster Management Agency, 2013). So that natural drainage and rivers need to be considered for the construction of the Tondo-2 permanent housing site. The description of the natural drainage for the Tondo-2 permanent housing site can be seen on the following map:

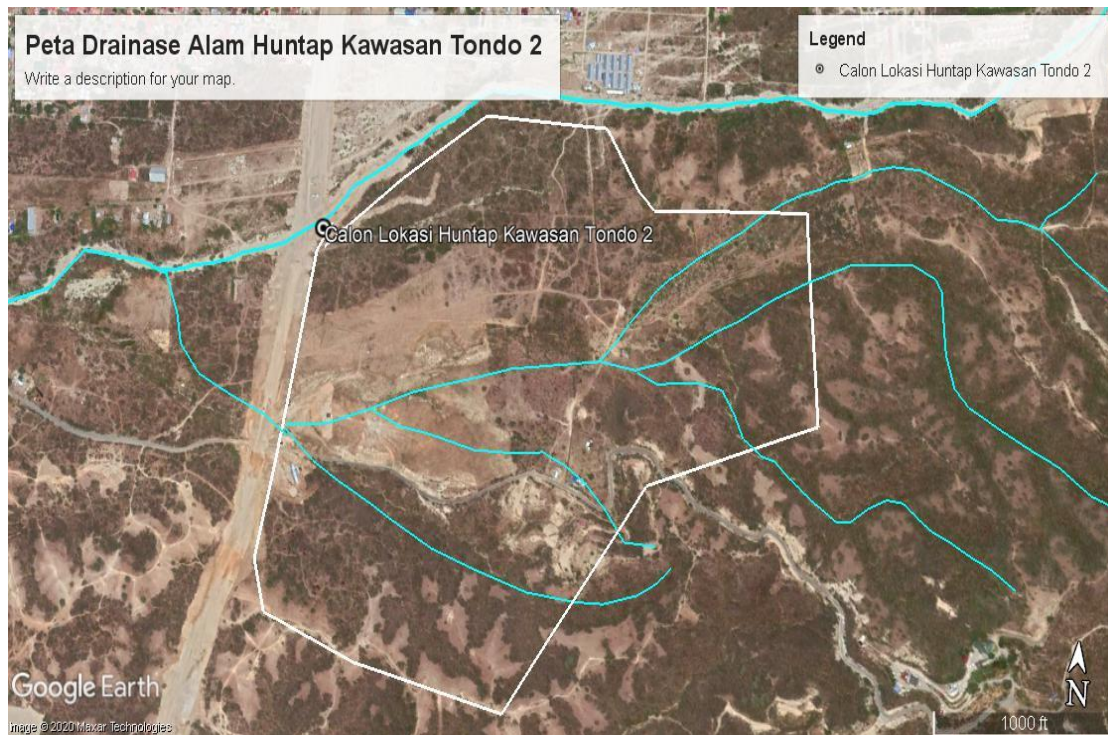


Image IV - 21 Natural Drainage System Around the Tondo-2 Permanent Housing Site
Source: Watershed Management Center, 2020.



Image IV - 22 Natural Drainage Around the Tondo-2 Permanent Housing Site
Source: Field Documentation, 2020

The drainage slope should pay attention to and follow the direction of the slope of the soil. Natural paths can be used as primary drainage channels and even as outfalls. To the north of the permanent housing area, there is still a natural flow in the form of a fairly wide

river, which ends in Palu Bay. The natural flow in the form of a river can be used as an outfall.

The recommended technical drainage channel is a channel with technical reinforcement on the walls on the left, right and bottom of the channel. At a certain slope distance according to calculations, a plunge is made to reduce the speed of the water. The stilling pond is made at the end or outfall of the primary drainage channel and other locations in the primary canal that require it.

Natural drainage paths is located in the middle of permanent housing area. At the end of the natural drainage there is a pond located at the bottom of the permanent housing area. The pool is a natural stilling pool. The pond and its water can be used, for example as a water reserve for simple firefighting.

G. Access to Solid Waste Management Services

Waste management around the permanent housing site has not been managed properly because there are no Temporary Garbage Disposal facilities available around the site, so residents around the site continue to manage their waste by burning.

To maintain the cleanliness and health of the environment, it is necessary to socialize to residents of the permanent housing and surrounding residents about the importance of waste management in relation to the health of its citizens. Continuous assistance in familiarizing the behaviour of sorting organic and inorganic waste and hazardous toxic waste through an economic approach will be more effective. To dispose of waste, the people could use two Temporary Garbage Disposal Sites around the permanent housing site, namely the Roviega Temporary Garbage Disposal Site which is 1.5 km away with a travel time of 4 minutes and the Soekarno Hatta Temporary Garbage Disposal Site with a travel time of about 7 minutes.

In order to optimize waste management, Waste Processing Facilities - Reduce Reuse Recycle facilities need to be developed in the permanent housing area so that the economic benefits of waste management can be enjoyed by permanent housing. To maximize the function of the Waste Processing Site - Reduce Reuse Recycle, learning about segregation of organic and inorganic waste as well as various organic waste management techniques can be carried out to understand that inorganic waste can be utilized in the 3R way - Reduce Reuse Recycle and if managed properly can be of value for the economy. Waste management assistance needs to involve the Palu City Environmental Service/Agency and other parties who are concerned with waste issues so that their management can be sustainable.



Image IV - 23 Waste Service Access Map
Source: Retrieved from Google Earth, 2020



Image IV - 24 Photos of Garbage Services Around the Tondo-2 Permanent Housing Site
Source: Facilitator Team, 2020

Table IV - 12 Access Garbage Services Around the Tondo-2 Permanent Housing Site

Num.	Activity	Distance	Traveling time	Capacity	Capacity (Families)
1.	Temporary Garbage Disposal – Roviega	1,5 Km	4 Minutes	8 m ³	4.000 KK
2.	Temporary Garbage Disposal - Soekarno Hatta	3,4 Km	7 Minutes	8 m ³	4.000 KK

H. Access to Electricity/Power System or Source

There is an electrical network in the vicinity of the permanent housing site where the electricity substation comes from the Tondo-2 Substation. Residents who live in the surrounding areas of the permanent housing site have also received electricity from the State Electricity Company.

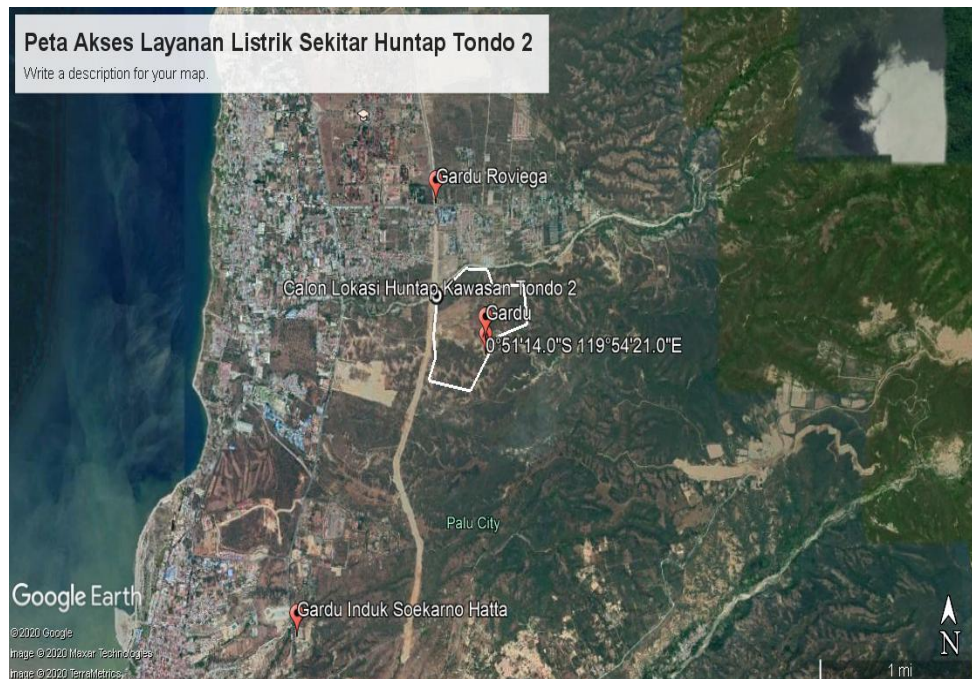


Image IV - 25 Access to Electricity Service in Tondo-2 Permanent Housing Site
Source: Processed from Google Earth, 2020



Image IV - 26 Electricity Service around the Tondo-2 Permanent Housing Site
Source: Field Documentation, 2020

I. Access to Communication Service

The area of permanent housing location has been covered by wireless communication networks from Telkomsel, XL, and Indosat operators with 2G, EDGE, 3G HSPA, and 4G LTE network types. There is also BTS tower belonging to Telkomsel which is located in the Bumi Roviega area, which is ± 3 kms from the location of the Tondo 2 permanent housing.



Image IV - 27 Access to Communication Service in the Tondo-2 Permanent Housing Site
Source: Processed from Google Earth, 2020



Image IV - 28 Communication Service around the Tondo-2 Permanent Housing Site
Source: Facilitator Team, 2020

4.2.5 Tondo-2 Permanent Housing Land Capacity

Based on the Decree of the Location Determination, the land area allocated for Tondo-2 permanent housing is 65.3 Ha. There are at least two aspects to consider in the technical planning of building Tondo-2 permanent housing, i.e., (1) a healthy, safe, harmonious, orderly, directed and sustainable house that is constructed and developed by meeting the administrative, technical, and ecological requirements, and (2) site plan detailing housing layout, infrastructures, facilities and public utilities needed to create harmonious, healthy, productive, orderly and safe environment.

The Tondo-2 permanent housing site is planned to accommodate 1,056 family heads of the disaster-affected peoples (DAPs) out of the registered 1,933 family heads listed as potential DAPs as stated in the Palu Mayor's Decree Number 360/51//BPBD/2022 dated January 3, 2022. A total of 1,288 out of 1,933 family heads have been verified and met the criteria for getting permanent housing units, whereas 645 families do not meet criteria as permanent housing recipient. The final list of the DAPs who will receive the permanent housing will be included in the Relocation Action Plan (RAP). The RAP will also include the mechanisms for submitting objections or reconsideration of the verification process of potential recipients of the permanent housing. RAP will be prepared after construction is nearing completion and DAPs who are voluntarily willing to relocate and live in Tondo-2 have been identified and verified.

Table IV - 13 Identification of the Number of Potential Disaster-Affected Peoples in Tondo-2 Permanent Housing Site

No.	Description	Time	Amount of Disaster-Affected People
1.	Listed in the Mayor's Decree	January 3, 2022	1.933
2.	Verified and met the criteria of permanent housing recipients	April 2022	1.288
3.	Does not meet criteria as permanent housing recipients	April 2022	645

4.2.6 Legal Status of Land in the Tondo-2 Permanent Housing Site

As described in Chapter 2, the following is a description of the legal status of the land that will be developed for the construction of housing, infrastructure and public facilities in the Tondo-2 permanent housing site which is designated for the eligible Disaster Affected Peoples. The status of the land was previously land with Building Use Rights (HGB) concessions of PT Sinar Waluyo (PT. SW) and PT Sinar Putra Murni (PT. SPM). The concessions were obtained in 1989 and expired in August and September 2019. In order to provide permanent housing for the DAPs affected by the earthquake in Palu City, these ex HGB land was designated as the location for the construction of Tondo-2 permanent housing through the Decree of the Governor of Central Sulawesi Province. 369/516/DIS.BMPR-G.ST/2018 dated December 28, 2018 on the Location Determination (*Penlok*) of the Land for the Permanent Housing Sites for the Disaster Affected Peoples in Central Sulawesi Province (attachment 1).

The Governor's Decree was issued based on the Presidential Instruction No. 10 of 2018 on the Acceleration of Post-Earthquake and Tsunami Rehabilitation and Reconstruction in Central Sulawesi Province and Other Affected Areas (attachment 2), which among other things asks the Ministry of Agrarian and Spatial Planning/Land Agency (MAS) to facilitate land acquisition for post-disaster relocation and rehabilitation needs. Referring to the *Penlok*, the Land Procurement Implementation Team (TPPT) of the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency conducted an inventory and identification of the land areas included in the location determination, including land areas that were indicated as abandoned land.

On September 10, 2019, the President Directors of PT. SW and PT. SPM signed a letter of agreement to voluntarily relinquish 30 Ha land rights of Building Use Rights, consisting of 15 Ha (Building Rights 122/Tondo, expired on August 25, 2019) and 15 Ha (Building Rights 10/Tondo, expired on September 11, 2019) (Attachment 3). Referring to the letter, when the location determination was issued in December 2018, the three parcels of land that were designated as candidate locations for Tondo-2 permanent housing had valid Building Use Rights status. However, it has been proven that physically the land parcels have not been cultivated/utilized by the two companies and application for the extension took place after the expiry date of the concessions.

Furthermore, on **October 15, 2019, the Minister of Agrarian and Spatial Planning/Head of National Land Agency** issued a letter to the Head of the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency to coordinate with the Public Works and Housing Ministry Team, the National Disaster Management Agency and other parties to prioritize the construction of permanent housing on the land areas listed in the Minister's letter. Priority is carried out among others by:

1. Not extending/renewing land rights whose validity period have expired and the land is intended to meet the needs for post-disaster rehabilitation/reconstruction, especially for the construction of permanent housing.
2. Land rights whose concession has not yet expired, the concession holders are asked to relinquish their rights to the extent that the land is needed for the rehabilitation/reconstruction of the temporary shelters.
3. For the remaining land which is not extended/renewed and/or the concession has not expired, the concession holders may be considered for re-applying the land rights in

accordance with the applicable regulations and the provisions of the Palu City Spatial Development Plan (RTRW).

The Minister of Agrarian and Spatial Planning/National Land Agency's letter also lists the concessionaires/parties holding the Building Use Rights/Cultivation Rights whose land are included in the Location Determination, along with their expiration dates, the size of the land area according to the certificates and the land area proposed in the Location Determination. The following is a summary of the list of land parcels in Tondo-2 based on the results of the inventory and identification of the Palu City Land Procurement Implementation Team.

Table IV - 14 Status and Area of Land Plots Released by Building Rights Holders

No	Rights Holder	Building Rights Number	Expiry Dates of the Building Rights	Area according to Building Rights (Ha)	Area According to Location Determination 2018 (Ha)	Status*
1.	PT. Sinar Waluyo	09/Tondo	August 25, 2019	45,6	43,8	Building Rights released in Sept 10, 2019 (15 Ha)
2.		10/Tondo	September 11, 2019	15,0	15,0	
3.	PT. Sinar Putra Murni	122/Tondo	August 25, 2019	83,8	69,9	Building Rights released in Sept 10, 2019 (15 Ha)
Total				144,4	128,7	30

Source:

- 1) Letter of agreement to relinquish 30 Ha land rights of Building Use Rights, September 10, 2019
- 2) Minister of Agrarian and Spatial Planning/Head of National Land Agency's letter, October 15, 2019

Notes: *this status is based on Letter of Agreement for the Release of Building Use Rights by PT. SW and PT. SPM to the Head of the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency on September 10, 2019

Referring to the letter from the Minister of Agrarian and Spatial Planning/National Land Agency above, the Ministry of Public Works and Housing team carried out a field physical assessment of the condition of the 30 Ha land which had been released by PT. SW and PT. SPM. The MPWH team concluded that the condition of the land was not fully suitable for residential use due to difficult topographical conditions (high elevation, steep, etc.) that required high costs for land development which were estimated five times the cost of the permanent house construction. Based on the technical assessment, the MPWH through the Disaster Management Task Force on November 29, 2019 submitted to the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land

Agency an application for land needs for the construction of the permanent housing area in Tondo-2 of around 82.79 hectares with a capacity of 2,222 permanent housing units.

This need was conveyed by the Head of the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency to PT. SW and PT. SPM through a letter dated December 18, 2019, which among other things explained that the area of land needed for the construction of a permanent housing in Tondo-2 (more than 30 hectares had already been submitted). Furthermore, land measurements were carried out by the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency in January 2020. On January 17, 2020 (Attachment 6), the Head of the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency issued the results of **measurements and determination of location boundaries carried out by the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency**, where land that met the requirements to become a candidate for the **Tondo-2 permanent housing location was an area of 65.3 Ha.**

Furthermore, the Minister of Agrarian and Spatial Planning/National Land Agency through a letter dated May 17, 2021 asked the Head of the Central Sulawesi the Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency to submit the results of land acquisition to the Palu City Government to be used as disaster recovery, with a priority target of building permanent housing. The letter detailed the area of land designated for the construction of Tondo-2 permanent housing covering an area of 65.3 Ha, originating from the ex-Building Use Rights land previously under the concessions of PT. SW and PT. SPM but has expired. The two companies applied for an extension in September 2019, for the remaining land that will not be used by the Government for the development of permanent housing sites.

In the letter from the Minister of Agrarian and Spatial Planning/National Land Agency, guidelines for interim/temporary management for the land that has been handed over for the permanent housing development was also included as follows:

- a. For the land that that will be used for permanent housing, land rights can be granted to the housing recipients by using the mechanisms of Accelerating Complete Systematic Land Registration (PTSL) and Land Redistribution schemes.
- b. For the land that will be used for social facilities and public facilities, land rights can be granted to the Palu City Government.

Furthermore, the Head of the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency handed over the Tondo-2 permanent housing area to the Palu City Government with an area of 65.3 ha through the Minutes of the Coordination Meeting on May 27, 2021. The meeting discussed the obstacles and proposed solutions faced by the MPWH in implementing the housing development, infrastructure and public facilities in the designated locations, particularly in the Tondo-2 and Talise locations. Considering that these obstacles are caused, among other things, by the existence of land claims in Talise and Tondo-2 which will be more effectively resolved by the City Government (CG) of Palu, the meeting participants collectively agreed to hand over land for Tondo-2 permanent housing site from the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency to the Palu City Government. **On June 25, 2021, the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency issued a letter submitting the minutes of the handover of permanent housing land areas in Tondo 1, Tondo 2, Talise and Duyu to the Palu City Government.**

Furthermore, the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency held a meeting with the ex-HGB concessionaires (two companies) on July 5, 2021. During the meeting it was conveyed about the change in the need for permanent housing land to 65 hectares, and the boundaries of such land area have been adjusted according to the physical and topographical conditions suitable for permanent housing development. The Regional Regulation No. 2 of 2021 pertaining the Regional Spatial Plan (RTRW) of the CG of Palu for the period 2021 - 2041, designates the Tondo-2 permanent housing area for residential uses.

On July 12, 2021, the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency submitted data on the changes/adjustments of the area and location of land for the construction of the Tondo-2 permanent housing covering an area of 65.3 Ha, to PT. SW and PT. SPM (see table IV - 15). Based on these changes, of the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency and the ex-Building Use Rights concessionaires will make an adjustment to the previous rights relinquishment agreement. The Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency also explained that the application for the extension of the Building Use Rights that had been submitted for the remaining land that would not be used for the permanent housing site could not be processed further because it was still waiting for the approval of the new Palu City

Spatial Plan (RTRW). It was also explained that for land area that are not included in the Governor's Decree on Location Determination, an extension of rights can be submitted through the Palu City Land Office, in accordance with applicable regulations.

Table IV - 15 Status and Area of Land for Tondo 2 Permanent Residential Site

No	Rights Holder	Building Rights Number	Expiry Dates of the Building Rights	Building Use Rights Total Area (Ha)	Released Building Use Rights in 2019 (Ha)	Area of Permanent Housing Needs 2021*	Annotation
1.	PT. Sinar Waluyo	09/Tondo	August 25, 2019	45,6	-	21	Included in the boundaries of 65,3 Ha
2.		10/Tondo	September 11, 2019	15,0	15	-	Location is not used because it does not meet the technical requirements
3.	PT. Sinar Putra Murni	122/Tondo	August 25, 2019	83,8	15	44	Included in the boundaries of 65,3 Ha
	Total			144,4**	30	65	Area of permanent housing Needs is 65 Ha from land areas of the ex-Building Rights

Note: *proposal is based on the letter from the Central Sulawesi Regional Office of Ministry of Agrarian and Spatial Planning/National Land Agency to PT. SW and PT. SPM on July 12, 2021, regarding the adjustment of the Building Use Rights land area to be used for the construction of permanent housing site.

**total areas of Building Use Rights land under the concessions of the two companies are 195.8 Ha, including those in other locations.

The following table provides a summary of the process of land acquisition and land handover for the construction of the permanent housing site which have been described previously.

Table IV - 16 Land Acquisition Process of Tondo-2 Permanent Housing Site

Time	Steps/Activities	PIC	Documentation
December 28, 2018	Decree of Location Determination of the Land for the Permanent Housing Sites for the Disaster Affected Peoples in Central Sulawesi Province No.369/516/DIS.BMPR-G.ST/2018.	Governor of Central Sulawesi	Attachment 1
September 10, 2019	President Directors of PT. Sinar Waluyo and PT. Sinar Putra Murni as the concessionaires/holders of the Building Use Rights and the Head of the Regional Office of the Regional Office of the Central Sulawesi National Land Agency signed the Letter of Agreement on the Release of Land Rights. Building Use Rights land covering an area of 30 hectares located in Kelurahan Tondo,	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency.	Attachment 3

Time	Steps/Activities	PIC	Documentation
	Mantikulore Sub-District, Palu City was voluntarily handed over for permanent residential development.		
September 17, 2019	Application for utilization of Building Use Rights lands in Kelurahan Tondo and Kelurahan Talise which will expire soon, letter Number: 591/2025/DPRRP/2019.	Mayor of Palu	Attachment 4
October 15, 2019	Letter of the Minister of Agrarian and Spatial Planning/National Land Agency on Permanent Housing Development due to Disaster Relocation Number: BP.04.01/1801/X/2019 1 st and 2 nd Dictum: <ol style="list-style-type: none"> 1. Not extending/renewing land rights whose validity period have expired and the land is intended to meet the needs for post-disaster rehabilitation/reconstruction, especially for the construction of permanent housing. 2. Land rights whose concession has not yet expired, the concession holders are asked to relinquish their rights to the extent that the land is needed for the rehabilitation/reconstruction of the temporary shelters. 3. For the remaining land which is not extended/renewed and/or the concession has not expired, the concession holders may be considered for re-applying the land rights in accordance with the applicable regulations and the provisions of the Palu City Spatial Development Plan (RTRW). 	Ministry of Agrarian and Spatial Planning/National Land Agency.	Attachment 5
October 24, 2019	Removal of the land from the database of land indicated as abandoned through for HGB holders who voluntarily released their land, letter Number. 494/72.MP.03.03/X/2019.	Regional Office of the Central Sulawesi National Land Agency	Attachment 7
November 29, 2019	Letter from the MPWH and the Disaster Management Task Force regarding the land application for Permanent Residential of Tondo 2 and 3, Palu City. Information: Given that the land released by the holders of Building Use Rights (PT. Sinar Waluyo and PT. Sinar Putra Murni) on September 10, 2019, covering an area of 30 hectares. An assessment has been made by the MPWH that it is not feasible to develop the site as the land development costs would be 5 times the cost of building the house. For this reason, the MPWH, as in the attached letter, has submitted a letter of application for the need for permanent housing land in the Tondo 2 and Tondo 3 locations covering an area of 112.56 Ha. This location is on the east (back) side, north and south of the current location of the Central Sulawesi Police Office.	Ministry of Public Works and Housing	Attachment 8
December 11, 2019	Task Force for the Acceleration of Rehabilitation and Reconstruction carried out	Task Force for the Acceleration of	Attachment 9

Time	Steps/Activities	PIC	Documentation
	Coordination Meeting on Permanent Housing Development in 2019-2020	Rehabilitation and Reconstruction of Central Sulawesi Province	
December 18, 2019	Notification of the need for permanent housing land in Tondo-2 covering an area of 65.3 Ha to the holders of Building Use Rights PT. PT. Sinar Waluyo and PT. Sinar Putra Murni, Letter Number: 1092/72.AT.02.02/XII/2019	Regional Office of the Central Sulawesi National Land Agency	Attachment 10
January 8, 2020	Report on the results of the Permanent Housing Tondo-2 field assessment.	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency.	Attachment 11
January 17, 2020	Handover of permanent housing land to the MPWH through letter No. 097/72.AT.02.02/I/2020.	Regional Office of the Central Sulawesi National Land Agency	Attachment 6
June 18, 2020	Request for support and assistance on Rehabilitation, Reconstruction, and Development of permanent housing in Central Sulawesi.	Regional Settlement Infrastructure Center of Central Sulawesi	Attachment 12
July 8, 2020	<p>A coordination meeting with the Mayor of Palu which was attended by the Head of the Palu Police, the Palu City District Attorney Office, the Head of Regional Settlement Infrastructure Center of Central Sulawesi and the ranks of the Palu City Regional Apparatus Organization. Results:</p> <ol style="list-style-type: none"> Palu City Office of Ministry of Agrarian and Spatial Planning/National Land Agency will carry out measurements prior to the LC/LD process. The Palu City Office of the Ministry of Agrarian and Spatial Planning/National Land Agency carry out the verification and validation on the land (state land) including the ex-Building Use Rights lands to be developed for post-disaster rehabilitation and reconstruction in 2018 and land redistribution for residents who are eligible to receive compensation. Construction of permanent housing can be carried out starting on July 9, 2020. With security from the Palu City Resort Police and the 1306 Donggala Military District Command. 	Regional Settlement Infrastructure Center of Central Sulawesi	Attachment 13
May 17, 2021	Construction of permanent housing for Disaster Relocation through Letter No: AT.02/656/V/2021. Point 3: Order the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency to submit the results of land acquisition to the Palu City Government	Ministry of Agrarian and Spatial Planning/National Land Agency.	Attachment 14
May 27, 2021	<ul style="list-style-type: none"> Coordination meeting discussing the constraints and proposed solutions on the land claims in the efforts to develop the Tondo-2 permanent housing site. 	Central Sulawesi Regional Office of the Ministry of Agrarian	Attachment 15

Time	Steps/Activities	PIC	Documentation
	<ul style="list-style-type: none"> Handover of permanent housing from Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency to the Palu City Government. 	and Spatial Planning/National Land Agency	
July 12, 2021	Letter from Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency Number: AT.02.02/381-72/VII/2021 on the Changes to Permanent Housing Data. Point 3: the land required for the construction of Tondo-2 the permanent housing is 65 ha. For this reason, adjustments will be made to the previous waiver agreement document.	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency	Attachment 16
December 14, 2021	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency ensures clear and clean land status in the Tondo-2 Permanent Housing	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency	Attachment 17

4.3 Claims/Complaints on Tondo-2 Land and Efforts for Settling the Issues

During the land acquisition process described previously, there were a number of claims and complaints over land at the potential location for the permanent housing Tondo-2. The first complaint came from a number of residents who claimed that they hold land tenure certificates, and the second complaint from the former Building Use Rights concessionaires/holders who questioned the changes/adjustments to the land area needed for the permanent housing development, and the clarity of the application for the extension of Building Use Rights for the remaining land that will not be used for permanent housing development.

4.3.1 Claims from residents

In July 2019 there were 37 residents who claimed that they have tenure rights to land located on the Building Use Rights land which had been designated for the Tondo-2 permanent housing site. A number of these residents showed proofs of Land Tenure Certificate (*Surat Keterangan Penguasaan Tanah or SKPT*) issued in 1974 by the Subdistrict Head and Kelurahan Head. Each plot has an average area of 100x100 m², or a total area of 37 Ha (Land Tenure Certificates from 37 residents can be seen in the attachment). The existence of the Land Tenure Certificates was discussed and followed up by the Palu City Government, especially regarding the validity of the letters issued before the issuance of Building Use Rights.

On the instructions of the Governor of Central Sulawesi (July 11, 2019, Attachment 22), the Palu City Government followed up on the claim by holding a meeting with the land claimants on August 5, 2019. The conclusion of the meeting (see Attachment 23) was that (i) the Palu City Government will coordinate a meeting between the Mayor and the holders of Building Use Rights, and (ii) the relevant Subdistrict Heads and Kelurahan Heads will facilitate land claimants to meet with the Mayor of Palu. On September 13, 2019, the Palu City Government invited the claimants again to a meeting and requested them to bring the original Land Tenure Certificate documents. However, none of the residents who attended the meeting brought the original Land Tenure Certificate.

Furthermore, the land clearing process began in early 2020, after the issuance of a letter from the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency on January 17, 2020 which contained the handover of land for the construction of permanent housing Tondo-2 covering an area of 65.3 Ha to the MPWH (see Attachment 6). During the land clearing, the land claimants installed pegs (wood branch-see picture below) in the land clearing location. In response to this situation, the Head of the Regional Settlement Infrastructure Center of Central Sulawesi, who was responsible for the construction of the permanent housing (on behalf of the MPWH), sent a letter to the Mayor of Palu (May 26, 2020, see Attachment 25) asking for assistance in solving the problem.



Image IV - 30 Installation of pegs by the Kelurahan Tondo residents.
Source: Field Survey

After the land clearing process, there were an additional nine residents who made claims and included copies of the 1976 Land Tenure Certificate (SKPTs) with an area of 50

x 75 m2 each. The Palu City Government and the Palu City Office of the Ministry of Agrarian and Spatial Planning/National Land Agency conducted an inventory and verification of the land claims and the submitted evidence. During the verification process, it was found that an additional one resident also held a Land Tenure Certificate (SKPTs) (1995) and another two had Land Ownership Certificates (SHM); however, these three residents have not officially submitted a claim to the Palu City Government. The Palu City Office of the Ministry of Agrarian and Spatial Planning/ National Land Agency checked the validity of the land documents and ensured that the locations of the two Land Ownership Certificates (SHMs) were outside the boundaries of the potential locations for Tondo-2 permanent housing site (Attachment 18).

On July 8, 2020, a meeting was held which was attended by the Mayor of Palu and representatives of related agencies, Regional Settlement Infrastructure Center of Central Sulawesi (on behalf of the MPWH), Palu City District Attorney Office, Palu City Police, and the Palu City Military District Command, representatives of land claimants in Tondo-2, as well as the NMC-CERC and TMC teams. In the meeting, it was stated that (a) in accordance with Presidential Decree No. 34 of 2003⁸ article 1, which states that the City/Regency government has the authority to settle compensation and compensation for land for development and has the authority to determine the subject and object of redistribution and compensation for land, as well as settlement for vacant land issue. (b) the aspirations of residents who claimed land in the permanent housing sites will be accommodated in accordance with the requirements of the applicable rules and regulations. The Mayor of Palu City will establish an Inventory and Verification Team to confirm land claims in both Tondo-2 and Talise (Attachment 13).

In October 2020, the Mayor plans to establish a Special Team for Settlement of Land Claims or an Inventory and Verification Team to check the legality of the Land Tenure Certificate (SKPT) documents submitted as evidence by the claimants. The Palu City Government opened a command post at the permanent housing site and invited residents who made claims to come to the post with supporting evidence or original documents. However, the plan was not implemented due to the election and change of Mayor, where the new Mayor did not continue the plan and proposed a different solution.

The new Mayor who was sworn in in March 2021 has realized the long history of land problems in KelurahanTondo and proposed a settlement through land redistribution for

⁸ The roles and responsibilities of Local Government are regulated in the Law No. 23, 2014 on Local Government.

residents who make claims⁹. 47 people who made claims will be offered replacement land in another location, according to the basis of the rights held, namely 37 Land Tenure Certificates (SKPT) dated 1974, nine SKPTs dated 1976, and one SKPT dated 1995¹⁰. (Attachment 20).

On January 27, 2022, at the Office of Regional Settlement Infrastructure Center of Central Sulawesi, a meeting was held to discuss the Land Acquisition Process for Settlement and Infrastructure Works for Tondo-2 and Talise. The meeting was attended by the Head of Palu City Office of the Ministry of Agrarian and Spatial Planning/National Land Agency, Head of Palu Public Works Department, Head of Palu Local Disaster Management Agency, Palu Spatial Planning Department, Regional Settlement Infrastructure Center of Central Sulawesi, Project Management Unit of Central Sulawesi Rehabilitation and Reconstruction Program (PMU-CSRRP), World Bank Team, Oversight Service Provider (OSP) Team, CSRRP Individual Consultant and PMC Team. In the meeting, it was agreed that the settlement of land claims in Tondo and Talise would be resolved through redistribution of land in Talise Valangguni for claimants who meet the criteria. For phase I, it has been agreed to grant land to 47 land claimants in Tondo-2 (see Attachment 26).

Furthermore, on January 30, 2022, the Camat and Lurah Tondo conveyed the results of the meeting to the claimants, but the offer was rejected by the 37 claimants. At the meeting, the claimants clarified that the land areas they claimed are located in Kampung Tondo Ngapa, **not** in Kampung Tondo Duyu which is the location of Tondo-2 permanent housing. This assurance was obtained from the heirs of the Land Tenure Certificates holders after meeting with Mr. Adjis (78 years old), an elder of Kelurahan Tondo who knows the history of the issuance of the Land Tenure Certificates. The 37 claimants who refused to accept the replacement land in Talise Valangguni, demanded replacement/compensation for land which are located in the Tondo-1 permanent housing (not in Tondo-2, see Attachment 27).

Further, on March 1, 2022, Abdul Halim as the Head of Kelurahan Tondo submitted a document/letter that explained the cancellation of 20 of the 1974 Land Tenure Certificates to the Head of the Local Disaster Management Agency of Palu City. Document was found straddled in the Kelurahan Tondo Archives. The cancellation letter was issued on October 7, 1994 signed by Bahusen Muhammad (who at that time served as the Head of Kelurahan Lasoani, and previously in 1974 served as the Head of Kelurahan Tondo). The letter

⁹ This proposal only applies to Tondo-2 and Talise

¹⁰ 10 SKPTs issued in 1976 are not attached to this DDR and Action Plan document

explained, among other things, that the Land Tenure Certificates dated in 1974 were actually issued in 1994, when Bahusen was already serving as the Head of Kelurahan Lasoani. The cancellation letter was issued three months after the Land Tenure Certificates had been issued in 1994 (but dated 1974). As the Head of Kelurahan Losoani, at that time Bahusen Muhammad acted as the Head of Kelurahan Tondo and signed the Land Tenure Certificates which claimed have been issued in 1974 (see Attachment 28). There is no official submission or notification on the cancellation letter of the remaining 17 SKPTs. If there is a further complaint regarding the cancellation of the SKPT, it can be submitted to the Palu City government through the Head of BPBD or directly to the Mayor at the City Hall or at his residence. The Palu City Government will be fully responsible for resolving claims/lawsuits until it is complete (Attachment 36) While for the nine SKPTs issued in 1976, there has been no official cancellation because the person concerned has never shown his/her SKPT nor submitted complaints. But Mr. Bahusen Muhammad, acted as the Head of Kelurahan Tondo who canceled the 1974 Land Tenure Certificates said that the Land Tenure Certificates issued dated 1976 are also fake. The following indications show that the 1976 Land Tenure Certificates are not official documents:

1. Mr. Bahusen Muhammad believed that during his tenure he had never issued the Land Tenure Certificates. Therefore, he was certain that the 1976 Land Tenure Certificates were also obtained through the same procedures as the 1974 Land Tenure Certificates (they are dated 1974 but issued in 1994)
2. The 1974 Land Tenure Certificates on behalf of Agus Lamira and Andi Litji, are also registered as holders of the 1976 Land Tenure Certificates (duplication of the same type of document with the same holders).
3. After submitting copies of the 1974 Land Tenure Certificates (SKPTs), the people who made the claims never came back to communicate his/her claim so that his/her claim could not be followed up. So far, their whereabouts are unknown.

With the cancellation of the Land Tenure Certificates and the correction of the location of the land claimed by the residents, the location of the Tondo-2 permanent housing site including its supporting infrastructure and public facilities can be considered **free from claims**. The map of the location of the Tondo-2 which is considered as physically and legally clear and clean and the estimated location of the claims by residents outside the Tondo-2 can be seen in the following image:



Image IV - 31 Orientasi Kepemilikan 2 Sertifikat

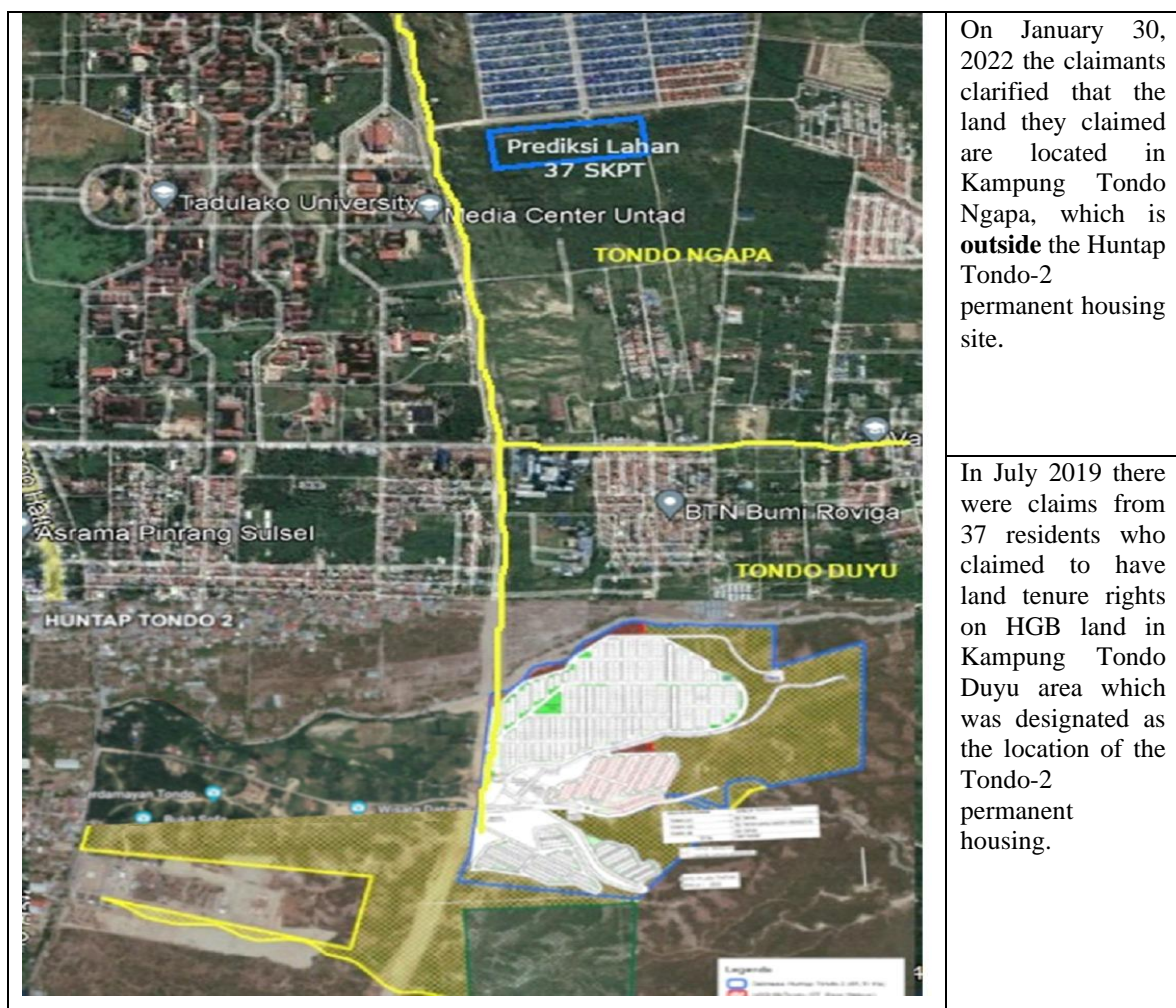


Image IV - 32 Estimated of the Locations of the Claimed Land of the SKPT Holders

4.3.2 Complaints from former Building Use Rights Holders

The two companies who held the concessions of the Building Use Rights (HGB), namely PT Sinar Waluyo and PT. Sinar Putra Murni, have released a land area of 30 hectares in September 10, 2019. However, the results of a technical survey conducted by the MPWH stated that not all of the released land was suitable for residential use. Then, the measurement and inventory of land that met the technical criteria for the construction of Tondo-2 permanent housing was carried out again, until a suitable area of 65.3 hectares was obtained. The technically suitable area is located to the north of the previously handed over land (30 Ha) and is still an area of the ex-Building Use Rights that used to be under the concessions of PT Sinar Waluyo and PT. Sinar Putra Murni (the concessions were expired in 2019).

In July 2021, the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency explained to the PT. SPM and PT. SW that there was a change or adjustment to the location and area of land needed for the construction of Tondo-2 permanent housing. With this change, the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency and the concessionaires of the Building Use Rights should make adjustments to the previous land release agreement document, and other part of the ex-Building Use Rights lands that will not be used for permanent housing development can be processed/continued with their application for rights extension. It should be noted that the validity period of the Building Use Rights held by the two companies had been expired in August and September 2019, and both companies have applied for an extension/renewal of the rights for the remaining land areas (outside of the released 30 Ha) that will not be used for the permanent housing site.

However, on January 10, 2022 (see Attachment 29) and January 21, 2022 (Attachment 30), the two companies through their legal representatives submitted a complaint to the Vice President of the Republic of Indonesia through the Office of the Secretariat of the Vice President. These complaints included, among others, first, the Letter of Agreement between the Companies and the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency. In this case, the companies questioned the change/adjustment of the location of the land area needed for the construction of Tondo-2 permanent housing site covering an area of 65.3 hectares where most of it are located outside the land area that had been released by the company. Both companies complained that the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency has handed over the land (65.3 Ha) to the

MPWH in January 2020 without their approvals, as only 10 Ha of such land area is part of the Building Use Rights lands that had been previously released.

Second, the company also questioned the certainty of the extension of the rights of the remaining land that would not be used for permanent housing development. In principle, PT. SPM and PT. SW do not mind to release part of the 65.3 Ha of the suitable land for the Tondo-2 housing development which has not been released but with compensation (see Attachment 29 and 30).

On February 2, 2022, a cross-sectoral meeting was held at the central level, which was attended by representatives of the Office of the Secretariat of the Vice President (under the Ministry of the State Secretariat—*Setwapres*), Coordinating Minister for Human Development and Cultural, Ministry of Agrarian and Spatial Planning/National Land Agency, Ministry of Public Works and Housing, National Disaster Management Agency, as well as representatives of the Central Sulawesi Provincial Government and Palu City Government (see Attachment 31). During the meeting, among other things, it was agreed that it was urgent to accelerate the settlement of land claim issues in Tondo-2. The Mayor of Palu and officials from the relevant ministries and institutions attending the meeting were asked to provide inputs/suggestions to the *Setwapres* in responding to the complaints filed by the lawyers of PT. Sinar Waluyo and PT. Sinar Putra Murni (see Attachment 32).

On February 11, 2022, Mayor of Palu sent a letter to the Office of the Secretariat of the Vice President (under the Ministry of the State Secretariat—*Setwapres*) to respond the complaints (see Attachment 33). The letter emphasized that

- i) The Palu City Government received land for the permanent housing development from an authorized institution, and the Palu City Government did not take the company's land.
- ii) The authority to resolve the complaints is not entirely within the authority of the Palu City Government but is also under the authority of the Ministry of Agrarian and Spatial Planning/National Land Agency.
- iii) Referring to the Law No. 2/2012 on Land Acquisition for the Development for Public Interest states:
 - 1. Land Acquisition for Public Interest due to an emergency situation because of the natural disaster, war, widespread conflict, and plague can be conducted directly for the development after the determination of location for development for Public Interest,

2. Before the issuance of the location determination of the land for Public Interest as mentioned in clause (1), prior notification is provided to the entitled party.
 3. If there is any objection or claim on the land acquisition implementation, the institution who needs the land can still implement the development activity as mentioned in clause (1).
- iv) Government Regulation No. 19 of 2021 on the Implementation of Land Acquisition for the Development for Public Interest article 42 paragraph (3) states: in the event of a disaster so that the land-use change or land conversion for infrastructure cannot be postponed, the requirements regarding strategic considerations and plans for land conversion will not be applied;
 - v) The Minister of Agrarian and Spatial Planning/Head of National Land Agency stated that the Ministry will not extend/renew the land rights whose validity period had been expired whereby such land is intended to meet the needs for the permanent housing construction (Letter No: BP.04.01/1801/X/2019 dated October 15, 2019).
 - vi) Referring to the authority of the Ministry of Agrarian and Spatial Planning/National Land Agency, the Minister of Agrarian and Spatial Planning/National Land Agency requested the Head of Head of the Regional Office of the Central Sulawesi National Land Agency through the letter No. AT.02/656/V/2021 on the development of permanent housing Relocation of Post-Disaster Recovery, to hand over the area of 65.3 Ha to CG of Palu.
 - vii) The status of the PT SPM and PT SW HGB lands has been expired and its status became state land and part of it has been handed over to the Palu City Government. With this handover, the Palu City Government can regulate its utilization in accordance with the Central Sulawesi Provincial RTRW and harmonize it with the Palu City RTRW in 2021 – 2041. After the 2018 natural disaster, the condition of the Palu City area underwent significant topographical change and this change was accommodated in the 2021-2041 RTRW. According to the RTRW 2021 – 2041 provision, the Mayor of Palu is not possible to provide recommendations for the extension of the HGB in the Palu area which concession date has expired.
 - viii) Based on the authority of the Ministry of Agrarian and Spatial Planning/National Land Agency, it can be concluded that the Building Use

Rights land of PT. Sinar Waluyo and PT. Sinar Putra Murni had ended, hence the land has become a State Land. Part of this ex-HGB Land area has been then handed over to the Palu City Government to be developed for the benefit of the community, especially for the construction of the permanent housing. On February 11, 2022, the Mayor of Palu sent a letter to the Vice President of the Republic of Indonesia which provides an explanation and confirmation of the settlement of the claim and the status of the land for permanent housing in Tondo-2. The following are the explanation:

Following up on this, a cross-sectoral meeting was held at the central level by the Office of the Secretariat of the Vice President on March 1, 2022 and was attended by relatively the same participants as the meeting of February 2, 2022. The meeting emphasized that the development plan of the permanent housing will continue to be prioritized in Tondo-2, Palu City, and the Minister of Agrarian and Spatial Planning/Head of National Land Agency will send a letter to the Vice President of the Republic of Indonesia to provide an explanation and confirmation on the settlement of the claims and land status of the Tondo-2 permanent housing site (including boundaries and land area).

On March 31, 2022 the Minister of Agrarian and Spatial Planning/Head of National Land Agency sent a letter to the MPWH which explains and confirms the settlement of claims and land status of Tondo-2 permanent housing site (Attachment 35). The following is the explanation:

- a. The Minister of Agrarian and Spatial Planning/Head of National Land Agency will not extend/renew land rights whose validity period had been expired and such land was intended to meet the needs for permanent housing development (Letter No: BP.04.01/1801/X/2019 dated October 15, 2019),
- b. The area of 65.3 ha for the Tondo-2 permanent housing site in Palu City, Central Sulawesi Province is located on land that used to be Building Use Rights No. 122/Tondo concession of PT Sinar Putra Murni and Building Use Rights No. 9/Tondo concession of PT Sinar Waluyo, whose concessions have been expired;
- c. Whereas PT Sinar Waluyo and PT Sinar Putra Murni as former rights concessionaires/holders are still expecting compensation for the portion of the total area that will be used as the Tondo-2 permanent housing area in Palu City, Central Sulawesi Province, so that there is a potential that a lawsuit would be filed to the court;

- d. These matters and taking into account the provisions of Article 40 paragraph (1) Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flat Unit and Land Registration:
 - a. the ex-building rights of PT Sinar Putra Murni and PT Sinar Waluyo of the land portion that is part of the 65.3 ha which will be used for the permanent housing development will not be extended
 - b. the extension/renewal of the ex-Building Use Rights of PT Sinar Putra Murni and PT Sinar Waluyo for the remaining land area can be processed as long as they have complied with the provisions of the laws and regulations.

Referring to the following provisions, regulations, and applicable land laws:

- a. Presidential Instruction No. 10 of 2018 regarding Acceleration of Post-Earthquake and Tsunami Rehabilitation and Reconstruction in Central Sulawesi Province and Other Affected Areas;
- b. The land was then allocated for permanent housing development area through the Decree of Central Sulawesi Governor No. 369/519/DIS-BMPR G-ST/2018 pertaining the Location Determination of the Land for the Permanent Housing Sites for the Disaster Affected Peoples in Central Sulawesi Province issued on December 28, 2018, covering areas in Duyu, Tondo and Talise (Palu City) and Pombewe in Sigi Districts.
- c. The area of 65.3 ha which will be used as the Tondo-2 permanent housing area in Palu City, Central Sulawesi Province were under Building Use Rights Number 122/Tondo under the concession of PT Sinar Putra Murni and Building Use Rights Number 9/Tondo under the concession of PT Sinar Waluyo, whose rights have been expired;
- d. The Minister of Agrarian and Spatial Planning/Head of National Land Agency stated that the Ministry will not extend/renewal on land rights whose validity period had been expired and such land was intended to meet the needs for the permanent housing development (Letter No: BP.04.01/1801/X/2019 dated October 15, 2019);
- e. The Letter of the Minister of Agrarian and Spatial Planning/Head of National Land Agency sent a letter to the Ministry of Public Works and Housing March 31, 2022 which provides an explanation by referring to the provisions of Article 40 paragraph (1) Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flat Units and Land Registration that the ex-building use rights of PT

Sinar Putra Murni and PT Sinar Waluyo that constitute a portion of the 65.3 ha land that will be used for permanent housing development will not be extended;

- f. The Central Sulawesi Provincial Spatial Development Plan (RTRW) and harmonize it with the Palu City RTRW in 2021 – 2041. After the 2018 natural disaster, the condition of the Palu City area underwent significant topographical change and this change was accommodated in the 2021-2041 RTRW. According to the RTRW 2021 – 2041 provisions, it is not possible for the Mayor of Palu to provide recommendations for the extension of HGB located in the City of Palu which rights has been expired;
- g. Law No. 2/2012 on Land Acquisition for Development for Public Interest states that:
 - a. Land Acquisition for Public Interest due to emergency situation because of natural disaster, war, widespread conflict, and plague can be conducted directly for the development after the determination of location for development for Public Interests;
 - b. Before the issuance of the location determination of the land for Public Interest as mentioned in clause (1), prior notification is provided to the entitled party;
 - c. If there is any objection or claim on the Land Acquisition implementation, the institution who needs the land can still implement the development activity as mentioned in clause (1).
- h. Government Regulation No. 19 of 2021 on the Implementation of Land Acquisition for Development for Public Interests article 42 paragraph (3) states that in the event of a disaster so that the land-use change or land conversion for infrastructure cannot be postponed, the requirements regarding strategic considerations and plans for land conversion will not be applied;

With regard to the above, the ex- Building Use Rights (HGB) land of the PT Sinar Putra Murni and PT Sinar Waluyo covering an area of 65.3 ha which will be used as a permanent housing development can be **declared clean and clear**. The potential for the company to file a lawsuit in court is very weak because PT Sinar Waluyo and PT Sinar Putra Murni as former rights holders no longer have rights to their HGB land. If the company is determined to file a lawsuit over the implementation of land acquisition, development activities can still be carried out as stipulated in Law No. 2/2012 on Land Acquisition for Development for Public Interests.

Table IV - 17 Summary on the Efforts to Settle Claims and Complaints on the Land of the Tondo-2 Permanent Housing Site

Date	Remarks	PIC	Documentation
December 28, 2018	Decree of the Location Determination of the Land for the Permanent Housing Sites for the Disaster Affected Peoples in Central Sulawesi Province No.369/516/DIS.BMPR-G.ST/2018	Governor of Central Sulawesi	Attachment 1
July 2019	The emergence of 37 Land Tenure Certificates (SKPTs) claiming land in the Tondo-2 permanent housing.	Document Link (Ctrl + Click)	
July 11, 2019	Follow-up on residents' reports by the Governor of Central Sulawesi through a letter of disposition No: 368/349/Ro.Adwlpem	Governor of Central Sulawesi	Attachment 22
August 5, 2019	Discussion on the settlement of land issues in the permanent housing development site in Tondo-2 Village, with the following results: <i>There is no agreement at the meeting because there are still land claims by the SKPT holders in the Kelurahan Tondo.</i>	Palu City Department of Land and Spatial Planning	Attachment 23
September 13, 2019	Palu City Government invited the claimants to a meeting by bringing the original Land Tenure Certificates. However, none of the residents who attended the meeting brought the original Land Tenure Certificates.	Palu City Department of Land and Spatial Planning	Attachment 24
January 17, 2020	The handover of the Tondo-2 permanent housing land to the Ministry of Public Works and Housing (MPWH) through letter No. 097/72.AT.02.02/I/2020.	Regional Office of the Central Sulawesi National Land Agency	Attachment 6
May 2020	Palu City Spatial Planning Department submitted nine SKPTs from 1976 which claimed that the location of the land was in the Tondo-2 Permanent Housing area	Document Link (Ctrl + Click)	
May 2020	3 residents showed 3 documents of their land whose location points were recognized in the Tondo-2 permanent housing area. Consisting of 2 SHM and 1 SKPT.	Document Link (Ctrl + Click)	
May 26, 2020	Request for settlement of permanent housing land problems in Tondo-2 and Talise to the Mayor of Palu through letter No: CK.03.02/Cb28/230	Regional Settlement Infrastructure Center of Central Sulawesi	Attachment 25
July 8, 2020	A coordination meeting with the Mayor of Palu which was attended by the Head of the Palu Police, the Palu City District Attorney Office, the Head of Regional Settlement Infrastructure Center of Central Sulawesi and the ranks of the Palu City Regional Apparatus Organization. Results: a. Palu City Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency will carry out measurements prior to the LC/LD process. b. The Palu City Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency will verify the land of the former Building Use Rights (HGB) for the purpose of	Regional Settlement Infrastructure Center of Central Sulawesi	Attachment 13

Date	Remarks	PIC	Documentation
	developing permanent housing and providing compensation to the community.		
December 14, 2021	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency confirms clear and clean land status in the Tondo-2 permanent housing site	Regional Office of the Central Sulawesi National Land Agency	Attachment 17
January 7, 2022	Coordination Meeting chaired by the Vice Minister of Public Works and Housing (MPWH); attended by the Vice Minister of Agrarian and Spatial Planning/National Land Agency, the Deputy Governor of Central Sulawesi, the Regent of Sigi and the Mayor of Palu represented by four Heads of Departments and the Disaster Management Task Force of Central Sulawesi of MPWH	Disaster Management Task Force of Central Sulawesi of MPWH	Attachment 21
January 27, 2022	Coordination Meeting to discuss Land Acquisition Process for Residential and Infrastructure Works for Tondo-2 and Talise.	Head of Local Disaster Management Agency of Palu City	Attachment 26
January 30, 2022	Residents corrected the location of the previously claimed land. The exact location of the land from the SKPT is not in the Permanent Housing Tondo-2 area but in the Permanent Housing Tondo-1 area.	Head of Mantikulore Subdistrict	Attachment 27
March 1, 2022	The village head of Tondo submitted a document on the cancellation of the SKPTs with the issuance date in 1974 (but actually were issued in 1994) to the Head of Local Disaster Management Agency of Palu City.	Head of Kelurahan Tondo	Attachment 28
Complaint Settlement of PT. Sinar Waluyo and PT. Sinar Putra Murni			
January 10, 2022	Complaints and requests for legal protection to the Vice President	Office of the Secretariat of the Vice President	Attachment 29
January 21, 2022	Notification to the Vice President regarding the status of the 30 Ha land released by PT. Sinar Putra Murni and PT. Sinar Waluyo for the Tondo-2 permanent housing site in Palu which has not been clear and clean	Office of the Secretariat of the Vice President	Attachment 30
February 2, 2022	Echelon 1 Coordination Meeting on Completion of Post-Disaster Management in Central Sulawesi.	Office of the Secretariat of the Vice President	Attachment 31
February 8, 2022	Letter of request for opinion and input on the letter of complaint to the Vice President from the Attorney of PT. Sinar Putra Murni and PT. Sinar Waluyo regarding the Tondo- 2 permanent housing land in Palu City, Central Sulawesi	Office of the Secretariat of the Vice President	Attachment 32
February 11, 2022	The Mayor of Palu provided feedbacks and inputs to the Office of the Secretariat of the Vice President to respond to the complaints made by the attorneys for PT. Sinar Putra Murni and PT. Sinar Waluyo.	Palu City Secretary	Attachment 33
March 1, 2022	Office of the Secretariat of the Vice President held a Coordination Meeting for the	Palu City Secretary	Attachment 34

Date	Remarks	PIC	Documentation
	Resolution of Land Problems for Relocation of Disaster Affected Peoples in the Tondo-2, Palu City		
March 31, 2022	<p>The Minister of Agrarian and Spatial Planning/Head of National Land Agency sent a letter to the Ministry of Public Works and Housing explaining and confirming the settlement of claims and land status of the Tondo-2 permanent housing site</p> <p>Referring to the provisions of Article 40 paragraph (1) Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flat Units and Land Registration for the portion of the ex-building use rights of PT Sinar Putra Murni and PT Sinar Waluyo covering an area of 65.3 ha which will be used for the construction of permanent housing will not be extended;</p>	The Minister of Agrarian and Spatial Planning/Head of National Land Agency	Attachment 35

CHAPTER V

DUE DILIGENCE ASSESSMENT AND ACTION PLANS

This chapter covers the DDA on the process of obtaining the land of Tondo 2, the process of confirming the legal status of the land, identifying eligible land claimants and their claimed land; the processes that have been undertaken by the CG of Palu to solve the issues including consultation processes with the land claimants and the concessionaires (PT. SPM and PT. SW); and on the action plan moving forward to confirm the clean and clear status of the land. The assessment also included reviews of the available supporting documents/evidence to confirm their consistencies with the processes that have been undertaken by the CG of Palu. The summary of the overall DDA is presented in Chapter VI.

5.1 Process of Obtaining Land in Tondo 2 Permanent Housing Site¹¹

5.1.1 Process as of to Date¹²

A. Confirming the status of the ex-HGB land

The development of housing, infrastructure, and public facilities in Tondo-2 permanent housing area is specifically allocated for the Disaster-Affected Peoples (DAPs). The Government has been obtaining the land of the Tondo-2 permanent housing site according to the prevailing laws and regulations pertaining HGB (building use rights) concession with intensive consultations with the involved stakeholders. Historically, the status of the land was used to be HGB (building use rights) concessions held by two private sectors, namely, PT. Sinar Putra Murni (SPM) dan PT Sinar Waluyo (SW). The concessions were expired in August 2019 and September 2019 respectively, and there was no information regarding the extension plan of the rights until the disaster took place in 2018. At that time, it was revealed that until the concession was expired, PT. SPM and PT SW have not conducted any activity on the land, hence, according to the applicable laws and regulations¹³ it would be considered as abandoned land. The land was then allocated for permanent housing development area through the Decree of Central Sulawesi Governor No. 369/519/DIS-BMPR G-ST/2018 pertaining the Location Determination of the Land for the Permanent Housing Sites for the Disaster Affected Peoples

¹¹ Details refer to Chapter 4.2.6 and 4.3

¹² See also Table IV.17

¹³ Refer to the Government Regulation No. 10/2010 regarding Control and Use of Abandoned Land, that the abandoned land is the land that is given the rights from the state, such as ownership base, business rights, building right, usage rights and management rights, or ownership on the uncultivated land, but are unused according to the condition or nature and purpose of granting the rights or ownership base.

in Central Sulawesi Province issued on December 28, 2018, covering areas in Duyu, Tondo and Talise (Palu City) and Pombewe in Sigi Districts.

The Decree of Governor on the Location Determination was issued based on the Instruction of President of Indonesia No. 10 Year 2018 regarding the Acceleration of Rehabilitation and Reconstruction of Post-Earthquake and Tsunami Disaster in Central Sulawesi Province and Other Affected Areas, of which requesting the Ministry of Agrarian and Spatial Planning/National Land Agency to facilitate the land acquisition for the relocation and rehabilitation for post disaster. Follow up the issuance of the Location Determination, the Ministry of Agrarian and Spatial Planning/National Land Agency with the Director of PT. SPM and PT SW discussed the release of the building use rights for the land in Tondo-2 area (Palu City). On September 10, 2019, the President Directors of PT. SW and PT. SPM signed a letter of agreement on the voluntary relinquishment of the 30 Ha land of Building Use Rights, consisting of 15 Ha (Building Use Rights 122/Tondo, ending in August 25, 2019) and 15 Ha (Building Use Rights 10/Tondo, ending in September 11, 2019). However, the results of a technical survey conducted by the Ministry of Public Works and Housing stated that not all of the land area that had been handed over was not suitable for residential use.

This condition was conveyed by the Head of the Regional Office of the Central Sulawesi National Land Agency to the PT. SW and PT. SPM through a letter of December 18, 2019, which among other things explained the land area needed for the construction of the permanent housing in Tondo-2 (more than the released land area of 30 hectares). Furthermore, land measurements were carried out by the Regional Office of the Central Sulawesi National Land Agency in January 2020. On January 17, 2020, the Head of the Regional Office of the Central Sulawesi National Land Agency issued the results of **measurements and determination of location boundaries carried out by the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency**, where land that suitable for the **Tondo-2 permanent housing development covers an area of 65.3 Ha**.

PT SPM dan PT SW expressed their objections to the implementation of the 10 September 2019 Agreement between the Companies and the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency. The companies questioned the change/adjustment of the location of the land area needed for the construction of the Tondo-2 permanent housing site of 65.3 hectares which is partly located outside the 30 Ha of land area that had been released by the companies. Both companies assume that the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency handed over the land to the Ministry of Public Works and Housing in January

2020 without their approvals, whereby of that area, only 10 Ha is overlapped with the ex-Building Use Rights land that had been previously released. Second, the companies also questioned the certainty of the extension of the rights of the remaining ex-Building Use Rights land that would not be used for permanent housing development. In principle, the two companies have no objection to release the ex-HGB land that has not been released for the Tondo-2 permanent housing area but with compensation. (see Attachment 29 and 30).

On July 12, 2021, the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency submitted data on the changes/adjustments of the area and boundaries of the 65.3 Ha of land area for the Tondo-2 permanent housing development to PT. SW and PT. SPM (see table IV - 15). Based on these changes, the Regional Office of the Central Sulawesi National Land Agency and the ex-Building Use Rights holders/concessionaires will make an adjustment to the previous rights relinquishment agreements. The Regional Office of the Central Sulawesi National Land Agency also explained that the application for the extension of the remaining land of the ex-Building Use Rights that will not be used for the permanent housing development cannot be processed further because it has to wait for the approval of the new Regional Spatial Development Plan of Palu City. It was also explained that for land areas that are not included in the Location Determination, an extension of rights can be submitted through the Palu City Office of the Ministry of Agrarian and Spatial Planning/National Land Agency, in accordance with applicable regulations.

At the end of July 2022, the Head of the ATR/BPN Central Sulawesi Regional Office facilitated a meeting between the Mayor of Palu and PT SW and PT SPM, represented by their lawyers. At the meeting, the Mayor informed Perda Number 2 of 2021 concerning the Palu City Regional Spatial Plan 2021 -2041 which was effective from May 2021. Referring to the PERDA, an Integrated Planning for the future of Palu City has been prepared to answer the needs of relocating several functions/activities in the old city area which was included in the disaster-prone zone to the new location, as well as efforts to stimulate city growth. Through integrated planning, it was hoped that there will be; (a) Improved connectivity for the development of old and new downtown areas, (b) Improved connectivity of existing activity centres and ports from an environmental scale to the city, (c) Improved fixed residential connectivity, (d) Integrated spatial planning with disaster-prone zone areas, (e) Identifying protected areas and supporting activities for agricultural production, (f) Development of industrial estates based on superior potential areas (Palu SEZ), and (g) Development of new development potential points on the east coast of Palu

The development of the New City Service Center Area utilizes HGB and former HGB lands, especially in the Tondo and Talise areas. As a consequence of the integrated planning, the Mayor of Palu will not make recommendations for the submission of new Building Use Rights (HGB) to PT SW and PT SPM because the designation of the Tondo and Talise areas has changed. However, the Palu City Government provides an opportunity for PT SW and PT SPM to be involved in the use of space in accordance with integrated planning in line with PERDA No. 2 of 2021. The lawyers will study the opportunity provided by the Mayor and will discuss it with the directors of PT SW and PT SPM.

From the description above, the land of 49 SKPT, consisting of 37 SKPT in 1974, 9 SKPT published in 1976 and 1 SKPT published in 1995, is located outside the 65.3 Ha area that became the location of the Tondo Huntap 2. The issuance of 37 SKPT in 1974 violated procedures, therefore has been canceled in 1994. Meanwhile, the 10 SKPT (9 published in 1976 and 1 published in 1995) are highly likely to be published in violation of procedures. Until now, the 10 SKPT holders have never come to make a claim and their whereabouts are unknown. While the land with 2 SHM in the names of Andi Arsyad and Abdul Muiz, is located outside the 65.3 Ha land boundary. Meanwhile, the demands of ex HGB holders are in the process of being resolved with the steps outlined in the Action Plan in Chapter V table V.3 point 8

B. Confirming the claimed area with land certificates is located outside the Tondo-2 housing permanent site

On January 17, 2020, the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency sent a letter to the Ministry of Public Works and Housing informing that based on the measurement result and boundary determination carried out by the Regional Office of the Central Sulawesi National Land Agency, the area that can be used for the Tondo-2 permanent housing development is 65.3 Hectares, and that land is handed over to the Ministry of Public Works and Housing (MPWH). Based on this confirmation, the MPWH was then started to develop the area with land clearing. During the land clearing activities, some people who claimed that they have the rights to the land showed up. The MPWH collected information from the land claimants who gradually came up and identified, leading to a final list of 49 peoples: (a) 47 names with Land Tenure Certificates (SKPTs, although not all were able to show the original documents); (b) 2 names with Land Ownership Certificates (SHM). While the process of solving this issue was progressing slowly,

the MPWH continued the land clearing activity until it was completed in December 2020. As the responsibility of the handling of the land claim issues is under the authority of the CG of Palu, on May 27, 2021, the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency handed over the Tondo-2 site to the CG of Palu considering the settlement of the land claims will be more effective if it is addressed by the CG of Palu. Since then, the CG of Palu has accelerated its efforts to solve the land issues (including the claims from the 49 individuals and complaints from the two ex-HGB concessionaires) to ensure that the Tondo-2 site constitutes land that is physically and legally clean and clear.

5.2 Consultations

5.2.1 Consultations with Land Claimants (SKPTs Holders)

The following Table presents the summary of the key consultation activities in the efforts of settling the land claim issues of the SKPTs holders.

Table V - 1 Summary of Key Consultations for the Settlement of Land Claimants

No	Date	Topic of Discussion	Participants	PIC	Results
1.	July 2019	Land claimants submitted proofs of land ownership.	<ul style="list-style-type: none"> Land claimants Mayor of Palu 	Governor of Central Sulawesi	Governor responded to the claims from the land claimants. On July 11, 2019, the Governor of Central Sulawesi instructed Mayor of Palu to settle the land claims. The validity of Land Tenure Certificates (<i>Surat Keterangan Penguasaan Tanah or SKPT</i>) issued in 1974 by the Subdistrict Head and Village Head was discussed and followed up by the Palu City Government.
2.	August 5, 2019	Meeting with the heirs of the 37 SKPTs' holders	<ul style="list-style-type: none"> Palu City Department of Land and Spatial Planning Land claimants 	Palu City Department of Land and Spatial Planning	<ul style="list-style-type: none"> Palu City Government will coordinate a meeting between the Mayor and the SKPTs' holders The relevant Subdistrict Heads and Village Heads will facilitate land claimants/SKPTs' holders to meet with the Mayor of Palu
3.	September 13, 2019	Palu City Government invited the claimants (SKPT holders) to a meeting and requested them to bring the original	<ul style="list-style-type: none"> Palu City Government Land claimants (SKPT holders) 	Palu City Department of Land and Spatial Planning	There was no agreement between the CG of Palu and claimants, because the claimants did not bring the original SKPTs and could not show the claimed land on the site. Validation process of the

No	Date	Topic of Discussion	Participants	PIC	Results
		Land Tenure Certificates			Land Tenure Certificates (SKPT) issued in 1974 by the Subdistrict Head and Village Head were followed up.
4.	July 2020	The Head of Kelurahan Tondo obtained copies of 10 SKPTs dated 1976 and 2 SHMs from other people (not from the holders)	<ul style="list-style-type: none"> 	The Head of Kelurahan Tondo	12 documents were received by the Palu City Department of Land and Spatial Planning
5.	July 2020	Palu City Department of Land and Spatial Planning requested the Head of Kelurahan Tondo to arrange a meeting between the holders of the received 10 SKPTs and 2 SHM with the Local Government to convey their claims	<ul style="list-style-type: none"> Palu City Department of Land and Spatial Planning Head of Kelurahan Tondo 	Palu City Department of Land and Spatial Planning	The owners of SKPTs were not willing to meet. It was considered that the SKPTs' holders did not submit the documents and did not want to further process the claims.
6.	July 8, 2020	Discussion on the plan of solving the land claim issues in Tondo-2 permanent housing site	<ul style="list-style-type: none"> Representatives of land claimants in Tondo. Mayor of Palu, Secretary of Palu City. Representatives of the Palu City Office of the Ministry of Agrarian and Spatial Planning/National Land Agency Local Disaster Management Agency of Palu City, Center of Regional Settlement Infrastructure of Central Sulawesi (Ministry of Public Works and Housing). The legal division of the CG of Palu. Prosecutor, police and military of Palu City. NMC-CERC. TMC. 	Mayor of Palu	<ul style="list-style-type: none"> Mayor of Palu recommended to establish a Special Team for the Settlement of Land Claims or an Inventory and Verification Team to check the legality of the Land Tenure Certificates (SKPTs) as evidence submitted by the claimants of Tondo-2 and Talise. Palu City Office of the Ministry of Agrarian and Spatial Planning/ National Land Agency will carry out measurements prior to the LC/LD process.
7.	January 27, 2022	Settlement of land claims between PAPs and Mayor of Palu to discuss the collective agreement on settling land claim issues	<ul style="list-style-type: none"> Head of Palu City Office of the National Land Agency Head of Palu Public Works Department Head of Palu Local Disaster Management Agency Palu Spatial Planning Department, Regional 	Head the Regional Settlement Infrastructure Center of Central Sulawesi	The settlement of land claims in Tondo-2 and Talise would be resolved through redistribution of land in Talise Valangguni for claimants who meet the criteria. For phase I, it has been agreed to grant land to 47 land claimants in Tondo-2 (see Attachment 26).

No	Date	Topic of Discussion	Participants	PIC	Results
			Settlement Infrastructure Center of Central Sulawesi • Project Management Unit of Central Sulawesi Rehabilitation and Reconstruction Program (PMU-CSRRP) • Oversight Service Provider (OSP) Team • CSRRP Individual Consultant • PMC Team.		
8.	January 30, 2022	• Consultation with the 37 heirs of the SKPTs holders with the presence of an elderly person from Parigi (Mr. Ajis) who is knowledgeable about the history of the land in Tondo Duyu and Tondo Ngapa villages (site of Tondo-2) • Explanation on the history of land status in Tondo Duyu Village and Tondo Ngapa Village	• Head of Kelurahan Tondo. • Land claimants/heirs of the SKPTs' holders • Mr. Ajis	Head of Kelurahan Tondo	Mr. Ajis corrected the information of the locations claimed land parcels of the 37 SKPTs. They are located around the Tondo Duyu Village (the location of Tondo-1 permanent housing) The heirs of the 37 SKPTs' holders will refuse if they are offered replacement land in Talise Valangguni (see Attachment 27). They demanded to get cash compensation for their land in the Tondo Duyu Village.
9.	March 1, 2022	The Head of Kelurahan Tondo submitted a Letter dated Oct. 7, 1994 to the Head of the Local Disaster Management Agency of Palu City which provided information on the cancellation of the Land Tenure Certificates dated 1974 (but issued in 1994)	Head of Kelurahan Tondo	Head of Kelurahan Tondo	The Letter was signed by Bahusen, the former Head of Kelurahan Tondo in 1974. The Letter explained that the SKPTs dated in 1974 were actually issued in 1995 when Bahusen was the Head of Kelurahan Lasoani. In other words, Bahusen as the Head of Kelurahan Lasoani signed the SKPTs acted as Head of the Kelurahan Tondo as if they had been issued in 1974.

5.2.2 Consultations with the ex-HGB Concessionaires (PT SPM and PT SW)

Table V-2 below summarized the consultations with the ex-HGB concessionaires.

Table V - 2 Summary of Key Consultations and Settlement Process on Land Claimed by the Concessionaires (PT. SPM and PT. SW)

No	Date	Topic of Discussion	Participants	PIC	Results
1.	September 10, 2019	Agreement to release the HGB land	<ul style="list-style-type: none"> Regional Office of the Central Sulawesi National Land Agency Holders of ex-HGB concessions 	Regional Office of the Central Sulawesi National Land Agency	PT. SPM and PT SW signed an agreement letter that voluntarily release 30 Ha of the HGB land
2.	May 27, 2021	<ul style="list-style-type: none"> Coordination meeting discussing the constraints and proposed solutions on the land claims in the efforts to develop the Tondo-2 permanent housing site. Handover of permanent housing from Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency to the Palu City Government. 	<ul style="list-style-type: none"> Head of Regional Office of the Central Sulawesi National Land Agency Palu City Government Governor of Central Sulawesi Task Force Team for the Acceleration of Rehabilitation and Reconstruction of Central Sulawesi Disaster Management Task Force of Central Sulawesi of MPWH Regional Settlement and Infrastructure Center of Central Sulawesi 	Regional Office of the Central Sulawesi National Land Agency	<ul style="list-style-type: none"> Settlement of the land claims will be more effective if it is addressed by the CG of Palu; The Regional Office of the Central Sulawesi National Land Agency will give the 65.3 Ha land to the CG of Palu
3.	July 5, 2021	Information on the change/adjustment of land area needed for the permanent housing development	<ul style="list-style-type: none"> Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency PT. SPM and PT. SW 	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency - (MASP)	PT SPM and PT HW were informed that the area and boundaries of Tondo-2 permanent housing has changed to get suitable land for development
4.	July 12, 2021	Information on the change of the land area and boundaries of the Tondo-2 permanent housing site. The Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency	<ul style="list-style-type: none"> Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency - (MAS) PT SPM and PT SW 	<ul style="list-style-type: none"> Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency - (MASP) 	<ul style="list-style-type: none"> MAS and the ex-HGB holders will need to adjust the Letter of Agreement that was previously established Request for the extension of the remaining area of the ex-HGB rights that has been submitted by the ex-HGB holders cannot be processed as the RTRW of Palu City has not been enacted.

No	Date	Topic of Discussion	Participants	PIC	Results
					<ul style="list-style-type: none"> • Rights extension for land area that is not part of the area under the Location Determination can be submitted to the Palu City Office of the Ministry of Agrarian and Spatial Planning/National Land Agency in accordance with the prevailing regulations
5.	January 2022	Complaint submitted by the concessionaires through their legal representatives	PT. SPM and PT. SW	Office of the Secretariat of the Vice President	The concessionaires were asking for the confirmation on the change/adjustment of the location of the land area needed for the construction of Tondo-2 permanent housing and the certainty of the extension of the rights of the remaining land that would not be used for permanent housing development
6.	January 7, 2022	Coordination meeting on the settlement of land claims	<ul style="list-style-type: none"> • Vice Minister of Public Works and Housing (MPWH) • Vice Minister of Agrarian and Spatial Planning/National Land Agency, • Deputy Governor of Central Sulawesi • Regent of Sigi • Mayor of Palu represented by four Heads of Departments • Disaster Management Task Force of Central Sulawesi of MPWH 	Vice Minister of Public Works and Housing (MPWH)	Confirmation on land status of Tondo-2 permanent housing.
7.	February 2, 2022	Cross-sectoral meeting on the acceleration of the settlement of land claim issues in Tondo-2	<ul style="list-style-type: none"> • Representatives of the Office of the Secretariat of the Vice President (under the Ministry of the State Secretariat—Setwapres) • Coordinating Minister for Human Development and Cultural • Ministry of Agrarian and Spatial Planning/National Land Agency 	Office of the Secretariat of the Vice President (under the Ministry of the State Secretariat—Setwapres)	<ul style="list-style-type: none"> • There is a need to accelerate the settlement of land claims in Tondo-2. • The Mayor of Palu, relevant ministries and institutions attended the meeting were requested to provide inputs/suggestions to the Setwapres in responding to the complaints filed by the lawyers of PT. SPM and PT. SW.

No	Date	Topic of Discussion	Participants	PIC	Results
			<ul style="list-style-type: none"> Ministry of Public Works and Housing National Disaster Management Agency Representatives of the Central Sulawesi Provincial Government and Palu City Government 		
8.	March 1, 2022	Coordination meeting on the settlement of land claim issues of Tondo-2 permanent housing	<ul style="list-style-type: none"> Office of the Secretariat of the Vice President Representatives of the Office of the Secretariat of the Vice President (under the Ministry of the State Secretariat—Setwapres) Coordinating Minister for Human Development and Cultural Ministry of Agrarian and Spatial Planning/National Land Agency Ministry of Public Works and Housing National Disaster Management Agency Representatives of the Central Sulawesi Provincial Government and Palu City Government 	Office of the Secretariat of the Vice President (under the Ministry of the State Secretariat—Setwapres)	<ul style="list-style-type: none"> The meeting emphasized that the development plan of the permanent housing will continue to be prioritized in Tondo-2, Palu City, The Minister of Agrarian and Spatial Planning/Head of National Land Agency will send a letter to the Vice President of the Republic of Indonesia to provide an explanation and confirm settlement of claims and land status of the Tondo-2 permanent housing (including boundaries and land area).
9.	March 31, 2022	Minister of the Ministry of Agrarian and Spatial Planning/Head of National Land Agency sent a letter of confirmation on the settlement of claims and land status of Tondo-2 permanent housing site	Minister of Agrarian and Spatial Planning/Head of National Land Agency	Ministry Agrarian and Spatial Planning/Head of National Land Agency	<ul style="list-style-type: none"> The land rights whose validity period had been expired and such land was intended to meet the needs for permanent housing development will not be extended/renewed. The area of 65.3 ha for the Tondo-2 permanent housing is located on land that used to be Building Use Rights (HGB) under PT. SPM and PT. SW, whose concessions have been expired;

No	Date	Topic of Discussion	Participants	PIC	Results
					<ul style="list-style-type: none"> Whereas PT. SPM and PT. SW as former concessionaires/holders are still expecting compensation for the portion of the area that will be used as the Tondo-2 permanent housing area, so that there is possibility that both concessionaires file a lawsuit the court; The rights of part of the ex-HGB of PT SPM and PT SW that constitute an area of 65.3 Ha for the Tondo-2 permanent housing site will not be extended.
10.	May 20, 2022	Confirmation on the statement of the Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency in its Letter dated March 31, 2022 that the request of the ex-HGB holders for compensation from some part of the 65.3 Ha of the Tondo-2 permanent housing site would potentially lead to a lawsuit submitted by them to the court	<ul style="list-style-type: none"> Regional Settlement Infrastructure Center of Central Sulawesi Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency 	Regional Settlement Infrastructure Center of Central Sulawesi	<ul style="list-style-type: none"> Up to July 2022, PT. SPM and PT. SW have not filed any lawsuit filled. The concessionaires sent a letter to the Vice President of Indonesia regarding the complaint on the change of land area of Tondo-2 permanent housing site PT SPM and PT SW do not have legal standing as the concessions have been expired since Sept 2019. PT. SPM and PT SW are not able to prove that physically they have controlled over the land, i.e., since 2002 they have not paid land and building tax, have not occupied the land, and have never utilized the land in accordance with the rights of use given by the concessions. Letter of the Minister of Agrarian and Spatial Planning/Head of National Land Agency (No. HT.02.01/438/III/2022 on March 31, 2022) has clearly stated that the rights of land of

No	Date	Topic of Discussion	Participants	PIC	Results
					<p>Tondo-2 permanent housing will not be extended. For the rights extension/renew that had been submitted for the remaining land that will not be used for the permanent housing site can be processed further, as long as it meets the requirements specified in the applicable regulations.</p> <ul style="list-style-type: none"> • Procedures of land rights extension/renewal is to obtain recommendations and technical consideration from CG of Palu particularly meeting the requirements of the spatial planning documents. CG of Palu stated that it will not extend/renew the land rights of the 65.3 Ha has been determined as residential zone in the 2021 spatial planning document. • Although there is a possibility that the ex-two concessionaires file lawsuits, the chance is low as the validity of the HGB concessions have expired in September 2019 and the concessionaires cannot show a proof of physical and legal status of the land claimed which is used as the legal basis for the lawsuit.

5.3. Action Plan

In summary, based on the Due Diligence Assessment explained above and in Chapter IV, at the time this Report is prepared the situation is as follows: (a) the areas of the 49 Land Tenure Certificates (SKPTs) apparently are located outside the Tondo-2 permanent housing

site (of 65.3 Ha) despite the fact that some of the holders have not showed up to claim such land and/or could not show the original documents; (b) the land area with land ownership certificates (SHMs- two) are located outside the Tondo-2 permanent housing site; (c) the two ex-HGB holders are demanding compensation for part of the land of Tondo-2 permanent housing site as such land has not been released despite the concessions had been expired; (d) the two ex-HGB holders demand certainty on the approval status of the requested rights extension for land area that are located outside the Tondo-2 permanent housing site. Based on this situation, moving forward the CG of Palu with the supports of the involved parties responsible for settling the land claim issues and ex-HGB holders' complaints will continue its efforts to solve these issues. Summary of past activities and activities to fully complete the process of settling the land issues as well as initial plan to prepare the Relocation Action Plan for the eligible DAPs are reflected in the Table of Past Activities and **Action Plan** below.

Table V - 3 Table of Past Activities and **Action Plan** of the Land Acquisition and Development of Tondo-2 Permanent Housing Site

No.	Activity	Description of Activity	Time Schedule	Relevant Institution	Source of Funding	Implementation Status
EX-HGB LAND CONCESSIONS						
1.	Location Determination for Tondo-2 Permanent Housing Site	Issuance of Decree of Governor of 2018 regarding Location Determination	28 December 2018	Government of Central Sulawesi Province	-	Completed
2.	Release of building use rights land (30 hectares) by PT Sinar Waluyo and PT Sinar Putra Murni	PT Sinar Waluyo and PT Sinar Putra Murni voluntary released their building use rights land for permanent housing development	10 September 2019	Ministry of Agrarian and Spatial Planning/National Land Agency and Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency	State Revenues and Expenditure Budget	Completed
3.	Measurement and determination of land boundaries (65,3 hectares)	The Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency together with the Palu City Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency and Disaster Management Task Force of Central Sulawesi of MPWH conducted measurement and determination of land boundaries for the Tondo-2 permanent housing site	17 January 2020	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency	State Revenues and Expenditure Budget	Completed
ACTION PLAN						
4.	Follow-up on the settlement of the complaints from PT. SPM and PT. SW on compensation for the 55,3 Ha of Tondo-2 permanent housing site	Interpersonal and official communications with relevant/involved parties in the settlement process of disputes of the ex-HGB PT SPM and PT SW's land in Tondo-2 the permanent housing area <ul style="list-style-type: none"> Rapat Koordinasi Tingkat Eselon I Penuntasan Penanganan Pascabencana Sulawesi Tengah. 	April – Juni 2022	Government of Palu City, Government of Central Sulawesi Province, Ministry of Agrarian and Spatial Planning/National Land Agency, Ministry of Public Works and		In progress

No.	Activity	Description of Activity	Time Schedule	Relevant Institution	Source of Funding	Implementation Status
				Housing, Office of Secretary of Vice President		
5.	Palu Mayor's response to PT SW and PT SPM complaints	<ul style="list-style-type: none"> The Palu City Government received land for the construction of a temporary shelter from the authorized institution, and the Palu City Government did not take the company's land; The authority to resolve the problems complained of is not entirely within the authority of the Palu City Government, but is also the authority of the Ministry of ATR/BPN; Observing the chronology of the application of the authority of ATR/BPN, the status of PT SPM and PT SW's HGB lands has ended and its status has become State Land, and part of its management has been handed over to the Palu City Government which is intended for the benefit of the community, especially the construction of temporary shelters. 	11 Februari 2022	Government of Palu City	State Revenues and Expenditure Budget	Completed
6.	The Minister of Land and Spatial Planning/Head of the National Land Agency sent a letter to the Ministry of Public Works and Public Housing.	<ul style="list-style-type: none"> The Minister of Land and Spatial Planning/Head of the National Land Agency will not extend/renew land rights that have expired and the land is intended to meet the needs in the construction of permanent houses (Letter No: BP.04.01/1801/X/2019 dated October 15, 2019; The area of 65.3 Ha which will be used as Huntap Tondo 2 Area in Palu 	31 Maret 2022	Ministry of Agrarian and Spatial Planning/ National Land Agency,	State Revenues and Expenditure Budget	Completed

No.	Activity	Description of Activity	Time Schedule	Relevant Institution	Source of Funding	Implementation Status
		<p>City, Central Sulawesi Province is under Building Use Rights Number 122/Tondo on behalf of PT Sinar Putra Murni and Building Use Rights Number 9/Tondo from PT Sinar Waluyo which is currently this right has expired;</p> <ul style="list-style-type: none"> PT SPM and PT SW as former rights holders still expect compensation for part of the total area to be used as the Tondo 2 Permanent Residential Area in Palu City, Central Sulawesi Province, so that a lawsuit can be filed in court; Part of the building rights area of PT Sinar Putra Murni and PT Sinar Waluyo covering an area of 65.3 ha which will be used for the construction of Huntap Tondo 2 will not be extended 				
7.	Settlement of ex-HGB holders' complaints through an out-of-court approach	Offering PT SPM and PT SW to involve/participate in the utilization of the remaining ex-HGB area in accordance with the applicable Regional Spatial Development Plan	April – Juli 2022	Ministry of Agrarian and Spatial Planning/ National Land Agency, Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency, CG of Palu, Government of Central Sulawesi Province		In progress
8	Anticipation of potential ex-HGB holders filed a lawsuit in court	<ul style="list-style-type: none"> Submitting a land complaint settlement through the court is the right of PT SPM and PT. SW; The Regional Office of ATR/BPN has encouraged PT SW and PT SPM 	July – December 2022	Ministry of Agrarian and Spatial Planning/ National Land Agency, Central Sulawesi/Palu City Regional Office of	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial	PP Number 19 of 2021 concerning the Implementation of Land Acquisition for the Public Interest

No.	Activity	Description of Activity	Time Schedule	Relevant Institution	Source of Funding	Implementation Status
		<p>to settle land claims through court channels if the deliberations do not reach a common point;</p> <ul style="list-style-type: none"> • As the defendant, the ATR/BPN Regional Office is ready to serve his lawsuit because the HGB land use policy used for the construction of Huntap Tondo 2 is in accordance with applicable rules and laws. Evidence has been prepared to support the validity of land use policies for development; • PT SPM and PT SW no longer have a legal standing, because the control of the HGB has ended as of September 11, 2019; • The handover of 65.3 ha of land to PUPR was carried out on January 17, 2020, 3 months after the HGB ended; • PT SPM and PT SW cannot provide evidence of physical control of the land, namely: unpaid since 2002 and the land is deliberately uncultivated, unused, not used, and/or not maintained (abandoned); • The letter of the Minister of ATR/BPN dated March 31, 2022 unequivocally states, the 65.3 Ha area that will be used as the Huntap Tondo 2 Area in Palu City, Central Sulawesi Province is under Building Use Rights Number 122/Tondo on behalf of PT Sinar Putra Murni and Building Use Rights Number 9/Tondo from PT Sinar Waluyo which has now expired its rights; 		the Ministry of Agrarian and Spatial Planning/ National Land Agency and relevant key involved institutions	Planning/National Land Agency	<p>article 2 letter O states that Land for the Public Interest is used for; construction of urban slum arrangements and/or consolidation of land and housing for low-income communities with rental status including for the construction of public houses and special houses;</p> <p>Article 49 Law No. 2/2012</p> <p>(1) Land Acquisition for Public Interest due to emergency situation because of natural disaster, war, widespread conflict, and plague can be conducted directly for the development after the determination of location for development for Public Interest.</p> <p>(2) Before the determination of the development location for Public Interest as</p>

No.	Activity	Description of Activity	Time Schedule	Relevant Institution	Source of Funding	Implementation Status
		<ul style="list-style-type: none"> One of the conditions for the HGB extension procedure is that it is mandatory to get technical advice and considerations from the Palu City Government regarding alignment with the Palu City Regional Spatial Planning; The Palu City Government has prepared an integrated plan in the Development of the New City Service Center Area utilizing HGB and former HGB land, especially in the Tondo and Talise areas. As a consequence of the integrated planning, the Mayor of Palu will not make recommendations for the submission of new Building Use Rights (HGB) to PT SW and PT SPM because the designation of the Tondo and Talise areas has changed. (Perda Number 2 of 2021 concerning the Palu City Regional Spatial Plan) The Palu City Government still provides an opportunity for PT SW and PT SPM to be involved in the use of space in accordance with integrated planning in line with PERDA No. 2 of 2021. <p>Referring to Law No. 2 of 2012, the Settlement of Claims for Land for public interest will not stop PUPR from carrying out its development activities.</p>				<p>mentioned in clause (1), prior notification for the entitled party is submitted.</p> <p>(3) If there is any objection or claim on the Land Acquisition implementation, the institution who needs the land can still implement the development activity as mentioned in clause (1).</p>

No.	Activity	Description of Activity	Time Schedule	Relevant Institution	Source of Funding	Implementation Status
9	Land clearing/ land development	Land clearing/land development in permanent housing site	January – December 2020	Regional Settlement Infrastructure Center of Central Sulawesi	State Revenues and Expenditure Budget	Completed
10	Reconfirmation of location and land boundaries to be used as permanent housing development site	Reconfirmation of location and land boundaries on field which shows that the claims are outside of the Tondo-2 permanent housing site	2022	Ministry of Agrarian and Spatial Planning/National Land Agency	-	Completed
11	Confirmation of land status for the permanent housing site according to the location determination and land boundaries (point #3)	Issuance of a letter or statement regarding the land status for the permanent housing site	2022	Government of Palu City	-	Not yet
CLAIMED LAND WITH LAND TENURE CERTIFICATES						
	Establishment of the Inventory and Verification Team of Project Affected Peoples (claimants) who have claimed rights on the land.	Team was formed for conducting inventory and verification of Project Affected Peoples	8 July 2020	Government of Palu City	Regional Revenues and Expenditure Budget of Palu City	Completed
13	Review/assess the claims of the 47 claimants	<ul style="list-style-type: none"> Review Letter on the Annulment of Land Tenure Certificates which were issued in 1994 but dated in 1974 Identification of physical location of 47 land plots claimed which were apparently are located outside the Tondo2 permanent housing site. 	March 2022	CG of Palu and the Palu City Office of the Ministry of Agrarian and Spatial Planning/ National Land Agency	-	Completed
14	Settlement of claims with 47 claimants	The Head of BPBD of Palu City will mediate if the land claimants objected to the cancellation of their land tenure certificates (SKPTs). If they can prove the legality of their SKPTs, the City Government is ready to provide compensation.	March - May 2022	CG of Palu, and the Palu City Office of the Ministry of Agrarian and Spatial Planning/ National Land Agency		Completed Until end of May 2022, none of the SKPT holders came to object the cancellation of the SKPTs in 1994, It was concluded that

No.	Activity	Description of Activity	Time Schedule	Relevant Institution	Source of Funding	Implementation Status
						the land claim case was closed.
15	To handle if there are still residents' land claims including 17 SKPT that are not canceled and 10 SKPT holders who have not presence yet and are unknown	<ul style="list-style-type: none"> The Mayor of Palu is open to receiving complaints from residents at the City Hall or at the Mayor's house/residence; Residents can also make complaints through the official website prepared to serve complaints https://www.laporwalikotapalu.com/ The Mayor assigned Head of BPBD, PU Office, Perkim Office, Spatial Planning Office and Land Office to follow up on all complaints of land claims; The Mayor of Palu will be fully responsible for resolving the citizen's claim/lawsuit until it is completed; In the Palu City Future Integrated Planning document, a 61 hectare-area was allocated which was proposed as the location of the Agrarian Reform Object Land program. Residents who make land claims and can prove their land legality documents can be proposed to be participants in the agrarian reform program. 	2022 - 2024	Government of Palu City	State Revenues and Expenditure Budget	On Going (Attachment 36)
16	Complaint handling and disclosure, anticipation of claimants who have not showed up for their claims or disagreed with the Letter of Annulment issued in 1994	Intensify the current complaint handling system by socializing the venues and closely monitor complained received and followed up	Continuously	CG of Palu and the SITABA complaint handling administrator		In progress

No.	Activity	Description of Activity	Time Schedule	Relevant Institution	Source of Funding	Implementation Status
17.	Finalizing the Disaster Affected Peoples (DAPs) data to be included in the Mayor Decree of the Tondo-2 permanent housing occupants	Disaster Affected Peoples of the Tondo-2 permanent housing site will be determined through a Mayor's Decree after verification and validation of the data with reference to the Governor's Decree No. 360 of 2019.	April-Juni 2022	Local Disaster Management Agency and OSP-CSRRP Team	Regional Revenues and Expenditure Budget of Palu City	In progress
HOUSING AND INFRASTRUCTURE DEVELOPMENT						
18	Bidding	Bidding process for construction of permanent housing and infrastructure in Tondo-2	2022	Central Sulawesi II Housing Provision Center (BP2P Sulawesi II)	State Revenues and Expenditures Budget	Not yet
19	Contract signing	Signing of the work contract for the permanent housing and infrastructure construction	2022	Central Sulawesi II Housing Provision Center (BP2P Sulawesi II)	State Revenues and Expenditures Budget	Not yet
20.	Development of permanent housing and supporting infrastructure (65,3 hectares)	Construction of permanent housing and settlement infrastructure which will be carried out with due observance of the applicable technical rules and standards	2022	Central Sulawesi II Housing Provision Center (BP2P Sulawesi II) and Regional Settlement Infrastructure Center of Central Sulawesi Province	State Revenues and Expenditure Budget	Not yet
21.	Asset handover (permanent houses, infrastructure, public facility) to the relevant parties through the agreement and applicable laws	<ul style="list-style-type: none"> • Permanent houses • Infrastructure and public facility 	<ul style="list-style-type: none"> • August 2023 • November 2023 	<ul style="list-style-type: none"> • Central Sulawesi II Housing Provision Center (BP2P Sulawesi II) and Office of Settlement Affairs of Palu City • Regional Settlement Infrastructure Center of Central Sulawesi Province and Office of Public Works of Palu City 	Regional Revenues and Expenditure Budget of Palu City	Not yet
PREPARATION OF RELOCATION ACTION PLAN (RAP)						

No.	Activity	Description of Activity	Time Schedule	Relevant Institution	Source of Funding	Implementation Status
22	Socialization on type of rights to be provided to each asset (permanent houses, infrastructure, public facility) to the Disaster Affected Peoples and the relevant institutions	<ul style="list-style-type: none"> Permanent housing Infrastructure and public facility 	<ul style="list-style-type: none"> August 2023 November 2023 	<ul style="list-style-type: none"> Central Sulawesi II Housing Provision Center (BP2P Sulawesi II) and Office of Settlement Affairs of Palu City Regional Settlement Infrastructure Center of Central Sulawesi Province and Office of Public Works of Palu City 	Regional Revenues and Expenditure Budget of Palu City	Not yet
23	Announcement of the final list of Disaster Affected Peoples (DAPs) who receive Tondo-2 permanent houses	Inform and consult with the DAPs on the land plots, site plan, rights and responsibilities of the Disaster Affected Peoples, rights on land and building to be received and its requirement, relocation schedule and organization of the permanent housing site management and complaint channel	June 2022	Local Disaster Management Agency of Palu City	Regional Revenues and Expenditure Budget of Palu City	Not yet
24	Issuance of the Mayor Decree on the Tondo-2 permanent house recipients (DAPs)		July 2022	CG of Palu, Local Disaster Management Agency of Palu City	Regional Revenues and Expenditure Budget of Palu City	Not yet
25	Discussion with the Disaster Affected Peoples for the selection of permanent land parcels/housing plots to be occupied		August 2023	CG of Palu, Local Disaster Management Agency of Palu City	Regional Revenues and Expenditure Budget of Palu City	Not yet
26	Announcement of names of eligible Disaster Affected Peoples and parcel location		August 2023	Local Disaster Management Agency of Palu City	Regional Revenues and Expenditure Budget of Palu City	Not yet
27	Relocation of the Disaster Affected Peoples to permanent housing site	Implementation of Occupancy of Disaster Affected Peoples to Permanent Residential	September 2023	Local Disaster Management Agency, Office of Settlement Affairs and Office of	Regional Revenues and Expenditure Budget of Palu City	Not yet

No.	Activity	Description of Activity	Time Schedule	Relevant Institution	Source of Funding	Implementation Status
				Public Works of Palu City		
28	Discussion and agreement on rights on land for each type of asset	Considering the participation of men and women (individual, communal, public)	September 2023	Local Disaster Management Agency, Office of Settlement Affairs and Office of Public Works of Palu City	Regional Revenues and Expenditure Budget of Palu City	Not yet
LAND ADMINISTRATION MANAGEMENT						
29	Agreement on names of parties/DAPs to be stated in the certificate (for individual, communal, public assets)	<ul style="list-style-type: none"> House Certificate Social/Public Facility Certificate 	October 2023	Office of Public Housing and Settlement of Palu City	Regional Revenues and Expenditure Budget of Palu City	Not yet
30	Land rights submission for each type of asset (permanent houses, infrastructure, and public facility)	Relevant institution applies for application for issuance of certificate for every rights holder (Disaster Affected People, infrastructure, public facility) according to the agreement with each relevant party	July 2022	Office of Public Housing and Settlement of Palu City and Office of Public Works of Palu City and Palu City Office of the Ministry of Agrarian and Spatial Planning/ National Land Agency	State Revenues and Expenditure Budget and Regional Revenues and Expenditure Budget of Palu City	Not yet
31	Certificate issuance process for the houses and social/public facility	Once payment is done, the Ministry of Agrarian and Spatial Planning/ National Land Agency send its team to measure the land plots and process the issuance of certificate for each type of asset that are built on Tondo 2 Permanent Residential (individual, communal, public)	August 2022 - September 2023	Palu City Office of the Ministry of Agrarian and Spatial Planning/ National Land Agency	State Revenues and Expenditure Budget and Regional Revenues and Expenditure Budget of Palu City	Not yet
32	Handover of the land certificates to the relevant parties (individual, communal, public)	Handover of certificate by the Mayor of Palu	October 2023	Mayor of Palu	Regional Revenues and Expenditure Budget of Palu City	Not yet

CHAPTER VI

SUMMARY OF DUE DILIGENCE ASSESSMENT

The past activities in obtaining land in Tondo-2 permanent housing site and in the process of settling the legacy issue involving land claims from the holders of land tenure certificates and ex-HGB concessionaires are summarized in the table below:

Table VI - 1 Summary of Due Diligence Assessment

No	Criteria	Description	Document References	Analysis
A Legal Aspects (Tondo-2) of Ex-HGB land				
1.	Status of land release and registration of the proposed land	The proposed Tondo-2 land for the permanent housing site was used to be HGB land under the concessions of PT SPM dan PT SW. The concession of PT SPM was expired in August 25, 2019 and PT SW on September 11, 2019; land was released by PT SPM and PT SW in September 10, 2019.	Attachment 3, Attachment 4	Procedures followed the government laws and regulations
2.	Legal evidence of land transfer processes (i.e., land release letter, HPL registration under ATR/BPN, etc.)	On September 10, 2019, the President Director of PT. SW and PT. SPM signed a letter of agreement that voluntarily released 30 Ha of their ex-HGB land	Attachment 3	Procedures followed the principles and requirements specified in the ESMF and the government laws and regulations
3.	Legal status of the land prior to acquisition (i.e., valid, abandoned and/or, expired concessions)	Building Use Rights (HGB) status under the concessions of PT Sinar Putra Murni (PT. SPM) and PT Sinar Waluyo (PT. SW). The Building Use Rights was obtained in 1989 and ended in August and September 2019. There was no information regarding any application for HGB extension until the disaster occurred in 2018. It falls under the abandoned land category, as per the applicable laws and regulations, as stated in the Central Sulawesi Provincial ATR/BPN Letter No. 591/2025/DPRP/2019 dated 17 September 2019.	Attachment 4	Procedures followed the government laws and regulations
4.	Overlapping claims and/or land disputes (including status of resolution)	The emergence of 49 documents claiming the land for the Tondo-2 permanent housing site, consisted of 2 SHM, 37 SKPT dated 1974 and 10 SKPT dated 1976. On January 30, 2022 the claimants clarified that the location of the land they claimed is in Kampung Tondo Ngapa, not in Kampung Tondo Duyu which is location of Tondo-2 permanent housing and The Palu City Office of the Ministry of Agrarian and Spatial Planning/ National Land Agency checked the validity of the land documents and	Attachment 18, 27, 28	Procedures followed the principles and requirements specified in the ESMF and the government laws and regulations.

No	Criteria	Description	Document References	Analysis
		ensured that the locations of the two SHM land parcels were outside the boundaries of the Tondo-2 permanent housing site		
5.	Negotiation processes/evidence of such negotiation with concession owners	PT. SPM and PT SW were invited by the ATR/BPN informing the plan of the permanent housing development and requested the concessionaires to release the ex-HGB land.	Attachment 30	Procedures followed the principles and requirements specified in the ESMF and the government laws and regulations.
6.	Complaints and requests for legal protection to the Vice President Office	Regarding the status of the 30 Ha land that has been released by the PT. Sinar Putra Murni and PT. Sinar Waluyo for Tondo-2 permanent housing development in Palu which has not been clear and clean. The companies also questioned the certainty of the status of their requests for rights extension for the remaining ex-HGB land that will not be used for permanent housing development	Attachment 28, 29, 30	Procedures followed the requirements specified in the government laws and regulations. Complaints should have been addressed directly to the relevant technical ministry. If the results of the follow-up of the complaint are not satisfactory, they can file a lawsuit in court.
7.	The Minister of Agrarian and Spatial Planning/Head of National Land Agency sent a letter to Ministry of Public Works and Housing on March 31, 2022	Referring to the provisions of Article 40 paragraph (1) Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flat Units and Land Registration for the portion of the building use rights of PT Sinar Putra Murni and PT Sinar Waluyo covering an area of 65.3 ha which will be used for the construction of permanent housing will not be extended;	Attachment 35	The policy of the Minister of Agrarian and Spatial Planning/ National Land Agency is very clear and firm. The land area of 65.3 hectares of HGB that has expired which will be used for the construction of the Tondo-2 permanent site will not be extended. As a state official on land affairs, the firmness of this attitude must be interpreted as the attitude of the state. Therefore, the parties should pay close attention Procedures followed the requirements specified in the government laws and regulations.
B Land Acquisition processes (Tando-2) from the Holders of Land Tenure/Ownership Certificates				
1.	Land Tenure Certificates (SKPTs) and Land Ownership Certificates (SHMs)	<ul style="list-style-type: none"> There is a letter of cancellation of SKPTs dated 1974 but issued in 1994; Identification of the physical location of 37 plots of land that are claimed to be outside of the Tondo-2 permanent housing site; The holders of the SKPTs dated 1976 (and seemed to be issued in 1994) never came to communicate their claims so that they could not be followed up. So far, their whereabouts are unknown 	Attachment 18, 19, 20, Image IV-32	Since the beginning, the SKPTs as evidence of land tenure documents has been dubious. The SKPT holders have never submitted and could not show the original documents to the Palu City Government. As shown in Table V - 3, the CG of Palu will continue to provide opportunities for SKPT holders who would like to show/submit their original SKPTs by intensifying the current complaint handling system.

No	Criteria	Description	Document References	Analysis
				Procedures followed principles and the requirements specified in the ESMF and the government laws and regulations.
1.	Consultations with claimants including with informal/illegal land users	The CG of Palu has carried out series of consultations for settling and getting agreement upon the solution of the claims.	Attachment 13, 21, 23, 25	Procedures followed the principles and requirements specified in the ESMF
2.	Information disclosure and dissemination, including sufficient lead time for transition to new locations, including harvesting of productive crops	The CG of Palu has disseminated all relevant information to the ex-concessionaires, land cultivators/users/claimants and other relevant stakeholders. Information was disclosed through various media	Image VII-3. Table VII-3 and VII-4	Procedures followed the principles and requirements specified in the ESMF and the government laws and regulations.
3.	Cut-off date	May 23, 2022 Document on the cancellation of the SKPTs dated 1974 but issued in 1994 was found. If there are objections, the SKPT holders can submit the complaint to the BPBD head with the original land tenure certificates (SKPTs)		Procedures followed the principles and requirements specified in the ESMF and the government laws and regulations
2.	Resettlement impacts as a result of land acquisition processes	Not applicable	-	
3.	Presence of emerging land use activities following location announcement (i.e., opportunistic land users/claimants)	Not applicable	-	
4.	Restrictions of access and land uses	Following the announcement of the location determination, utilization of land was no longer allowed		Procedures followed the principles and requirements specified in the government laws and regulations.
4.	Compensations paid to landowners/ claimants, including informal land users such as sharecroppers, quarry operators, etc.	Not applicable		-
5.	Level of satisfaction amongst landowners/users with the compensations provided and/or negotiation processes	Not applicable	-	-
6.	Implementation of livelihoods restoration measures to address livelihoods displacement and resettlement	Not applicable	-	-
7.	Costing of land acquisition	Cost for land clearing and certification will be covered by the Central Government (MPWH) and CG of Palu, respectively.		Procedures followed the principles and requirements specified in the ESMF and the government laws and regulations.

No	Criteria	Description	Document References	Analysis
D	Complaint Handling			
1.	Availability of complaints venue	Various venues for complaints have been provided by the project and CG of Palu	Sub-chapter 7.3.2	Procedures followed the principles and requirements specified in the ESMF and the government laws and regulations.
2.	Availability of complaints handling system	Complaints handling system has been established by the project and CG of Palu	Sub-chapter 7.3.1 and 7.3.2	Procedures followed the principles and requirements specified in the ESMF and the government laws and regulations.
3.	Documentation of complaint handling process	Documentation of complaints handling process is recorded in the project' management information system (MIS), CG of Palu database, and google form.	Sub-chapter 7.3.3	Procedures followed the principles and requirements specified in the ESMF and the government laws and regulations.
4.	Pending complaints	Description of the complaints cases and process is provided in this DDR	Sub-chapter 7.3.3	Procedures followed the principles and requirements specified in the ESMF and the government laws and regulations.

Note: this table was developed in reference to the protocols described in the CSRRP ESMF (Sub-appendix 8.5)

CHAPTER VII

STAKEHOLDER ENGAGEMENT, INFORMATION DISCLOSURE AND COMPLAINT HANDLING

7.1 Stakeholder Engagement

7.1.1 Stakeholder Mapping

Main stakeholders involved in the procurement of permanent housing land of Tondo-2 are:

Table VII - 1 Stakeholders Involved in Obtaining Land and in the Development of Tondo-2
Permanent Housing Site

Potential Affected Parties from Land Acquisition ¹⁴	Other Interested and Potentially Influenced Parties
<ol style="list-style-type: none"> 1. Ex-HGB concessionaires (PT. SW and PT. SPM) 2. Land claimants/holders of Land Tenure Certificates (SKPTs -- 47) and holders of Land Ownership Certificates (SHMs-- 2) 	<ol style="list-style-type: none"> A. Central Government <ol style="list-style-type: none"> 1. Ministry of State Secretariat 2. Ministry of Public Works and Housing 3. Ministry of Agrarian and Spatial Planning/National Land Agency 4. National Disaster Management Agency 5. Finance and Development Supervisory Committee. B. Provincial Level Government. <ol style="list-style-type: none"> 1. Task Force Disaster Mitigation 2. Regional Office of the Central Sulawesi National Land Agency 3. Regional Settlement and Infrastructure Center of Central Sulawesi. C. City Level Government. <ol style="list-style-type: none"> 1. City Agencies (PU, Perkim, Tata Ruang, Bappeda, BPBD) 2. Working Group on Land Acquisition and Resettlement of Post Natural Disaster Rehabilitation and Reconstruction Program in Palu City (Tondo – Talise Land Settlement Team) 3. Palu City Office of the Ministry of Agrarian and Spatial Planning/ National Land Agency 4. Village and Sub-District Heads D. Non-Government Organization. E. Community <ol style="list-style-type: none"> 1. Disaster Affected Peoples who will occupy the Tondo-2 permanent housing site

7.1.2 Stakeholder Analysis

In the context of accelerating the post-earthquake and tsunami rehabilitation and reconstruction in Central Sulawesi Province and other affected areas for the restoration of the

¹⁴ The term “land acquisition” in Tondo-2 used in this DDR are activities in obtaining "clean and clear" land which used to be HGB concessions held by two private sectors, whose concessions have been expired since August/September 2019, but there were claims potentially located on it by the holders of SKPTs, SHMs and ex concessionaires.

social and economic life of the community in the disaster-affected area, the government issued Presidential Instruction Number 10 of 2018 on the Acceleration of Post-Earthquake and Liquefaction Rehabilitation and Reconstruction in Central Sulawesi Province and Other Affected Areas.

This Presidential Instruction regulates and delegates the authority and responsibility for the acceleration of rehabilitation and reconstruction, among others:

1. Provincial Government;
 - a. Provide guidance and supervision to district/city local governments as well as facilitate the licensing process required in the implementation of post-earthquake and tsunami rehabilitation and reconstruction activities;
 - b. Verify and validate data on damage to public houses and public service facilities and propose plans for post-earthquake and tsunami rehabilitation and reconstruction needs to the National Disaster Management Agency;
 - c. Provide the Provincial Regional Revenues and Expenditures Budget in accordance with its involvement in the post-earthquake and tsunami rehabilitation and reconstruction budgeting based on the established post-earthquake and tsunami rehabilitation and reconstruction plan;
 - d. Coordinate with relevant ministries/agencies for the smooth implementation of rehabilitation and reconstruction activities
 - e. Facilitate the acceleration of land availability for post-earthquake and tsunami rehabilitation and reconstruction purposes and coordinate with related ministries/agencies
 - f. Supervise and report the progress of implementation to the central government through the Head of National Board of Disaster Management.
2. Ministry of Agrarian and Spatial Planning/National Land Agency;
 - a. Provide recommendations for spatial planning directions after the earthquake and tsunami disaster
 - b. Facilitating the revision of regional spatial plans in the aspect of disaster mitigation and synchronization with the post-earthquake and liquefaction rehabilitation and reconstruction action plans
 - c. Coordinate with the Minister of Energy and Mineral Resources, the Minister of Public Works and Public Housing, the Head of the Meteorology, Climatology and Geophysics Agency, and the Head of the National Board of Disaster Management in determining the location of permanent housing as part of the

process of relocating the community to settlements that are safe from potential disasters in the future

- d. Facilitate land acquisition and arrangement in the context of relocation and rebuilding after the earthquake and tsunami disaster
3. Palu City Government;
 - a. Responsible for ensuring implementation of rehabilitation and reconstruction activities running smoothly
 - b. Perform damage data collection, determine data on damage to community houses and public service facilities and propose plans for post-earthquake and tsunami rehabilitation and reconstruction needs to the provincial government and the National Disaster Management Agency through the provincial government
 - c. Provide City Regional Revenues and Expenditures Budget and implement activities in accordance with the established action plan
 - d. Coordinate with relevant ministries/agencies for the smooth implementation of rehabilitation and reconstruction activities
 - e. Provide land availability for post-earthquake and tsunami rehabilitation and reconstruction purposes and coordinate with related ministries and agencies
 - f. Receiving assets from the post-earthquake and tsunami rehabilitation and reconstruction activities from the National Revenues and Expenditures Budget in accordance with the provisions of laws and regulations
 - g. Supervise and report the progress of implementation to the central government through the Head of National Board of Disaster Management with a copy to the Governor of Central Sulawesi Province.
 4. Ministry of Public Works and Housing;
 - a. Provide rehabilitation and reconstruction of public infrastructure in accordance with their authority
 - b. Provide rehabilitation and reconstruction of educational facilities, health facilities, religious facilities, and economic support facilities as well as basic infrastructure affected by the earthquake and tsunami by using the National Revenue and Expenditure Budget which is carried out in accordance with statutory regulations
 - c. Coordinate with the Head of National Disaster Management Agency, Minister of Religion Affairs, Minister of Education and Culture, Minister of Health,

Minister of Energy and Mineral Resources, Minister of Trade, Minister of Cooperatives and Small and Medium Enterprises, Minister of Maritime Affairs and Fisheries, and provincial and district/city governments in the context of post-earthquake and tsunami rehabilitation and reconstruction

- d. Take steps to accelerate rehabilitation and reconstruction after the earthquake and tsunami disaster by conducting technical cooperation with related ministries/agencies
 - e. Responsible for and supervising the rehabilitation and reconstruction of educational facilities, health facilities, religious facilities and economic support facilities as well as basic infrastructure after the earthquake and tsunami disaster
 - f. Provide assistance and supervision in the context of the construction of earthquake-resistant housing which is carried out with a self-managed and contractual scheme by the community
 - g. Propose budget requirements for the acceleration of post-earthquake and tsunami rehabilitation and reconstruction to the Head of National Board of Disaster Management
5. Finance and Development Supervisory Committee;
Implement financial management accountability assistance in the implementation of post-earthquake and tsunami rehabilitation and reconstruction activities.
6. Attorney's General Office;
Overseeing, securing and assisting the implementation of the acceleration of rehabilitation and reconstruction after the earthquake and tsunami disaster.
7. Police Department;
Coordinate with the head of National Board of Disaster Management to maintain security and public order, enforce the law, provide protection, shelter and services to the community in the implementation of post-earthquake and tsunami rehabilitation and reconstruction activities.

7.1.3 Stakeholder Engagement Plan

Table VII - 2 Stakeholder Engagement

No	Agency	Job and Function	Sources of funding
1	Disaster Affected People (DAP), Candidates of Tondo-2 Permanent Housing	Participate in discussion, consultation, and socialization related to replacement, entitlement, plot selection, and handover of rights.	Palu City Regional Revenues and Expenditures Budget
2	kelurahan and Sub-District Heads	<ul style="list-style-type: none"> • Facilitating residents in the process of discussion, consultation, and socialization. • Assisting the Working Group on Land Acquisition and Resettlement of Post Natural Disaster Rehabilitation and Reconstruction Program in Palu City (Tondo – Talise Land Settlement Team) in identifying and confirming the land claimants (holders of SKPTs and SHMs) 	Palu City Regional Revenues and Expenditures Budget
3	Non-Governmental Organization	Overseeing the process of discussion, consultation and socialization.	National and Regional Revenues and Expenditures Budget
4	Provincial government	<ul style="list-style-type: none"> • Verification and validation of data on the damaged public houses and public service facilities • Facilitate the acceleration of clean and clear land availability • Supervise and report implementation progress to the central government 	Province Revenues and Expenditures Budget
5	BPPW Central Sulawesi	<ul style="list-style-type: none"> • Carrying out land preparation at the permanent housing construction site • Carrying out the construction of permanent housing and supporting infrastructure • Handing over assets (permanent houses, infrastructure, public facilities) to the relevant parties by agreement and applicable rules • Conducting socialization of the types of rights that can be granted for each type of asset (permanent houses, infrastructure, public facilities) to DAPs and related agencies. 	National Revenues and Expenditures Budget
6	Ministry of Agrarian Affairs and Spatial Planning/National Land Agency	<ul style="list-style-type: none"> • Provide recommendations for spatial planning directions after the earthquake and tsunami disaster • Facilitate land acquisition and arrangement in the context of relocation and rebuilding after the earthquake and tsunami disaster 	National Revenues and Expenditures Budget
7	Palu City Government	<ul style="list-style-type: none"> • Collecting and establishing data on damaged community houses and public service facilities, 	Palu City Regional Revenues and

No	Agency	Job and Function	Sources of funding
		<ul style="list-style-type: none"> • Provide clean and clear land availability for post-disaster rehabilitation and reconstruction purposes, • Receive assets resulting from the post-earthquake and tsunami rehabilitation and reconstruction activities. 	Expenditures Budget
8	Palu City Office of the Ministry of Agrarian and Spatial Planning/ National Land Agency	<ul style="list-style-type: none"> • Facilitating the submission of applications for certificate issuance by each eligible holder (DAP, infrastructure, public facilities) in accordance with the agreement with the relevant parties • Carrying out the process of issuing certificates for houses and public facilities • Measuring land parcels and processing certificate issuance for each type of asset constructed in Tondo-2 permanent housing (individual, communal, public) • Issue a certificate. 	National Revenues and Expenditures Budget
9	Ministry of Public Works and Housing	<ul style="list-style-type: none"> • Provide rehabilitation and reconstruction of houses and public infrastructure in accordance with its mandates • Provide rehabilitation and reconstruction of educational facilities, health facilities, religious facilities, and economic support facilities as well as basic infrastructure affected by the earthquake and tsunami, • Provide assistance and supervision for the construction of earthquake-resistant housing which is carried out under a self-managed and contractual scheme by the community. 	National Revenues and Expenditures Budget
10	Working Group on Land Acquisition and Resettlement in Palu City	Identifying and confirming evidence of land tenure and ownership certificates provided by the Tondo residents	Palu City Regional Revenues and Expenditures Budget
11	OSP Team	<ul style="list-style-type: none"> • Finalizing DAPs data • Assist in the discussions, consultations, and socialization and involve advising as well as in the whole process of monitoring related to land acquisition. 	National Revenues and Expenditures Budget
12	BPBD Palu	<ul style="list-style-type: none"> • Announcing the final list of the DAPs of Tondo-2 permanent housing recipients along with information on the area of land, rights and obligations of DAP, rights to land and buildings to be received and their requirements, schedule of relocation and organization of permanent housing area management, as well as venues for complaints • Coordinating with the OSP team in accordance with the DAPs' consultations for the selection of the permanent housing parcels 	Palu City Regional Revenues and Expenditures Budget

No	Agency	Job and Function	Sources of funding
		<ul style="list-style-type: none"> Coordinating with relevant agencies in the process of relocating DAPs to the permanent housing site 	
13	Finance and Development Supervisory Committee	Implement financial management accountability assistance in the implementation of post-earthquake and tsunami rehabilitation and reconstruction activities.	National Revenues and Expenditures Budget
14	Attorney's General Office	Overseeing, securing and assisting the implementation of the acceleration of rehabilitation and reconstruction after the earthquake and tsunami disaster.	National Revenues and Expenditures Budget
15	Police Department	Coordinate with the head of the National Board of Disaster Management to maintain security and public order, enforce the law, provide protection, shelters and services to the community in the implementation of post-earthquake and tsunami rehabilitation and reconstruction activities.	National Revenues and Expenditures Budget

7.2 Information Disclosure

7.2.1 Principle, Type, and Media of Information Disclosure

The disclosure of public information is a prerequisite for the creation of residents' participation in the post-disaster relocation process of settlements in Central Sulawesi. Disclosure of public information applies the principles of accountability, transparency, and the active participation of disaster-affected people and relevant stakeholders in every process of building shelters and infrastructure as well as relocation and post-occupancy. The principle of information disclosure refers to the ESMF NSUP-CERC and CSRRP as well as Law no. 14 of 2008 concerning Disclosure of Public Information which aims to create good and responsible governance, as well as other related regulations. Information disclosure is also a requirement in the land acquisition process as regulated in Law no. 2 of 2012 concerning Land Acquisition for Development in the Public Interest and Government Regulation no. 19 of 2021 concerning the Implementation of Land Procurement for Development in the Public Interest. The types of information that must be disclosed include, among others, the purpose and objectives of the development plan, the location and area of land required, the stages of the land acquisition plan, the estimated timeframe for the implementation of land acquisition, the estimated timeframe for the implementation of development, and other information deemed necessary. Announcements must be notified at the Village Office, and at the construction site, in print and/or electronic media. Information related to the 37 (10 of whom could not be contacted) of SKPT holders and 2 SHM by the head of the village was conveyed to the head of group because

the residents who made the claim moved in groups. Each group has a WAG to streamline communication between group members. Any information concerning land claims, which the group leader receives is forwarded to their WAG. The NSUP-CERC and CSRRP programs carry out information disclosure through:

- a. Socialization and meetings at the village offices of permanent housing locations.
- b. Social media, electronic media, and print media.
- c. SITABA project website through <https://sitaba.pu.go.id/sitabapalu/> and NSUP through <http://kotaku.pu.go.id/>
- d. Palu City Government information media
- e. Whatsapp groups.
- f. Posts.
- g. Verbal notification through RW and RT administrators at the location of prospective permanent housing as well as facilitators.

Meanwhile, the types of information disclosed include:

- a. Regulations on land acquisition.
- b. Regulations regarding disaster-prone zoning.
- c. Regulations on the rights of DAPs.
- d. Eligibility criteria of DAPs.
- e. List of disaster-affected peoples who meet the criteria to receive permanent housing in Tondo-2.
- f. Financial plans of permanent housing and infrastructure.
- g. Construction of permanent housing development.
- h. Relocation of DAPs.
- i. Information on the livelihood restoration in the permanent housing.
- j. Rehabilitation and reconstruction documents.
- k. Information on the complaint channels for the public including the land claimants/ex-HGB holders, the disaster-affected peoples and on the ongoing process for wider community.

Residents who wish to obtain information from the local government are asked to bring their identity data and a list of the desired information. The assigned government officials will provide direct explanations or provide written information no later than 10 working days.

Regarding the land acquisition for permanent residential in Tondo-2, the following table describes the parties who are the target recipients of information for each type of information and media used.

Table VII - 3 Types, Media, and Target of Information Recipients

Num.	Type of Information	Media	Target Recipient of Information
1.	Land claimants	Invitation through Kelurahan Office and meetings with CG of Palu and other relevant agencies	Land Claimants (holders of SKPTs and SHMs)
2.	Ex-HGB holders	Invitation and meetings with the ex-HGB holders	Ex-HGB holders
3.	Land claimants	Socialization activities in the Village and WAG	37 (10 of whom could not be contacted) of SKPT holders and 2 SHM
4.	Regulations on land acquisition	Socialization activities in the Village /Subdistrict Office	The information related to land acquisition activities are disseminated to the general public and DAPs through meetings conducted in the Village Office. Socialization activities are accompanied by ATR/BPN and Palu City Government.
5.	Regulations on disaster-prone zoning	Socialization activities in the Village /Subdistrict Office	Regulations on disaster-prone zoning are disseminated to the general public and DAPs. The socialization activity was carried out at the Village /Subdistrict Office, which was accompanied by the Spatial Planning and Land Affairs Office of Palu City.
6.	Regulations on eligibility criteria the of DAPs.	<ul style="list-style-type: none"> • Direct delivery through socialization activities in the Village /Subdistrict Office Whatsapp Group messages 	The criteria for the entitlement of disaster-affected people is conveyed through socialization activities of the Governor's Decree regarding the entitlement criteria through WhatsApp Group.
7.	Stages and flow of submission of complete requirements for disaster-affected people	<ul style="list-style-type: none"> • Facilitator Posts • Socialization by the Facilitators of the Ministry of Public Works and Public Housing 	The flow of submission of eligibility requirements for residents affected are socialized by the disaster to disaster-affected people verbally through the post and through socialization activities at the Village Office.
8.	List of DAPs who meet the criteria to receive permanent residential in Tondo 2	<ul style="list-style-type: none"> • Whatsapp Group messages • Social Media • Socialization by the Facilitator of the Ministry of Public Works and Housing • Village Office's Information Board • Palu City Government's Media Information 	The results of the verification of DAPs who meet the criteria are published to the public. The socialization activity was also accompanied by the Local Disaster Management Agency (BPBD) of Palu City
9.	Financial plans of permanent housing and infrastructure.	<ul style="list-style-type: none"> • SITABA website project, accessed through: https://sitaba.pu.go.id/sitabapalu/ • Socialization activities to disaster-affected peoples and coordination with the Palu City Government. 	Financing plans for permanent housing and infrastructure are conveyed to the Palu City Government, general public, and disaster-affected people.
10.	Stages of permanent housing development	<ul style="list-style-type: none"> • Socialization by the Facilitators of the Ministry of Public Works and Housing • Printed Media 	Stages of the permanent housing development is conveyed to the Palu City Government, public, and disaster-affected peoples.
11.	Relocation process/stages of moving of DAPs	<ul style="list-style-type: none"> • Socialization by the Facilitators of the Ministry of Public Works and Housing • Facilitator Posts/Information center 	Relocation process of DAPs to the permanent housing is conveyed to the Palu City Government, public, and disaster-affected people.

Num.	Type of Information	Media	Target Recipient of Information
12.	Information on the livelihoods restoration in the permanent housing site	<ul style="list-style-type: none"> • Socialization by the Facilitators of the Ministry of Public Works and Housing accompanied by related agencies such as Office of Environmental Management of Palu City, Office of Housing and Settlement of Palu City, Local Disaster Management Agency (BPBD) of Palu City and the Office of Health of Palu City. 	Information on livelihoods restoration in the permanent housing site is conveyed to the Palu City Government, public, and disaster-affected peoples.
13.	Rehabilitation and reconstruction documents.	<ul style="list-style-type: none"> • SITABA website project, accessed through: https://sitaba.pu.go.id/sitabapalu/ • NSUP, accessed through http://kotaku.pu.go.id/ 	Rehabilitation and reconstruction documents are conveyed to the Palu City Government, public, and disaster-affected people.
14.	Information on the complaint channels for the public (incl. the land claimants and ex-HGB holders), the disaster-affected peoples and on the ongoing process for the wider community	<ul style="list-style-type: none"> • SITABA website project, accessed through: https://sitaba.pu.go.id/sitabapalu/ • Socialization by the Facilitator of the Ministry of Public Works and Housing • Palu City Government's Media Information 	Information on the complaint channels for the public (incl. The land claimants and the ex-HGB holders), the DAPs and on the ongoing process for the wider community is conveyed to the Palu City Government, the general public, and DAPs. Facilitators of the MPWH during socialization also demonstrated how to submit complaints through the website https://sitaba.pu.go.id/sitapalu/

7.2.2 Activities and Action Plan for Information Disclosure Related to Land Acquisition of the Tondo-2 Permanent Housing Site

In the implementation of information disclosure, the Central and Regional Governments convey the policies and stages of land acquisition for Tondo-2 permanent housing to the DAPs through direct meetings facilitated by the facilitator or using print media, electronic media and social media. DAPs or community members can submit requests for public information through the MPWH's facilitators or through community groups or submit directly to the nearest sub-district government and the Palu City Government. Table VII-4 below presents the past activities and action plan on information disclosure related to land acquisition in Tondo-2 permanent housing site.

Table VII - 4 Past Activities and Action Plans for Information Disclosure of Land Acquisition Tondo-2 Permanent Housing Site

Num	Information Type	Responsible Agencies	Target Recipient of Information	Media/Location of Information Provision	Schedule
1	Decision Letter for Determination of Permanent Housing Location	Mayor of Palu City	Public and Disaster Affected Peoples	Palu City Government Legal Department	December 2018
2	Land area of Tondo-2 permanent housing site	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency and Palu City Government	Identified potential land claimants and ex-HGB holders	Meetings and Consultations	2019-2022
3	Land use for permanent housing site in the area	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency and Palu City Government	Public and Disaster Affected Peoples	Regional Office of the Central Sulawesi National Land Agency and Palu City Government	2019-2021
4	Criteria for the eligibility of the recipients of the Tondo-2 permanent housing site	National Disaster Management Agency of Palu City	Public and Disaster Affected Peoples	Palu City Government Legal Department	January 2019
5	Entitlement criteria for disaster-affected residents	National Disaster Management Agency of Palu City	Public and Disaster Affected Peoples	<ul style="list-style-type: none"> • BPBD Kota Palu • Kelurahan lokasi WTB 	2019-2021
6	Socialization regarding Earthquake-Resistant Houses, Decree on Entitlements, relocation process	Facilitators of the Ministry of Public Works and Housing	Disaster-Affected Peoples	Villages where Disaster Affected Peoples are located	2019-2021
7	Rehabilitation and reconstruction documents	<ul style="list-style-type: none"> • Ministry of Public Works and Housing • Palu City Government 	<ul style="list-style-type: none"> • Palu City Government • Public • Disaster Affected Peoples 	<ul style="list-style-type: none"> • Website project SITABA via https://sitaba.pu.go.id/sitabapalu/ 	2019-2021
8	Information on the complaint channels for the public, disaster-affected peoples and on the ongoing process for wider community.	<ul style="list-style-type: none"> • Ministry of Public Works and Housing • Palu City Government 	<ul style="list-style-type: none"> • Public (incl. Land claimants and ex-HGB holders) • Disaster Affected Peoples 	<ul style="list-style-type: none"> • Website project SITABA via https://sitaba.pu.go.id/sitabapalu/ 	2019-continuously
9	Palu Mayor's Decree on prospective DAPs for Tondo-2 permanent housing site	National Disaster Management Agency	Public and Disaster Affected Peoples	Information boards in each location where the Disaster Affected Peoples are located	January 3, 2022

Num	Information Type	Responsible Agencies	Target Recipient of Information	Media/Location of Information Provision	Schedule
10	Finalization of the list of the Disaster Affected Peoples	National Disaster Management Agency	Disaster Affected People	Information boards in each location where Disaster Affected Peoples are located	March 2022
11	Financial plans of permanent housing and infrastructure	Ministry of Public Works and Housing	<ul style="list-style-type: none"> • Palu City Government • Public • Disaster Affected Peoples 	<ul style="list-style-type: none"> • Website project SITABA via https://sitaba.pu.go.id/sitabapalu/ 	April 2022
12	Construction of permanent housing development	Ministry of Public Works and Housing	<ul style="list-style-type: none"> • Palu City Government • Public • Disaster Affected People 	<ul style="list-style-type: none"> • Website project SITABA via https://sitaba.pu.go.id/sitabapalu/ 	April 2022
13	Publishing of Due Diligence Report and Action Plan	<ul style="list-style-type: none"> • Ministry of Public Works and Housing • Palu City Government 	<ul style="list-style-type: none"> • Public • Disaster Affected Peoples 	Website project SITABA via https://sitaba.pu.go.id/sitabapalu/	April 2022
14	Results of monitoring and evaluation of land acquisition process for Tondo-2 permanent housing	<ul style="list-style-type: none"> • Regional Office of the Central Sulawesi National Land Agency and Palu City Government 	<ul style="list-style-type: none"> • Public • Disaster Affected People • Stakeholder 	Palu City Government Regional Office of the Ministry of Agrarian and Spatial Planning/National Land Agency	December 2022
15	Relocation stages of DAPs	<ul style="list-style-type: none"> • Ministry of Public Works and Housing • Public Housing Department of Palu City 	Disaster Affected Peoples	Palu City Government	September 2023
16	Information regarding livelihood restoration in the permanent housing site	<ul style="list-style-type: none"> • Ministry of Public Works and Housing • Palu City Government 	Disaster Affected Peoples	Ministry of Public Works and Housing and Palu City Government	October 2023
Num	Information Type	Responsible Person	Target Recipient of Information	Media/Location of Information Provision	Schedule
1	Decision Letter for Determination of Permanent Residential Locations	Mayor of Palu City	Public and Disaster Affected People	Palu City Government Legal Department	December 2018
2	Socialization of land use for permanent residential locations in the area	National Land Agency and Palu City Government	Public and Disaster Affected People	National Land Agency and Palu City Government	2019-2021

Num	Information Type	Responsible Person	Target Recipient of Information	Media/Location of Information Provision	Schedule
3	The criteria for the eligibility of the recipient of the Tondo 2 permanent residence	National Disaster Management Agency of Palu City	Public and Disaster Affected People	Palu City Government Legal Department	January 2019
4	Entitlement criteria for disaster-affected residents	National Disaster Management Agency of Palu City	Public and Disaster Affected People	<ul style="list-style-type: none"> BPBD Kota Palu Kelurahan lokasi WTB 	2019-2021
5	Socialization regarding Earthquake Resistant Houses, Decree on Entitlements, relocation process	Facilitator of Ministry of Public Works and Housing		Villages where Disaster Affected Residents are located	2019-2021
6	Rehabilitation and reconstruction documents	<ul style="list-style-type: none"> Ministry of Public Works and Housing Palu City Government 	<ul style="list-style-type: none"> Palu City Government Public Disaster Affected People 	<ul style="list-style-type: none"> Website project SITABA via https://sitaba.pu.go.id/sitabapalu/ 	2019-2021
7	Information regarding the complaint channels for disaster-affected residents and ongoing process for wider community.	<ul style="list-style-type: none"> Ministry of Public Works and Public Housing Palu City Government 	Public and Disaster Affected People	<ul style="list-style-type: none"> Website project SITABA via https://sitaba.pu.go.id/sitabapalu/ 	2019-2022
8	Palu Mayor's Decree on prospective residents for Tondo 2 permanent residence	National Disaster Management Agency	Public and Disaster Affected People	Information boards in each location where Disaster Affected People located	January 3 rd 2022
9	Finalization of Disaster Affected People	National Disaster Management Agency	Disaster Affected People	Information boards in each location where Disaster Affected People located	March 2022
10	Financial plans of permanent housing and infrastructure	Ministry of Public Works and Public Housing	<ul style="list-style-type: none"> Palu City Government Public Disaster Affected People 	<ul style="list-style-type: none"> Website project SITABA via https://sitaba.pu.go.id/sitabapalu/ 	April 2022
11	Construction of permanent housing development	Ministry of Public Works and Housing	<ul style="list-style-type: none"> Palu City Government Public Disaster Affected People 	<ul style="list-style-type: none"> Website project SITABA via https://sitaba.pu.go.id/sitabapalu/ 	April 2022
12	Publishing of Due Diligence Report and Action Plan	<ul style="list-style-type: none"> Ministry of Public Works and Housing 	Public and Disaster Affected People	Website project SITABA via https://sitaba.pu.go.id/sitabapalu/	April 2022

Num	Information Type	Responsible Person	Target Recipient of Information	Media/Location of Information Provision	Schedule
		<ul style="list-style-type: none"> Palu City Government 			
13	Results of monitoring and evaluation of land acquisition process for Tondo 2 permanent residence	<ul style="list-style-type: none"> National Land Agency and Palu City Government 	<ul style="list-style-type: none"> Public Disaster Affected People Stakeholder 	Palu City Government Regional office of National Land Agency	December 2022
14	Relocation stages of DAPs	<ul style="list-style-type: none"> Ministry of Public Works and Public Housing Public Housing Department of Palu City 	Disaster Affected People	Palu City Government	September 2023
15	Information regarding livelihood restoration in the permanent housing	<ul style="list-style-type: none"> Ministry of Public Works and Public Housing Palu City Government 	Disaster Affected People	Ministry of Public Works and Public Housing and Palu City Government	October 2023

7.3 Complaint Handling

Complaint handling is a means of monitoring that is conveyed verbally or in writing to project managers and local governments through constructive contributions of thoughts, suggestions, ideas, or complaints. Complaint handling is a process of activities to accommodate, record, review, distribute, confirm, clarify, provide alternative solutions to complainants, document, and socialize the results of handling complaints to the public. The scope of complaints regarding land acquisition, relocation of permanent housing in Tondo 2 settlements, and settlement of land claims include the land acquisition process, status of land ownership process, social and environmental impacts as well as actions of implemented activities. The public can make a complaint if they feel dissatisfaction caused by:

- a. Incomplete understanding of the substance or information received is ;
- b. Imperfect process/activities in the field;
- c. Inappropriate approach, and or;
- d. Expressing aspirations in the context of perfecting the process of land acquisition activities and/or settlement of land claims.

The NSUP-CERC and CSRRP programs already have an integrated complaint handling mechanism that is regulated through technical/operational guidelines. The mechanism regulates the procedure for handling complaints, media/channels for submitting complaints, the period for resolving complaints, and submitting the results of complaints settlements. Referring to the ESMF, the two programs and regulations/laws related to land acquisition in Indonesia as a complaint handling mechanism are a medium that must be provided by every project. One of the principles of complaint handling is the ease of access for all parties who wish to express their aspirations, objections/complaints, and request information on matters related to the project, in this case including land acquisition, construction of temporary shelters, and provision of replacement land.

Complaint handling in the NSUP-CERC and CSRRP programs is carried out in an integrated manner at the central level and at project locations by the Ministry of Public Works and Public Housing in collaboration with the relevant city government. Data and information regarding complaints and their settlement status can be accessed through SITABA (Disaster Response Information System) through the link <https://sitaba.pu.go.id/sitabapalu/>. The community complaint handling team consists of community complaints management experts, assisted by data management assistants and facilitators. The main task of the team is to record and distribute information/complaints to

related parties so that recorded complaints can be managed and resolved quickly and accurately.

7.3.1 Scheme of Complaint Submission and Person in Charge

Complaint handling is open to the public. Every community has the right to submit complaints and criticisms. For the people of Palu City, complaints can be submitted by visiting the address www.laporwalikotapalu.com. If there are still claims from residents remain, the Palu City Government still opens a complaint channel that can be submitted directly through the Urban Village, Head of BPBD or directly to the Mayor at the City Hall or at his residence. Complaints can also be submitted through the www.laporwalikotapalu.com channel. This page is provided in order to realize the era of electronic-based public services by the Palu City Government. As for the complaint program via the internet, the website has provided a complaint form starting from filling in the origin of the sub-district, village, complaint category, contents of the complaint, full name, mobile phone number, attaching photo files, and filling in the security code. Through this channel, the people of Palu City can report matters related to the implementation of public services, government policies, and various other information, including the Palu City government's policies in providing permanent residential land and providing consolidated land. The management of these complaints is under the responsibility of the Palu City Communications and Information Office, which will follow up on all complaints.

Public complaints can also be submitted directly through permanent residential facilitators, village, sub-district, and city/district governments as well as through telephone, Whatsapp, and email media. Complaints can also be submitted directly through the SITABA (Disaster Response Information System) application which is managed by the Ministry of Public Works and Housing at <https://sitaba.pu.go.id/sitabapalu>.

Complaints submitted directly through the facilitator will be inputted through Google Form and for every complaint that comes in through the form, the complaint handling expert will examine, select and give approval to the data management assistant to submit complaints that are eligible to enter SITABA. Complaints that have entered SITABA will be distributed to the authorized parties according to the classification of the problem and the authority to resolve it and the complaint resolution process will be monitored by the PIM Coordinator at the National Management Consultant (NMC)/Project Management Consultant (PMC).

Indirect complaints originating from complaints pages in mass media, social media, and civil society groups, will be monitored by the complaint handling team both in the NSUP-CERC and CSRRP programs and inputted in the Google Form before entering

SITABA. The complaint handling team in both programs also coordinates with the Regional Government in managing complaints in accordance with the classification of problems and the authority to resolve them.

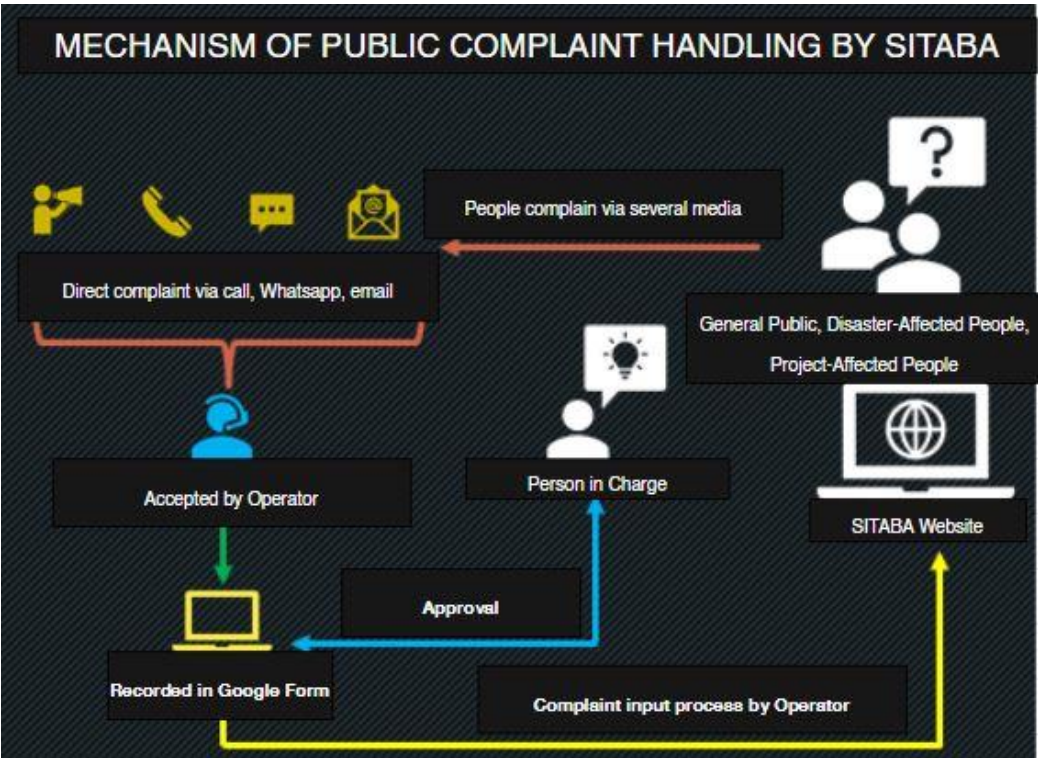


Image VII - 1 Mechanism of Public Complaint Handling via Sitaba

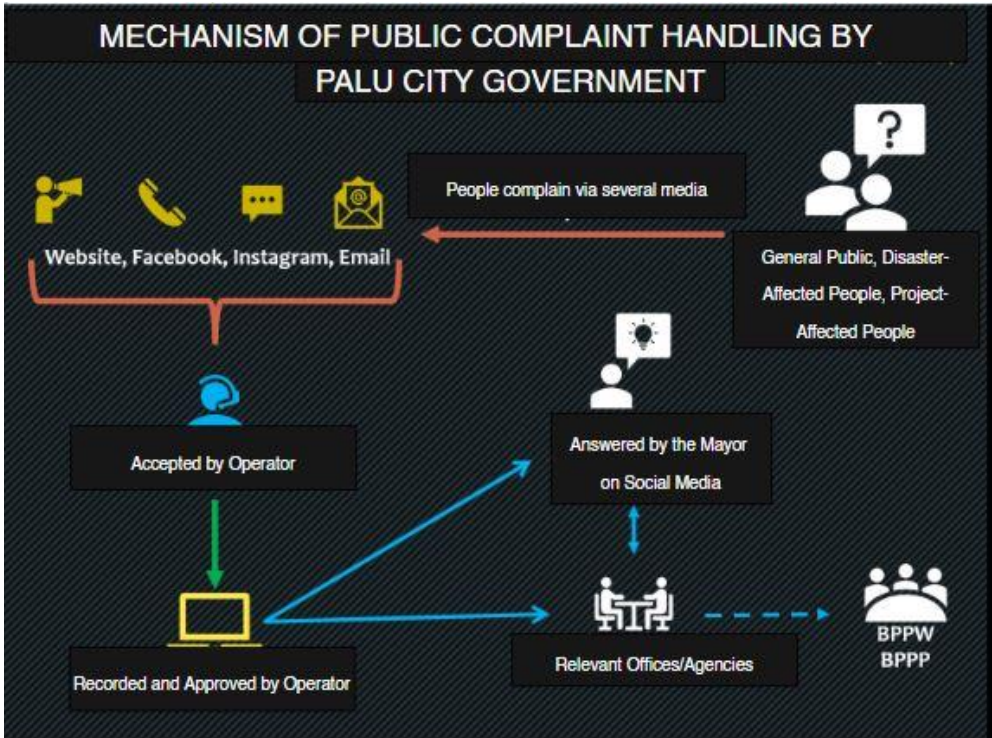


Image VII - 2 Mechanism of Public Complaint Handling of Palu City Government

7.3.2 Complaint Channels and Publication of Complaint Channels

Both programs provide various types of media/channels for submitting complaints that can be accessed by the public. The types of media/channels provided include telephone, Whatsapp, email, and complaint websites in accordance with clear and easily accessible principles. The complaint channels provided by the complaint manager include:

Table VII - 5 Type and Contact of Complaint Channels

Num.	Type	Contacts
1.	Whatsapp/SMS	0822 6005 1552 / 0817 148 048
2.	SITABA Complaint Handling Phone Number	0817148048
3.	Ministry of Public Works and Housing Facilitator Phone Number	0851 0371 5701/ 0853 4192 7556
4.	Email	pim.cerc@gmail.com , ppm-pusat@yahoo.com , ppmkotaku_pusat@yahoo.com
5.	Website	https://sitaba.pu.go.id/sitabapalu/ , www.kotaku.pu.go.id
6.	Mayor Complaint Channel	https://www.laporwalikotapalu.com/
7.	Palu Government Hotline	(0451) 455565
8.	Palu Government Email	info@palukota.go.id
9.	KOTAKU Online Complaint (NSUP)	kotaku.pu.go.id/complaint
10.	KOTAKU Social Media Accounts (NSUP)	https://www.instagram.com/pim_kotaku/ https://twitter.com/ppmkotaku https://www.facebook.com/PIM.KOTAKU

The public gets information about the complaint channel through social media, print media, electronic media, posters, and community meetings. Publication of complaint channels for the wider community is also carried out in public spaces, such as bulletin boards at the village office, as well as on social media owned by the facilitator and on social media managed by the Palu City Government.

Publication of complaint channels for permanent housing at Tondo-2 includes: the complaint hotline number, the number of the accompanying facilitator, as well as banners for outreach activities and leaflets that were posted in the homes of disaster-affected people. In addition, the team of facilitators also disseminated the website via Whatsapp messages to Community Groups (Pokmas). Through whatsapp messages, disaster-affected peoples can ask questions and or submit their complaints. Meanwhile, the publication of the complaint channel belonging to the Palu City Government is carried out through electronic media and community social media accounts. Complaints from project-affected people can be made directly by visiting the LPM secretariat or the Village Office. Project affected peoples can submit their complaints to be followed up.

Documentation of the publication of the complaint channel during outreach activities can be seen in the following figure:

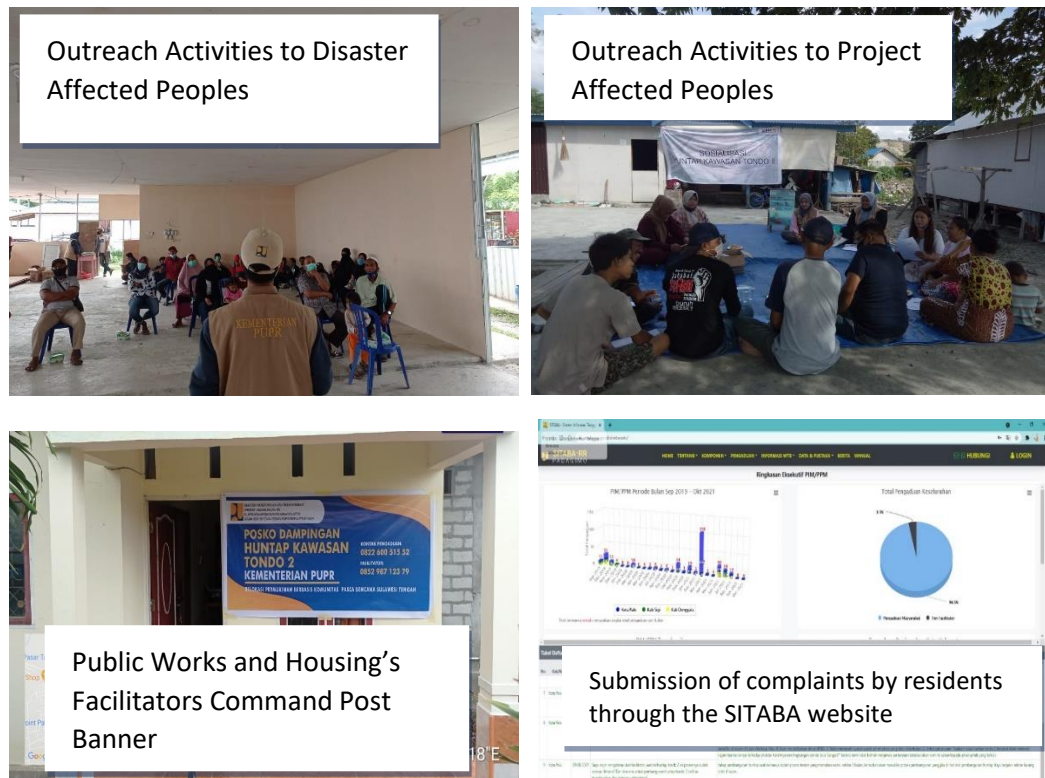


Image VII - 3 Publication of Complaint Channel to DAPs of Tondo-2

7.3.3 Complaint Handling Process and Follow-Up

The complaint handling team in both programs handles complaints, with the following process: Public Works and Housing

1. Complaints that come in through the various channels provided will be identified and sorted according to the classification of the problem, the scope of work, and the authority to handle the problem;
2. After the complaint is submitted to the competent authority, the complaint is processed following the problem-solving scheme that is complained of based on the type of complaint and triangulation of information in the field;
3. Monitoring the handling of complaints;
4. Provide confirmation to the complainant regarding the description of their complaint handling and if the complaint case is a complex problem that requires a settlement time of more than 1 month, the complainant will be given information at each stage of completion (this can be seen in the PIM SITABA system with color differences for each stage of the complaint resolution process);

5. All complaints submitted to the SITABA and KOTAKU websites are recapitulated into the PIM monthly report which will be displayed on the website page as report material that can be accessed by the public.

The scope of the complaint is classified based on; 1) management of land acquisition activities includes administrative requirements of land acquisition and attitude/behavior of activity managers, 2) land conditions, 3) environmental impacts, 4) social impacts, 5) land management. Based on the nature and scope, complaints are divided into; 1) violations of mechanisms and procedures, 2) misappropriation of funds, 3) negative interventions, 4) policy issues, 5) force major incidents, 6) violations of the code of ethics/performer performance, and 7) land issues.

Meanwhile, the nature of the complaint is classified into informative complaints and irregular complaints. Informative complaints are complaints that can be resolved by providing complete information to the complainant. The informative complaint resolution process is carried out no later than 5 working days from the time the complaint is received at SITABA and the KOTAKU website as well as at the local government. Irregular complaints are complaints that in the process of completion, follow-up steps are needed to examine the problem and confirm to various parties so that the settlement can be accounted for. The duration of the complaint resolution process for irregularities is no later than 30 working days from the time the complaint enters SITABA and the KOTAKU website.

If there is a dispute, especially related to land acquisition and civil matters, the settlement efforts are directed to be carried out by non-litigation through consultation, negotiation, mediation, conciliation, and expert judgment. If the complainant is not satisfied with the outcome of the non-litigation settlement, the complainant can apply for a settlement through litigation or dispute resolution through the courts. Litigation efforts are the final means of dispute resolution when non-litigation efforts cannot resolve the problem. The outcome of litigation has a binding legal force on the parties involved in the dispute. The community complaint handling team will monitor the litigation process and assist local governments in preparing an action plan for resolving cases according to legal decisions.

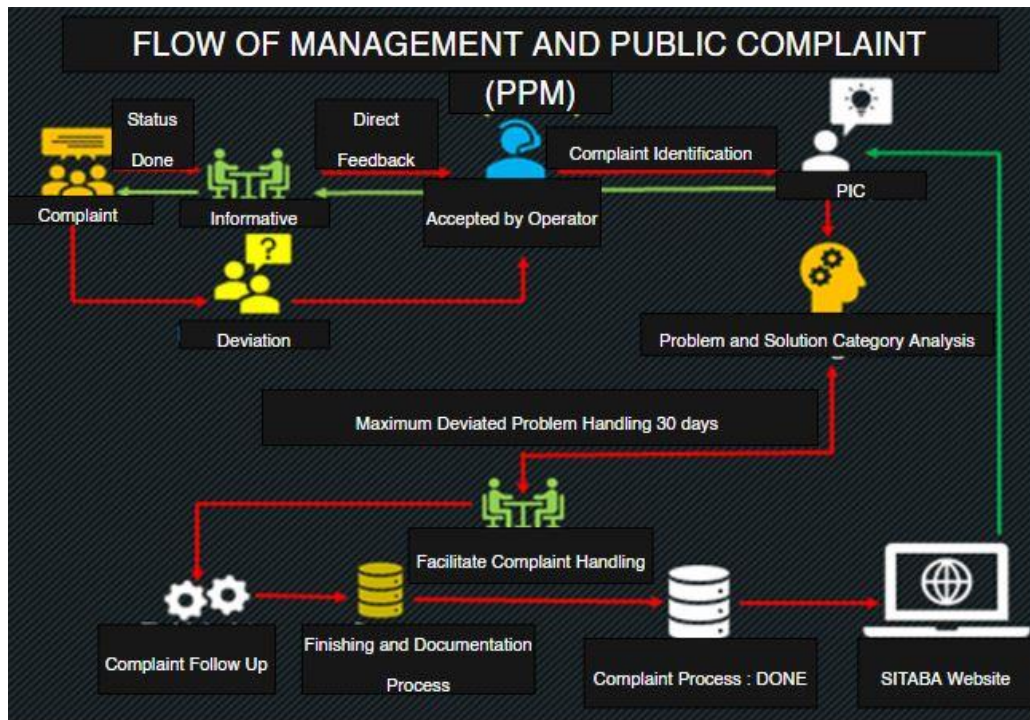


Image VII - 4 Flow of Management and Public Complaint

The grievances related to Tondo-2 permanent housing that were received during the period of January - May, 2022 consisted of 125 complaints of which all have been followed up and cases were closed. The categories of the complaints were mainly related to the status of land acquisition process of Tondo 2 permanent housing, the status and progress of Tondo 2 permanent housing development, the settlement of land claims land status after relocation, registration of DAPs, data of DAPs, the status of verification process of DAPs, eligibility criteria, land status in the previous site, land status of Tondo-2, the schedule of construction and relocation, SKPT issuance, documents and requirements for eligibility, the possibility to relocate to other permanent housing locations, cash compensation, handover of permanent housing, assistance and facilitation to develop permanent housing unit, block selection, selection of community group, cash compensation, institution in charge of compensation and office address. The summary of complaints, responses, and status are elaborated in the following **Table VII-6**.

Table VII - 6 Summary of Complaints, Responses, and Status

No	Claimant	Case Category	Submit to	Topic	Received from	Status
1	Fasilitator Huntap	Masalah	Pemda Kota Palu	Status alas hak	Datang Langsung	Selesai
2	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu	Perkembangan Huntap	Whatsapp	Selesai
3	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Data WTB	Whatsapp	Selesai
4	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Status Lahan Huntap	Datang Langsung	Selesai
5	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu	Huntap	Telpon	Selesai
6	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Pembangunan Huntap	Telpon	Selesai
7	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	HUNTAP TONDO 2	Telpon	Selesai
8	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan	Informasi terkait proses sengketa tanah Huntap	Datang Langsung	Selesai
9	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan, BPPW, Asisten/Korwil, Fasilitator	Zonasi tempat tinggal asal	Datang Langsung	Selesai
10	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Titik terang status huntap	Grup Whatsapp	Selesai
11	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	KAPAN PEMBANGUNAN HUNTAP	Whatsapp	Selesai
12	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan	Lahan huntap	Datang Langsung	Selesai
13	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan, Tim Leader, Fasilitator	Lahan huntap	Datang Langsung	Selesai
14	WTB Calon Penerima Huntap	Informatif/ administratif	Satker Perumahan, Asisten/Korwil, Fasilitator	Pembangunan huntap	Whatsapp	Selesai
15	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	HUNTAP TONDO 2	Telpon	Selesai
16	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi terbaru huntap	Telpon	Selesai
17	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi Huntap	Datang Langsung	Selesai
18	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Kejelasan Huntap	Grup Whatsapp	Selesai
19	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Permintaan Data	Grup Whatsapp	Selesai
20	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	pembangunan huntap	Rembug	Selesai
21	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	kelengkapan berkas	Rembug	Selesai
22	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	pasca huni	Rembug	Selesai
23	WTB Calon Penerima Huntap	Informatif/ administratif	Kontraktor	peluang kerja	Datang Langsung	Selesai
24	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi mengenai Huntap	Whatsapp	Selesai
25	Masyarakat Umum	Informatif/ administratif	Fasilitator	Perkembangan Huntap	Whatsapp	Selesai
26	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Pembangunan huntap	Whatsapp	Selesai
27	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi mengenai huntap tondo 1	Whatsapp	Selesai
28	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Status huntap	Grup Whatsapp	Selesai
29	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Huntap Tondo 2	Whatsapp	Selesai
30	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan, Asisten/Korwil, Fasilitator	Pembongkaran Huntara	Datang Langsung	Selesai
31	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Perkembangan Huntap Tondo 2	Datang Langsung	Selesai
32	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	PILIH LOKASI RUMAH	Whatsapp	Selesai
33	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	PEMBANGUNAN HUNTAP	Whatsapp	Selesai
34	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	HUNTAP TONDO 2	Telpon	Selesai
35	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	HUNTAP TONDO 2	Whatsapp	Selesai

No	Claimant	Case Category	Submit to	Topic	Received from	Status
36	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu	pembangunan huntap	Datang Langsung	Selesai
37	Fasilitator Huntap	Informatif/ administratif	Fasilitator	proses pembebasan lahan	Whatsapp	Selesai
38	Masyarakat Umum	Informatif/ administratif	Pemda Kota Palu	janji wali kota	Datang Langsung	Selesai
39	Masyarakat Umum	Informatif/ administratif	Fasilitator	Status wtb yg baru mau pengajuan	Datang Langsung	Selesai
40	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Progres data	Telpon	Selesai
41	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan, BPPW, Asisten/Korwil, Fasilitator	Lokasi Huntap tondo 2	Datang Langsung	Selesai
42	WTB Calon Penerima Huntap	Informatif/ administratif	Satker Perumahan, Asisten/Korwil, Fasilitator, Kontraktor, Pengawas, PT Inersia Ampak Engineers	Pembangunan huntap mandiri Watusampu	Datang Langsung	Selesai
43	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi mengenai berkas	Grup Whatsapp	Selesai
44	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Pembangunan HUNTAP Tondo 2	Telpon	Selesai
45	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Huntap Tondo	Datang Langsung	Selesai
46	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi Huntap	Telpon	Selesai
47	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi Huntap	Datang Langsung	Selesai
48	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu	SK WTB	Grup Whatsapp	Selesai
49	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Progrs huntap	Grup Whatsapp	Selesai
50	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi mengenai pembangunan	Whatsapp	Selesai
51	Masyarakat Umum	Informatif/ administratif	Fasilitator	Lahan Tondo 2	Datang Langsung	Selesai
52	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Pemohonan pindah relokasi	Datang Langsung	Selesai
53	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan, BPPW, Tim Leader, Asisten/Korwil, Fasilitator, Kontraktor, PT Inersia Ampak Engineers	waktu pembangunan Huntap	Datang Langsung	Selesai
54	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi mengenai huntap tondo 2	Whatsapp	Selesai
55	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi huntap tondo 2	Whatsapp	Selesai
56	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi Huntap	Grup Whatsapp	Selesai
57	Fasilitator Huntap	Informatif/ administratif	Fasilitator	Huntap	Whatsapp	Selesai
58	Fasilitator Huntap	Informatif/ administratif	Fasilitator	Perkembangan Huntap	Grup Whatsapp	Selesai
59	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi Calon penerima Huntap	Datang Langsung	Selesai
60	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi huntap	Grup Whatsapp	Selesai
61	WTB Calon Penerima Huntap	Informatif/ administratif	Asisten/Korwil	Status lahan asal	Sosialisasi	Selesai
62	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	status WTB	Sosialisasi	Selesai
63	Masyarakat Umum	Informatif/ administratif	Fasilitator	SK keberhakan	Whatsapp	Selesai
64	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Progres Huntap	Telpon	Selesai
65	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Status huntap	Whatsapp	Selesai
66	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi huntap tondo 2	Telpon	Selesai
67	WTB Calon Penerima Huntap	Informatif/ administratif	Tim Leader, Asisten/Korwil	Status Keberhakan	Whatsapp	Selesai
68	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Perkembangan Huntap Tondo 2	Whatsapp	Selesai
69	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi Grup	Whatsapp	Selesai
70	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Keberhakan	Datang Langsung	Selesai

No	Claimant	Case Category	Submit to	Topic	Received from	Status
71	Masyarakat Umum	Informatif/ administratif	Fasilitator	Pendaftaran Huntap	Datang Langsung	Selesai
72	WTB Calon Penerima Huntap	Masalah	Pemda Kota Palu, Asisten/Korwil, Fasilitator	Menolak direlokasi	Telpon	Selesai
73	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi terbaru mengenai huntap	Grup Whatsapp	Selesai
74	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi sosialisasi	Telpon	Selesai
75	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Status Huntap	Whatsapp	Selesai
76	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi	Sosialisasi	Selesai
77	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi status huntap	Sosialisasi	Selesai
78	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi tondo 2	Telpon	Selesai
79	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi huntap tondo 2	Whatsapp	Selesai
80	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi pokmas	Grup Whatsapp	Selesai
81	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi lahan terdampak	Sosialisasi	Selesai
82	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi huntap	Telpon	Selesai
83	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Fasilitator	Perkembangan Huntap Bulan Mei	Telpon	Selesai
84	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Dana pengganti Lahan Huntap	Whatsapp	Selesai
85	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Masalah Pokmas dan Perkembangan Huntap	Whatsapp	Selesai
86	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi pengurusan huntap	Grup Whatsapp	Selesai
87	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi terbaru huntap tondo 2	Grup Whatsapp	Selesai
88	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi terbaru huntap	Grup Whatsapp	Selesai
89	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan, Asisten/Korwil, Fasilitator	Pembangunan Huntap Tondo 2	Whatsapp	Selesai
90	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan, Asisten/Korwil, Fasilitator	Status Pembangunan Huntap Tondo 2	Rembug	Selesai
91	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi data wtb yang melengkapi	Grup Whatsapp	Selesai
92	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi pengurusan berkas	Whatsapp	Selesai
93	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi pembangunan huntap	Grup Whatsapp	Selesai
94	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi	Grup Whatsapp	Selesai
95	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi pembangunan huntap	Grup Whatsapp	Selesai
96	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi huntap	Telpon	Selesai
97	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi data	Whatsapp	Selesai
98	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Huntap	Whatsapp	Selesai
99	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi Huntap	Whatsapp	Selesai
100	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi penerima huntap tondo	Whatsapp	Selesai
101	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Fasilitator	Kriteria penerima Huntap Tondo 2	Whatsapp	Selesai
102	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi terbaru huntap	Whatsapp	Selesai
103	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Kelengkapan berkas WTB	Whatsapp	Selesai
104	WTB Calon Penerima Huntap	Masalah	Pemerintah Daerah Kota Palu, Asisten/Korwil	WTB menolak di Relokasi	Datang Langsung	Selesai
105	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan, BPPW, Tim Leader, Asisten/Korwil, Fasilitator	Waku Pembangunan Huntap	Datang Langsung	Selesai
106	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Kriteria Keberhakkan	Telpon	Selesai

No	Claimant	Case Category	Submit to	Topic	Received from	Status
107	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Pembangunan HUNTAP	Datang Langsung	Selesai
108	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Kriteria Keberhakkan	Telpon	Selesai
109	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Alamat Kantor	Datang Langsung	Selesai
110	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Waktu Pembangunan	Grup Whatsapp	Selesai
111	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	SK Penerima Huntap	Datang Langsung	Selesai
112	WTB Calon Penerima Huntap	Informatif/ administratif	Pemerintah Daerah Kota Palu	Status Lahan Tondo 2	Datang Langsung	Selesai
113	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Kapan Pembangunan ?	Datang Langsung	Selesai
114	Masyarakat Umum	Informatif/ administratif	Fasilitator	Pindah Huntap	Datang Langsung	Selesai
115	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Status penghunian	Whatsapp	Selesai
116	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi pembangunan Huntap	Whatsapp	Selesai
117	WTB Calon Penerima Huntap	Informatif/ administratif	Fasilitator	Informasi	Whatsapp	Selesai
118	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu	status pembangunan huntap	Telpon	Selesai
119	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan, BPPW, Asisten/Korwil, Fasilitator	Zonasi tempat tinggal asal	Datang Langsung	Selesai
120	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan	Lahan huntap	Datang Langsung	Selesai
121	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan, Tim Leader, Fasilitator	Lahan huntap	Datang Langsung	Selesai
122	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Fasilitator	status huntap tondo 2	Whatsapp	Selesai
123	Fasilitator Huntap	Masalah	Tim Leader, Asisten/Korwil	Keberhakkan	Datang Langsung	Selesai
124	Pihak kelurahan	Informatif/ administratif	Pemda Kota Palu, Asisten/Korwil, Fasilitator	Pengaduan warga Watusampu	Datang Langsung	Selesai
125	WTB Calon Penerima Huntap	Informatif/ administratif	Pemda Kota Palu, Satker Perumahan, BPPW, Tim Leader, Asisten/Korwil, Fasilitator	Proses Penyelesaian lahan dan waktu penghunian	Datang Langsung	Selesai

CHAPTER VIII

MONITORING, EVALUATION, AND REPORTING

Monitoring is an information-gathering activity that is carried out continuously to ensure an activity has been carried out according to the plan. Monitoring is carried out on the land acquisition process, starting from preparation, planning, implementation, and land certification. The results of monitoring activities are used to improve implementation quality and adjustments to the plan. Monitoring objectives are:

1. Ensure that the progress of the implementation of land acquisition activities is not late from the predetermined schedule;
2. Ensure that the land acquisition process follows the applicable guidelines and rules, that the land must be supported by complete and accurate official documents;
3. Ensure that environmental and social impacts are still within the specified corridor limits

Through the Mayor's Decree No. 650/801/DPRP/2019, a working group for the Land Acquisition and Resettlement Program for the Post-Natural Disaster Rehabilitation and Reconstruction Program in Palu City was established. The decree explains that one of the tasks and functions of the team is to monitor, evaluate and report all rehabilitation and reconstruction activities in Palu City. The CPMU of NSUP-CERC and CPMU of CSRRP will monitor the overall progress of land acquisition including the land claims, complaints/demands from the ex-HGB holders and ensure that construction will be carried out on the physically and legally clean and clear land and all eligible DAPs are provided land tenure security in the Tondo-2 permanent housing site. Meanwhile, the Palu City Housing, Settlement and Palu City Office of the Ministry of Agrarian and Spatial Planning/National Agency will be the leading agencies in the implementation of land acquisition activities at the Project/field level and provide regular reporting and evaluating activities.

Monitoring, evaluation and reporting activities must be carried out at least once every three months and reported to the Mayor of Palu and the Task Force Team for the Acceleration of Rehabilitation and Reconstruction of Central Sulawesi Province. The mechanism for reporting, evaluation and reporting activities is carried out through regular meetings. In connection with the COVID-19 pandemic, meetings to discuss the progress of activity monitoring, evaluation and reporting are conducted online once a month. If there are problems that must be followed up with direct meetings, meetings can be held with limited

participants and will only involve the relevant agencies. Field meetings are held when problems are found in the field.

8.1 Principle of Implementation of Monitoring, Evaluation and Reporting

The implementation of monitoring, evaluation, and reporting requires coordinated efforts to achieve a unified view and attitude among the land acquisition team in Palu City. This integration is carried out to avoid any misalignment of information in the land acquisition process to the granting of land rights to disaster-affected people. Monitoring, evaluation, and reporting are carried out continuously during the process of preparing and implementing the Due Diligence Report and Action Plan. Meanwhile, the monitoring report will be prepared quarterly during the process of preparing and implementing Due Diligence Report and Action Plan. The monitoring process emphasizes the following principles:

- **CENTRALIZED & INTEGRATED**, meaning that the implementation of monitoring, evaluation, and reporting is carried out through clear coordination and prioritizing integrated actions by the central government, district, village, and community governments;
- **CONTINUOUS**, the implementation is carried out routinely throughout the implementation of land acquisition so that all obstacles and limitations are immediately resolved;
- **OBJECTIVE AND PROFESSIONAL**, the implementation is carried out based on complete and accurate data analysis in order to produce the right input in order to support the land acquisition process for permanent housing locations.
- **PARTICIPATORY**, meaning that all program actors and stakeholders in land acquisition actively participate in monitoring, evaluation, and reporting activities.
- **TRANSPARENT**, meaning that monitoring, evaluation, and reporting are carried out openly and easily accessible to all parties.
- **ACCURATE**, meaning that the information submitted must use correct, precise, and accountable data.

8.2 Monitoring in Land Acquisition Process and Permanent Housing Development

In the process of land acquisition for permanent housing, monitoring is carried out so that the land acquisition process takes place according to the planned target. Starting from the process of preparing land acquisition plans for permanent housing, to granting land rights to disaster-affected residents. Monitoring is also carried out so that the land acquisition process does not cause social problems to residents who will inhabit the land where

permanent housing will be built. Based on the DDA, the action plan to ensure land of Tondo-2 clean and clear was presented in the previous chapter. Monitoring is carried out by checking the stages, completeness of documents, availability of supporting infrastructure in the land acquisition process, and the process of granting rights to disaster-affected residents.

Table VIII - 1 Past Activities and Monitoring Plans for Land Acquisition and Development Activities in the Tondo-2 Permanent Housing Site

No.	Activity	Monitoring Indicator	Responsible Agency	Sources of funding	Implementation Time	Status
Land Acquisition on the Ex-HGB land and settlement of land claims and construction						
1.	Location determination of the permanent housing site including Tondo-2	Issuance of Decree of Governor of 2018 regarding Location Determination	Government of Central Sulawesi Province	-	2018	Completed
2.	Release of Building Use Rights (30 hectares) by PT Sinar Waluyo and PT Sinar Putra Murni	Letter of release of Building Use Rights of PT. Sinar Waluyo and PT Sinar Putra Murni	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning	-	2019	Completed
3.	Land measurement (65,3 hectares)	<ul style="list-style-type: none"> Physical limitations barrier Map of land measurement results 	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning	-	2020	Completed
4.	Installation of pegs for the boundaries of permanent housing land in Tondo 2 (65,3 hectares)	Field survey for sites to install the pegs and pegs that have been installed	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning	National Revenues and Expenditures Budget	2020	Completed
5.	Land clearing/development (65,3 hectares)	<ul style="list-style-type: none"> Documentation of land clearing/development activities. Volume of land clearing/development work 	BPPW of Central Sulawesi	NSUP-CERC	2020	Completed
6.	Confirmation of the location and its boundaries that will be used as permanent housing location	Location and land boundaries indicating that the claimed land is located outside of Tond- 2 permanent housing site	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning	Palu City Revenue and Expenditure Budget	February 2022	Completed
7.	Settlement of 47 claimants and confirmation on the location of the two SHMs land	<ul style="list-style-type: none"> Minutes, list of attendance, agreement letters, etc., on the socialization to land claimants and ex-HGB holders Letter of cancellation of Residential Certificate issued in 1994 Identification of the physical location of 47 plots of land with SKPTs and 2 plots of land with SHMs that are claimed to be outside of Tondo-2 permanent housing 	Palu City Government, Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning	-	March 2022	Completed

No.	Activity	Monitoring Indicator	Responsible Agency	Sources of funding	Implementation Time	Status
8.	Confirmation of land status for permanent housing according to the location and boundaries that have been set (point #5)	Issuance of a letter or statement on the land status of Tondo-2 permanent housing	Ministry of Agrarian Affairs and Spatial Planning/National Land Agency	-	March 31, 2022	Completed
9.	Settlement of claims from concessionaires (PT. SW and PT. SPM)	Documentations of the process and results of the settlement on the ex-HGB holders'/demands	Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, Palu City Government, Central Sulawesi Province Government		2022	In progress
10.	Bidding	The tender for construction of Tondo-2 permanent housing and infrastructure	Central Sulawesi II Housing Provision Center (BP2P Sulawesi II) and BPPW of Central Sulawesi	State Revenues and Expenditures Budget	2022	Not yet
11.	Contract Signing	The work contract of Tondo-2 permanent housing and infrastructure	Central Sulawesi II Housing Provision Center (BP2P Sulawesi II) and BPPW of Central Sulawesi	State Revenues and Expenditures Budget	2022	Not yet
12.	Construction of permanent housing and supporting infrastructure	<ul style="list-style-type: none"> • Documentation of construction activities for permanent housing and supporting infrastructure • Number of permanent housing and supporting infrastructure built. • Building/infrastructure quality of work • Timeliness of execution of work 	BP2P and BPPW of Central Sulawesi	CSRRP	2022	Not yet
13.	Handover of assets (permanent housing, infrastructure, public facilities) to related parties through agreements and applicable rules	Documentation and minutes of asset handover activities from the Ministry of Public Works and Housing to the Palu City Government	Ministry of Public Works and Housing	CSRRP	2023	Not yet
Process of providing land for the permanent housing for the Disaster-Affected Peoples (DAPs)						
14.	Finalization of data on Disaster Affected Peoples and preparation of Mayor Decree on the list of names of DAPs for Tondo 2	Occupancy Decree Document	Local Disaster Management Agency Palu City	Palu City Revenue and Expenditure Budget	2022	In progress

No.	Activity	Monitoring Indicator	Responsible Agency	Sources of funding	Implementation Time	Status
15.	Announcement of the final list of Disaster Affected Persons who are recipients of Tondo-2 permanent housing, which is accompanied by information on land area, rights and obligations of Disaster Affected Peoples, rights to land and buildings to be received along with their requirements, schedule of relocation and organization of permanent housing site management, as well as contact for complaints	Documentation of publication/announcement activities to Disaster Affected Peoples	Palu City Government	Palu City Revenue and Expenditure Budget	2022	Not yet
16.	Issuance of the Mayor's Decree on list of names of DAPs that will be given permanent houses in Tondo-2	Mayor's Decree on the list of DAPs to be provided permanent houses in Tondo-2	Mayor Office	CG of Palu Revenues and Expenditures Budget	2022	Not yet
17.	Discussion with the Disaster Affected Peoples for Block Selection in the permanent housing site	<ul style="list-style-type: none"> Documentation of Deliberation Activities The result of the plots block selection 	Local Disaster Management Agency of Palu City	Regional Revenue and Expenditure Budget	2022	Not yet
18.	Announcement of the names of the Disaster Affected Persons and the location of the plots	List of names of Disaster Affected People according to land plots	Local Disaster Management Agency of Palu City	Regional Revenue and Expenditure Budget	2022	Not yet
19.	Preparation of Relocation Action Plan	Document of relocation action plan RAP)	Palu City Government	Regional Revenue and Expenditure Budget	2022	Not yet
20.	Discussion and agreement on land rights for each type of asset taking into account the participation of men and women (individual, communal, public)	Documentation of discussion activities	Local Disaster Management Agency of Palu City	Regional Revenue and Expenditure Budget	2023	Not yet

No.	Activity	Monitoring Indicator	Responsible Agency	Sources of funding	Implementation Time	Status
21.	Relocation of Disaster Affected Peoples to the Tondo-2 permanent housing site	<ul style="list-style-type: none"> • Occupancy documentation • Minutes of handover of keys to the Disaster Affected Peoples 	Ministry of Public Works and Housing and Palu City Government	CSRRP	2023	Not yet
22.	Agreement on the names of the parties to be included in the certificate (both assets that are individual, communal, public)	List of names of parties to be included in the certificate	Central Sulawesi Regional Office of the Ministry of Agrarian and Spatial Planning	-	2023	Not yet
23.	Submission of land rights (HAT) for each type of asset (permanent housing, infrastructure and public facilities)	Relevant agencies submit applications for certificate issuance for each right holder (Disaster Affected People, infrastructure, public facilities) in accordance with the agreement with each related party	Palu City Office of the Ministry of Agrarian and Spatial Planning/National Agency	Regional Revenue and Expenditure Budget	2023	Not yet
24.	Relevant agencies process land administration related to the issuance and issuance of certificates for each type of asset (individual, communal, public)	Spatial Planning and Land Office issues a Deposit Order then the Palu City Spatial Planning and Land Office paid the Deposit Order to the State Treasury.	Palu City Office of the Ministry of Agrarian and Spatial Planning/National Agency	Regional Revenue and Expenditure Budget	2023	Not yet
25.	Process of certificate issuance for each type of asset (permanent housing, infrastructure, and public facilities).	<p>After the payment is made, the Agrarian Affairs and Spatial Planning/National Land Agency assigns its team to measure the land plots and process the issuance of certificates for each type of asset built in the Tondo 2 permanent residence (individual, communal, public)</p> <ul style="list-style-type: none"> • Payment Proof of Deposit Order by the Spatial Planning and Land Office of Palu City • Land plots measurement results 	Palu City Office of the Ministry of Agrarian and Spatial Planning/National Land Agency	National Revenues and Expenditures Budget	2023	Not yet
26.	Handover of certificate to the relevant parties (individual/DAPs, communal, public)	Certificates on the land plots of the houses handed over to the Disaster Affected Peoples and other parties.	City Government (CG) of Palu	Regional Revenue and Expenditure Budget	2023	Not yet
27.	Complaint handling	Number, type, subject, source of complaints and follow-up status, including land claimants, if any	The Project/BPPW of Central Sulawesi/CG of Palu	Regional Revenue and Expenditure Budget	2019 onwards	Continuation, in progress

ATTACHMENT

Attachment 1
Decree of Location Determination of the Land for the Permanent Housing Sites for the
Disaster Affected Peoples in Central Sulawesi Province
No.369/516/DIS.BMPR-G.ST/2018



GOVERNOR OF CENTRAL SULAWESI

DECREE OF THE GOVERNOR OF CENTRAL SULAWESI

DECREE NUMBER: 369/516/DIS.BMPR-G.ST/2018

ON

LOCATION DETERMINATION OF THE LAND FOR THE PERMANENT
HOUSING SITES FOR THE DISASTER AFFECTED PEOPLES IN CENTRAL
SULAWESI PROVINCE

GOVERNOR OF CENTRAL SULAWESI,

Considering :

- a. that the earthquake natural disaster that occurred on September 28th 2018, accompanied by a tsunami and liquefaction in several areas of Central Sulawesi Province, resulted in damage to housing, houses of worship, office buildings, and public facilities as well as casualties. Therefore, recovery measures are needed in the form of providing permanent housing, green open space, public facilities, and infrastructure as well as offices with the provision of land as a relocation;
- b. that the Disaster-Prone Zone on the Map of the Disaster-Prone Zone of Palu and its surroundings has been agreed upon by the Ministry of National Development Planning Agency, Ministry of Land and Spatial Planning/National Land Agency, Meteorology and Geophysics Agency, Ministry of Energy and Mineral Resources and Ministry of Public Works and Housing on December 12, 2018, and has been jointly signed by the Mayor/Governor whose city was exposed to the disaster on December 20, 2018 as an integral part in determining the location of permanent housing;

Observing :

- c. that based on the provisions of Article 49 paragraph (1) and paragraph (2) of Law Number 2 of 2012 concerning Procurement of Development Land for Public Interest, the Determination of the Location of the Disaster Development Plan is determined by the Governor;
 - d. that based on the considerations as referred to in a, b and c, it is necessary to establish a Governor's Decree concerning the Determination of Land Locations for Relocation of Disaster Recovery in Central Sulawesi Province;
- 1. Law Number 5 of 1960 on Basic Regulations on Agrarian Principles (State Gazette of the Republic of Indonesia Number 2043);
 - 2. Law Number 13 of 1964 on Establishment Government Regulation in Lieu of Law Number 2 of 1964 on Formation of Level I Regions of Central Sulawesi and Level I Regions of Southeast Sulawesi by amending Law Number 47 Prp of 1960 on Formation of Level I Regions of Sulawesi North-Central and Level I Regions of South-Southeast Sulawesi (State Gazette of the Republic of Indonesia of 1964 Number 07) become Laws (State Gazette of the Republic of Indonesia of 1964 Number 94, Supplement to the State Gazette of the Republic of Indonesia Number 2687);
 - 3. Law Number 24 of 2007 on Disaster Management (State Gazette of the Republic of Indonesia of 2007 Number 66, Supplement to the State Gazette of the Republic of Indonesia Number 4723);
 - 4. Law Number 2 of 2012 on Land Procurement for Development in the Public Interest (State Gazette of the Republic of Indonesia of 2012 Number 22, Supplement to the State Gazette of the Republic of Indonesia Number 5280);
 - 5. Law Number 23 of 2014 on Regional Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as last amended by Law Number 9 of 2015 on the Second Amendment to Law Number 23 of 2014 on Regional Government (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);
 - 6. Presidential Regulation Number 36 Year 2005 on Land Procurement for Public Interest, as amended by Presidential Regulation Number 65 Year 2006 on Amendment to Presidential Regulation Number 36 Year 2005 on Land Acquisition for Public Interest

(State Gazette of the Republic of Indonesia Year 2005 Number 156) ;

7. Presidential Regulation Number 71 of 2012 on Procurement of Development Land for Public Interest (State Gazette of the Republic of Indonesia of 2012 Number 156);

Regarding : Letter of the Minister of National Development Planning/Chairperson of the National Development Planning Agency dated October 31, 2018 Number B.579/M.PPN/D.2/HM.01.01/10/2018 Regarding Submission of Location Maps in the Context of Issuing Location Determination for Relocation

HAS DECIDED

To enact : DECREE OF THE GOVERNOR OF CENTRAL SULAWESI ON DETERMINATION OF DISASTER RELOCATION LAND LOCATIONS IN CENTRAL SULAWESI PROVINCE

FIRST Determination of Disaster Relocation Land Locations in Central Sulawesi Province for the provision of permanent residential, green open spaces, public facilities and infrastructure and offices.

SECOND The location of the land as referred to in the FIRST Dictum is as follows:

a. Palu City, area of 560,93 Ha

1. Tatanga Sub-District, area of 79,3 Ha, located in Duyu Village

2. Mantikulore Sub-District, area of 481,63 Ha, located in Tondo Village dan Talise Village; and

b. Sigi Regency area of 362 Ha, located in Sigi Biromaru Sub-District covering area of:

1. Pombewe Village area of 201,12 Ha; and

2. Olobiju Village area of 160,88 Ha

THIRD The Earthquake Recovery Relocation Land Location Map as referred to in the SECOND Dictum is contained in the appendix which is an integral part of this Governor's Decree.

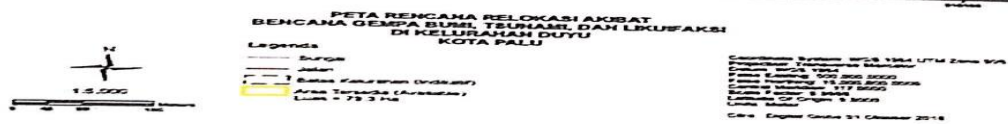
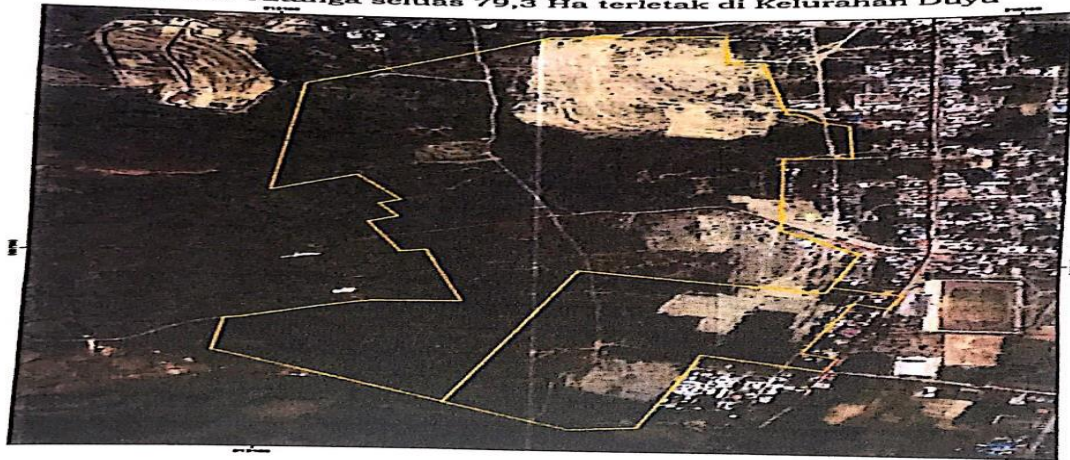
FOURTH This Governor Decree shall come into force on the date of establishment.

Issued in Palu
On December 28, 2018
GOVERNOR OF CENTRAL SULAWESI

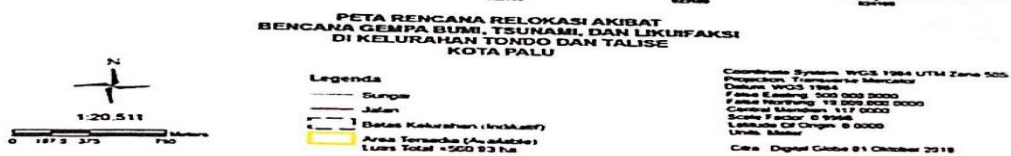
LONGKI DJANGGOLA

LAMPIRAN
KEPUTUSAN GUBERNUR SULAWESI TENGAH
NOMOR : 369/516/015-244/R-G-17/2018
TENTANG
PENETAPAN LOKASI TANAH RELOKASI PEMULIHAN AKIBAT
BENCANA DI PROVINSI SULAWESI TENGAH.

- A. Kota Palu seluas 560,93 Ha yang meliputi :
1. Kecamatan Tatanga seluas 79,3 Ha terletak di Kelurahan Duyu

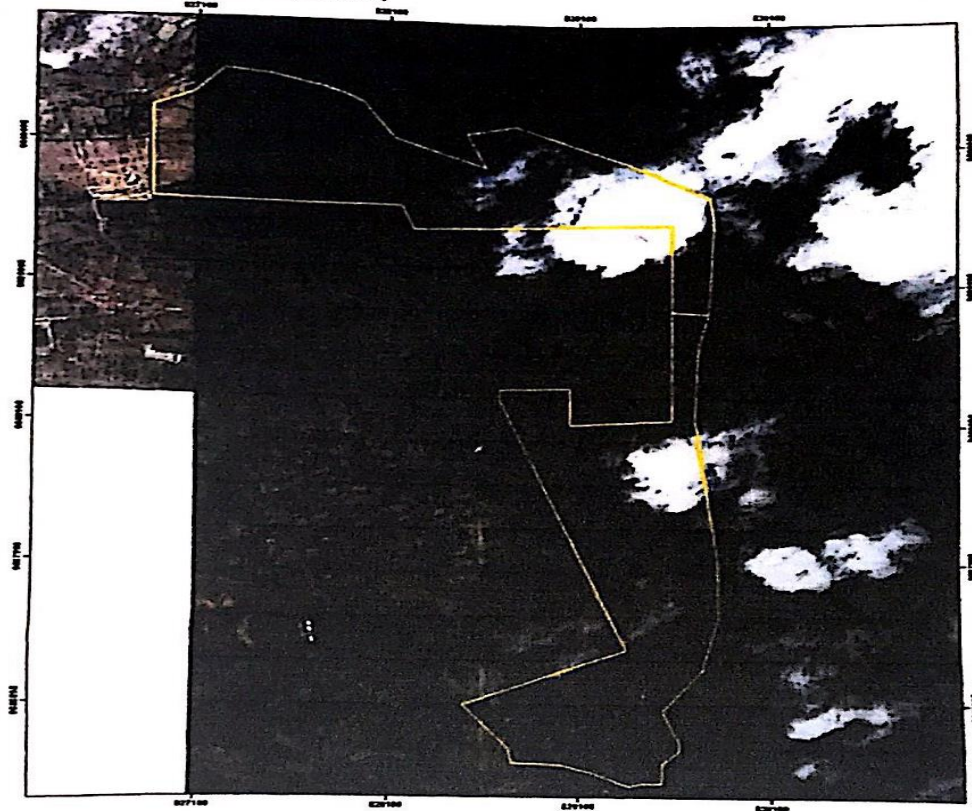


2. Kecamatan Mantikulore seluas 481,63 Ha terletak di Kelurahan Tondo dan Kelurahan Talise.

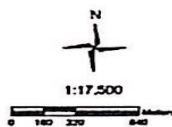


B. Kabupaten Sigi seluas 362 Ha terletak di Kecamatan Sigi Biromaru meliputi:

1. Desa Pombewe seluas 201,12 Ha;
2. Desa Oloboju 160,88 Ha;



**PETA RENCANA RELOKASI AKIBAT
BENCANA GEMPA BUMI, TSUNAMI, DAN LIKUFAKSI
DI DESA POMBEWE DAN OLOBOJU
KABUPATEN SIGI**



Legenda
 — Sungai
 — Jalan
 - - - Batas Kelurahan (Indikasi)
 — Area Tersedia (Available)
 Luas Total = 362 Ha

Coordinate System: WGS 1984 UTM Zone 50S
 Projection: Transverse Mercator
 Datum: WGS 1984
 False Easting: 500,000,000
 False Northing: 10,000,000,000
 Central Meridian: 117,0000
 Scale Factor: 0.9998
 Latitude Of Origin: 0,0000
 Units: Meter
 Date: Digital Globe 01 Oktober 2018

GUBERNUR SULAWESI TENGAH,



**PRESIDENT OF
REPUBLIC OF INDONESIA**

REPUBLIC OF INDONESIA PRESIDENTIAL INSTRUCTION

NUMBER 10 YEAR 2018

REGARDING

**THE ACCELERATION OF EARTHQUAKE AND TSUNAMI POST DISASTER
REHABILITATION AND RECONSTRUCTION IN CENTRAL SULAWESI
PROVINCE AND OTHER AFFECTED AREAS**

PRESIDENT OF REPUBLIC OF INDONESIA,

In order to accelerate the earthquake and tsunami post disaster rehabilitation and reconstruction in Central Sulawesi Province and other affected areas for the recovery of community's social and economic life in the affected areas, hereby instruct:

To :

1. Ministers
2. Commander of the Indonesian National Army
3. Police Chief of Republic of Indonesia
4. General Attorney of Republik of Indonesia
5. Heads of Non-Ministerial Government Agencies
6. Governor of Central Sulawesi Province, and
7. Regent/Mayor in the affected areas.

To :

FIRST:

Carry out according to the respective duties, function, and authorities in the context of acceleration of earthquake and tsunami post disaster rehabilitation and reconstruction in Central Sulawesi Province and other affected areas that caused a casualties, displacement, damage, and loss in several sectors through the following activities:

A. Rehabilitations that consists of:

8. Improvement of disaster area environment
9. Improvement of public facilities and infrastructure
10. Providing assistance for community home repairs
11. Recovery of psychological social
12. Health service
13. Recovery of social, economic, and culture

- 14.Recovery of safety and orderliness
- 15.Recovery of government functions, and
- 16.Recovery of public service functions

b. Reconstructions that consist of:

1. Rebuilding the facilities and infrastructure
2. Rebuilding the facilities of social public
3. Revitalization of socio-cultural life of the community
4. The application of proper design and better use of equipment and disaster resistant
5. Participation of institutions and community organizations, the business world and the community
6. Improvement of social, economic, and culture conditions
7. Improving the function of public services, dan
8. Improving the main services in the community

c. Rehabilitation and reconstruction by prioritizing facilities in the form of educational facility, health facility, religious facilities, and economic support facilities so that activities can function again.

SECOND :

Carry out the steps according the task, function, and the respective authorities to support the acceleration of earthquake and tsunami post disaster rehabilitation and reconstruction through:

- a. Preparation of activity plans with priority scale
- b. Coordination with related ministries/agencies and provnial government, and district/city government
- c. Coordination of the acceleration of rehabilitation and reconstruction of the function of public service for communities in districts/cities and disaster affected areas
- d. Partnerships with various parties including the participation of the business world, non-governmental organizations, communities, and universities especially local universities, and
- e. Implementation of rehabilitation and reconstruction activities in an integrated, effective, efficient, and accountable

THIRD : Specifically to:

1. Coordinating Minister for Political, Legal, and Security Affairs
 - a. Coordinating aid from abroad in the context of implementing the earthquake and tsunami post disaster rehabilitation and reconstruction, and
 - b. Facilitates the coordination of ministries/institutions in maintaining political satability, law, and security in districts/cities and disaster affected areas

2. Coordinating Minister for Human Development and Culture facilitates the coordination of ministries/institutions in accelerating earthquake and tsunami post disaster rehabilitation and reconstruction
3. Coordinating Minister for Economic Affairs facilitates the coordination of ministries/agencies in solving problems regarding the economy which is constrained by disasters.
4. Coordinating Minister for Maritime Affairs facilitates the coordination of ministries/ agencies in providing support for the acceleration of post-earthquake and tsunami rehabilitation and reconstruction through maritime resource management.
5. Minister of Public Works and Public Housing
 - a. Carry out rehabilitation and reconstruction of public infrastructure in accordance with their respective authorities
 - b. Carry out rehabilitation and reconstruction of educational facilities, health facilities, religious facilities, and economic support facilities as well as basic infrastructure that got affected by the earthquake and tsunami by using funding sourced from the State Revenue and Expenditure Budget which is carried out in accordance with the provisions of law and regulations
 - c. Coordinate with the Head of the National Board of Disaster Management, the Minister of Religion, the Minister of Education and Culture, the Minister of Health, the Minister of Energy and Mineral Resources, the Minister of Trade, the Minister Cooperatives and Small and Medium Enterprises, and the Minister of Maritime Affairs and Fisheries, and the provincial and district/city governments in the context of post-earthquake and tsunami rehabilitation and reconstruction
 - d. Take steps to accelerate the post-earthquake and tsunami rehabilitation and reconstruction by conducting technical cooperation with relevant ministries/institutions
 - e. Be responsible and supervising the implementation of the rehabilitation and reconstruction of educational facilities, health facilities, religious facilities, and economic support facilities as well as basic infrastructure after the earthquake and tsunami disaster
 - f. Provide assistance and supervision in the context of building earthquake resistant housing which is carried out with a self management and contractual scheme by the community and
 - g. Propose budget requirements for accelerating earthquake and tsunami post disaster rehabilitation and reconstruction

to the Head of the National Board of Disaster Management.

6. Minister of Home Affairs
 - a. Facilitate the budget availability to the earthquake and tsunami post disaster rehabilitation and reconstruction in the Regional Revenue and Expenditure Budget, and
 - b. Conduct a guidance on the management of regional property on goods that have been received by the provincial and district/city governments originating from the State Revenue and Expenditure Budget and the State Budget Regional Income and Expenditure.
7. The Minister of Foreign Affairs coordinates with the Coordinating Minister for Political, Legal, and Security Affairs, and the Head of the National Board of Disaster Management in order to facilitate the receipt of aid from abroad for rehabilitation and reconstruction after the earthquake and tsunami disaster.
8. Minister of Religion
 - a. Accelerate the re-functioning of community services in the field of religion
 - b. Accelerate the restart of teaching and learning activities in religious education institutions
 - c. Accelerate the recovery of religious activities in places of worship
 - d. Facilitate the archives and documents rescue to religious services, as well as the other religious archive and documents, and
 - e. Facilitate the providing of religious counseling guidance for trauma victims.
9. Minister of Education and Culture
 - a. Coordinate with the Head of the National Board of Disaster Management , the Minister of Public Works and Public Housing, and the provincial and district/city governments in the context of earthquake and tsunami post disaster rehabilitation and reconstruction for educational facilities damaged by the disaster
 - b. Carry out the restoration of the function of the teaching and learning process in districts/cities and areas affected by disasters
 - c. Conduct the disaster preparedness education in affected education units for teachers, education staffs, students, and the community, and
 - d. Carry out a recovery for children affected by disasters to be given assistance back to school
10. Minister of Research, Technology and Higher Education to increase the participation of universities in order to facilitate

students who are unable to carry out the teaching and learning process in districts/cities and areas affected by disasters.

11. Minister of Health
 - a. Coordinate with National Disaster Management Agency, the Minister of Public Works and Public Housing, and the provincial and district/city governments in the context of post-earthquake and tsunami rehabilitation and reconstruction for health facilities and infrastructure, and
 - b. Carry out the disease prevention and control, health service, medical rehabilitation, and pharmacy to disaster affected communities
12. Minister of Social Affairs
 - a. Carry out social rehabilitation and social protection for communities in districts/cities and disaster affected areas, and
 - b. Coordinate with the Head of the National Board of Disaster Management, the Minister of Public Works and Public Housing, and provincial and district/city governments in the context of post-earthquake and tsunami rehabilitation and reconstruction for social protection facilities and infrastructure.
13. Minister of Energy and Mineral Resources
 - a. Ensure the availability of electricity, solar based street lighting, Energy Saving Solar Lamps, oil fuel, and Liquefied Petroleum Gas
 - b. Conduct studies on earthquake prone areas and provide recommendations
 - c. carry out regional drilling including in water-poor the provision of clean water, and
 - d. Coordinate with the Head of the National Board of Disaster Management, the Minister of Public Works and Public Housing, and provincial and district/city governments in the context of post-earthquake and tsunami rehabilitation and reconstruction.
14. Minister of Transportation
 - a. Coordinate with the Head of the National Board of Disaster Management, the Minister of Public Works and Public Housing, and provincial and district/city governments in the context of post-earthquake and tsunami rehabilitation and reconstruction of facilities and infrastructure in the transportation sector damaged by the disaster
 - b. Responsible for the creation of a smooth flow of services in and out of goods and people through transportation facilities and infrastructure
 - c. Coordinate and provide services for the transportation of aid and refugees as well as aid distribution, and

- d. Preparing human resources and available resource to realize the operation of transportation in a safe, smooth, and orderly manner.
- 15. Minister of Communication and Information Technology
 - a. Carry out the restoration of infrastructure damaged by the disaster, and
 - b. Carry out the management of information and public communication for the acceleration of rehabilitation and reconstruction after the earthquake and tsunami disaster.
- 16. The Minister of Agriculture coordinate with the Head of the National Board of Disaster Management, the Minister of Public Works and Public Housing, and provincial and district/city governments in order to take an inventory of the damage to agricultural infrastructure and accelerate the rehabilitation and reconstruction of agricultural infrastructure damaged by the disaster.
- 17. The Minister of Maritime Affairs and Fisheries coordinate with the Head of the National Board of Disaster Management, the Minister of Public Works and Public Housing in order to carry out the steps to accelerate the rehabilitation and reconstruction of disaster affected coastal areas for the recovery of marine and fishery sector activities
- 18. Minister of Environment and Forestry:
 - a. Coordinate with the Head of the National Board of Disaster Management, the Minister of Public Works and Public Housing in the use of forest areas as a relocation for victims of the earthquake and tsunami disaster, and
 - b. Carry out pollution control and environmental damage due to disasters
- 19. The Minister of Villages, Development of Disadvantaged Regions and Transmigration optimizes the use of village funds to accelerate rehabilitation and reconstruction after the tsunami earthquake in disaster affected villages.
- 20. Minister of National Development Planning/Head of National Development Planning Agency:
 - a. Coordinate the preparation of master plan for rebuilding the post earthquake and tsunami disaster area with the Minister of Public Works and Public Housing, the Minister of Agrarian Affairs and Planning/Head of the National Land Agency, and the Head of the National Board of Disaster Management
 - b. Coordinate the facilitation of the preparation of post-earthquake and tsunami rehabilitation and reconstruction action plan with the Head of National Board of Disaster Management and local governments

- c. Coordinating the planning of programs and activities of ministries/agencies together with the Minister of Finance for post-earthquake and tsunami rehabilitation and reconstruction
 - d. Coordinate and facilitate collaboration and partnerships with companion countries, international organizations/institutions and development partners in planning and allocating the funding for the post-earthquake and tsunami rehabilitation and reconstruction together with the Minister of Foreign Affairs, Minister of Finance, and the Head of National Board of Disaster Management, and
 - e. Assistance to local government in preparation of plans for economic recovery and rebuilding in disaster affected areas
21. The Minister of State-Owned Enterprises optimizes the participation of State-Owned Enterprises to support the acceleration of post-earthquake and tsunami rehabilitation and reconstruction
22. Minister of Tourism:
- a. Restore human and institutional resources in the form of tourism human resources, communities, and the tourism industry in disaster affected destination
 - b. Conduct an inventory of disaster affected tourism destinations in the form of attractions, accessibility, amenities, and coordinate with relevant ministries/agencies for recovery strategies
 - c. Carry out marketing restoration in destinations not affected by disasters in the form of branding, advertising and selling, and
 - d. Provide information services and tourists when a disaster occurs
23. Minister of Manpower
- a. Implement programs to increase workforce competence and productivity
 - b. Implementing the placement and empowerment program for workers, and
 - c. Implement labor protection programs and develop a labor inspection system.
24. Minister of Industry:
- a. Coordinating resource utilization industry to accelerate recovery and increasing industrial business activities
 - b. Provide facilitation and support to the priority industrial business activities for small and medium sized industries through industrial empowerment programs, and
 - c. Carry out the rebuilding of facilities and industrial infrastructure, including industrial infrastructure and supporting infrastructure for industrial areas affected by the disaster.
25. Minister of Cooperatives and Small and Medium Enterprises:

- a. Coordinate with the Coordinating Minister for Economic Affairs, Minister of Finance, Chairman of the Board of Commissioners of the Financial Services Authority and Banking in implementing credit restructuring for cooperatives and micro, small, and medium enterprises affected by the disaster
 - b. Coordinate with the Head of the National Board of Disaster Management, the Minister of Public Works and Public Housing, and provincial and district/city governments in the context of post-earthquake and tsunami rehabilitation and reconstruction of facilities and infrastructure of cooperatives and micro, small and medium enterprises, and
 - c. Facilitate and support activities in the context of increasing business capacity for cooperatives and micro, small and medium enterprises.
- 26. Minister of Trade:
 - a. Carry out the restoration of trading activities to accelerate economic recovery in districts/cities and areas affected by disasters, and
 - b. Coordinate with the Head of the National Board of Disaster Management, the Minister of Public Works and Public Housing, and provincial and district/city governments in the context of post-earthquake and tsunami rehabilitation and reconstruction for trading facilities and infrastructure
- 27. Minister of Finance:
 - a. Provide facilitation and support for budget revision processes proposed by ministries/agencies for the completion of accelerated rehabilitation and reconstruction after the earthquake and tsunami disaster
 - b. Provide facilitation and support for budget allocation on the recommendation of the Head of the National Board of Disaster Management to accelerate rehabilitation and reconstruction after the earthquake and tsunami disaster
 - c. Provide facilitation and support for the allocation and disbursement of rehabilitation and reconstruction grants to provincial and district/city governments coordinated by the National Disaster Management Agency; and
 - d. Provide facilitation and support for the handover process of state-owned grant assets built from rehabilitation and reconstruction activities
- 28. Minister of Agrarian Affairs and Management/Head of the National Land Agency:
 - a. Provide recommendations of spatial planning direction for post-earthquake and tsunami
 - b. Facilitate the revision of regional spatial plans in the aspect of disaster mitigation and their synchronization with the post-

- earthquake and tsunami rehabilitation and reconstruction action plans
- c. Coordinate with the Minister of Energy and Mineral Resources, the Minister of Public Works and Public Housing, the Head of Meteorology and Climatology, and Geophysics Agency, and the Head of the National Board of Disaster Management in determining the location of permanent residential as a part of the process of relocating the community to settlements that are safe from potential disasters in the future
 - d. Facilitate the procurement and arrangement of land in the context of relocation and rebuilding after the earthquake and tsunami disaster
29. Minister of Women's Empowerment and Child Protection:
- a. Carry out monitoring and evaluation to ensure that the post-earthquake and tsunami disaster management program is gender responsive and cares about children's rights
 - b. Coordinate with the Minister of Social Affairs, the Minister of Home Affairs, the Minister of Education and Culture, the Minister of Law and Human Rights, the Minister of Communication and Information, the National Board of Disaster Management, and the provincial and district/city governments in the context of providing protection to women and children from all forms of violence (physical, psychological, and sexual), including human trafficking
 - c. Coordinate with the Minister of Social Affairs, the Minister of Home Affairs, in order to collect data on children and their families after the earthquake and tsunami disaster
 - d. Coordinate with the Minister of Social Affairs, the Head of the National Board of Disaster Management, and the provincial and district/city governments in the context of conducting traces and reunification for separated and unaccompanied children, and
 - e. Coordinate with the Minister of Social Affairs, the Head of the National Board of Disaster Management, and the provincial and district/city regional governments in order to ensure the fulfillment of the specific needs of women and children.
30. Commander of the Indonesian National Armed Forces:
- a. Coordinate with the Head of the National Board of Disaster Management in providing support for the smooth implementation of post-earthquake and tsunami rehabilitation and reconstruction activities, and
 - b. Coordinate with the Minister of Defense in the need for defense equipment and other needs in order to support the implementation of

post-earthquake and tsunami rehabilitation and reconstruction activities

31. The Head of National Police of the Republic of Indonesia coordinates with the Head of the National Board of Disaster Management to maintain public security and order, enforce the law, provide protection, shelter and services to the community in the implementation of post-earthquake and tsunami rehabilitation and reconstruction activities.
32. General Attorney of the Republic of Indonesia oversees, secures, and assists the implementation of accelerated rehabilitation and reconstruction after the earthquake and tsunami disaster.
33. Head of the National Board of Disaster Management:
 - a. Coordinate ministries/agencies, provincial and district/city governments, the Indonesian National Armed Forces/State Police of the Republic of Indonesia, universities, especially local universities, and other stakeholders in planning and implementing post-earthquake and tsunami rehabilitation and reconstruction
 - b. Propose budget allocations to the Minister of Finance for post-earthquake and tsunami rehabilitation and reconstruction funds, including assistance for housing development carried out under a self-managed scheme by the community and/or under a contractual scheme
 - c. Coordinate the participation of the business world, non-governmental organizations, and the community in the involvement of providing funding and implementing the post-earthquake and tsunami rehabilitation and reconstruction in accordance with what is stated in the post-earthquake and tsunami rehabilitation and reconstruction plan
 - d. Use and take a responsibility for national and international donations/assistance in accordance with the provisions of laws and regulations
 - e. Carry out monitoring and evaluation implementation of post-earthquake and tsunami rehabilitation and reconstruction and may take certain steps to control the implementation of post-earthquake and tsunami rehabilitation and reconstruction plans
 - f. Report to the President once a month the results of the implementation of this Presidential Instruction based on reports from each ministry/institution and provincial and district/city regional governments
34. Head of the Finance and Development Supervisory Agency carries out financial management accountability assistance for the implementation of post-earthquake and tsunami rehabilitation and reconstruction activities.
35. The Head of the Government Procurement Policy Goods/Services Institution carries out accountability assistance in the implementation of goods/services for post-earthquake and tsunami rehabilitation and reconstruction activities
36. Governor of Central Sulawesi Province

- a. Provide guidance and supervision to district/city local governments as well as facilitate the licensing process required in the implementation of rehabilitation and reconstruction activities due to disasters
 - b. Verifying and validating data on damage to public house and public service facilities as well as proposing plans for post-earthquake and tsunami rehabilitation and reconstruction needs to the National Disaster Management Agency
 - c. Provide the Provincial Revenue and Revenue Budget in accordance with its involvement in the post-earthquake and tsunami rehabilitation and reconstruction budgeting based on established post-earthquake and tsunami rehabilitation and reconstruction plan
 - d. Coordinate with related ministries/institutions for the smooth implementation of rehabilitation and reconstruction activities
 - e. Facilitating the acceleration of land availability for post-earthquake and tsunami rehabilitation and reconstruction purposes and coordinating with relevant ministries/agencies, and
 - f. Supervise and report the progress of implementation to the central government through Head of the National Board of Disaster Management
37. Other affected Regents/Mayors:
- a. Responsible for ensuring the smooth implementation of rehabilitation and reconstruction activities
 - b. Carry out damage data collection, determine data on damage to community house and public service facilities and propose plans for post-earthquake and tsunami rehabilitation and reconstruction needs to the provincial government and/or the National Disaster Management Agency through the provincial government
 - c. Provide Regency/City Regional Revenue and Expenditure Budget and carry out activities in accordance with the established action plan
 - d. Coordinate with related ministries/institutions for the smooth implementation of rehabilitation and reconstruction activities
 - e. Provide land availability for post-earthquake and tsunami rehabilitation and reconstruction purposes and coordinate with relevant ministries/agencies
 - f. Receive assets from the result of post-earthquake and tsunami rehabilitation and reconstruction activities originating from State Revenue and Expenditure Budget in accordance with the provisions of laws and regulations, and
 - g. Supervise and report the progress of implementation to the central government through Head of the National Board of Disaster Management with a copy to the Governor of Central Sulawesi Province.

FOURTH :

The Implementation of accelerated rehabilitation and reconstruction may involve, cooperate, and/or coordinate with ministries and/or

institutions, business entities, communities, international institutions, and other parties deemed necessary.

FIFTH :

During the rehabilitation and reconstruction period, the provincial and district/city governments will continue to provide services to the community's needs, in coordination with the National Disaster Management Agency.

SIXTH :

The implementation of this Presidential Instruction is coordinated by the Vice President.

SEVENTH :

This Presidential Instruction is valid until December 31th, 2020

EIGHTH :

Carry out this Presidential Instruction with full responsibility

This Presidential Instruction is valid on the date of issue.

Issued in Jakarta

At the date of November 28th, 2018

President of the Republic of Indonesia

JOKO WIDODO

Copies according to the original

RI CABINET SECRETARIAT

Deputy for Human Development

And Culture,

Surat Indrijarso

3. **PIHAK KESATU** menyerahkan semua surat-surat yang berhubungan dengan pemeliharaan tanah tersebut kepada Pihak Kedua dan dengan demikian surat-surat tersebut tidak berlaku lagi untuk kepentingan **PIHAK KESATU**.
4. **PIHAK KESATU** menyatakan menjamin bahwa tanah tersebut belum/tidak dialihkan kepada pihak lain dengan cara apapun, tidak terkena sitaan dan tidak tersangkut dalam suatu perkara atau sengketa dan tidak dalam/sedang dijadikan jaminan dengan cara atau bentuk apapun juga kepada orang atau pihak lain.
5. **PIHAK KEDUA** wajib memproses permohonan hak (perpanjangan/pembaruan) sampai Sertipikat Hak Guna Bangunan **PIHAK KESATU** sesuai dengan SPOPP (100 Hari) sejak di terima Permohonan lengkap dan **PIHAK KEDUA** menjamin tidak akan memberikan atau menerbitkan Hak Atas Tanah di atas tanah milik **PIHAK KESATU** kepada pihak ketiga atau pihak lainnya tanpa persetujuan dari **PIHAK KESATU**.
6. **PIHAK KEDUA** membantu memfasilitasi kepada Pemerintah Kota Palu, jika ada kesulitan **PIHAK KESATU** terkait Perizinan, Perpajakan dan Non Perizinan.
7. Dengan adanya pelepasan hak ini yang berkaitan dengan Perpajakan (PPH dan PPN) akibat dari Pelepasan Hak ini) sepenuhnya menjadi tanggung jawab **PIHAK KEDUA**.
8. Apabila dikemudian hari masih ada kebutuhan untuk Hunian Tetap (HunTap) maka **PIHAK KEDUA** dapat mengusulkan pada **PIHAK KESATU** sesuai ketentuan yang berlaku.

PIHAK KESATU, dengan ini menyatakan Pelepasan Hak Atas tanah kepada **PIHAK KEDUA** dihadapan Kepala Kantor Pertanahan Kota Palu, disaksikan oleh:


1. H. Tulus Susilo, SH, MH, Kepala Bidang Pengadaan Tanah
2. Syahlan Lamporo SH, Koordinator PT. Sinar Waluyo dan PT Sinar Putra Murni

Palu, 10 September 2019

PIHAK KEDUA
Yang Menerima Pelepasan Hak

Ir. Andry Novijandri
NIP. 19641102 199003 1 004



PIHAK KESATU
Yang Melepaskan Hak

Joko Pustoko Onggo Hartono
Direktur Utama PT. Sinar Waluyo
dan PT. Sinar Putra Murni


Kesepakatan Pelepasan Hak atas tanah ditanda tangan dihadapan
Kepala Kantor Pertanahan Kota Palu



Drs. Rosea Jinnin, SH, MH, M.Si
NIP. 19660408 199203 1 001

Saksi 1

H. Tulus Susilo, SH, MH
Kepala Bidang Pengadaan Tanah

Saksi 2

Syahlan Lamporo SH
Koordinator PT. Sinar Waluyo dan PT
Sinar Putra Murni

Attachment 4
Letter of the Mayor of Palu dated September 17th 2019



MAYOR OF PALU CITY

		Palu, September 17 th 2019	
			To
			Dear Mr President of the Republic of Indonesia
			in Jakarta
Number :	591/2025/DPRP/2019		
Attachment :	1 (one) Document		
Subject :	Application for Land Utilization with Building Use Rights (HGB) in Tondo Village and Talise Village which Term Has Expired		
<p>That the occurrence of the earthquake, liquefaction, and tsunami natural disaster in Palu City, Central Sulawesi Province on September 28, 2018, at 18.02 WITA which resulted in fatalities, damage to urban infrastructure, housing and residential areas as well as Palu City government offices and vertical agency offices including public facilities and social facilities.</p> <p>Whereas based on the natural disaster incident, the Central Sulawesi Provincial Government according to the recommendation from the Technical Committee for Land Procurement at the National Land Agency (BPN) of Central Sulawesi Province has determined the location of the land for relocation due to the disaster in Central Sulawesi Province by Decree of the Governor of Central Sulawesi Number 369/ 516/DIS.BMPR-G.ST/2018 dated December 28, 2018, which states that the provision includes Permanent Residential, Green Open Space, Public Facilities and Infrastructure and Offices located in Palu City, Tondo Village and Talise Village, Mantikulore District, covering an area of 481.63 Ha. (attached).</p> <p>That the area and boundaries of the land which was originally in accordance with the Decree of the Governor of Central Sulawesi Number 369/516/DIS.BMPR-G.ST/2018 dated 28 December 2018 were changed again by the Regional Office of the National Land Agency (BPN) of Central Sulawesi Province based on the Tondo relocation map village and Talise village determined by the Land Procurement Committee of the Regional Office of the National Land Agency (BPN) of Central Sulawesi Province for the Relocation of Disaster Recovery in Central Sulawesi Province covering an area of 146.8 Ha (map attached).</p> <p>Whereas with the changing boundaries and land area with building use rights (HGB) from the Regional Office of the National Land Agency (BPN) of Central Sulawesi Province, it is very difficult for the Palu City Government to take steps to accelerate recovery after natural disasters in Palu City according to the Instruction of the President of the Republic of Indonesia</p>			

Number 10 of 2018 on the Acceleration of Post-Disaster Rehabilitation and Reconstruction in Central Sulawesi.

The fact is that until now the Palu City Government has not received clear boundaries and land use areas for public interest due to natural disasters in Palu City from the Regional Office of the National Land Agency (BPN) of Central Sulawesi Province. Whereas currently, the Palu City Government has allocated its budget in the Palu City Regional Budget in Fiscal Year 2019 and Fiscal Year 2020 for the purpose of accelerating rehabilitation and reconstruction after natural disasters, including the following:

1. Master plan preparation.
2. Site plan and land clearing from permanent residential land.
3. Road infrastructure development.
4. Construction of offices, elementary schools, and kindergartens as well as health centers, due to liquefaction and tsunami.
5. Modern market development.

That in connection with the expiration of the status of Building Use Rights (HGB) as follows:

1. PT. Sinar Waluyo, certificate of building use rights (HGB) Number 9 / Tondo with an area of 45.57 Ha which ends on August 24, 2019.
2. PT. Sinar Waluyo, certificate of building use rights (HGB) Number 10 / Tondo with an area of 15 Ha which ends on September 11, 2019.
3. PT. Sinar Putra Murni, certificate of building use rights (HGB) Number 122 / Tondo covering an area of 83.90 Ha which ends on August 25, 2019.
4. PT. Sinar Putra Murni, certificate of building use rights (HGB) Number 03 / Talise with an area of 51.48 Ha which ends on September 11, 2019.
5. PT. Duta Dharma Bhakti, certificate of building use rights (HGB) Number 10 / Talise covering an area of 109.39 Ha which ended on 30 September 2014.

Whereas based on the provisions in Article 35 and Article 36 of Government Regulation Number 40 of 1996 on Business Use Rights, Building Use Rights, and Land Use Rights, therefore with the expiration of the period of Building Use Rights above, I request that the President of the Republic of Indonesia may give the management rights to the land to the Palu City Government so that it can be used according to the needs of post-disaster rehabilitation and reconstruction based on the Presidential Instruction of the Republic of Indonesia Number 10 of 2018 on Accelerating Post-Disaster Rehabilitation and Reconstruction in Central Sulawesi, with details of the needs as follows:

1. The Palu City Government office area covers an area of 23.1 hectares which is located on the former land of PT. Sinar Putra Murni, as attached on the function map.
2. The development of the Central Sulawesi Regional Police office covers an area of 8.83 hectares which is located on the former land of PT. Sinar Putra Murni, as attached on the function map.
3. The development of the Hospital covers an area of 5,41 Ha which is located on the former land of PT. Sinar Putra Murni, as attached on the function map.
4. Construction of road infrastructure on former land of:
 - a. PT. Sinar Putra Murni covers an area of ± 4,32 Ha as attached on the function map.
 - b. PT. Duta Dharma Bhakti covers an area of 5,08 Ha as attached on the function map.

	<p>5. Construction of permanent residential for victims of earthquake, tsunami and liquefaction natural disasters located on former lands of:</p> <ol style="list-style-type: none"> PT. Sinar Putra Murni covers an area 28,04 Ha as attached on the function map. PT. Sinar Waluyo covers an area of 21,27 Ha as attached on the function map. PT. Duta Dharma Bhakti covers an area of 53,07 Ha as attached on the function map. <p>6. The development of Modern Market covers an area of 5 Ha located in the former lands of PT. Sinar Waluyo as attached on the function map.</p> <p>7. The development of Prison/Penitentiary covers an area of 4,76 Ha located in the former lands of PT. Duta Dharma Bhakti as attached on the function map.</p> <p>8. Construction of a Drug Rehabilitation Center covers an area of 2,58 Ha located in the former lands of PT. Duta Dharma Bhakti as attached on the function map.</p> <p>9. Construction of Central Sulawesi TVRI offices and stations covers an area of 4 Ha located in the former lands of PT. Sinar Putra Murni as attached on the function map.</p> <p>10. Land allocation according to the demands of the local community, Tondo Village in Mantikulore Sub-District covers an area of 10 Ha located in the former lands of PT. Sinar Waluyo as attached on the function map.</p> <p>In connection with the purpose of the description above, with the expiration of the validity period of the 5 (five) building use rights (HGB) certificates, I hereby hope that the President of the Republic of Indonesia does not allow the Ministry of Land and Spatial Planning/National Land Agency of the Republic of Indonesia to carry out the land use rights extension process in question. The land mentioned above will be allocated for the purpose of accelerating post-disaster rehabilitation and reconstruction in Palu City, Central Sulawesi</p> <p>Thus, I request you to look into this matter for the sake of the safety and security of the citizens. I look forward to your cooperation and support at the earliest.</p>	
		MAYOR OF PALU CITY
		Drs. Hidayat, M.Si.
	<p>Copy to Hon.</p> <ol style="list-style-type: none"> Vice President of the Republic of Indonesia in Jakarta. Coordinating Minister for Political, Legal, and Security Affairs in Jakarta. Chief of the Presidential Advisory Council of the Republic of Indonesia in Jakarta. Minister of Home Affairs in Jakarta. Minister of Land and Spatial Planning/Chief of National Land Agency in Jakarta. Chief of the Indonesian National Board of Disaster Management (BNPB) in Jakarta. Governor of Central Sulawesi Chief of Central Sulawesi Regional People's Representative Assembly Chief of the Central Sulawesi Regional Office of Ministry of Land and Spatial Planning/National Land Agency Chief of Palu City Regional People's Representative Assembly Chief of Palu City Regional Office of National Land Agency. 	

Attachment 5

Letter of Minister of Land and Spatial Planning/National Land Agency dated October 15th 2019



**Ministry of Land and Spatial Planning/
National Land Agency**

Number :	BP.04.01/1801/X/2019		Jakarta, 15-10-2019
Matter :	Urgent		
Attachment:	-		
Subject :	Permanent Residential Development due to Disaster Relocation		

Dear.

Chief of the Regional Office of National Land Agency

Central Sulawesi Province

in-

Palu

In connection with the Decree of the Governor of Central Sulawesi Number 369/516/DIS.BMPR-G.ST/2018 dated 28 December 2018, on Determination of Disaster Relocation Land Locations in Central Sulawesi Province, which will be used for the provision of permanent residential, green open spaces, facilities and public and office infrastructure.

Based on the results of the inventory and identification of the Land Procurement Implementing Team for the Regional Office of the National Land Agency of Central Sulawesi, there are plots of land that are included in the location determination as follows:

Num	Company	Building/Land Use Rights (HGB)	End Date	Area of HGB (Ha)	Area of Determined Location (Ha)
1	PT Duta Dharma Bhakti	HGB 10/Talise	30-11-2014	147,3	109,3
		HGB 1/Duyu	8-8-2019	79,3	79,3

2	PT Sinar Putra Murni	HGB 122/Tondo	25-8-2019	83,8	69,9
		HGB 3/Talise	11-9-2019	51,5	51,5
3	PT Sinar Waluyo	HGB 9/Tondo	24-8-2019	45,6	43,8
		HGB 10/Tondo	11-9-2019	15	15
4	PT Lembah Palu Nagaya	HGB 615/Tondo (Sisa)	24-9-2025	80,8	78,3
		HGB 1927/Tondo		6,7	
		HGB 1986-2035/Tondo (50 Bidang)		0,5	
5	PT Palu Buana Sentosa	HGB 831/Talise	11-12-2042	7,5	7,5
		HGB 845/Talise	7-1-2004	37,8	37,8
6	PT Bangun Citra Palu	HGB 832/Talise	29-1-2043	7,5	7,5
7	PT Aces Propertindo Sentosa	HGB 1036/Talise	8-3-2044	20,4	20,4
8	PT Hasfarm Holtikultura	HGU 02/Pombewe	26-6-2018	104	104
		HGU 02/Oloboju		701	258
Total				1.388,7	882,3

Observing :

1. Article 15 and Article 40 letter e of Law Number 5 of 1960 on Basic Regulations on Agrarian Principles;
2. Law Number 12 of 1985 on Land and Building Taxes and Law Number 2 of 1994 on Amendments to Law Number 12 of 1985 on Land and Building Taxes and Law Number 28 of 2009 on Regional Taxes and Levies;
3. Law Number 26 of 2007 on Spatial Planning;
4. Article 50 paragraph (1) and Article 77 of Law Number 24 of 2007 on Disaster Management;
5. Article 2 Government Regulation Number 11 of 2010 on Control and Utilization of Abandoned Land;

6. Article 114 Presidential Regulation Number 71 of 2012 on the Implementation of Land Procurement for Development in the Public Interest;

For the land parcels included in the determination of the location as mentioned above, you are requested to coordinate with the Team of the Ministry of Public Works and Housing and the National Board of Disaster Management (BNPB) and other parties to prioritize land for the benefit of disaster management by:

1. Not extending/renewing on land rights whose validity period has expired and the land is intended to meet the needs for post-disaster rehabilitation/reconstruction, especially for the construction of permanent residential;
2. For land rights whose period of time has not yet expired, the parties are asked to relinquish their rights to the extent of the need for rehabilitation/reconstruction of permanent residential development;
3. The remaining land as referred to in points 1 (one) and 2 (two) above, may be considered for re-application in accordance with the applicable provisions and the provisions of the Provincial Spatial Plan;
4. Submit the results of land acquisition for the rehabilitation/reconstruction of permanent residential development to the Ministry of Public Works and Housing and the National Board of Disaster Management (BNPB).

Thus to be noticed and implemented.

		Minister of Land and Spatial Planning/ National Land Agency
		SOFYAN A.DJALIL

Copy to Hon.

1. Vice President of the Republic of Indonesia;
2. Minister of Public Works and Public Housing;
3. Chief of National Disaster Management Agency;
4. Governor of Central Sulawesi Province;
5. Mayor of Palu City;
6. Regent of Sigi Regency;

7. Director of PT Duta Dharma Bhakti;
8. Director of PT Lembah Palu Nagaya;
9. Director of PT Sinar Putra Murni;
10. Director of PT Sinar Waluyo;
11. Director of PT Palu Buana Sentosa;
12. Director of PT Bangun Citra Palu;
13. Director of PT Aces Propertindo Sentosa.

Attachment 6
Letter of Regional Office of Ministry of Land and Spatial Planning/National Land Agency
dated January 17th 2020

**MINISTRY OF LAND AND SPATIAL PLANNING
NATIONAL LAND AGENCY
REGIONAL OFFICE OF NATIONAL LAND AGENCY
CENTRAL SULAWESI PROVINCE**

69, S.Parman St., Palu, Phone (0451) 424658, 421655, 425771 Fax. (0451) 422806 Postal Code 94111

Palu, January 17th 2020

Number : 090/72.AT.02.02/I/2020
Matter : -
Attachment : 1 (One) Document
Subject : Handover of Permanent Residential Land

Dear. Mr.
Minister of Public Works and Public Housing
c.q Head of the Central Sulawesi
Disaster Management Task Force
in
Palu

Regarding the provision of land for Permanent Residential development in Palu City and Sigi Regency, we can deliver to you the following developments:

1. Based on the results of a joint field review on January 8th 2020, in Talise Village, it was agreed that the location of permanent residential was determined according to the location based on the Palu Mayor's Site Plan. On January 15th 2020, measurements and demarcation were carried out by the Regional Office of the National Land Agency and the Palu City Land Office together with the Ministry of Public Works and Housing and the Palu City Police for an area of 46.83 Ha, as attached to the map..
2. In this regard, we would like to inform you that the Regional Office of the National Land Agency through the Palu City Land Office has handed over the land in Talise Village, Mantikulore Sub-District covering an area of 46.83 Ha to you to be used as a location for post-disaster permanent residential development in Central Sulawesi.
3. Thus, the entire land that we have handed over to the Head of the Central Sulawesi Disaster Management Task Force from the Ministry of Public Works and Housing is ±300 Ha which consists of:
 - Permanent Residential Land in Tondo I with an area of 45 Ha.
 - Permanent Residential Land in Tondo II with an area of 65,3 Ha.
 - Permanent Residential Land in Talise with an area of 46,8 Ha.
 - Permanent Residential Land in Duyu with an area of 36,3 Ha.
 - Permanent Residential Land in Pombewe with an area of 104 Ha.

Thus to be noticed and implemented. Thank you for your cooperation.

	CHIEF OF REGIONAL OFFICE
	OF NATIONAL LAND AGENCY
	CENTRAL SULAWESI PROVINCE

Attachment 7

Letter of Regional Office of Ministry of Land and Spatial Planning/National Land Agency
Central Sulawesi Province dated October 24th 2019

**MINISTRY OF LAND AND SPATIAL PLANNING
NATIONAL LAND AGENCY
REGIONAL OFFICE OF NATIONAL LAND AGENCY
CENTRAL SULAWESI PROVINCE**

69, S.Parman St., Palu, Phone (0451) 424658, 421655, 425771 Fax. (0451) 422806 Postal Code 94111

Palu, October 24th 2019

Number : 949/72.MP.03.03/X/2019
Attachment : 1 (One) Document
Subject : Removal of Land from the Indicated Abandoned Land Database

Dear Mr. Director General of Control, Spatial Utilization and Land Ownership
Ministry of Land and Spatial Planning/National Land Agency
in-
Jakarta

In connection with the activity of providing land for post-disaster permanent residential locations in Central Sulawesi Province, originating from lands with Building Use Rights (HGB) certificates that are included in the Abandoned Indicated Land database. We hereby convey the following:

1. That the land owners will donate part of their land for permanent residential, and the rest of the land will be cultivated for extension of their rights. Land owners who donate land voluntarily are given appreciation/appreciation by the Minister of Land and Spatial Planning by extending the remaining land, including removing the land from the database of land indicated as abandoned.
2. The voluntary relinquishment of rights has been carried out (attached) and an application for the extension of the rights has also been submitted.
3. The list of rights as well as the extent of the release and the extent of the application is attached.
4. We consider that the land can be removed from the database of land indicated as abandoned, as the land owner should be given special terms and conditions in the decision to extend his rights.

I am positive that you would look into this matter and will take the necessary action. I look forward to your cooperation at the earliest.

	CHIEF OF REGIONAL OFFICE
	OF NATIONAL LAND AGENCY
	CENTRAL SULAWESI PROVINCE

	<u>ANDRY NOVIJANDRI</u>
	NIP. 19641102 199003 1 004

Copies are made for :

1. DDirector General of Land Procurement, Ministry of Land and Spatial Planning/National Land Agency, in Jakarta
2. Director General of Land Legal Relations, Ministry of Land
3. and Spatial Planning/National Land Agency, in Jakarta
4. Director General of Land Infrastructure, Ministry of Land and Spatial Planning/National Land Agency, in Jakarta
5. Mayor of Palu, in Palu
6. Director of PT. Sinar Putra Murni, in Palu

Attachment : Letter from Chief of Regional Office of National Land Agency of Central Sulawesi Province

Number : 949/72.MP.03.03/X/2019 Dated. October 24th 2019

List of Building Use Rights (HGB) of Legal Entities owned by the company and list of Building Use Rights (HGB) included in the Indicated Abandoned Land Database

Num	Number and Type of Rights	Located in	Area Size (M ²)	Released		Remaining Land		Release Date	Note
				PBT Number	Area Size (M ²)	PBT Number	Area Size (M ²)		
1	HGB Number 10/Tondo in the name of PT. Sinar Waluyo	Tondo Village Mantikulore Sub-District Palu City	150,000		150,000		0	10/9/2019	Entered into the database
2	HGB Number 09/Tondo in the name of PT. Sinar Waluyo	Tondo Village Mantikulore Sub-District Palu City	48,780						Entered into the database
3	HGB Number 300/Tondo in the name of PT. Sinar Waluyo	Tondo Village Mantikulore Sub-District Palu City	770,910						-
4	HGB Number 122/Tondo in the name of PT. Sinar Putra Murni	Tondo Village Mantikulore Sub-District Palu City	839,000		150,000		689,000	10/09/2019	-
5	HGB Number 03/Tondo in the name of PT. Sinar Putra Murni	Kel. Talise Mantikulore Sub-District Palu City	514,766						Entered into the database
6	HGB Number 505/Talise s/d 513/Talise in the name of PT. Sinar Putra Murni	Kel. Talise Mantikulore Sub-District Palu City	25,203						-
7	HGB Number 683/Talise in the name of PT. Sinar Putra Murni	Kel. Talise Mantikulore Sub-District	30,000						-

		Palu City							
8	HGB Number 615/Tondo in the name of PT. Lembah Palu Nagaya	Tondo Village Mantikulare Sub-District Palu City			227,710			8/8/2019	Entered into the database
9	HGB Number 1927/Tondo in the name of PT. Lembah Palu Nagaya	Tondo Village Mantikulare Sub-District Palu City	94,782		67,219		27,563	8/8/2019	-
10	HGB Number 1986 s/d HGB 2035/Tondo in the name of PT. Lembah Palu Nagaya	Tondo Village Mantikulare Sub-District Palu City	5,071		5,071		0	8/8/2019	-

Note : PT. Sinar Waluyo with PT. Sinar Putra Murni has the same owner.

	CHIEF OF REGIONAL OFFICE
	OF NATIONAL LAND AGENCY
	CENTRAL SULAWESI PROVINCE
	<u>ANDRY NOVIJANDRI</u>
	NIP. 19641102 199003 1 004

Attachment 8

Letter of Ministry of Public Works and Housing, Disaster Management Taskforce dated November 29th 2019



KEMENTERIAN PEKERJAAN UMUM DAN PERUMAHAN RAKYAT
SATUAN TUGAS PENANGGULANGAN BENCANA
SATUAN TUGAS PELAKSANA PENANGGULANGAN BENCANA SULAWESI TENGAH
 Alamat: Jl. M.T. Haryono, No. 10 Kota Palu - Sulawesi Tengah No. Telp 0451-42561 Kode Pos 94118

Nomor : Lem. Dis. OS - Civil Services - PB / 206
 Sifat : Penting
 Lampiran : 1 (satu) berkas
 Perihal : Permohonan Lahan Huntap Tondo - 2 dan 3 Kota Palu.

29 November 2019

Kepada Yth.:

Kepala Kantor Wilayah ATR/BPN Provinsi Sulawesi Tengah
 Jl. S. Paman, Besusu Timur, Kec. Palu Timur, Kota Palu, Sulawesi Tengah 94118

Menindaklanjuti arahan Bapak Wakil Presiden RI dan Bapak Menteri Agraria dan Tata Ruang/Kepala Badan Pertanahan Nasional pada Rapat Fasilitasi Pelaksanaan Rehabilitasi dan Rekonstruksi Provinsi Sulawesi Tengah Tanggal 14 November 2019, di Kantor Wakil Presiden RI di Jakarta, bersama ini dengan hormat kami sampaikan beberapa hal sebagai berikut:

1. Mengacu pada data kebutuhan Huntap Relokasi di Kota Palu (Lampiran 1 - Tabel Rencana Kebutuhan Huntap) masih diperlukan tambahan lahan untuk 1.706 unit Huntap;
2. Untuk memenuhi sebagian kebutuhan dimaksud, kami mengusulkan lokasi lahan untuk Huntap Relokasi di Kecamatan Mantikulore Kota Palu (Lampiran 2 - Peta Hunian Tetap Relokasi) sebagai berikut:
 - a. Huntap Tondo - 2 seluas 82,79 Ha yang diharapkan dapat menampung 2.222 unit. (Lampiran 3 - Siteplan Huntap Tondo - 2);
 - b. Huntap Tondo - 3 seluas 29,81 Ha yang diharapkan dapat menampung 893 unit. (Lampiran 4 - Siteplan Huntap Tondo - 3);
 - c. Total luas lahan tersebut di atas 112,60 Ha untuk menampung 3.115 unit;
 - d. Sisa kebutuhan lahan lainnya akan kami ajukan segera setelah mendapatkan kepastian tentang daerah Petobo.
3. Lokasi - lokasi Huntap tersebut di atas diusulkan dengan mempertimbangkan hasil survei minat masyarakat, kondisi kontur lahan yang relatif tidak curam dan kemudahan jalan akses.

Kami mohon perkenan Bapak dapat melakukan penyerahan lahan - lahan sebagaimana dimaksud kepada Kementerian PUPR yang selanjutnya akan segera melaksanakan penyiapan lahan (Land Clearing dan Land Development) untuk pembangunan Huntap Relokasi.

Demikian kami sampaikan, atas perhatian dan perkenannya diucapkan terima kasih.

Ketua Harian Satgas Pelaksana
 Penanggulangan Bencana Sulawesi Tengah
 Kementerian PUPR

 Ario Setiadi Moerwanto

Tambahan disampaikan Kepada Yth.:

1. Bapak Menteri Pekerjaan Umum dan Perumahan Rakyat;
2. Bapak Menteri Agraria dan Tata Ruang/Kepala Badan Pertanahan Nasional;
3. Gubernur Sulawesi Tengah;
4. Direktur Jenderal Cipta Karya, Kementerian PUPR;
5. Direktur Jenderal Penyediaan Perumahan, Kementerian PUPR;
6. Walikota Palu.

Dipindai dengan CamScanner

Campiran 2
No.

No : UM 01.03-Cb/Catagor 78/2006
Tanggal 29 November 2006

Tanggal 29 November 2019
Perihal : ...

Perihal : Pemohonan Lahan Huntap Tondo – 2 dan 3 Kota Palu

PETA HUNIAN TETAP RELOKASI DI KECAMATAN MANTIKULORE KOTA PALU



Attachment 9
Minutes of Meeting dated December 11th 2019

GOVERNMENT OF CENTRAL SULAWESI PROVINCE
ACCELERATION TASK FORCE

**MINUTES OF ACCELERATION TASK FORCE COORDINATION MEETING
DISCUSSION OF PERMANENT RESIDENTIAL DEVELOPMENT IN 2019-2020 IN
SULAWESI TENGAH REGION
IN THE MEETING ROOM OF TORA BELO MAPOLDA SULAWESI TENGAH
HELD ON DECEMBER 11th , 2019**

Today, Wednesday, December 11, 2019, 09.00 WITA to 11.45 WITA at the Tora Belo Meeting Room at the Central Sulawesi Police Headquarters Jl. Sam Ratulangi No. 78 Palu, the Acceleration Task Force of Permanent Residential Development coordination meeting was held led by the Military Resort Commander 132/Tdl (Colonel Inf Agus Sasmita) as the Task Force Commander with the following resume and results:

I. FUNDAMENTAL

1. Central Sulawesi Governor Decree Number: 360/455/BPBD-G.ST/2019 dated December 2, 2019, on post-disaster Acceleration Task Force of Permanent Residential Development in Central Sulawesi Province 2019-2020;
2. Regional Military Command Letter XIII/Mdk Sprint Number /2322/XI/2019 dated November 1, 2019 regarding the acceleration of rebuilding the housing sector and community settlements after the earthquake in Central Sulawesi Province; and
3. Considerations made by Military Resort Commander 132/Tdl.

II. SUBJECT

1. Opening and speech by Military Resort Commander 132/Tdl (Colonel Inf Agus Sasmita) as commander of the acceleration task force
2. Explanation of land release with building use rights (HGB) (Head of Central Sulawesi Regional Office of Ministry of Land and Spatial Planning/National Land Agency)
3. Explanation of land conditions (Head of Central Sulawesi Regional Residential Infrastructure Center);
4. Explanation of Central Sulawesi Police Chief (Inspector General Pol Lukman);
5. Suggestions and Feedback from Meeting Participants;
6. Conclusion; and
7. Closing

III. PLACE AND TIME OF THE MEETING

1. Place : Tora Belo Meeting Room at the Central Sulawesi Police Headquarters.
2. Time : Wednesday, December 11th 2019, 09.00 WITA to 11.45 WITA.

IV. MEETING MEMBER

1. Director : Military Resort Commander 132/Tdl (Colonel Inf Agus Sasmita) as the Task Force Commander

2. Members : Central Sulawesi Police Chief; Mayor of Palu; Regent of Sigi/Donggala/Parigi Moutong Regency; LO-National Disaster Management Agency; TPN-National Disaster Management Agency; Task Force of Ministry of Public Works and Housing; Chief Executive of the Local Disaster Management Agency (BPBD) of Central Sulawesi; Central Sulawesi Development and Finance Supervisory Agency; Head of Central Sulawesi Regional Office of Ministry of Land and Spatial Planning/National Land Agency; Directorate of Community Development for the Central Sulawesi Regional Police; Head of Local Disaster Management Agency (BPBD) of Palu City/Sigi Regency/Donggala Regency/Parigi Moutong Regency; Head of the Regional Financial and Asset Management Agency of Palu City/Sigi Regency/Donggala Regency/Parigi Moutong Regency; (List attached)

V. MEETING RESULTS

1. Opening and speech by Military Resort Commander 132/Tdl (Colonel Inf Agus Sasmita) as Commander of the Acceleration Task Force at 09.00 WITA;

- a. The Acceleration Task Force Coordination Meeting has been held 4 times, although the previous 3 Coordination Meetings were held before the Central Sulawesi Governor's Decree;
- b. With the Decree of the Governor of Central Sulawesi, this authorizes Military Resort Commander 132/Tdl to take accelerated steps by mobilizing all relevant stakeholders on behalf of the Governor of Central Sulawesi;
- c. Therefore, the invitation of Military Resort Commander 132/Tdl as Commander of the Acceleration Task Force is an invitation from the Province, even though in fact Military Resort Commander 132/Tdl is included in the Level I Regional Leadership Coordination Forum (Forkopimda) of Central Sulawesi Province; The issuance of the Central Sulawesi Governor's Decree provides a strong basis for the official order of the Central Sulawesi Governor to Military Resort Commander 132/Tdl.
- d. The meeting agenda is to enlighten the implementation of the acceleration of general problems, namely:

- 1)Permanent Residential In-Site Development; and
- 2)Permanent Residential Relocation Development.

2. Explanation of land release with building use rights (HGB) (Head of Central Sulawesi Regional Office of Ministry of Land and Spatial Planning/National Land Agency) at 10.15 WITA. The explanation conveyed about the release of land that had been released by the owner of the building use rights (HGB), which was 133.3 Ha, located in Tondo, Talise and Duyu Villages, Palu City and Sigi Regency covering an area of 362 Ha.

3. Explanation of land conditions (Head of Central Sulawesi Regional Residential Infrastructure Center) at 09.30 WITA.

- a. Delivering on the need for permanent residential land for the City of Palu as many as 6,596 units, which requires an area of 258.10 hectares;
- b. The Ministry of Public Works and Housing conveyed that the location appointed by the Head of Regional Office of the Ministry of Land and Spatial Planning/National Land Agency had severe terrain conditions that required huge costs for land development. In addition, at the designated location, land has been taken by the community.

c. For this reason, the Ministry of Public Works and Housing submitted a proposed site plan for permanent residential in Tondo 2 covering an area of 82.79 Ha and Tondo 3 covering an area of 29.81 Ha. So that the overall land requirement is 112.60 Ha.

d. This land is planned to accommodate 3,115 permanent residential units whose locations are as listed on the attached map, which are on the east and west sides of the new Central Sulawesi Police Office;

e. Considering that the Regional Police Chief conveyed that there was a plan to develop the Central Sulawesi Regional Police Office for additional official housing facilities and shooting ranges, it was agreed to move the location of permanent residential areas 2 and 3 which was originally an area of 112.60 hectares to become permanent residential Tondo 2 area 2 covering 48.97 hectares and permanent residential Tondo 2, area 3, covers an area of 16.34 ha, so that the total area of permanent residential Tondo 2 is 65.3 ha.

f. The remaining permanent residential land needs of approximately 50 hectares will be placed on the former land location with a building use rights (HGB) certificate referring to PT. Duta Dharma Bhakti located in Talise Village.

4. At 11.40 WITA, the meeting ended in an orderly and safe manner with the following conclusions:

a. The fulfillment of permanent residential land in Tondo will be carried out in stages, namely for permanent residential in Tondo 2 with an area of 65 hectares and permanent residential in Talise with an area of 50 hectares.

b. Assigning the Task Force of the Ministry of Public Works and Housing, Head of Central Sulawesi Regional Office of the Ministry of Land and Spatial Planning/National Land Agency, and the Palu City Government to carry out field surveys and measurements of land parcels that will be released for permanent purposes residential Tondo 2 and permanent residential Talise.

c. After the handover of the permanent residential land is completed, the Ministry of Public Works and Housing is expected to immediately carry out land development.

Thus the minutes of this meeting were made in truth, as material for further settlement.

	In the name of
	Task Force Commander
	Meeting Minutes Writer
	Djoko Purwantoro Hadi
	Capt Inf NRP 636297

MEETING MEMBERS


NUM	NAME	RANK	POSITION	SIGNATURE
1	2	3	4	5
A CENTRAL GOVERNMENT OFFICER				
1	Amrin	Maj. Gen. (Ret) TNI	National Disaster Management Agency Expert	
2	Arif Novianto	Colonel	LO National Disaster Management Agency	
3	Gustiyanto		Head of Sub-Directorate of Funding for National Disaster Management Agency	
4	Herdian Mahendra		Staff of Directorate PPF/RR National Disaster Management Agency	
5	Angga Permadi		Staff of Directorate PPF/RR National Disaster Management Agency	
6	Tino		Staff of Directorate PPF/RR National Disaster Management Agency	
7	Silvy		Jakarta Applicator Manager	
B CENTRAL SULAWESI REGIONAL LEADERSHIP COORDINATION FORUM OFFICER				
1	Lukman	Inspector General of Police	Central Sulawesi Police Chief	
2	Agus Sasmita	Col. Inf	Military Resort Commander 132/Tdl (Task Force Commander)	
3	Iskandar Moo	Commisary of Police	Staff of the Directorate of Community Development of the Central Sulawesi Police	
C CITY/REGENCY REGIONAL LEADERSHIP COORDINATION FORUM OFFICER				
1	Moh Rifani		Palu City Mayor Staff	
2	Iskandar Nongtji		First Assistant of Sigi Regent	
D PROVINCE GOVERNMENT OFFICER				
1	Ferdinan		Head of Task Force of the Ministry of Public Works and Housing	
2	A Asri		Chief Executive of the Local Disaster Management Agency (BPBD) of Central Sulawesi	
3	Fahmi Atvidyan		Head of Financial and Development Supervisory Agency of Central Sulawesi	
4	Dr Ir Doni Janarto		Head of Central Sulawesi Regional Office of Ministry of Land and Spatial Planning/National Land Agency	
6	Moh Noval		Staff of Central Sulawesi Regional Office of Ministry of Land and Spatial Planning/National Land Agency	
7	Moh Rizal		Staff of Central Sulawesi Regional Office of Ministry of Land and Spatial Planning/National Land Agency	
8	Radid		Staff of Central Sulawesi Regional Office of Ministry of Land and Spatial Planning/National Land Agency	
E CITY GOVERNMENT OFFICER				
1	Singgih B Prasetyo		Chief Executive of the Local Disaster Management Agency (BPBD) of Palu City	

4	Abd Azis T		Chief Executive of the Local Disaster Management Agency (BPBD) of Parimo Regency	
5	Irma		Head of the Regional Financial and Asset Management Agency of Palu City	
6	Moh Syaiful		Head of the Regional Financial and Asset Management Agency of Sigi Regency	
7	Hatta Moh Tahir		Head of the Regional Financial and Asset Management Agency of Donggala Regency	
8	Muh Rizal, ST		Head of the Regional Financial and Asset Management Agency of Parimo Regency	
9	Hosea Lintin		Head of the National Land Agency of Palu City	
10	Iko Suharno		Head of the National Land Agency of Sigi Regency	
11	Yus Sudarso		Head of the National Land Agency of Donggala Regency	
13	Trinugrah Adiyatna		Section Head of Local Disaster Management Agency (BPBD) of Parimo Regency	
14	Saeful Andriyanto		Recon Section Head of Local Disaster Management Agency (BPBD) of Parimo Regency	
15	Suratno		Field Coordinator of Local Disaster Management Agency (BPBD) of Parimo Regency	
16	Rina Amelia	III/d	Rehabilitation Section Head of Local Disaster Management Agency (BPBD) of Donggala Regency	
F CITY COMMITMENT OFFICER				
1	Rina Nurliana		Sigi Regency City Commitment Officer	
2	Heukes Jajule		Donggala Regency City Commitment Officer	
G MILITARY RESORT COMMANDER 132/TDL OFFICER				
1	Widya Prasetyo Nuryahya, S.Pd.	Colonel Inf	Dandim 1306/Dgl (Dansubsatgas Palu)	
2	Jufry Halimu, SH	Lt. Col. Inf	Kasi Terrem 132/Tdl	
3	Andi Setio Untoro, SH	Maj. Cav	Kasi Intelrem 132/Tdl	
4	Tomy Herjanto	Maj. Inf	Pabung Sigi (Dansubsatgas Sigi)	
5	Edi Riado H	Capt. Inf	Danramil 1306-13/Sirenja (Wakil Dansubsatgas Donggala)	
6	Asrar. Z	Maj. Inf	Pasi Opsrem 132/Tdl	
7	Djoko Purwantoro Hadi	Capt. Inf	Pas Wanwilsiterrem 132/Tdl	
8	Ahmad Jayadi	Capt. Inf	Kapenrem 132/Tdl	
9	Lukman	Capt. Arm	Pasi Minpersrem 132/Tdl	
10	I Gusti Ngurah Susila	2Lt. Inf	Paur Simak BMN Silogrem	

	In the name of
	Task Force Commander
	Meeting Minutes Writer

	Djoko Purwantoro Hadi
	Capt Inf NRP 636297

Attachment 10
Letter of Regional Office of Land and Spatial Planning/National Land Agency of Central
Sulawesi Province

	KEMENTERIAN AGRARIA DAN TATA RUANG / BADAN PERTANAHAN NASIONAL KANTOR WILAYAH BADAN PERTANAHAN NASIONAL PROVINSI SULAWESI TENGAH <small>Jl. S. Paman No. 49 Palu Telp. (0451) 424558, 421655, 425771 Fax. (0451) 422606 Kode Pos 94111</small>
Palu, 18 Desember 2019	
Nomor : 1092/72.AT.02.02 /XII/2019 Sifat : - Lampiran : 1 (satu) lembar Perihal : <u>Pemberitahuan</u>	
Kepada : Direktur PT. Sinar Putra Murni / PT Sinar Waluyo di - Jl. Gajah Mada No.78 Jakarta Barat <u>Tempat -</u>	
Berkaitan dengan bidang-bidang tanah berikut, yaitu :	
<ul style="list-style-type: none">• HGB No. 9/Tondo berakhir 25 Agustus 2019• HGB No. 10/Tondo berakhir 11 September 2019• HGB 122/Tondo berakhir 25 Agustus 2019• HGB NO. 03/Talise berakhir 11 September 2019	
Dengan ini kami sampaikan bahwa berdasarkan :	
<ol style="list-style-type: none">1. Surat Menteri Agraria dan Tata Ruang/Kepala Badan Pertanahan Nasional Nomor BP.04.01/1801/X/2019 tanggal 15 Oktober 2019;2. Hasil Rapat Satgas Percepatan Pembangunan Huntap tanggal 3 Desember 2019 yang dilaksanakan di Makorem 132/Tadulako yang dipimpin oleh Danrem 132/Tadulako selaku Dansatgas Percepatan;3. Hasil Rapat Koordinasi Satgas Percepatan Pembangunan Huntap tanggal 11 Desember 2019 di Aula Tora Belo Mapolda Sulawesi Tengah yang dipimpin oleh Danrem 132/Tadulako selaku Komandan Satgas Percepatan dan dihadiri oleh Kapolda Sulawesi Tengah, Kepala Kantor Wilayah BPN Sulawesi Tengah, Walikota Palu, Bupati Donggala, Wakil Bupati Sigi, LO BNPB, Wakil Satgas PUPR dan stakeholder terkait;4. Hasil Rapat Percepatan Pembangunan Rehabilitasi dan Rekonstruksi Pasca Bencana tanggal 12 Desember 2019 di Ruang Kerja Kantor Gubernur Sulawesi Tengah.5. Hasil pengukuran dan penetapan batas-batas tanah oleh Kantor Wilayah ATR/BPN, Kantor Pertanahan Kota Palu dan Satgas PUPR pada tanggal 12 Desember 2019.	
Disepakati bahwa lahan seluas 65,3 Ha yang terletak di Kelurahan Tondo sebagaimana peta terlampir akan digunakan untuk keperluan relokasi pasca Bencana sebagai lahan Huntap Tondo 2.	

Demikian pemberitahuan ini kami sampaikan dan atas perhatiannya
diucapkan terima kasih.

KEPALA KANTOR WILAYAH
BADAN PERTANAHAN NASIONAL
PROVINSI SULAWESI TENGAH



Dr. Ir. DONI JANARTO WIDIANTONO, M.Eng.Sc

NIP. 19640128 199303 1 001

Tembusan disampaikan kepada :

1. Menteri ATR/BPN di Jakarta
2. Gubernur Sulteng di Palu
3. Danrem 132/Tadulako (Dan Satgas) di Palu
4. Kapolda Sulawesi Tengah di Palu
5. Walikota Palu di Palu
6. Kepala Kantor Pertanahan Kota Palu di Palu



Attachment 11
Report of Field Survey Result dated Januari 8th 2020

KEMENTERIAN AGRARIA DAN TATA RUANG / BADAN PERTANAHAN NASIONAL
KANTOR WILAYAH BADAN PERTANAHAN NASIONAL
PROVINSI SULAWESI TENGAH
Jl. S. Panan No. 69 Palu Telp. (0451) 424058, 421055, 425771 Fax. (0451) 423805 Kode Pos 94121

LAPORAN HASIL PENINJAUAN LAPANGAN

Berdasarkan hasil peninjauan lapangan tanggal 08 Januari 2020 pada Lokasi Lahan Hunian Tetap (Huntap) Kelurahan Tondo dan Kelurahan Talise, dilaksanakan oleh stakeholder terkait yaitu:

1. Kepala Kantor Wilayah BPN Provinsi Sulawesi Tengah,
2. Kepala Dinas PUPR Provinsi Sulawesi Tengah,
3. Kapolres Kota Palu,
4. Kepala Bidang Pertanahan Dinas Tata Ruang dan Pertanahan Kota Palu
5. Lurah Talise
6. Lurah Talise Valanguni
7. Tokoh Masyarakat, HI. Hadado


Kesimpulan hasil Peninjauan Lapangan diperoleh data sebagai berikut :

1. Peninjauan lokasi Huntap 2 bidang 3 seluas 48,97 Ha dan Huntap 2 bidang 3 seluas 36,34 Ha (siteplan PUPR) disepakati untuk menjadi lokasi Huntap 2.
2. Lahan seluas 22 Ha (Milipakan oleh PT NDR) di Kelurahan Talise rencana Huntap III, terdapat penguasaan masyarakat dan juga medannya yang berat sehingga dibatalkan menjadi lokasi Huntap III;
3. Sebagai penggantinya untuk lokasi Huntap III yaitu di lokasi yang dibuat berdasarkan Site Plan Walikota Palu seluas 53 Ha. Yang mana lokasi tersebut terdapat beberapa hunian masyarakat sehingga akan dikeluarkan dari site plan, oleh karenanya direncanakan melakukan penetapan batas dan pengukuran bersama antara PUPR dan Kanwil BPN;
4. Pihak PUPR akan mengaudit kembali luasan lahan Huntap I, II, dan III yang sudah tersedia dan luasan kebutuhan akan lahan Huntap, apabila lahan belum mencukupi maka akan di tetapkan ke lokasi Tondo II bagian 1 dengan luasan 17,48 Ha (berdasarkan Peta Huntap Relokasi versi PUPR), yang mana lokasinya sdh di indexing;
5. Berdasarkan Usulan Rencana Tata Ruang Kota Palu Lokasi Tondo II bagian 3 seluas 16,34 Ha (Peta Huntap Relokasi versi PUPR) merupakan Ruang Terbuka Hijau (RTH) sehingga diusulkan kepada Pemerintah Kota Palu untuk dikeluarkan dari Kawasan RTH.


Demikian Laporan peninjauan lapangan dibuat, sebagai eviden.

Palu, 8 Januari 2020

KEPALA BIDANG PENGADAAN TANAH
KANWIL BPN PROVINSI SULAWESI TENGAH


DAVID B. KALANG, A.Pinh., MM.
NIP. 19651223 198402 1001

KEPALA SEKSI BINA PENGADAAN DAN
PENETAPAN TANAH PEMERINTAH


AMANDA MAISURA, A.Pinh., M.A.P
NIP. 19710211 199103 002

DAFTAR HADIR			
NO.	NAMA	JABATAN	TANDA TANGAN
1	2	3	4
1.			1.
2.	Moh. Appan	Kasub. pertanahan Kota Palu	2.
3.	Syahzan	Kasub. pertanahan Kota Palu	3.
4.	M. KHISAN. NUR	BHABIN KANTOR BPN	4.
5.	SUPRIYANTO	"	5.
6.	BUDIYANTO	"	6.
7.	Ngamudin	Tata ruang	7.
8.	RADEN	PTTU SUL TENG	8.
9.	ASMI HAYAT	BPPN SUL TENG	9.
10.	DWI YANDHARDI	Kec. mangrove	10.
11.	LAATA, SH	Kepala PACT	11.
12.	Amanda Maisura	Kanwil BPN	12.
13.			13.
14.			14.
15.			15.
16.			16.

Attachment 12 Request of Support and Accompaniment of Rehabilitation and Reconstruction
dated June 18th 2020

MINISTRY OF PUBLIC WORKS AND HOUSING
REGIONAL RESIDENTIAL INFRASTRUCTURE CENTER
CENTRAL SULAWESI PROVINCE
30, Soekarno-Hatta St., Palu,

Number : CK.04.01/Cb28/251 Palu, June 18th 2020
Attachment : -
Matter : Application for Support and Assistance On Rehabilitation and Reconstruction
of Permanent Residential Development in Central Sulawesi

Dear. Mr.
**Head of the High Public Prosecutor's Office of
Central Sulawesi Province**

Sincerely,

Based on the results of the Meeting on June 15th 2020 led by Task Force Commander (Military District Commander of 132 Tadulako) in the Bantaya meeting room of the Palu Mayor's Office. One of the main topics of discussion is the Acceleration of Permanent Residential Relocation Development.

The Center for Regional Settlement Infrastructure (BPPW) of Central Sulawesi, was asked to immediately carry out activities in the field which had been stopped for several months. In carrying out land clearing and development activities for the construction of permanent residential, the Central Sulawesi Regional Settlement Infrastructure Center (BPPW) is accompanied by a Security Team and a Law Enforcement Team.

The Security Team in question consists of the Police, TNI and the Civil Service Police Unit (Satpol PP), while the Law Enforcement Team consists of the Prosecutor's Office, the Legal Division of the Provincial Government, and the Legal Division of the Regency/City Government.

If there are communities, community groups, community organizations, or anyone who makes a claim for obstruction, and termination of work in the field, it will be facilitated to take legal action, and the Juridical Team will assist and carry out legal processes in accordance with applicable law.

In accordance with this purpose and according to the agreement of the meeting for the Acceleration of Permanent Residential Development in the High Public Prosecutor Office Meeting Room on May 14th 2020. So we request to immediately assign personnel who are assigned either as Juridical Teams to be able to carry out activities at the command post that has been prepared by the Center for Regional Settlement Infrastructure (BPPW) of Central Sulawesi.

I am positive that you would look into this matter and will take the necessary action. I look forward to your cooperation at the earliest.

	Head of the Regional Residential Infrastructure Center Central Sulawesi
	<u>FERDINAND KANA LO, ST.MT.</u>
	NIP. 19791214 199603 1 005

Copies made to:

1. Governor of Central Sulawesi;
 2. Mayor of Palu City;
 3. Regent of Sigi Regency;
 4. Regent of Donggala Regency;
 5. Director General of Ministry of Public Works and Housing;
- Chief of the Implementation Task Force of Ministry of Public Works and Housing

MINUTES OF MEETING

MEETING COORDINATION TO RESOLVE PERMANENT HOUSING PROBLEMS FOR
RESIDENTS AFFECTED BY NATURAL DISASTER IN PALU CITY 2018

On Wednesday, the 8th of July Year Two Thousand Twenty (08-07-2020) located in the Bantaya Meeting Room, third floor of the Regional Secretariat Office of Palu City, a meeting coordination has been held to equalize perception regarding the Permanent Residential of Palu City problems, in a view of Law Number 5 year 1960 regarding Basic Regulations on Agrarian Principle and Decree of the President of the Republic Indonesia Number 34 year 2003 regarding National Policy in the Land Sector, after listening to the input and suggestions from meeting participants, it was agreed on the following matters:

- a. Whereas in accordance with Article 2 paragraph (1) and paragraph (2) letter a s d i, Decree of the President of the Republic of Indonesia Number 34 Year 2003 regarding National Policy in the Land Sector, states:
 - (1) : Some of the authority in the land sector is carried out by the Regency/City Government
 - (2) : The authority as referred to in paragraph (1), are:
 - a. Location permit
 - b. Implementation of land acquisition for public interest
 - c. Settlement of arable land disputes
 - d. Completion of compensation and land compensation for development
 - e. Determination of subject and object of land redistribution and compensation for maximum excess land and absence land
 - f. Determination and resolution of ulayat land issues
 - g. Utilization and resolution of vacant land problems
 - h. Granting permission to clear land
 - i. District/city land use planning
- b. According to the provisions of Government Regulation Number 24 of 1997 regarding Land Registration, the Palu City Land Office will carry out measurements at the Permanent Residential location in the Palu City Area, the following facilities and infrastructure including public facilities and social facilities
- c. That the Land and Spatial Planning Office of Palu City together with the Land Office of Palu City carry out verification and validation of land which is state land and free state land including ex. Building Rights and Cultivation Rights which will be used for the construction of Rehabilitation and Reconstruction after the natural disaster of Palu City in 2018 and redistribution for the benefit of the Palu City Government and Community who are entitled to compensation
- d. That the construction of permanent residential in Palu City will be carried out again starting from Thursday, July 9th, 2020 with the security from the Palu City Police and the Donggala 1306 District Military Command
- e. That for the reesidents who claim land ownership at the location, they will be accommodated after being declared to meet the requirements according to the applicable rules and regulations, which is carried out by the inventory and verification team in

accordance with the Decree of the Mayor of Palu City regarding the Formation of the Inventory and Verification Team


- f. That after an inventory and verification of the entitled residents has been carried out, land is given according to the needs of the entitled residents
- g. That the Inventory and Verification Team was formed by the Decree of the Mayor of Palu, which consist of elemets of the Palu City Government, the Prosecutor's Office, the Police, the District Military Command, and the Palu City Land Office

Thus this Minutes of Meeting is made and agreed to be carried out, and signed by the parties, and the attendance list is attached

No	Name	Position	Signature
1	Drs. HIDAYAT, M.Si	MAYOR OF PALU	
2	FERIZAL, S.H., M.H	CIVIL ASISSTANT AND CIVIL SERVICE	
3	AKBP H. MOH. SHOLEH, SIK.,S.H.,M.H	POLICE CHIEF OF PALU	
4	LETKOL INF. HERI B. WAHYUDI, S.I.P	DISTRICT MILITARY COMMANDER 1306 OF DONGGALA	
5	SUCIPTO, S.H.,M.H	STATE ATTORNEY OF PALU	
6	Dr. MOHAMAD RIZAL, M.Si	HEAD OF DEPARTMENT OF DPRP OF PALU CITY	
7	Ir. SINGGIH B. P., M.Eng.Sc	HEAD OF IMPLEMENTING OF DPRP OF PALU CITY	
8	Drs. HOSEA LINTINM S.H, M.Si, M.H	HEAD OF LAND OFFICE OF PALU CITY	
9	FERDINAND KANA Lo, ST.,MT	HEAD OF PPW ST	
10	RAHAB A.Ptnh. M. AP	HEAD OF LAND CONTROL PROBLEM SECTION OF PALU CITY	

Attachment 14

Letter of Ministry of Land and Spatial Planning/National Land Agency dated May 17th 2021



**MENTERI AGRARIA DAN TATA RUANG/
KEPALA BADAN PERTANAHAN NASIONAL**

Nomor : A7.02/656/V/2021 Jakarta, 17 Mei 2021
 Sifat : Segera
 Lampiran : -
 Hal : Pembangunan Hunian Tetap Relokasi Bencana

Yth. Kepala Kantor Wilayah Badan Pertanahan Nasional
 Provinsi Sulawesi Tengah
 di-
 Palu

Menindaklanjuti hasil rapat audiensi dengan Gubernur Sulawesi Tengah pada tanggal 28 April 2021 bertempat di Kementerian Agraria dan Tata Ruang/Badan Pertanahan Nasional, dengan ini disampaikan hal-hal sebagai berikut:

- Berdasarkan surat Menteri Agraria dan Tata Ruang/Kepala Badan Pertanahan Nasional tanggal 15 Oktober 2019 Nomor BP.04.01/1801/X/2019, tanah yang diperoleh melalui proses pengadaan tanah berdasarkan Keputusan Gubernur Sulawesi Tengah tanggal 28 Desember 2018 Nomor 369/516/DIS.BMPPR-G.ST/2018 pada prinsipnya diperuntukkan untuk memenuhi kebutuhan dalam rangka rehabilitasi atau rekonstruksi pasca bencana, dengan sasaran prioritas yaitu pembangunan hunian tetap.
- Berdasarkan surat Kepala Kantor Wilayah Badan Pertanahan Nasional Provinsi Sulawesi Tengah tanggal 17 Januari 2020 Nomor 090/72.AT.02.02/1/2020, telah dilakukan penyerahan lahan hasil pengadaan tanah kepada Menteri Pekerjaan Umum dan Perumahan Rakyat c.q. Ketua Satgas Pelaksana Penanggulangan Bencana Sulawesi Tengah dengan luas ± 297 ha untuk dapat dipergunakan sebagai lokasi pembangunan Hunian Tetap (Huntau) Pasca Bencana di Provinsi Sulawesi Tengah.
- Memperhatikan uraian di atas, maka:
 - Diperintahkan kepada Saudara untuk dapat menyerahkan hasil pengadaan tanah dengan rincian sebagaimana berikut kepada Pemerintah Kota Palu untuk dipergunakan sebagai pemulih akibat bencana di Provinsi Sulawesi Tengah dengan sasaran prioritas yaitu pembangunan hunian tetap:

No...

-2-


No	Pemegang Hak	Luas Tanah yang Dilepaskan
1.	PT Lembah Palu Nagaya/Tondo	45 ha
2.	PT Sinar Putra Murni/Tondo	65 ha
3.	PT Sinar Wahyu/Tondo	
4.	PT Duta Dharma Bhakti/Talise	46,8 ha
5.	PT Duta Dharma Bhakti/Duyu	36,3 ha
Total		193,1 ha

b. Berikut disampaikan petunjuk pengelolaan sementara sebagaimana dimaksud huruf a, yaitu:

- terhadap tanah yang dipergunakan untuk hunian tetap dapat diberikan hak atas tanah kepada penerima hunian dengan menggunakan mekanisme Percepatan Pendaftaran Tanah Sistematis Lengkap (PTSL) dan Redistribusi Tanah;
- terhadap tanah yang dipergunakan untuk fasilitas sosial dan fasilitas umum dapat diberikan hak atas tanah kepada Pemerintah Kota Palu.

- Terkait permasalahan penyediaan tanah lokasi hunian tetap Ngatabaru yang lokasi tanahnya berada di luar penetapan lokasi sebagaimana dimaksud dalam angka 1, yaitu terdapat tuntutan masyarakat Petobo untuk dapat direlokasi di atas lahan Ngatabaru seluas 115 ha dan sengketa horizontal antara pemilik tanah, maka diperintahkan kepada Saudara untuk dapat menyelesaikan permasalahan di atas melalui mekanisme konsolidasi tanah.
- Terkait telah berakhirnya penetapan lokasi sebagaimana dimaksud angka 1 dan berdasarkan surat Pdt. Direktur Jenderal Pengadaan Tanah atas nama Menteri Agraria dan Tata Ruang/Kepala Badan Pertanahan Nasional tanggal 27 Oktober 2020 Nomor BP.01.01/2627-600/X/2020, terkait kebutuhan tanah untuk penyediaan lahan non huntau oleh Pemerintah Kota Palu dapat diperoleh melalui mekanisme pengadaan tanah berdasarkan Undang-Undang Nomor 2 Tahun 2012 tentang Pengadaan Tanah bagi Pembangunan untuk Kepentingan Umum s.d. Undang-Undang Nomor 11 Tahun 2020 tentang Cipta Kerja, Peraturan Pemerintah Nomor 19 Tahun 2021 tentang Penyelenggaraan Pengadaan Tanah bagi Pembangunan untuk Kepentingan Umum dengan memperhatikan kesesuaian Rencana Tata Ruang Wilayah (RTRW) setempat.

Demikian untuk menjadi perhatian dan dilaksanakan.



MENTERI AGRARIA DAN TATA RUANG/
KEPALA BADAN PERTANAHAN NASIONAL.
SOROTAN A. DJALIL

Tembusan...

Attachment 15 Handover of Agrarian Affairs and Spatial Planning/National Land Agency
Permanent Residential to Palu City Government in June 25th, 2021

MINISTER OF AGRARIAN AFFAIRS AND SPATIAL PLANNING/NATIONAL LAND
AGENCY

REGIONAL OFFICE OF THE NATIONAL LAND AGENCY

CENTRAL SULAWESI PROVINCE

Palu, June 25th 2021

Number : AT.02.02/335-72.500/VI/2021

Feature : -

Attachment : 1 (one)

About : Minutes of Meeting Delivery

The Honorable Sir/Madam.....(Attached Name List)

In-

Place

In connection with the signing of the Minutes of Meeting of Handover of Permanent
Residential Land by the parties and witnesses, we hereby submit the Minutes of Meeting,

Thus, to let you know

HEAD OF REGIONAL OFFICE OF
NATIONAL LAND AGENCY
CENTRAL SULAWESI PROVINCE

Represent

Head of Land Acquisition and Land Development

DAVID ROBINSON ALANGIE, A.Ptnh.,M.M

LIST OF LETTER NAMES:

1. MAYOR OF PALU
2. GOVERNOR OF CENTRAL SULAWESI
3. MILITARY RESORT COMMANDER 132/TADULAKO
4. HEAD OF THE TASK UNIT FOR IMPLEMENTING POST EARTHQUAKE AND TSUNAMI
IN CENTRAL SULAWESI
5. HEAD OF INFRASTRUCTURE SETTLEMENT OF CENTRAL SULAWESI AREA

MINUTES OF MEETING
HANDOVER OF PALU CITY PERMANENT RESIDENTIAL LAND

On this day, Thursday the twenty-seventh of May, Year Two Thousand Twenty One (27-5-2021), the undersigned:

Name : Dr. Ir. DONI JANARTO WIDIANTONO, M.Eng.Sc
Citizen : Indonesia
Profession : Civil Servant
Address : Jl. S. Parman No. 69 Palu

Act as the Head of the Regional Office of the National Land Agency of Central Sulawesi Province, as the FIRST PARTY

Name : H. HADIANTO RASYID, SE
Citizen : Indonesia
Profession : Mayor of Palu
Address : Jl. Palu City Hall

Act as Palu City Government as the SECOND PARTY

Both PARTIES agree to implement the provisions in this Minutes of Meeting:

1. Based on the Decree of the Governor of Central Sulawesi on December 28th, 2018 Number 369/516/DIS.BMPR-G.ST/2018 Regarding Location Determination Land for Relocation for Disaster Recovery in Central Sulawesi Province
2. Based on a letter from the Minister of Agrarian Affairs and Management/Head of National Land Agency at May 17th, 2021 Number: AT.02/656/V/2021 Regarding the Construction of Permanent Residential Disaster Relocation
3. Based on 1 and 2 points above the FIRST PARTY handover the permanent residential land to the SECOND PARTY covering an area of 193.1 Ha located at the location (Map attached) as follows:
 - a. Tondo Village (Permanent Residential I) with a land area of 45 Ha and a land area of 65 Ha (Permanent Residential II) Mantikulore District, Palu City;
 - b. Talise Village, Mantikulore District, Palu City, land area of 46.8 Ha (Permanent Residential III)
 - c. Duyu Village, Tatanga District, Palu City, land area of 36.3 Ha (Permanent Residential Duyu)
4. The use of the land has been handed over to the SECOND PARTY is intended for the construction of permanent residential.

5. The SECOND PARTY is obliged to maintain and secure the land in question against social problems and claims by the community

6.

Thus, this Minutes of Meeting is made to be used properly and signed by both the PARTIES and the Witnesses.

FIRST PARTY

SECOND PARTY

DR. Ir. DONI JANARTO WIDIANTONO, M.Eng.Sc
SE

H. HADIANTO RASYID,

Witnesses

1. Governor of Central Sulawesi

DRS. H. LONGKI
DJANGGOLA, M.Si

38. Commander of the Task Force for the
Acceleration of the Post-Disaster Rehabilitation
and Reconstruction in Central Sulawesi

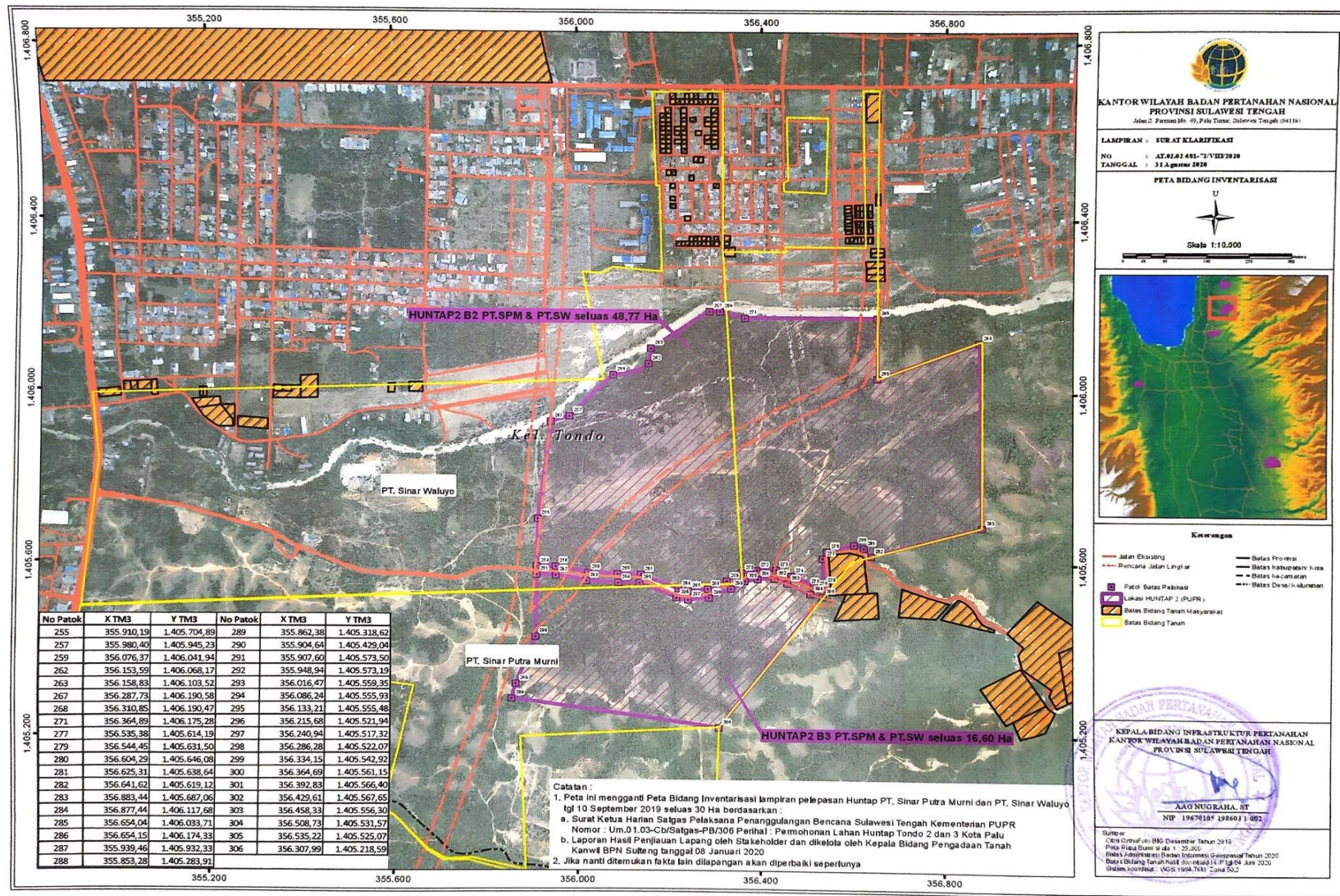
BRIGJEN TNI FARID MAKRUF
M.A

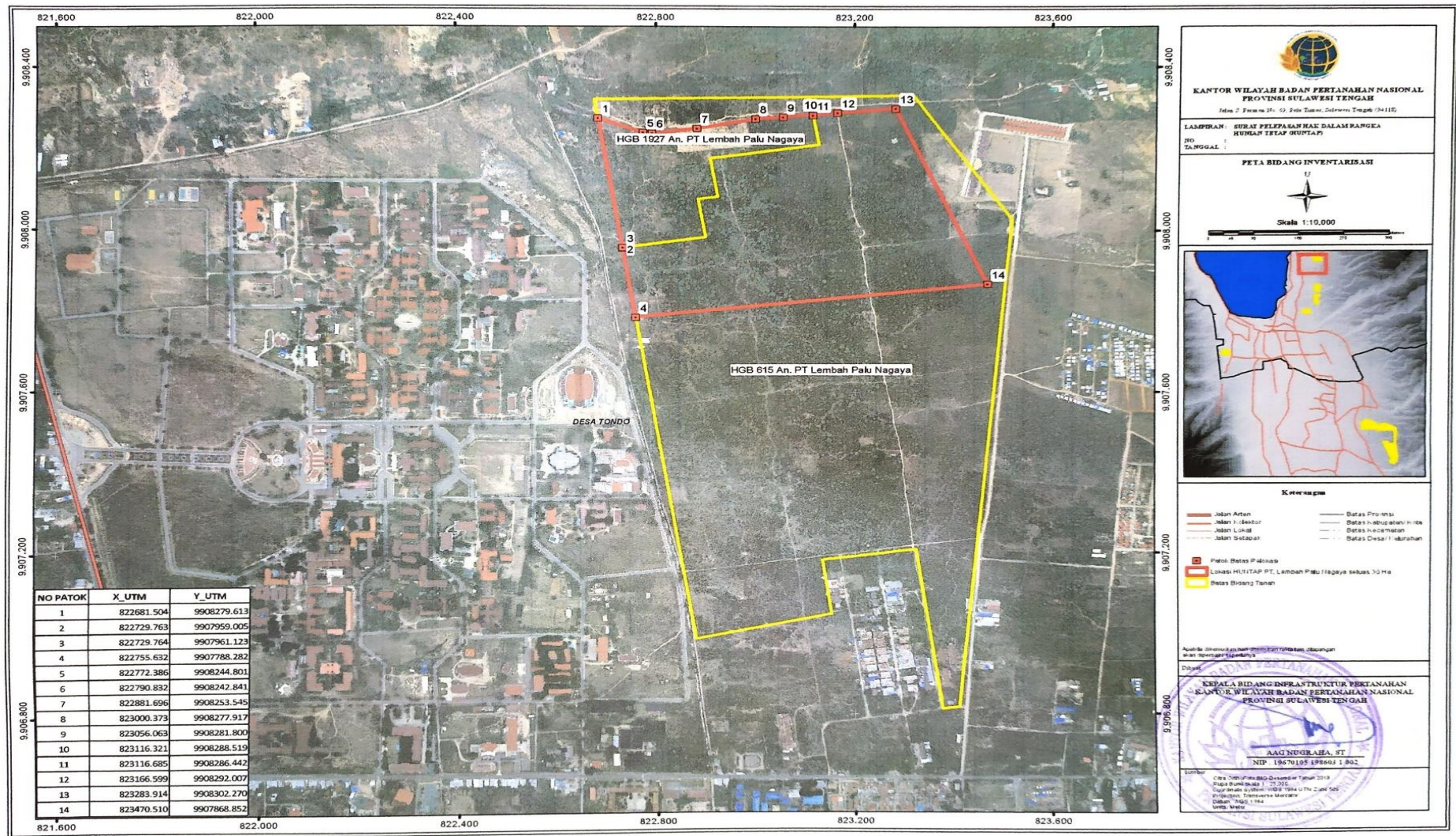
39. Head of the Post-Earthquake and Tsunami
Disaster Management Task Force in Central
Sulawesi

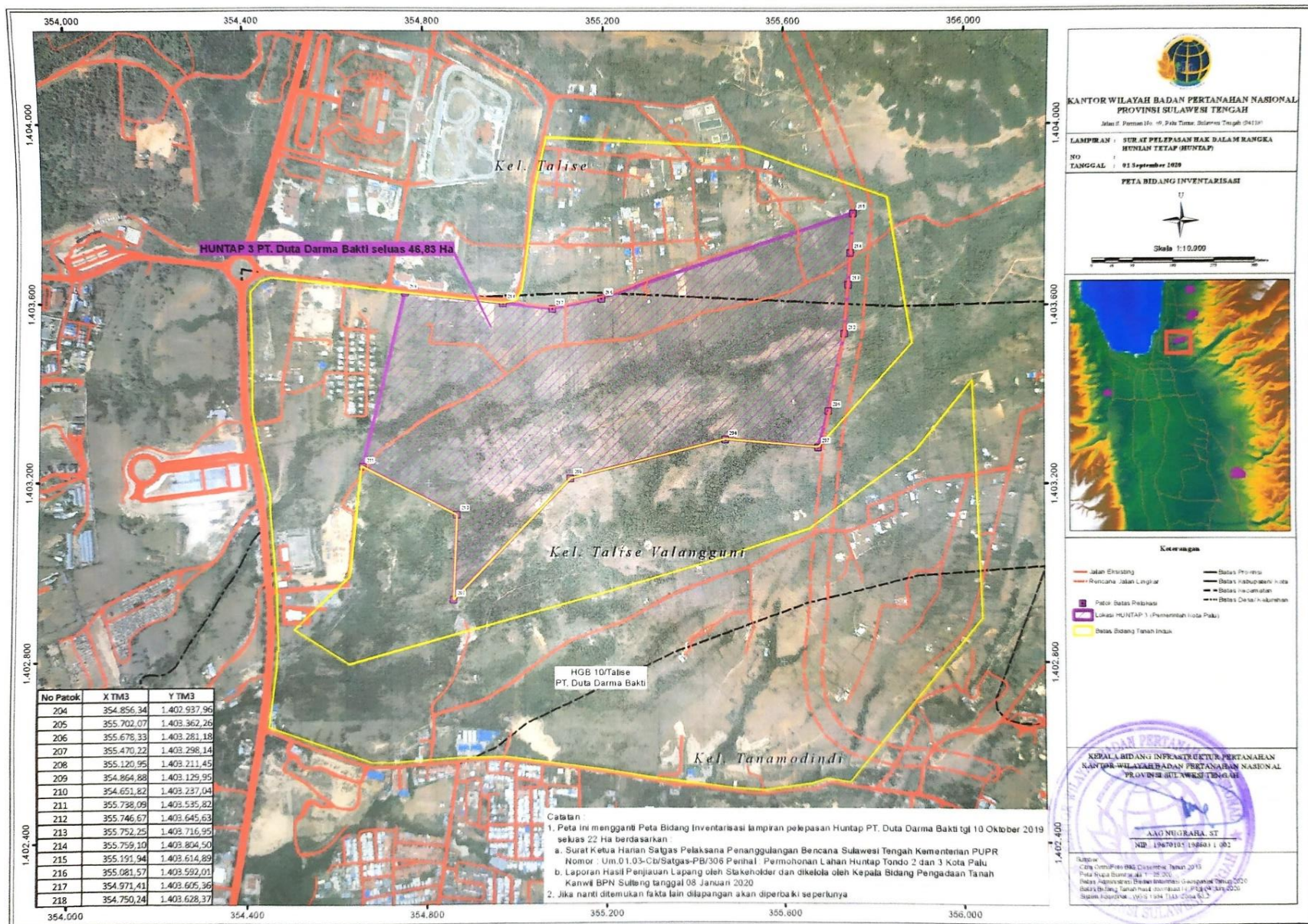
Dr. Ir. ARIE SETIADI
MOERWANTO, M.Sc

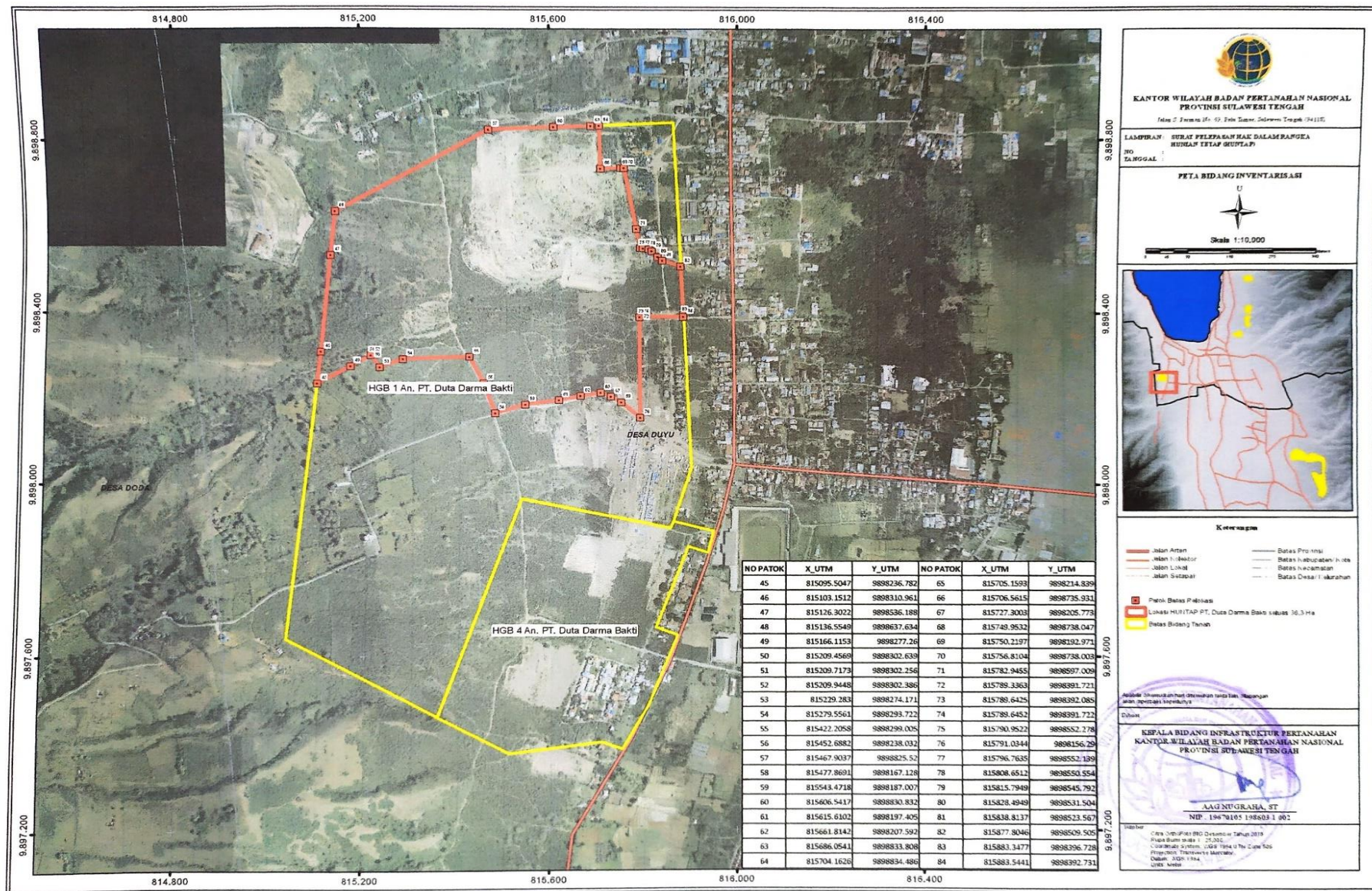
40. Head of the Central Sulawesi Residential
Infrastructure Center

FERDINDAND KANA LO,
ST.,M.T











Attachment 16
Letter of Regional Office of Land and Spatial Planning/National Land Agency of Central
Sulawesi Province dated July 12th 2021

	KEMENTERIAN AGRARIA DAN TATA RUANG/ BADAN PERTANAHAN NASIONAL KANTOR WILAYAH BADAN PERTANAHAN NASIONAL PROVINSI SULAWESI TENGAH <small>Jl. S. Pamon No. 89 Palu Tnp (0451) 424058, 421855, Fax. 504511 422805 Kode Pos 94111</small>
<hr/>	
Nomor : AT.02.02/381-72/VII/2021	Palu, 12 Juli 2021
Sifat : -	
Lampiran : -	
Perihal : Perubahan Data Lahan Hutan Kota Palu	
Yth. Direktur PT. Sinar Putra Murni dan PT. Sinar Waluyo di <u>Jakarta.</u>	
<p>Sehubungan dengan perenuan kami dengan kuasa hukum PT. Sinar Putra Murni dan PT. Sinar Waluyo, Sdr. Salimin Haedar, SH dan Sdr. Syahlan Lamporo, SH pada tanggal 05 Juli 2021 di Kantor Wilayah BPN Sulawesi Tengah Palu, dengan ini disampaikan beberapa hal sebagai berikut :</p>	
<p>1. Berkaitan status HGB atas nama PT. Sinar Waluyo yang terdiri dari HGB No.09/Tondo dan HGB No.10/Tondo disampaikan bahwa :</p> <ul style="list-style-type: none">a. HGB No.09/Tondo luas tanah 45,6 Ha, telah berakhir haknya 25 Agustus 2019, diatas lokasi ini telah dimanfaatkan untuk Hutan Tondo II seluas 21 Ha sehingga sisanya seluas 24,6 Ha dan saat ini sebagian telah digunakan untuk ruas jalan oleh Pemerintah Kota Palu.b. HGB No.10/Tondo luas tanah 15 Ha, HGB telah berakhir tanggal 26 September 2019 dan sesuai perjanjian telah dilepaskan seluas 15 Ha. Namun karena kondisi medannya cukup sulit terjadi pemindahan lokasi berdasarkan keputusan bersama Satgas Bencana Provinsi Sulawesi Tengah.	
<p>2. Berkaitan status HGB atas nama PT. Sinar Putra Murni terdiri dari HGB No.122/Tondo dan HGB No.03/Talise disampaikan bahwa :</p> <ul style="list-style-type: none">a) HGB No.122/Tondo luas 83,8 Ha, HGB ini berakhir sejak 24 Agustus 2019, dimanfaatkan untuk Hutan seluas 44 Ha (seluas 15 Ha telah dilepaskan), sisa luas HGB 39,8 Ha. dan telah dimohonkan perpanjangan haknya pada tanggal 23 September 2019.c. HGB No.03/Talise luas 51,5 Ha haknya berakhir tanggal 11 September 2019 dan masuk dalam Penlok Hutan dan telah dimohonkan perpanjangan haknya pada tanggal 23 September 2019.	

<p>2.</p> <p>3. Berdasarkan butir 1 dan 2 total luas lahan yang diperuntukan sebagai lahan Hutan pascabencana seluas 65 Ha. Untuk itu terhadap dokumen perjanjian pelepasan sebelumnya akan dilakukan penyesuaian.</p> <p>4. Sehubungan dengan permohonan perpanjangan HGB terhadap sisa lahan sebagaimana dimaksud belum dapat kami lanjutkan karena masih menunggu kebijakan rencana tata ruang wilayah Kota Palu yang baru.</p> <p>5. Terhadap bidang HGB lain yang tidak masuk dalam Penlok bencana agar diproses sesuai ketentuan permohonan pelayanan pertanahan melalui Kantor Pertanahan Kota Palu.</p> <p style="text-align: right;">Demikian disampaikan untuk menjadi maklum.</p>
<p style="text-align: right;">KEPALA KANTOR WILAYAH BADAN PERTANAHAN NASIONAL PROVINSI SULAWESI TENGAH</p> <div style="text-align: center;"> Dr. Ir. DONI JANARTO WIDIANTONO M.Eng.Sc NIP.19631028 199303 1 001</div>
<p><u>Tembusan disampaikan kepada :</u></p> <ul style="list-style-type: none">1. Menteri Agraria dan Tata Ruang/Kepala Badan Pertanahan Nasional di Jakarta2. Inspektori Jenderal Wilayah II Kementerian ATR/BPN di Jakarta3. Kepala Kantor Pertanahan Kota Palu di Palu

Attachment 17
Letter of Regional Office of Land and Spatial Planning/National Land Agency of Central
Sulawesi Province dated December 14th 2021



**KEMENTERIAN AGRARIA DAN TATA RUANG/
BADAN PERTANAHAN NASIONAL
KANTOR WILAYAH BADAN PERTANAHAN NASIONAL
PROVINSI SULAWESI TENGAH**

Jl. S. Parman No. 69 Palu Telp (0451) 424658, 421655, Fax. 90451) 422806 Kode Pos 94111

Nomor : AT.02.02/755-72/XII/2021
Sifat : -
Lampiran : -
Perihal : Penjelasan Status Lahan Eks HGB
Tondo – Talise

Palu, 14 Desember 2021

Yth. Kepala Balai Prasarana dan Permukiman Wilayah Sulawesi Tengah
Kementerian PUPR
di -
Palu

Menindaklanjuti hasil pertemuan antara pihak Kejaksaan Agung RI, Pemerintah Provinsi Sulawesi Tengah, Pemerintah Kota Palu dan Kanwil BPN Sulteng pada tanggal 13 Desember 2021 di Kantor Wilayah BPN Provinsi Sulawesi Tengah, terkait penyelesaian status lahan Huntap 2/Tondo seluas 65 Ha dan Huntap 3/Talise seluas 46,8 Ha, dapat kami sampaikan hal - hal sebagai berikut :

1. Lahan Huntap 2/Tondo dan Huntap 3/Talise secara keseluruhan seluas ±112 Ha telah sesuai dengan Penetapan Lokasi oleh Gubernur Sulawesi Tengah Nomor: 369/516/DIS.BMPR-Q.ST/2018 tanggal 28 Desember 2018.
2. Di atas lahan tersebut secara legal tidak terdapat kepemilikan hak atas tanah maupun klaim dari masyarakat (Clear and Clean).
3. Terhadap lahan yang sudah diserahkan dan diperuntukkan bagi pembangunan Huntap tidak akan dilakukan perpanjangan hak HGB.

Demikian disampaikan untuk dapat ditindaklanjuti dan dipergunakan seperlunya, terima kasih.

KEPALA KANTOR WILAYAH
BADAN PERTANAHAN NASIONAL
PROVINSI SULAWESI TENGAH

Dr. Ir. DONI JANARTO WIDJANTONO M.Eng.Sc
NIP. 19640128-199303 1 001

Tembusan :

1. Kejaksaan Agung RI Up. Kasubdit PPS di Jakarta
2. Gubernur Sulawesi Tengah
3. Kejaksaan Tinggi Sulawesi Tengah
4. Walikota Palu
5. Kepala Kantor Pertanahan Kota Palu di Palu

Melalui, Profesional, Terpercaya

Dipindai dengan CamScanner

Attachment 18
Orientasi kepemilikan 2 sertifikat



Attachment 19
Decree of Land Acquisition Workgroup



**WALI KOTA PALU
PROVINSI SULAWESI TENGAH**

**KEPUTUSAN WALI KOTA PALU
NOMOR : 650/801/DPKP/2019**

TENTANG

**KELOMPOK KERJA PENGADAAN TANAH DAN PEMUKIMAN
KEMBALI PROGRAM REHABILITASI DAN REKONSTRUKSI
WILAYAH PASCA BENCANA ALAM DI KOTA PALU**

WALI KOTA PALU,

- Menimbang : a. bahwa sehubungan dengan peristiwa terjadinya bencana alam gempa bumi, likuifaksi dan tsunami di Kota Palu pada tanggal 28 September 2018 yang mengakibatkan kerusakan perumahan dan kawasan permukiman serta sarana prasarana perkotaan, perlu dilakukan penyusunan rencana tindak pengadaan tanah dan pemukiman kembali (RT-PTPK) atau *Land Acquisition and Resettlement Action Plan* (LARAP) untuk mengantisipasi kepentingan umum dan penanganan dampak sosial kemasyarakatan dalam penyediaan tanah pasca bencana alam di Kota Palu agar lebih tepat sasaran;
- b. bahwa dalam rangka penyusunan dokumen LARAP yang disyaratkan oleh kebijakan operasional Bank Dunia, perlu membentuk kelompok kerja;
- c. bahwa berdasarkan pertimbangan sebagaimana dimaksud dalam huruf a dan huruf b, perlu menetapkan Keputusan Wali Kota tentang Kelompok Kerja Pengadaan Tanah dan Pemukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana Alam di Kota Palu;

- Mengingat : 1. Undang-Undang Nomor 4 Tahun 1994 tentang Pembentukan Kotamadya Daerah Tingkat II Palu (Lembaran Negara Republik Indonesia Tahun 1994 Nomor 38, Tambahan Lembaran Negara Republik Indonesia Nomor 3555);
2. Undang-Undang Nomor 26 Tahun 2007 tentang Penataan Ruang (Lembaran Negara Republik Indonesia Tahun 2007 Nomor 68, Tambahan Lembaran Negara Republik Indonesia Nomor 4725);
3. Undang-Undang Nomor 2 Tahun 2012 tentang Pengadaan Tanah bagi Pembangunan untuk Kepentingan Umum (Lembaran Negara Republik Indonesia Tahun 2012 Nomor 22, Tambahan Lembaran Negara Republik Indonesia Nomor 5280);
4. Undang-Undang Nomor 23 Tahun 2014 tentang Pemerintahan Daerah (Lembaran Negara Indonesia Tahun 2014 Nomor 244, Tambahan Lembaran Negara Republik Indonesia Nomor 5587) sebagaimana telah diubah terakhir dengan Undang-Undang Nomor 9 Tahun 2015 tentang Perubahan Kedua Atas Undang-Undang Nomor 23 Tahun 2014 tentang Pemerintahan Daerah (Lembaran Negara Republik Indonesia Tahun 2015 Nomor 58, Tambahan Lembaran Negara Republik Indonesia Nomor 5679);
5. Peraturan Presiden Nomor 71 Tahun 2012 tentang Penyelenggaraan Pengadaan Tanah Bagi Pembangunan Untuk Kepentingan Umum (Lembaran Negara Republik Indonesia Tahun 2012 Nomor 164, Tambahan Lembaran Negara Republik Indonesia Nomor 5337);
6. Peraturan Daerah Kota Palu Nomor 16 Tahun 2011 tentang Rencana Tata Ruang Wilayah Kota Palu Tahun 2010-2030 (Lembaran Daerah Kota Palu Tahun 2015 Nomor 16, Tambahan Lembaran Daerah Kota Palu Nomor 13);
7. Peraturan Daerah Kota Palu Nomor 3 Tahun 2012 tentang Pembinaan dan Penertiban Pedagang Kreatif Lapangan (Lembaran Daerah Kota Palu Tahun 2012 Nomor 3, Tambahan Lembaran Daerah Kota Palu Nomor 3) sebagaimana telah diubah dengan Peraturan Daerah Kota Palu Nomor 3 Tahun 2019

tentang Perubahan Atas Peraturan Daerah Nomor 3 Tahun 2012 tentang Pembinaan dan Penertiban Pedagang Kreatif Lapangan (Lembaran Daerah Kota Palu Tahun 2019 Nomor 3, Tambahan Lembaran Daerah Kota Palu Nomor 3);

8. Peraturan Daerah Kota Palu Nomor 10 Tahun 2016 tentang Pembentukan dan Susunan Perangkat Daerah (Lembaran Daerah Kota Palu Tahun 2016 Nomor 10, Tambahan Lembaran Daerah Kota Palu Nomor 10) sebagaimana telah diubah dengan Peraturan Daerah Kota Palu Nomor 8 Tahun 2017 tentang Perubahan Atas Peraturan Daerah Nomor 10 Tahun 2016 tentang Pembentukan dan Susunan Perangkat Daerah (Lembaran Daerah Kota Palu Tahun 2017 Nomor 8, Tambahan Lembaran Daerah Kota Palu Nomor 8);
9. Peraturan Wali Kota Palu Nomor 1 Tahun 2019 tentang Rencana Pemanfaatan Tanah Untuk Kepentingan Umum Akibat Bencana Alam di Kota Palu (Berita Daerah Kota Palu Tahun 2019 Nomor 1);

MEMUTUSKAN :

Menetapkan : KEPUTUSAN WALI KOTA TENTANG KELOMPOK KERJA PENGADAAN TANAH DAN PEMUKIMAN KEMBALI PROGRAM REHABILITASI DAN REKONSTRUKSI WILAYAH PASCA BENCANA ALAM DI KOTA PALU.

KESATU : Kelompok Kerja Pengadaan Tanah dan Pemukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana Alam di Kota Palu dengan susunan keanggotaan sebagaimana tercantum dalam Lampiran yang merupakan bagian tidak terpisahkan dari Keputusan Wali Kota ini.

KEDUA : Kelompok Kerja sebagaimana dimaksud dalam Diktum KESATU mempunyai tugas :

a. Tim Pengarah :

1. melakukan pembinaan dalam penyelenggaraan Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana di Kota Palu;

2. melakukan koordinasi secara berkala untuk mengevaluasi kegiatan penyelenggaraan Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana Kota Palu;
3. memberikan arahan dan kebijakan terkait penyelenggaraan Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana Kota Palu; dan
4. memberikan masukan kebijakan strategi, program dan kegiatan penyelenggaraan Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana kepada pihak pengambil kebijakan.
5. melakukan evaluasi, dan penilaian terhadap penerapan kebijakan, strategi, program dan kegiatan penyelenggaraan Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana.

b. Tim Pelaksana :

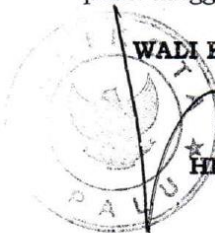

1. Kelompok Kerja Pengadaan Tanah dan Permukiman Kembali, bertugas :
 - a) menyusun rencana kerja bidang penyediaan lahan, aset, regulasi dan perizinan untuk lokasi penyelenggaraan pengadaan tanah dan permukiman kembali program rehabilitasi dan rekonstruksi wilayah pasca bencana;
 - b) mendorong dan memfasilitasi pihak pengambil kebijakan dalam hal penggunaan aset pemerintah atau swasta yang memungkinkan untuk dipergunakan sebagai lahan perumahan bagi masyarakat;
 - c) memberikan advokasi *stakeholders* terkait untuk menjadikan pembangunan, pemeliharaan dan pengamanan infrastruktur perumahan dan kawasan permukiman daerah menjadi prioritas;
 - d) memberikan advokasi mengenai kepastian hukum atas tanah pada perumahan dan kawasan permukiman;
 - e) melaksanakan rencana pengadaan tanah dan permukiman kembali sesuai dengan peraturan rencana tata ruang wilayah dan zonasi Kota Palu ;
 - f) menyiapkan laporan perkembangan pelaksanaan Pengadaan Tanah dan Permukiman Kembali

2. Kelompok Hubungan Masyarakat, Penanganan Pengaduan dan Publikasi, bertugas :
 - a) menyusun rencana kerja bidang hubungan masyarakat, penanganan pengaduan dan publikasi;
 - b) mengumpulkan, mengolah dan menganalisa data dan informasi terkait perumahan, kawasan permukiman dan proses pemindahan masyarakat kelokasi hunian tetap;
 - c) memberikan informasi secara berkesinambungan kepada para pihak yang terkait dengan perumahan dan kawasan permukiman;
 - d) mengkaji pelayanan di daerah terkait dengan bidang hubungan masyarakat, penanganan pengaduan dan publikasi; dan
 - e) memberikan sosialisasi dalam rangka peningkatan kualitas pelayanan bidang hubungan masyarakat, penanganan pengaduan dan publikasi;
 - f) menyiapkan laporan perkembangan atas penanganan pengaduan pelaksanaan Pengadaan Tanah dan Permukiman Kembali.
3. Kelompok Kerja Pemberdayaan dan Kelembagaan Masyarakat, bertugas :
 - a) menyusun rencana kerja bidang pemberdayaan dan kelembagaan masyarakat;
 - b) berperan dalam penguatan kapasitas sumber daya manusia pada penyelenggaraan Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana;
 - c) melakukan monitoring dan evaluasi kegiatan penyelenggaraan Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana; dan
 - d) memfasilitasi pemberdayaan masyarakat dalam penyelenggaraan Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana.
 - e) menyiapkan laporan perkembangan atas penanganan pemberdayaan dan Kelembagaan Masyarakat pelaksanaan Pengadaan Tanah dan Permukiman Kembali

4. Kelompok Kerja Pemulihan Penghidupan Masyarakat, bertugas :
 - a) menyusun rencana kerja bidang pemulihan penghidupan masyarakat;
 - b) melakukan advokasi dan intermediasi dengan instansi terkait, berkaitan dengan masalah pemanfaatan dan pengembangan kawasan permukiman; dan
 - c) menjalin kemitraan dengan unsur masyarakat terkait dengan penyelenggaraan Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana.
 - d) memberikan advokasi LPK/BPR untuk memberikan kemudahan kepada masyarakat pelaku usaha ekonomi produktif di kawasan perumahan dan permukiman
 - e) menyiapkan laporan perkembangan atas Pemulihan Penghidupan Masyarakat pasca pelaksanaan Pengadaan Tanah dan Permukiman Kembali.
5. Sekretariat, bertugas :
 - a) menyiapkan pelaksanaan rapat-rapat internal kelompok kerja Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana Kota Palu;
 - b) melakukan pengolahan dan menganalisa data dan informasi kemajuan pelaksanaan tugas kelompok kerja Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana Kota Palu;
 - c) melakukan pekerjaan administrasi pelaksanaan tugas dan tanggungjawab kelompok kerja Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana Kota Palu;
 - d) menyiapkan bahan dalam rangka kelancaran tugas kelompok kerja Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana Kota Palu; dan
 - e) menyiapkan dan melaporkan perkembangan pelaksanaan penyelenggaraan Pengadaan Tanah dan Permukiman Kembali Program Rehabilitasi dan Rekonstruksi Wilayah Pasca Bencana kepada Wali Kota Palu.

- KETIGA : Segala biaya yang timbul akibat ditetapkannya Keputusan ini dibebankan kepada Anggaran Pendapatan dan Belanja Daerah Kota Palu serta sumber pembiayaan lain yang sah.
- KEEMPAT : Keputusan Wali Kota ini mulai berlaku pada tanggal ditetapkan.

Ditetapkan di Palu
pada tanggal 01 Oktober 2019


WALI KOTA PALU,

HIDAYAT

LAMPIRAN
KEPUTUSAN WALI KOTA PALU
NOMOR
TENTANG
KELOMPOK KERJA PENGADAAN
TANAH DAN PEMUKIMAN
KEMBALI PROGRAM
REHABILITASI DAN
REKONSTRUKSI WILAYAH
PASCA BENCANA ALAM DI
KOTA PALU

A. TIM PENGARAH

- | | | |
|---------------------|---|--|
| I. Penanggung Jawab | : | 1. Wali Kota Palu
2. Wakil Wali Kota Palu |
| II. Ketua | : | Kepala Badan Perencanaan
Pembangunan Daerah Kota Palu |
| III. Wakil Ketua | : | Kepala Dinas Perumahan dan
Kawasan Permukiman Kota Palu |
| IV. Anggota : | : | 1. Kepala Dinas Lingkungan
Hidup Kota Palu
2. Kepala Dinas Penanaman
Modal dan Pelayanan Terpadu
Satu Pintu Kota Palu
3. Kepala Dinas Perhubungan
Kota Palu
4. Kepala Dinas Pekerjaan Umum
Kota Palu
5. Kepala Dinas Kesehatan Kota
Palu
6. Kepala Dinas Pemadam
Kebakaran dan Penyelamatan
Kota Palu
7. Kepala Dinas Pemberdayaan
Perempuan dan Perlindungan
Anak Kota Palu
8. Kepala Badan Pertanahan
Nasional Kota Palu
9. Kepala Badan Penanggulangan
Bencana Daerah Kota Palu
10. Kepala Dinas Penataan Ruang
dan Pertanahan Kota Palu
11. Kepala Dinas Komunikasi dan
Informatika Kota Palu
12. Kepala Dinas Kependudukan
dan Pencatatan Sipil Kota Palu |

13. Kepala Badan Kesatuan Bangsa dan Politik Kota Palu
14. Kepala Dinas Koperasi, Usaha Mikro Kecil dan Menengah, dan Tenaga Kerja Kota Palu
15. Kepala Dinas Perdagangan dan Perindustrian Kota Palu
16. Kepala Dinas Pertanian dan Ketahanan Pangan Kota Palu
17. Kepala Dinas Pendidikan dan Kebudayaan Kota Palu
18. Kepala Bagian Hukum Sekretariat Daerah Kota Palu
19. Kepala Bagian Hubungan Masyarakat Sekretariat Daerah Kota Palu
20. Kepala Bagian Perekonomian dan Pembangunan Sekretariat Daerah Kota Palu
21. Camat Mantikulore
22. Camat Palu Selatan
23. Camat Palu Barat
24. Camat Tatanga
25. Lurah Talise
26. Lurah Tondo
27. Lurah Duyu
28. Lurah Petobo
29. Lurah Balaroa

B. TIM PELAKSANA

I. KELOMPOK KERJA :

a. Pengadaan Tanah dan Permukiman Kembali

Ketua : Sekretaris Dinas Perumahan dan Kawasan Permukiman Kota Palu

Anggota :

1. Kepala Bidang Perencanaan Badan Perencanaan Pembangunan Daerah Kota Palu
2. Kepala Bidang Pertanahan Dinas Penataan Ruang dan Pertanahan Kota Palu
3. Kepala Bidang Kawasan Permukiman Dinas Perumahan dan Kawasan Permukiman Kota Palu
4. Kepala Bidang Pengendalian dan Pencemaran Dinas Lingkungan Hidup Kota Palu
5. Kepala Bidang Pencegahan dan Kesiapsiagaan Badan

- Penanggulangan Bencana
Daerah Kota Palu
6. Kepala Bidang Rehabilitasi dan Rekonstruksi Badan Penanggulangan Bencana Daerah Kota Palu
 7. Kepala Seksi Pengadaan Tanah Badan Pertanahan Nasional Kota Palu
 8. Kepala Seksi Infrastruktur Pertanahan Badan Pertanahan Nasional Kota Palu
 9. Kepala Sub Seksi Pemanfaatan Tanah Pemerintah dan Penilaian Tanah Badan Pertanahan Nasional Kota Palu
 10. Kepala Sub Bagian Pengkajian Hukum dan Perundang-Undangan Sekretariat Daerah Kota Palu
 11. Kepala Seksi Konservasi dan Sumber Daya Lingkungan Dinas Lingkungan Hidup Kota Palu
 12. Kepala Seksi Pengangkutan Persampahan Dinas Lingkungan Hidup Kota Palu

b. Hubungan Masyarakat, Penanganan Pengaduan dan Publikasi

Ketua : Kepala Bagian Hukum Sekretariat Daerah Kota Palu

Anggota :

1. Sekretaris Badan Penanggulangan Bencana Daerah Kota Palu
2. Kepala Bidang Perumahan Dinas Perumahan dan Kawasan Permukiman Kota Palu
2. Kepala Bidang PIAK dan Pemanfaatan Data Dinas Kependudukan dan Pencatatan Sipil Kota Palu
2. Kepala Seksi Pengolahan dan Penyajian Data Dinas Kependudukan dan Pencatatan Sipil Kota Palu
3. Kepala Seksi Operasional Pengamanan Dinas Komunikasi dan Informatika Kota Palu

4. Kepala Seksi Pengelolaan Data Statistik Dinas Komunikasi dan Informatika Kota Palu
5. Kepala Seksi Pengelolaan Media Komunikasi Publik Dinas Komunikasi dan Informatika Kota Palu
6. Kepala Seksi Pembangunan Perumahan Dinas Perumahan dan Kawasan Permukiman Kota Palu
7. Kepala Seksi Administrasi Pertanahan Dinas Penataan Ruang dan Pertanahan Kota Palu
8. Kepala Seksi Pengukuran Tanah Dinas Penataan Ruang dan Pertanahan Kota Palu
9. Kepala Sub Infodok Hubungan Masyarakat Sekretariat Daerah Kota Palu
10. Kepala Protokol Hubungan Masyarakat Sekretariat Daerah Kota Palu
11. Kepala Sub Hubungan Masyarakat Sekretariat Daerah Kota Palu
12. Staf Dinas Kependudukan dan Pencatatan Sipil Kota Palu

c. Pemberdayaan dan Kelembagaan Masyarakat

- | | | |
|---------|---|---|
| Ketua | : | Sekretaris Dinas Sosial Kota Palu |
| Anggota | : | <ol style="list-style-type: none"> 1. Kepala Bagian Ekonomi dan Pembangunan Sekretariat Daerah Kota Palu 2. Sekretaris Dinas Pemberdayaan Perempuan dan Perlindungan Anak Kota Palu 3. Sekretaris Badan Kesatuan Bangsa dan Politik Kota Palu 4. Kepala Bidang Pemberdayaan Sosial Masyarakat Dinas Sosial Kota Palu 5. Kepala Bidang Perencanaan Fakir Miskin dan Jaminan Sosial Dinas Sosial Kota Palu 6. Kepala Bidang Pemberdayaan Perempuan dan Kualitas Keluarga Dinas Pemberdayaan Perempuan dan Perlindungan Anak Kota Palu |

7. Kepala Bidang Ketersediaan dan Distribusi Pangan Dinas Pertanian dan Ketahanan Pangan Kota Palu
8. Kepala Sub Bagian Perencanaan dan Program Badan Kesatuan Bangsa dan Politik Kota Palu
9. Kepala Sub Bagian Pembangunan Sekretariat Daerah Kota Palu
10. Kepala Seksi Pemberdayaan Perempuan bidang Pendidikan, Kesehatan dan Ekonomi Keluarga Dinas Pemberdayaan Perempuan dan Perlindungan Anak Kota Palu
11. Kepala Sub Bagian Perencanaan dan Program Dinas Pertanian dan Ketahanan Pangan Kota Palu
12. Kepala Seksi Konsumsi Pangan Dinas Pertanian dan Ketahanan Pangan Kota Palu
13. Kepala Seksi Kemitraan UMKM Dinas Koperasi, Usaha Mikro Kecil dan Menengah, dan Tenaga Kerja Kota Palu
14. Kepala Seksi Kemitraan UMKM Dinas Koperasi, Usaha Mikro Kecil dan Menengah, dan Tenaga Kerja Kota Palu

d. Pemulihan Penghidupan Masyarakat

- Ketua : Sekretaris Dinas Lingkungan Hidup Kota Palu
- Anggota :
1. Kepala Bidang Kedaruratan dan Logistik Badan Penanggulangan Bencana Daerah Kota Palu
 2. Kepala Bidang Pelayanan dan Rehabilitasi Sosial Dinas Sosial Kota Palu
 3. Kepala Bidang Perlindungan Sosial Masyarakat Dinas Sosial Kota Palu
 2. Kepala Bidang SMP Dinas Pendidikan dan Kebudayaan Kota Palu

2. Kepala Bidang SD Dinas Pendidikan dan Kebudayaan Kota Palu
3. Kepala Bidang Perlindungan Hak Perempuan dan Perlindungan Khusus Anak Dinas Pemberdayaan Perempuan dan Perlindungan Anak Kota Palu
4. Kepala Seksi Pemberdayaan Perempuan dalam Peningkatan Kualitas Keluarga Dinas Pemberdayaan Perempuan dan Perlindungan Anak Kota Palu
5. Kepala Sub Bagian Perencanaan dan Program Dinas Pendidikan dan Kebudayaan Kota Palu
6. Kepala Seksi Pengembangan UMKM Dinas Koperasi, Usaha Mikro Kecil dan Menengah, dan Tenaga Kerja Kota Palu
7. Kepala Sub Bagian Perencanaan dan Program Dinas Lingkungan Hidup Kota Palu
8. Kepala Seksi TPA Dinas Lingkungan Hidup Kota Palu
9. Kepala Seksi Pengelolaan Rusunawa Dinas Perumahan dan Kawasan Permukiman Kota Palu
10. Kepala Seksi Pengembangan Kawasan Permukiman Dinas Perumahan dan Kawasan Permukiman Kota Palu
11. Kepala Seksi Penyehatan Lingkungan Permukiman Dinas Perumahan dan Kawasan Permukiman Kota Palu
12. Kepala Sub Bagian Perencanaan Program dan Keuangan Dinas Perumahan dan Kawasan Permukiman Kota Palu
13. Kepala Seksi Hukum dan SDM Kesehatan Dinas Kesehatan Kota Palu
14. Kepala Seksi Sarana dan Alkes Dinas Kesehatan Kota Palu

15. Kepala Sub Bagian
Perencanaan dan Program
Dinas Kesehatan Kota Palu

II. SEKRETARIAT :

Ketua : Kepala Bidang Data dan Informasi
Badan Perencanaan
Pembangunan Daerah Kota Palu

Anggota : 1. Kepala Sub Bidang Data dan
Informasi Infrastruktur dan
Lingkungan Badan
Perencanaan Pembangunan
Daerah Kota Palu
2. Kepala Sub Bidang Data dan
Informasi Ekonomi dan
Keuangan Badan Perencanaan
Pembangunan Daerah Kota
Palu
3. Kepala Sub Bidang Data dan
Informasi Sosial dan Budaya
Badan Perencanaan
Pembangunan Daerah Kota
Palu
4. Staf Bidang Data dan
Informasi Badan Perencanaan
Pembangunan Daerah Kota
Palu

WALI KOTA PALU,

HIDAYAT

Attachment 20

Conclusion of Meeting Result dated Januari 7th 2022

KEMENTERIAN PEKERJAAN UMUM DAN PERUMAHAN RAKYAT
SATUAN TUGAS PELAKSANA PENYELENGGARAAN
PENANGGULANGAN BENCANA PASCA GEMPA BUMI DAN TSUNAMI DI SULAWESI TENGAH
Jalan B. H. Mangera No. 15, Kota Palu, Sulawesi Tengah, 94118 Telp. (0851) 821811

Kesimpulan Rapat Koordinasi Penyelesaian Lahan Hunian Tetap
 Palu, 7 Januari 2022

- Pemerintah Kota Palu bersama dengan BPN Kota Palu dan Pemerintah Provinsi Sulawesi Tengah sepakat dan optimis untuk menyelesaikan permasalahan lahan di Tondo 2 pada lokasi Tondo 2 sudah harus dapat diselesaikan pada akhir Februari 2022 sesuai dengan arahan Wakil Presiden. Apabila lahan Tondo 2 tidak dapat diselesaikan pada akhir Februari 2022 maka pembangunan hunian dialihkan ke Pombebe dan Duyu.
- Kerangka Regulasi Pelaksanaan RR Sulawesi Tengah
 - Inpres 10/2018, Kepres 28/2018, dan Pergub 10/2019 telah berakhir pada tahun 2021 dan membutuhkan tindak lanjut perpanjangan sebagai payung hukum dan kerangka kerja Rehabilitasi dan Rekonstruksi Pascabencana di Sulawesi Tengah
 - Pemerintah Provinsi Sulawesi Tengah bersama Pemerintah Daerah (Palu, Sigi, dan Donggala) berkomitmen untuk melaksanakan pembaharuan dokumen R3P yang selanjutnya ditindaklanjuti dalam pembaharuan Pergub untuk mendukung percepatan RR Sulteng
 - Lahan yang *clean and clear* menjadi syarat utama dalam memulai pelaksanaan pembangunan hunian
 - ATV/BPN menyajikan strategi pengembangan Kawasan Pasigala terutama pada Kawasan rawan bencana sesuai dengan peta zonasi yang ditetapkan.
- Penyelesaian Penyediaan Lahan Hunian
 - Catatan Permasalahan Lahan di Tondo dan Talise
 - Klaim pada lahan Hunian Tondo 1 berkaitan dengan HGB Perusahaan aktif hingga 2023 dan 13 klaim yang disampaikan masyarakat pemilik hak tanah. Hal ini membutuhkan tindak lanjut BPN Kota Palu dan Pemerintah Kota Palu untuk land consolidation.
 - Bidang tanah di lokasi hunian Tondo 2 seluas 65 Ha merupakan kepemilikan negara dan tidak masuk dalam perpanjangan HGB perusahaan. Klaim yang saat ini berlangsung adalah 47 klaim SKPT masyarakat yang membutuhkan proses verifikasi dan validasi lebih lanjut oleh Pemerintah Kota Palu.
 - Bidang tanah di Talise meliputi 1 HGB yang telah berakhir dan menjadi tanah negara. Sejumlah 852 klaim masyarakat di Talise telah diverifikasi dan akan masuk dalam SK Waikota. Pengantian lahan untuk masyarakat telah diakomodasi ke lahan zero poverty seluas 35 Ha yang saat ini memasuki tahap pematangan lahan.
 - Kesepakatan Talise sedang ditindaklanjuti Kementerian PUPH dengan penyelesaian LAP kepada World Bank di Jakarta dan Washington.
 - Pemkot Palu dan Pemerintah Provinsi Sulawesi Tengah berkomitmen untuk menyelesaikan klaim pada akhir Februari 2022 dengan langkah-langkah mencakup:
 - Identifikasi dan verifikasi masyarakat yang mengajukan klaim
 - Skema penyelesaian lahan pengganti
 - Surat penerimaan lahan pengganti

- Kesiapan Lahan di Pombebe
 - Lahan seluas 362 Ha terdiri dari Pombebe dan Olobuju relatif tidak bermasalah. Kondisi saat ini telah *clear and clean* untuk 104 Ha, dengan 98 Ha terdapat di Pombebe dan 6 Ha di Olobuju.
 - Potensi permasalahan yang ada di Pombebe terkait isu sosial dan livelihood, terutama pemindahan WTB dari lokasi Tondo ke Pombebe. Pembiayaan penanganan permasalahan sosial perlu dipersiapkan dengan memadai untuk memastikan penerimaan masyarakat.
 - Pemerintah Kabupaten Sigi bersedia menerima WTB yang dipindahkan ke Pombebe apabila penyelesaian di Tondo tidak dapat diatasi hingga akhir Februari 2022. Pemerintah pusat akan melengkapi infrastruktur dasar yang memadai di Kawasan Hunian Pombebe.

-00-

KEMENTERIAN PEKERJAAN UMUM DAN PERUMAHAN RAKYAT
DIREKTORAT JENDERAL CIPTA KARYA
BALAI PRASARANA PERUMUKAN WILAYAH PROVINSI SULAWESI TENGAH
Jalan Soekarno Hatta, No. 30, Palu, E-mail : balaiptk@puskemenkpu.go.id


DAFTAR HADIR

Nama Kegiatan :
 Tanggal : 07 Januari 2022

No.	Nama	Jabatan	Tanda Tangan
1	John Wapri Wapri	Wakil Menteri PUPH	
2	RAHYA DANGA	Wakil Menteri ATR/BPN	
3	M. Faisal Mawar	D. Sekeloa	
4	Mohammad Irawan	Besepati Kab Sigi	
5			
6	Sukir Budhi	KABALAI BPN Sulteng	
7	TALIE	KABALAI BPN Sigi	
8	Muhammad Syukur	KABALAI BPN Sulteng	
9		KABALAI BPN Sulteng	
10	Renny Adicand	KABALAI	
11	Dedi Permadi	Kantor Hunian Sigi RR	
12	Proboyo Eko Soesanto	Direktur Pematangan Lahan Perumahan K3	
13	STAF FULAN DIATER	DINAS BPN	
14	Doni J. Widiyandono	Kanwil BPN Sulteng	
15	Amu Ningsih Husein	Kanwil BPN Sulteng	
16			
17	Atman	Wakil BPN Sulteng	
18	Henri Roubo	PH, Kab Sigi	

No.	Nama	Jabatan	Tanda Tangan
	Muhammad Iqbal	PEK CSEAP	
	Lili Setiawan	SDS CSEAP	
	Rina Peter	Staf BPN Sulteng	
	Benny S.	Kanwil BPN	
	T. J. M. S.	Kanwil BPN	
	Raja Philip S.	Kanwil BPN	
	NOORAH	Kanwil BPN	
	BEREND	Staf BPN	
	GUGUN	ADL SEKDA	
	FAHRI	Staf BPN	
	WIDYAN	STU BPN	
	HEWITA	Staf BPN Sigi	
	Raji	Staf BPN Sigi	
	Moh. HEMPA	Staf BPN Sigi	
	Sutomo	Staf BPN Sigi	
	Rizki R. P.	Staf BPN Sigi	
	Uchman	Staf BPN Sigi	
	Muhammad Hani	KABIS PERKOTAAN	
	Reza Talita	BUS S. III	
	Ryan R.	Kanwil BPN Sulteng	
	HERMAN	STU BPN	
	S. H. H. H. H.	Kanwil BPN	
	Prananda	Adm. Kanwil BPN	
	Teguh M. Andah	OSP-CSEAP	

Attachment 21
Disposition Letter of the Mayor dated July 11th 2019


GUBERNUR SULAWESI TENGAH

Palu, 11 Juli 2019


Nomor : 369/349/Ko. Adwilkem
Lampiran : 1 (satu) eks
Perihal : Tindaklanjuti Laporan

Kepada
Yth. Walikota Palu
di -
Palu

Menindaklanjuti pengaduan warga Kota Palu pemilik tanah di wilayah Kelurahan Tondo Kecamatan Mantikulore Kota Palu yang saat ini dijadikan Lokasi Hunian Tetap (Hunatap) bagi para pengungsi korban bencana gempa bumi dan tsunami yang ditujukan kepada Pemerintah Provinsi Sulawesi Tengah, maka dengan ini disampaikan kepada Pemerintah Kota Palu untuk menyelesaikan masalah tersebut diatas, sebagai bahan tindaklanjuti terlampir Dokumen Keterangan Kepemilikan Tanah yang dimaksud.

Demikian disampaikan atas perhatian dan kerjasamanya diucapkan terima kasih.

Yth. Bpk As. 2
** Pelajari/ teliti*
** Segera tindaklanjuti*
** Sesuai ketentuan.*
** Koordinasikan dg OPD*
terkait.
16/07/19


GUBERNUR SULAWESI TENGAH
Drs. H. LONGKI DJANGGOLA, M.Si

Tembusan Yth:

1. Ketua DPRD Provinsi Sulawesi Tengah, di Palu;
2. Ketua DPRD Kota Palu, di Palu.

Attachment 22

Discussion for Land Issue Settlement in Tondo Village dated August 5th 2019

PEMERINTAH KOTA PALU
DINAS PENATAAN RUANG DAN PERTANAHAN
Jln. Balai Kota Selatan Blok A No. 1, Telp. (0451) 421144

Palu, 30 Juli 2019


Nomor : 005/766/VII/0444/2019
Lamp :
Sifat :
Perihal : Undangan Rapat

Kepada
Yth.
(Daftar Undangan Terlampir)
di -
Tempat

Menindaklanjuti Surat Gubernur Sulawesi Tengah No : 369/349/RO Adwipem tentang pengaduan warga Kota Palu pemilik tanah di Kelurahan Tondo Kecamatan Mantikulore Kota Palu, maka bersama ini kami mengundang kepada saudara/saudari untuk hadir menyelesaikan masalah tersebut yang insya Allah akan dilaksanakan pada :

Hari/ Tanggal : Senin, 5 Agustus 2019
Jam : 09.00 s/d Selesai
Tempat : Kantor Kelurahan Tondo

Demikian disampaikan atas kehadiran dan kerjasamanya diucapkan terima kasih.

KEPALA DINAS PENATAAN RUANG DAN PERTANAHAN KOTA PALU

Dr. MOHAMAD RIZAL S.T.M.Si
Perbina Tk.I (N/b)
NIP. 19691027 200012 1 003

PEMERINTAH KOTA PALU
DINAS PENATAAN RUANG DAN PERUMAHAN
Jl. Balai Kota Selatan Blok A No. 1 Telp. (0451) 421144 Palu

NOTULEN

Nomor : 650/802/VII/0444/2019
Rapat : Penyelesaian Masalah Tanah Pembangunan Huntap Di Kelurahan Tondo Dengan Warga Masyarakat
Hari/ Tanggal : Senin, 05 Agustus 2019
Jam : 09.00 Wita s/d Selesai
Tempat : Kantor Kelurahan Tondo Kecamatan Mantikulore
Pimpinan Rapat : Drs. Andi Lasosu (Lurah Tondo)
Peserta Rapat :

1. Kabag Pemerintahan Setda Kota Palu
2. Kabid Pertanahan Dinas Penataan Ruang dan Pertanahan Kota Palu
3. Camat Mantikulore
4. Kepala Seksi Penyelesaian Sengketa Tanah Dinas Penataan Ruang dan Pertanahan Kota Palu
5. Kepala Seksi Pemerintahan Kelurahan Tondo
6. Babinsa dan Babinkatibmas Kelurahan Tondo
7. Masyarakat Pemilik Lahan

1. Materi Rapat : Permintaan keterangan laporan hak atas tanah

2. Pembukaan : Lurah Tondo

Assalamualaikum Wr Wb,
Yang terhormat Kepala Pemerintahan Setda Kota Palu, Kepala Bidang Pertanahan Dinas Penataan Ruang dan Pertanahan Kota Palu, Camat Mantikulore dan warga masyarakat pemilik tanah beserta hadirin sekalian yang kami muliakan.
Puji syukur kami panjatkan atas kehadiran Tuhan yang Maha Kuasa karena Rahmat dan Hidayahnya kita dapat hadir pada hari ini untuk melaksanakan pertemuan sekaligus peninjauan lokasi tanah yang dipermasalahkan.
Sehubungan dengan pelaksanaan pembangunan hunian tetap (Huntap) diatas tanah tersebut kami sangat mengharapkan kepada masyarakat pemilik tanah untuk tidak menghambat atau menghentikan pelaksanaan pekerjaan pembangunannya sementara berjalan untuk penjelasan selanjutnya kami serahkan kepada :

1. Kabag Pemerintahan Setda Kota Palu
Assalamualaikum Wr Wb,
Peserta rapat yang kami hormati. Kami mewakili Pemerintah Daerah Kota Palu bersama kepala bidang pertanahan Dinas Penataan Ruang dan Pertanahan Kota Palu untuk menyelesaikan masalah atas tanah yang dibangun Hunian Tetap (Huntap) untuk masyarakat yang korban bencana pada tanggal 28 September 2018.
Kami sangat berharap kepada masyarakat pemilik tanah untuk mendukung program pembangunan Hunian Tetap (Huntap) di Kelurahan Tondo Kecamatan Mantikulore yang telah ditunjuk oleh Pemerintah Provinsi Sulawesi Tengah untuk Pemerintah Kota Palu dimana lokasi atas tanah tersebut sementara berjalan dan tidak mungkin dihentikan oleh pihak atau masyarakat pemilik tanah. Kendala-kendala yang dihadapi dipaparkan akan tetap kita selesaikan secara musyawarah dan mufakat demi tercapainya tujuan Pembangunan Hunian Tetap (Huntap) khusus masyarakat korban Gempa, Tsunami dan Likuefaksi.

2. Kepala Bidang Pertanahan Dinas Penataan Ruang dan Pertanahan Kota Palu
Assalamualaikum Wr Wb,
Yang terhormat Kabag Pemerintahan Setda Kota Palu, Camat Mantikulore, Lurah Tondo dan Masyarakat Pemilik Tanah yang kami cintai. Puji syukur kita panjatkan kepada Tuhan yang Maha Esa yang memberi kesehatan pada kita semua sehingga kita dapat hadir ditempat ini untuk melaksanakan musyawarah sekaligus meminta keterangan kepemilikan atas tanah sehingga terbit surat keterangan penguasaan tanah yang telah ditanda tangani oleh Camat Tawaeli dan Kepala Kampung Tondo pada tahun 1974.
Peserta rapat yang kami hormati pada tanggal 11 Juli 2019 kami menerima surat pengaduan warga masyarakat pemilik lahan yang ditujukan kepada Gubernur Sulawesi Tengah sehingga Gubernur Sulawesi Tengah menindak lanjut kepada Walikota Palu dan disosikan kepada Dinas Penataan Ruang dan Pertanahan Kota Palu untuk diselesaikan Atas dasar Surat Gubernur Sulawesi Tengah sehingga kami mengundang Saudara/ Saudari pemilik lahan sesuai dengan gambar kaplingan dengan surat keterangan penguasaan tanah terlampir.
Kami sangat mengharapkan masyarakat pemilik lahan untuk bersedia menjelaskan tentang proses penguasaan tanah sebelumnya.


3. Masyarakat Pemilik Tanah (Agus Laimara)
Assalamualaikum Wr Wb,
Pada tahun 1973 kami menghadap Camat Tawaeli dan meminta untuk diterbitkan surat tanah bekas kebun jagung dengan mengharapkan surah hujah. Pada waktu itu desa

Tondo masih masuk wilayah kecamatan Tawaeli. Pada tahun 1974 surat keterangan penguasaan tanah diterbitkan oleh Camat Tawaeli DANCE TALAGO dan kepala kampung Tondo BM BANSOAN secara kolektif. Tahun 1989 PT. Sinar Putra Murni dan PT. Sinar Waluyo menguasai lahan secara HGB diatas tanah adat yang telah diterbitkan surat penguasaan tanah. Demikian keterangan dari kami mewakili pemilik lahan

4. KESIMPULAN :

- Pemerintah Kota Palu akan mengkoordinasikan dengan Bapak Walikota untuk proses selanjutnya dan mengundang pemegang HGB
- Camat Mantikulore dan Lurah Tondo bersedia memfasilitasi antara masyarakat pemilik tanah dengan Walikota Palu di rumah kediamannya.
- Pemerintah Kota Palu memohon kepada pemilik tanah untuk tidak menghentikan pekerjaan atau pembangunan sementara berjalan.

Demikian rapat koordinasi antara pemilik tanah dengan Pemerintah Kota Palu dilaksanakan dan dengan mengucapkan wabillahitaufl walhidayah Assalamuallaikum Warah Matulahi Wabarakaatu. Rapat kami tutup.

Palu, 05 Agustus 2019
Pimpinan Rapat
LURAH TONDO

Drs. ANDI LASOSU
NIP. 19621012 200604 1 006


PEMERINTAH KOTA PALU
DINAS PENATAAN RUANG DAN PERTANAHAN
Jln. Balai Kota Selatan Blok A No. 1, Telp. (0451) 421144 Palu

DAFTAR HADIR RAPAT

Hari : Senin
Tanggal : 05 Agustus 2019
Tempat : Kantor Kelurahan Tondo

NO	NAMA	Instansi	No. Telepon	TANDA TANGAN
1	BUSMANI			1. Busman
2	DRP			2. DRP
3	Mrs. A. JAHIR			3. Mrs. A. JAHIR
4	ACHO KURNIAWATI			4. ACHO KURNIAWATI
5	SITI HANUWASARI			5. SITI HANUWASARI
6	Rahjuna Peroniani			6. Rahjuna Peroniani
7	DR. P			7. DR. P
8	RAKIPAH			8. RAKIPAH
9	RAHMA			9. RAHMA
10	WAB			10. WAB
11	Nur Fajri			11. Nur Fajri
12	Gynda Idris Setan			12. Gynda Idris Setan
13	Siti Hanuwasari			13. Siti Hanuwasari
14	Felix			14. Felix
15	Agus Laimara			15. Agus Laimara
16	Muhammad			16. Muhammad
17	Andi S. Edman			17. Andi S. Edman
18	Andi Lasosu			18. Andi Lasosu
19	BAMBAH			19. BAMBAM
20	Sugesti			20. Sugesti
21	Hendro			21. Hendro
22	Santo			22. Santo
23	Indy			23. Indy
24	Andi Umar			24. Andi Umar
25	Agus Fandi Rahbi			25. Agus Fandi Rahbi

Attachment 23
Letter of Invitation dated September 13th 2019

 **PEMERINTAH KOTA PALU**
DINAS PENATAAN RUANG DAN PERTANAHAN
Jln. Balai Kota Selatan Blok A No. 1, Telp. (0451) 421144

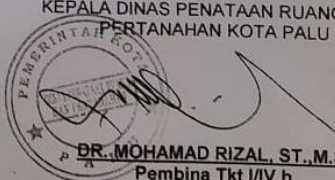
Nomor : 605/035/12/DPRP/2019
Sifat : Penting
Lampiran : -
Penhal : Undangan Rapat

Palu, 12 September 2019
Kepada :
Yth : (Daftar Undangan Terlampir)
Di -
Tempat

Menindaklanjuti surat Kepala Dinas Penataan Ruang dan Pertanahan Kota Palu No:605/766/VII/DPRP/2019 tentang penyelesaian permasalahan tanah untuk pembangunan Huntap di Kelurahan Tondo Kecamatan Mantikulore, maka bersama ini kami mengundang kembali Bapak/Ibu untuk membicarakan masalah tersebut dengan membawa surat tanah asli yang insya Allah akan dilaksanakan pada :

Hari/Tanggal : Jumat, 13 September 2019
Jam : 14.30 Wita s/d Selesai
Tempat : Kantor Kelurahan Tondo

Demikian disampaikan atas kehadiran dan kerjasamanya diucapkan terima kasih.


DR. MOHAMAD RIZAL, ST., M.Si
Pembina Tkt I/IV b
NIP. 19691027 200012 1 003

Muhammad Rizal
of pembangunan Huntap.

Attachment 24
Settlement Request of Permanent Residential Land Issues on May 26th 2020

MINISTRY OF PUBLIC WORKS AND HOUSING
REGIONAL RESIDENTIAL INFRASTRUCTURE CENTER
CENTRAL SULAWESI PROVINCE
30, Soekarno-Hatta St., Palu,

Palu, May 26th 2020

Number : CK.03.02/Cb28/230
Matter : Urgent
Attachment : -
Matter : Permanent Residential Land Issues Settlement in Tondo 2 and Talise

Dear Mr.
Mayor of Palu

Sincerely,

In connection with the land handover letter No. 1103/72.AT.02.02/XII/2019 dated December 23, 2019 for Permanent Residential in Tondo 2 covering an area of 65.3 Ha and land handover letter No. 090/72.AT.02.02/I/2020 dated January 17, 2020 for Permanent Residential in Talise covering an area of 46.83 Ha, where we have carried out the land clearing process at that location. However, based on the facts found in the field, there are still complaints from the residents of Tondo Village and Talise Village who feel they still have ownership rights over the land.

Therefore, we ask the Mayor of Palu to be able to help resolve the land problem at the location that has been submitted by the Ministry of Land and Spatial Planning/National Land Agency through the Regional Office of the National Land Agency of Central Sulawesi Province.

I am positive that you would look into this matter and will take the necessary action. I look forward to your cooperation at the earliest.

	Head of the Regional Residential Infrastructure Center Central Sulawesi
	<u>FERDINAND KANA LO, ST.MT.</u>
	NIP. 19791214 199603 1 005

Copies made to:

1. Governor of Central Sulawesi;
2. Head of the High Public Prosecutor's Office of Central Sulawesi Province;
3. Head of Regional Police of Central Sulawesi Province;
4. Head of Task Force for the Acceleration of Post-Disaster Reconstruction Rehabilitation in Central Sulawesi (Military District Commander 132/TDL)
5. Head of Central Sulawesi Disaster Management Unit Command Center from the Ministry of Public Works and Housing.

Attachment 25
Coordination Meeting for LAP Document Discussion dated January 27th 2022

NOTULENSI		
ACARA: Rapat Pembahasan Dokumen LAP Paket Pekerjaan Pembangunan Infrastruktur Tondo 2 dan Talise		
HARI/TANGGAL	TEMPAT	PIMPINAN RAPAT
Kamis, 27 Januari 2022 Pukul 19.00 WITA	Ruang Rapat Kepala BPPW Sulawesi Tengah	Kasatker Pelaksanaan Prasarana Permukiman Sulawesi Tengah
Peserta: 1. Kepala BPN Kota Palu; 2. Kepala Dinas PU Kota Palu; 3. Kepala BPBD Kota Palu; 4. Perwakilan Dinas Tata Ruang Kota Palu; 5. PPK PKP, BPPW Sulawesi Tengah; 6. Perwakilan PMU CSRRP Cipta Karya; 7. Tim World Bank; 8. Tim OSP CSRRP; 9. KI CSRRP; 10. Tim PMC CSRRP.		

NOTULENSI RAPAT
1. Pemerintah Kota Palu telah menerbitkan SK Walikota Palu No 650/371/DPRP/II/2022 tanggal 27 Januari 2022 tentang Penetapan Warga Terdampak Pembangunan Huntap Talise Sebagai Calon Peserta Konsolidasi Tanah Kelurahan Talise Kecamatan Mantikulore Kota Palu; 2. Dari SK dimaksud, terdapat sejumlah 834 WTP yang dibagi dalam 5 kategori, yaitu Petani Penggarap, peserta Program Zero Poverty, WTB Rumah Nelayan, Masyarakat Berpenghasilan Rendah (BMR) atau warga miskin, dan Pemagar. Jumlah WTP setiap kategori adalah: <ul style="list-style-type: none"> ▪ Kelurahan Talise sebanyak 490 warga (131 penggarap, 22 WTB rumah nelayan, 17 warga miskin, 320 pemagar); ▪ Kelurahan Talise Valangguni sebanyak 344 warga (8 penggarap, 150 zero poverty, 186 pemagar). 3. Skenario konsolidasi lahan yang direncanakan Pemkot Palu: <ul style="list-style-type: none"> ▪ WTP Huntap Talise yang ditetapkan melalui SK Walikota Palu No 650/371/DPRP/II/2022 sejumlah 834 warga; ▪ WTP Huntap Tondo 1 sejumlah 13 warga; ▪ WTP Huntap Tondo 2 sejumlah 47 warga. Sehingga total peserta konsolidasi Lahan di Talise sejumlah 894 warga . 4. Dari 894 WTP peserta Konsolidasi Tanah Kelurahan Talise, skenario penyerahan lahannya dibagi dalam 4 tahap, yaitu: <ul style="list-style-type: none"> a. Tahap 1, sejumlah 199 warga terdiri dari: <ul style="list-style-type: none"> ➢ Penggarap dengan jumlah 139 warga (131 penggarap dari Kelurahan Talise dan 8 penggarap dari Kelurahan Talise Valangguni); ➢ Pengklaim Tondo 1 sejumlah 13 warga; ➢ Pengklaim Tondo 2 sejumlah 47 warga. b. Tahap 2, sejumlah 189 warga terdiri dari: <ul style="list-style-type: none"> ➢ WTB rumah nelayan dengan jumlah 22 warga (dari Kelurahan Talise); ➢ Zero poverty sejumlah 150 warga (dari Kelurahan Talise);

- Masyarakat Berpenghasilan Rendah sejumlah 17 warga (dari Kelurahan Talise);
- c. **Tahap 3**, sejumlah 300 warga kategori:
 - 300 WTP Pemagar (dari Kelurahan Talise dan Talise Valanguni);
- d. **Tahap 4**, sejumlah 206 warga kategori
 - 206 WTP Pemagar (dari Kelurahan Talise dan Talise Valanguni);
- 5. Surat pernyataan Warga Terdampak Pembangunan Hunian Tetap (WTP) sebagai lampiran Dokumen *Land Acquisition Plan* (LAP) akan disusun dalam 2 format:
 - Surat Pernyataan untuk tahap 1 (199 warga);
 - Surat Pernyataan untuk tahap 2, 3, dan 4 (695 warga);
 - Format Surat Pernyataan terlampir dalam Notulensi.
- 6. Surat pernyataan untuk tahap 1 ditandatangani oleh WTP, Lurah, Lembaga Masyarakat dan 2 saksi. Kriteria saksi adalah tetangga dekat atau dapat diwakilkan RT/RW;
- 7. Surat pernyataan untuk tahap 2, 3 dan 4 ditandatangani oleh WTP, Lurah dan Lembaga Masyarakat;
- 8. Progres penyiapan lahan (LC/LD) dalam bentuk kavling berukuran 10 x 15 meter di Lahan Pengganti Talise untuk tahap 1 ditargetkan selesai pada **3 Februari 2022**;
- 9. Proses penandatanganan Surat Keterangan untuk tahap 1 ditargetkan selesai pada **7 Februari 2022**. Sedangkan penandatanganan Surat Keterangan untuk tahap 2, 3 dan 4 ditargetkan selesai sesuai dengan action plan-nya atau selambatnya **Desember 2022**;
- 10. Penyiapan lahan (LC/LD) dalam bentuk kavling berukuran 10 x 15 meter di Lahan Pengganti Talise untuk tahap 2, 3 dan 4 ditargetkan selesai pada **Desember 2022**;
- 11. Dokumen LAP akan disusun berdasarkan lokasi hunian tetap (LAP Tondo 1, LAP Tondo 2 dan LAP Talise);
- 12. Perlu ada konsistensi antara Dokumen LAP yang sedang direvisi dengan Dokumen LAP yang telah disampaikan kepada World Bank. Sehingga perlu dilampirkan kronologis perubahan data dan informasi yang lengkap;
- 13. Perlu disampaikan dan didefinisikan dengan jelas terkait kriteria keberhakan WTP;
- 14. World Bank hanya memberikan *No Objection Letter* (NOL) untuk persyaratan pelaksanaan lelang dan akan tetap memonitor proses implementasi LAP yang sudah mendapatkan NOL. World Bank tidak dapat menutup kasus klaim Huntap Tondo 1, Tondo 2 dan Talise jika seluruh klaim belum diselesaikan (WTP tahap 1, tahap 2, 3 dan tahap 4).

Keterangan:

1. Petani penggarap merupakan warga yang selama ini menggarap lahan tidur di wilayah HGB;
2. Program Zero Poverty merupakan Program Penanggulangan Kemiskinan yang dikembangkan oleh Pemerintah Kota Palu pada tahun 2014, yang salah satu implementasinya adalah membagikan lahan untuk warga miskin;
3. Pemagar adalah warga yang mengklaim lahan dan melakukan pemagaran di atas lahan Huntap Talise. Pemagaran dilakukan setelah lahan Huntap Talise dilakukan pematangan lahan/*Land clearing*;
4. Masyarakat Berpenghasilan Rendah (MBR) Kelurahan Talise merupakan warga miskin yang diusulkan oleh Ketua LPM dan Lurah Talise untuk menjadi calon peserta Konsolidasi Tanah Kelurahan Talise;
5. Nelayan korban tsunami yang menempati rumah pemberian Pemerintah Kota Palu tetapi belum punya alas hak atas rumahnya karena sertifikasi lahannya belum dibagikan. Mereka diusulkan oleh Ketua LPM dan Lurah Talise untuk menjadi peserta Konsolidasi Tanah Kelurahan Talise.

DOKUMENTASI



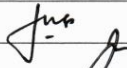



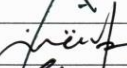
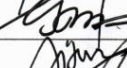
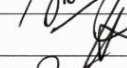

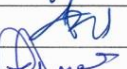


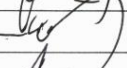


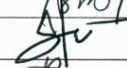
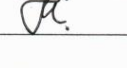
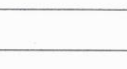


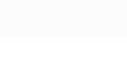






ABSENSI

Hari : Kamis, 27 Januari 2022

Lokasi : Ruang Rapat BPPW Sulawesi Tengah

Agenda : Pembahasan Dokumen LAP Paket Pekerjaan Pembangunan Infrastruktur Tondo dan Talise

Nama	Instansi	Jabatan	No. Telepon	Tanda Tangan
TARSO	BPPW	Sekret		
Yannis H-D	BPN PALU	Kepala		
Remy	BPN Palu	Kasi PT		
MUHAMMAD NUR CARISA	PU KOTA	KABID		
Singgih B. Prasetyo	PU Kota	Kadis		
Adely T.	BPPW Kota	Kelak	0821 9194 1068	
Dwi Pramono	OSP CSRAP	TA		
YONDRICH	OSP CSRAP	ASISTEN	0822 9280 4686	
Siswa Tri SURENA	Citra Karya	STAF	082211071010	
Hanung Budi D	OSP	TA	081328020045	
Wulan	OSP	PCOS	082124510185	
TAHANAKAN	OSP	KORWIL	085241086544	
Indri	WB		0822201142	
KUTIALA SARI	WB	CERC team	08128185353	
SHALIA FAUZAN	BPIW	STAF	085723750000	
Putu Gelgel	WB		081140384	
Bams Sukohadi	OSP	TA	08121735327	
Wijang W	OSP	TA	08164271119	
EVI HERMILASARI	WB		08111950195	
IDA AYU INDIRA	WB		0811896062	
JUMADI	PMC-CSRAP	Asisten	08216344367	
Bimo R. Putro	PMC-CSRAP	Asist Lingk	081318222793	
Juryani Sabu	OPM Kasa	Kalid	082244030525	
Teguh M. Akel	OSP CSRAP	TL	087887218245	

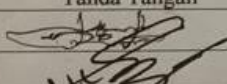
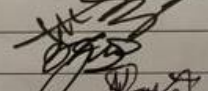
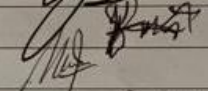
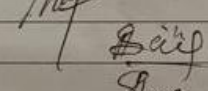
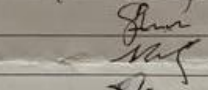
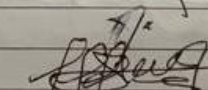
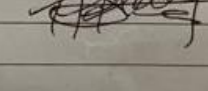
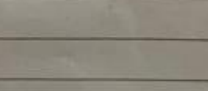
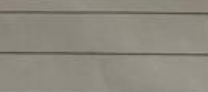
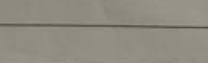
Attachment 26
Minutes of Meeting dated Januari 30th 2022

**BERITA ACARA
PERTEMUAN WARGA MASYARAKAT YANG MEMILIKI LAHAN DI HUNTA I
KELURAHAN TONDO KECAMATAN MANTIKULORE**

Pada hari ini, Minggu Tanggal Tiga Puluh Bulan Januari Tahun Dua Ribu Dua Puluh Dua di Rumah Kediaman Saudara Dg. Mandrulu Dg. Mabara dan yang bertanda tangan dibawah ini masing-masing Pemilik SKPT tahun 1974 dan mewakili Ahli Waris SKPT Tahun 1974 yang hadir dan sudah mewakili 37 Orang Pemilik SKPT Tahun 1974 telah Sepakat sebagaimana tercantum dibawah ini :

1. Bahwa kami Tidak Mau Direlokasi ke wilayah Kelurahan Talise.
2. Bahwa kami sepakat, Lahan kami yang ditempati Pembangunan Huntap I Tondo agar di ganti rugi.

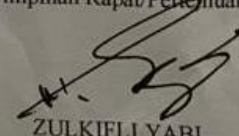
Adapun Nama-nama yang hadir pada pertemuan tersebut, bertanda tangan dibawah ini :

No.	Nama	Alamat	Tanda Tangan	Keterangan
1.	Adjis	TALISE		AHLI WARIS
2.	ZULKIFLI YABI	TALISE		AHLI WARIS
2.	DE MANDRULU	TONDO		AHLI WARIS
3.	SAPUDIN	TONDO		AHLI WARIS
4.	NAWIR	TONDO		AHLI WARIS
5.	AMILLAH	TONDO		AHLI WARIS
6.	SITE	TONDO		AHLI WARIS
7.	SENGE KODI	TONDO		AHLI WARIS
8.	HADRI	TONDO		AHLI WARIS
9.	TASRON	TONDO		AHLI WARIS
10.				
11.				
12.				
13.				
14.				
15.				

Demikian Berita Acara ini kami buat, dalam keadaan Sehat dan Tidak ada Unsur Paksaan dari Pihak Manapun, serta dapat dipergunakan sebagaimana mestinya.

Mengetahui,
KELURAH TONDO

ABD HALIM, S.Sos
NIP. 19650501 198502 1 001

Pimpinan Rapat/Pertemuan

ZULKIFLI YABI

Attachment 27
Letter of Annulment of Land Registration Certificate issued in 1974

SURAT - PEMBATALAN

Saya yang bertanda tangan dibawah ini :

Nama : : Bahusen Muhamad
Umur : : 51 Tahun
Pekerjaan : : Pegawai Negeri Sipil
Alamat : : Kelurahan Tondo

Serta meneliti dengan cermat bahwa surat-surat tanah yang dikeluarkan baru-baru ini sangat menyalahi hukum yang berlaku karena :

1. Pembuatan surat bukan lagi saya Kepala Kampung Tondo Kecamatan Tavaili dan bapak Dance Talago pun bukan lagi Camat / Kepala Wilayah Kecamatan Tavaili.
2. Pembuatan surat-surat tersebut baru 3 (tiga) bulan yang lalu
3. Stempel yang kami pakai ada ditangan saudara Mustafa di Tondo sekarang .
4. Kalau sekiranya bapak Dance Talago mau mempertanggung jawabkan hal tersebut saya tetap tidak mau karena itu menyalahi hukum yang berlaku , dan menurut saya sehingga melalui surat ini , surat yang saya buat dan saya tanda tangani adalah batal dan tidak berlaku lagi maupun surat sudah dibagi (dianfaatkan) atau masih ada ditangan orang-orang tertentu atau belum terbagi sama orang lain kesemuanya itu batal dengan sendirinya . Setahu saya baru-baru ini Ajis Palimatu banyak sekali yang memiliki kesemuanya itu batal juga .

Seperti Sabda Ripa menyala gunakan surat tersebut dengan menguasai tanah seluas 1(satu)ha sesuai dengan gambar yang mereka laporkan kepada Bapak Wali Kota diantaranya tembusan kepada Kepala Kejaksaan Negeri Kelas I Palu ; mana mungkin dan tidak masuk akal Sabda Ripa mendapat tanah seluas 1 ha sedangkan saya Lurah pada waktu itu hanya mendapat 50 x 50 meter persegi. lihat denah yang mereka buat sendiri .

Kejadian ini aneh pada hal Lurahlah memiliki tanah yang paling banyak di wilayahnya , sebab Lurah termasuk yang berhak membagi tanah di wilayahnya . Disini terbalik sabdalah yang banyak memiliki tanah pada hal oknum tersebut bukan penduduk Tondo dia adalah warga Kelurahan Poboya . Pertama sekali saya tarik surat tersebut dari :

- | | |
|--------------------------|-------------------------|
| 1. Bapak Dance Talago | 11. Bapak Madi |
| 2. Bapak Sabda Ripa | 12. Bapak Turu Laimara |
| 3. Bapak Tajudin Haluang | 13. Ibu Nikma Laimara - |
| 4. Bapak Bakir Najamudin | 14. Bapak Arman - |
| 5. Bapak Piter | 15. Bapak Bahusen |
| 6. Bapak Ajis Palimatu - | 16. Ibu Patimah |
| 7. Bapak Haseeman | 17. Ibu Ratnah Abdullah |
| 8. Bapak / Ibu Aisa - | 18. Bapak Loki |
| 9. Bapak Amirudin | 19. Bapak Ramadan |
| 10. Bapak Linggusando | 20. Bapak Mustafa |

Demikian surat pembatalan ini saya buat dan menjadi pegangan saya sekiranya hal tersebut sampai pada Pengadilan Kelas I Palu .-

Lasoani 7 Oktober 1994

Tembusan : Kepada Yth,

1. Bapak Wali Kota Palu di Palu
2. Bapak Kepala Kantor Pertanahan Kabupaten Daerah Tkt. II Donggala di Palu.
3. Bapak Camat Palu Timur di Palu
4. Bapak Kejaksaan Negeri Kelas I Palu di Palu .-
5. A r s i p .-

Kopala Kelurahan ;
BAHUSEN MUHAMAD
NIP. 010155576.-

Attachment 28
Letter dated January 10th 2022



KANTOR HUKUM MAURIDSON HUTAGALUNG, SH

ADVOKAT | PENGACARA | KONSULTAN HUKUM

135/EM/22
13-01-22

Jakarta, 10 Januari 2022

No. 09/KTH/I/2022

Kepada Yth,

**Bapak Wakil Presiden Republik Indonesia
Prof. Dr.(H.C) K.H. Ma'ruf Amin.**

Jl. Medan Merdeka Selatan

Di - **J a k a r t a**

SURAT TEMBUSAN

Perihal : **Pengaduan dan Permohonan Perlindungan Hukum.**

Dengan Hormat,

Perkenalkan Kami,

1. Mauridson Hutagalung, S.H.
2. Sarman, SH.

Adalah para Advokat / Konsultan Hukum pada *Kantor Hukum Mauridson, SH*, beralamat di Jl. Bendi Raya No. B2 No. 31 Jakarta Selatan

Bertindak untuk dan atas nama serta kepentingan hukum Klien kami :

DJOKO PUSTOKO ONGGO HARTONO, selaku Direktur Utama PT. SINAR PUTRA

MURNI dan PT. SINAR WALUYO, berdasarkan Surat Kuasa Khusus Tanggal 20 Desember 2021.

Sehubungan dengan Pengambilan/Penggunaan Tanah milik PT Sinar Putra Murni (Perseroan) dan PT Sinar Waluyo (Perseroan) seluas 58,6 ha untuk Pembangunan Huntap dan Jalan Raya di Kel. Tondo dan Talise, Kec. Mantikulore, kota Palu, Sulawesi Tengah, tanpa melalui mekanisme Pembebasan tanah sebagaimana dimaksud UUCK No. 11 tahun 2020 Jo. UU No. 2 tahun 2012 tentang Pengadaan Tanah bagi Pembangunan untuk kepentingan umum, dengan demikian melalui surat ini dapat kami sampaikan hal hal sebagai berikut :

1. Berdasarkan undangan Gubernur Sulawesi Tengah untuk berinvestasi dibidang usaha Perumahan di kota Palu pada tahun 1989 yang ditindak lanjuti dengan Ijin Lokasi No. 188.44/3309/Agraria dan Ijin Lokasi No. 188.44/3309/Agraria, Perseron telah membebaskan tanah sesuai dengan PERMENDAGRI NO. 15 TAHUN 1975 Jo. PERMENDAGRI NO. 3 TAHUN 1987, dimana Kantor Pertanahan Kota Palu telah menerbitkan bukti kepemilikan tanah sebagaimana terlampir pada Kronologis tanah untuk Pembangunan Huntap.
2. Bahwa oleh karena ada krisis moneter, krisis Poso dan hambatan perijinan Pembangunan oleh Pemerintah Kota Palu sehingga terkesan diatas tanah Perseroan tidak ada kegiatan, akibatnya pada

JALAN BENDI RAYA B2 NO. 31 JAKARTA SELATAN

1



KANTOR HUKUM MAURIDSON HUTAGALUNG, SH

ADVOKAT | PENGACARA | KONSULTAN HUKUM

tahun 2014 tanah Perseroan dikenakan SK Tanah Terlantar oleh oknum BPN dan pada tahun 2014 Perseroan menggugat Kementerian ATR/BPN RI, di PTUN Jakarta dan hasilnya **telah berkekuatan hukum tetap** terbukti tanah Perseroan bukan Tanah Terlantar, sebagaimana terlampir pada kronologis tanah untuk Pembangunan Huntap.

3. Bahwa Perseroan selalu mengikuti permintaan Menteri ATR/BPN RI Bapak Dr. Sofyan A Djalil, SH, MA, MALD, sebagai berikut :
 - a. Pada tahun 2017, **Perseroan menyumbang/menghibahkan tanah seluas 15 Ha**, sesuai dengan Surat Pernyataan Pelepasan Hak, tanggal 12 April 2017, untuk Pembangunan Mapolda Sulteng.
 - b. Pada tanggal 10 November 2019, Perseroan menyumbang Lahan seluas ± 30 Ha untuk kepentingan Huntap II di Kelurahan Tondo, Kota Palu, sesuai kesepakatan yang ditandatangani oleh Kepala Kantor Wilayah Badan Pertanahan Nasional Provinsi Sulawesi Tengah dengan. PT. SINAR PUTRA MURNI dan PT. SINAR WALUYO termasuk Perpanjangan SHGB akan dibantu namun hingga sekarang perpanjangan SHGB belum terealisasi, berita acara penyerahan tanah terlampir pada kronologis tanah untuk Pembangunan Huntap.
4. **Bahwa ternyata Kementerian ATR/BPN melalui Kepala Kantor Wilayah Badan Pertanahan Nasional Provinsi Sulawesi Tengah Sdr. Doni, melakukan penyerahkan Lahan seluas ± 65 Ha** kepada Walikota Kota Palu Sdr. Hadiano dimana seluas ± 10 ha beririsan dengan tanah yang disumbangkan oleh Perseroan dan **seluas ± 55 ha** diluar tanah yang telah disumbangkan, dengan demikian penyerahan tanah tersebut mengabaikan Undang-undang No. 2 Tahun 2012 Tentang Pengadaan Tanah Untuk Kepentingan Umum Jo Peraturan Presiden No. 19 tahun 2021 Tentang Penyelenggaraan Pengadaan tanah Bagi Pembangunan Untuk Kepentingan Umum, sehingga tindakan tersebut mengakibatkan keterlambatan pembangunan Huntap karena status hukum tanahnya belum **Clean and Clear**, padahal pada prinsipnya Perseroan tidak keberatan jika diberikan ganti rugi, berita acara penyerahan tanah terlampir pada kronologis tanah untuk Pembangunan Huntap.
5. Bahwa pada bulan Agustus 2019, **Walikota Palu** telah mengambil sebagian tanah Perseroan **sekitar 3,6 ha** dan pada Tanggal 27 Mei 2021, bahkan dengan memanfaatkan Penetapan Lokasi Surat Keputusan Gubernur Sulawesi Tengah No. 369/516/DIS.BMPR-G.ST/2018 tentang Penetapan Lokasi Tanah Relokasi Pemulihan akibat bencana di Provinsi Sulawesi Tengah, hingga sekarang Walikota Palu telah membuat perencanaan untuk pembangunan Kota Satelit di seluruh tanah Perseroan tanpa memberikan ganti rugi tanah, foto proyek Pembangunan Jalan terlampir pada kronologis tanah untuk Pembangunan Huntap.
6. Bahwa pada tanggal 7 September 2021 Perseroan telah dimintai keterangan oleh Kejaksaan Agung terkait pengadaan tanah untuk pembangunan Huntap dan pada tanggal 3 November 2021 dimintai keterangan oleh Badan Pemeriksa Keuangan Republik Indonesia (BPK) serta pada tanggal 22 November 2021 Perseroan telah diundang oleh Bapak Dr. Sofyan A Djalil, SH, MA, MALD selaku Menteri ATR/BPN RI, namun belum mendapat kepastian terkait pembayaran/ganti rugi atas tanah



KANTOR HUKUM MAURIDSON HUTAGALUNG, SH

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Perseroan yang digunakan untuk Huntap dan Jalan Raya, sebagaimana dimaksud dalam Peraturan Pengadaan tanah untuk Kepentingan Umum.

7. Berdasarkan uraian tersebut diatas, maka untuk memberikan kepastian hukum terhadap dunia usaha termasuk kepastian hukum terhadap tanah untuk Proyek Huntap agar **clean and clear**, kiranya mohon agar Bapak Wakil Presiden Republik Indonesia berkenan untuk meluruskan sehingga dapat dilaksanakan pengadaan tanahnya melalui mekanisme sesuai Undang undang No. 2 tahun 2012 Jo. PP No. 19 tahun 2021 Jo. Permenag No.19 tahun 2021 dan untuk menganggarkan pengadaan tanah milik Perseroan seluas \pm 55 Ha yang telah digunakan untuk huntap dan seluas \pm 3,6 ha untuk jalan raya.

Demikian surat pengaduan dan permohonan perlindungan hukum ini kami sampaikan, kiranya Bapak Wakil Presiden berkenan memberikan petunjuk lebih lanjut, apabila diperlukan data data lainya atau diperlukan keterangan lebih lanjut, dapat menghubungi kami.

Atas perhatian dan kebijaksanaannya kami haturkan terimakasih.

Hormat kami,

Mauridson Hutagalung, SH.

Sarman, SH.

Tembusan Yth :

1. Presiden Republik Indonesia.
2. Badan Pemeriksa Keuangan RI (BPK RI).
3. Kejaksaan Agung RI
4. Menteri ATR/BPN RI.
5. Menteri PUPR RI.
6. Gubernur Provinsi Sulawesi Tengah.
7. KaKanwil ATR/BPN Prov. Sulteng.
8. Walikota Palu.
9. Bank Dunia di Jakarta.

Attachment 29 Letter dated Januari 21st 2022

**KANTOR HUKUM MAURIDSON HUTAGALUNG, SH**
ADVOKAT | PENGACARA | KONSULTAN HUKUM

Jakarta, 21 Januari 2022

Kepada Yth,
Bapak Wakil Presiden Republik Indonesia Prof. Dr. (H.C.) K.H. Ma'ruf Amin.
Jl. Medan Merdeka Selatan
Di:
Jakarta

Perihal : Pemberitahuan tentang status Hibah Tanah seluas 30 Ha dari PT SINAR PUTRA MURNI DAN PT SINAR WALUYO untuk Hutan II di Palu yang belum Clear and clear.

Dengan Hormat,

Perkenankan Kami, **Mauridson Hutagalung, S.H** dan **Sarman, S.H**, adalah para Advokat / Konsultan Hukum pada Kantor Hukum Mauridson, S.H, beralamat di Jl. Bendi Raya No. 31 Jakarta Selatan.

Berindak untuk dan atas nama serta kepentingan Hukum Klien kami : **DIOKO PUSTOKO ONGGO HARTONO**, selaku Direktur Utama PT. SINAR PUTRA MURNI dan PT. SINAR WALUYO, berdasarkan Surat Kuasa Khusus Tanggal 20 Desember 2021.

Sehubungan dengan status Hibah Tanah seluas 30 Ha dari Perseroan untuk Hutan II di Palu yang belum Clear and clear, melalui surat ini kami sampaikan hal-hal sebagai berikut :

1. Bahwa berdasarkan Kesepakatan Penyerahan Tanah seluas 30 Ha Untuk Hutan II yang telah ditandatangani tanggal 20 September 2019 adalah merupakan tindak lanjut atas permintaan Menteri ATR/BPN RI pada tanggal 11 Juli 2019 di hotel Shangri-la Jakarta (terlampir).
2. Bahwa kesepakatan tersebut merupakan undang-undang bagi para pihak berdasarkan KUHPerdata pasal 1338, BPN akan membantu memperpanjang SHGB milik Perseroan sesuai dengan SOP dan BPN menjamin hak Prioritas terhadap tanah - tanah Perseroan tidak akan diberikan kepada pihak lain tanpa persetujuan Perseroan dan kenyataannya bahwa Bidang tanah Perseroan yang dihibahkan seluas 30 Ha, namun diserahkan kepada Walikota Palu seluas 65 Ha tanpa ada persetujuan dari Perseroan dan kesepakatan Perpanjangan SHGB milik Perseroan sampai saat ini belum direalisasikan (terlampir).

JALAN BENDI RAYA RI NO. 31 JAKARTA SELATAN 1

**KANTOR HUKUM MAURIDSON HUTAGALUNG, SH**
ADVOKAT | PENGACARA | KONSULTAN HUKUM

3. Bahwa dengan belum direalisasinya oleh Kementerian ATR/BPN sesuai Kesepakatan tentang Perpanjangan SHGB milik Perseroan dan menjamin hak Prioritas terhadap tanah Perseroan yang tidak akan diberikan kepada pihak lain tanpa persetujuan Perseroan, maka terhadap Hibah tanah seluas 30 Ha yang telah diberikan oleh Perseroan untuk Hutan II, belum Clear and clear dan jika tanah Hibah dimaksud langsung digunakan/dibangun Hutan maka berpotensi menimbulkan permasalahan hukum di kemudian hari.

Berlaku dengan hal tersebut diatas, bersama ini disampaikan kepada Bapak Wakil Presiden mohon kiranya untuk memberikan aksesnya dan Petunjuk agar Klien kami selaku yang memiliki Hak Prioritas atas tanah tersebut mendapatkan keadilan.

Demikian surat ini kami sampaikan untuk menjadi Perika dan atas Perhatian dan kebijaksanaan Bapak Wakil Presiden, kami haturkan terima kasih.


Hormat kami,

 
Mauridson Hutagalung, SH Sarman, SH

Tembusan :

1. Menteri ATR/BPN RI.
2. Menteri PUPR RI.
3. Gubernur Provinsi Sulawesi Tengah.
4. Kapolda Provinsi Sulawesi Tengah.
5. Kasatwil ATR/BPN Provinsi Sulawesi Tengah.
6. Walikota Palu
7. Bank Dunia / World Bank di Jakarta

JALAN BENDI RAYA RI NO. 31 JAKARTA SELATAN 2

**MENTERI AGRARIA DAN TATA RUANG/
KEPALA BADAN PERTANAHAN NASIONAL**

Kantor : AT.02/056/V/2021 Jakarta, 17 Mei 2021
Sifat : Segera
Lampiran : -
Hal : Pembangunan Hunian Tetap Relokasi Bencana

Yth. Kepala Kantor Wilayah Badan Pertanahan Nasional
Provinsi Sulawesi Tengah
di:
Palu

Menindaklanjuti hasil rapat audiensi dengan Gubernur Sulawesi Tengah pada tanggal 26 April 2021 bertempat di Kementerian Agraria dan Tata Ruang/Badan Pertanahan Nasional, dengan ini disampaikan hal-hal sebagai berikut:

1. Berdasarkan surat Menteri Agraria dan Tata Ruang/Kepala Badan Pertanahan Nasional tanggal 15 Oktober 2019 Nomor BP.04.01/1801/X/2019, tanah yang diperoleh melalui proses pengalihan tanah berdasarkan Keputusan Gubernur Sulawesi Tengah tanggal 26 Desember 2018 Nomor 369/516/DUS/BMPPR-0.87/2018 pada prinsipnya diperuntukkan untuk memenuhi kebutuhan dalam rangka rehabilitasi atau rekonstruksi pasca bencana, dengan sasaran prioritas yaitu pembangunan hunian tetap.
2. Berdasarkan surat Kepala Kantor Wilayah Badan Pertanahan Nasional Provinsi Sulawesi Tengah tanggal 17 Januari 2020 Nomor 090/72.AT.02.02/1/2020, telah dilakukan penyerahan lahan hasil pengalihan tanah kepada Menteri Pekerjaan Umum dan Perumahan Rakyat c.q. Ketua Satgas Pelaksanaan Penanganan Bencana Sulawesi Tengah dengan luas ± 297 ha untuk dapat digunakan sebagai lokasi pembangunan Hunian Tetap (Hutapi) Pasca Bencana di Provinsi Sulawesi Tengah.
3. Mempertahankan uraian di atas, maka:
 - a. Diperintahkan kepada Saudara untuk dapat menyerahkan hasil pengalihan tanah dengan rincian sebagaimana berikut kepada Pemerintah Kota Palu untuk dipergunakan sebagai pemulihatan akibat bencana di hunian tetap.

No.

-2-

No	Pemegang Hak	Luas Tanah yang Dipersewakan
1.	PT Lembah Palu Nagaya/Tondo	45 ha
2.	PT Sinar Putra Murni/Tondo	65 ha
3.	PT Sinar Waluyo/Tondo	
4.	PT Duta Dharma Bhakti/Talise	46,8 ha
5.	PT Duta Dharma Bhakti/Dipuy	36,3 ha
	Total	193,1 ha


b. Berikut disampaikan petunjuk pengelolaan sementara sebagaimana dimaksud huruf a, yaitu:

- 1) terhadap tanah yang dipergunakan untuk hunian tetap dapat diberikan hak atas tanah kepada penerima hunian dengan menggunakan mekanisme Percepatan Pendaftaran Tanah Sistematis Lengkap (PTSL) dan Redistribusi Tanah;
- 2) terhadap tanah yang dipergunakan untuk fasilitas sosial dan fasilitas umum dapat diberikan hak atas tanah kepada Pemerintah Kota Palu.

4. Terkait permasalahan penyediaan tanah lokasi hunian tetap Natarbaru yang lokasi tanahnya berada di luar penempatan lokasi sebagaimana dimaksud dalam angka 1, yaitu terdapat tuntutan masyarakat Petube untuk dapat direlokasi di atas lahan Natarbaru seluas 115 ha dan seluas horizontal antara pemilik tanah, maka diperintahkan kepada Saudara untuk dapat menyelesaikan permasalahan di atas melalui mekanisme konsolidasi tanah.

5. Terkait telah berakhirnya penutupan lokasi sebagaimana dimaksud angka 1 dan berdasarkan surat Pk. Direktur Jenderal Pengalihan Tanah atas nama Menteri Agraria dan Tata Ruang/Kepala Badan Pertanahan Nasional tanggal 27 Oktober 2020 Nomor BP.01.01/2027-000/X/2020, terkait kebutuhan tanah untuk pemukiman lahan non hutapi oleh Pemerintah Kota Palu dapat diperoleh melalui mekanisme pengalihan tanah berdasarkan Undang-Undang Nomor 2 Tahun 2012 tentang Pengalihan Tanah bagi Pembangunan untuk Kepentingan Umum dan Undang-Undang Nomor 11 Tahun 2020 tentang Cipta Kerja, Peraturan Pemerintah Nomor 19 Tahun 2021 tentang Penyelenggaraan Pengalihan Tanah bagi Pembangunan untuk Kepentingan Umum, dengan memperhatikan konsolidasi Bencana Tata Ruang Wilayah (BTRW) setempat.

Demikian untuk menjadi perhatian dan dilaksanakan.


MENTERI AGRARIA DAN TATA RUANG/
KEPALA BADAN PERTANAHAN NASIONAL
JALAN A. RAJAL
Tembusan

Attachment 30
Minutes of Meeting dated February 2nd 2022



KEMENTERIAN SEKRETARIAT NEGARA RI
SEKRETARIAT WAKIL PRESIDEN

Jalan Kebon Sirih No. 14, Jakarta 10110, Telepon (021) 38413849
Faksimile (021) 3810104, Situs: www.wapres.go.id

Nomor : T-01/SWP/D-2/SB.02.00/02/2022 3 Februari 2022
Sifat : Segera
Lampiran : Satu Berkas
Hal : Penyampaian Risalah Rapat Koordinasi Tingkat
Eselon I Penuntasan Penanganan
Pascabencana Sulawesi Tengah, 2 Februari
2022

Yth. Pejabat terlampir
di tempat

Berkenaan dengan pelaksanaan Rapat Koordinasi Tingkat Eselon I Hal Penuntasan Penanganan Pascabencana Sulawesi Tengah yang telah diselenggarakan pada Rabu, 2 Februari 2022, bersama ini kami sampaikan beberapa hal pokok yang menjadi kesimpulan dan kesepakatan sebagai berikut:

1. Perlu segera diselesaikan permasalahan lahan Tondo II oleh Walikota Palu, terkait klaim lahan oleh masyarakat dan tuntutan PT SPM dan PT SW, dengan batas waktu akhir Februari 2022, untuk dilaporkan Gubernur Sulteng kepada Wapres dan Menteri/Kepala LPNK terkait.
2. Sebagai respon terhadap klaim dan tuntutan PT SPM dan PT SW, perlu dikoordinasikan lintas K/L berdasarkan masukan dari Pemda Provinsi Sulteng dan Pemkot Palu.
3. Agar dapat segera dipersiapkan pembangunan hunian tetap di lahan 65 Ha di Tondo II Kota Palu, dengan telah diselesaikan masalah klaim lahan masyarakat dan eks-HGB, termasuk status lahan bagi WTB yang ditempatkan di Tondo II. *Apabila harus direlokasi ke Pombewe, perlu ditetapkan status warga terdampak bencana (WTB) dari wilayah Tondo II Kota Palu ke wilayah Pombewe Kabupaten Sigi.*
4. Revisi Rencana Rehabilitasi dan Rekonstruksi Pascabencana (R3P) Sulteng agar dapat diselesaikan oleh BNPB melalui koordinasi Kemenko PMK, dengan masukan dari Pemprov dan Pemda terdampak di Sulteng.
5. Penyusunan rancangan Inpres Penuntasan Penanganan Pascabencana Sulteng segera ditindaklanjuti, dengan berpedoman pada R3P Sulteng TA 2022-2024, termasuk memperhatikan major project RPJMN 2020-2024.
6. Ditargetkan penyelesaian R3P 2022-2024 dan Inpres Penuntasan Penanganan Pascabencana Sulteng dapat diselesaikan pada triwulan I TA 2022, untuk dapat



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elektronik.

dijadikan pedoman RKP/RKPD dan RAPBN/RAPBD TA 2023, sekaligus penajaman dan refocusing APBN dan APBD TA 2022.

7. Dokumen R3P 2022-2024 untuk ditetapkan melalui Pergub, pengganti Pergub 10/2019 sebagai pedoman penuntasan penanganan pascabencana oleh Pemprov dan Pemkab/Pemkot terdampak.

Terlampir risalah Rapat Koordinasi selengkapnya dan kami ucapkan terima kasih atas perhatian dan kerjasamanya yang baik.

Deputi Bidang Dukungan
Kebijakan Pembangunan Manusia
dan Pemerataan Pembangunan,



Suprayoga Hadi

Tembusan :
Kepala Sekretariat Wakil Presiden

Lampiran 1 Surat Dinas

Deputi Bidang Dukungan Kebijakan
Pembangunan Manusia dan Pemerataan
Pembangunan

Nomor : T-01/SWP/D-2/SB.02.00/02/2022

Tanggal : 3 Februari 2022

DAFTAR PEJABAT YANG DIKIRIMI SURAT DINAS

1. Deputi Perundang-undangan dan Administrasi Hukum, Kementerian Sekretariat Negara
2. Deputi Rehabilitasi dan Rekonstruksi, Badan Nasional Penanggulangan Bencana
3. Deputi Bidang Koordinasi Pemerataan Pembangunan Wilayah dan Penanggulangan Bencana, Kementerian Koordinator Pembangunan Manusia dan Kebudayaan
4. Deputi Bidang Pengembangan Regional, Kementerian PPN/ Bappenas
5. Direktur Jenderal Cipta Karya, Kementerian PUPR
6. Kepala Badan Pengembangan Infrastruktur Wilayah, Kementerian PUPR
7. Direktur Jenderal Penanganan Penanganan Sengketa dan Konflik Pertanahan, Kementerian Agraria dan Tata Ruang/Badan Pertanahan Nasional
8. Direktur Jenderal Penetapan Hak dan Pendaftaran Tanah, Kementerian Agraria dan Tata Ruang/Badan Pertanahan Nasional
9. Sekretaris Daerah Provinsi Sulawesi Tengah
10. Kepala Satuan Tugas Pelaksana Penyelenggaraan PB Pasca Gempa Bumi dan Tsunami Sulawesi Tengah
11. Kepala Pelaksana BPBD Provinsi Sulawesi Tengah
12. Sekretaris Daerah Kota Palu

Deputi Bidang Dukungan
Kebijakan Pembangunan Manusia
dan Pemerataan Pembangunan,



Suprayoga Hadi

**RISALAH RAPAT KOORDINASI TINGKAT ESELON I
PENUNTASAN PENANGGULANGAN PASCABENCANA SULAWESI TENGAH**

Hari, tanggal : Rabu, 2 Februari 2022
Waktu : Pukul 09.35 s.d. 11.30 WIB
Pimpinan Rapat : Deputi Bidang Dujak Pembangunan Manusia dan Pemerataan Pembangunan (PMPP), Sekretariat Wakil Presiden
Peserta Rapat : Deputi Bidang Koordinasi Pemetaan Pembangunan Wilayah dan PB-Kemenko PMK; Dirjen Penetapan Hak dan Pendaftaran Tanah, Kemen ATR/BPN; Deputi Rehabilitasi dan Rekonstruksi-BNPB; Kepala Pusat Pengembangan Infrastruktur PUPR Wilayah III-Kemen PUPR; Asisten Deputi Pembangunan Manusia dan Kebudayaan, Deputi PUU dan Administrasi Hukum, Kemensetneg; Unsur Direktorat Tata Ruang dan Penanggulangan Bencana-Kemen PPN/Bappenas; Unsur Sekda Pemprov Sulteng (Asisten II); Sekretaris Daerah Kota Palu, dan Kepala BPBD Kota Palu.

PENGANTAR DEPUTI BIDANG DUJAK PEMBANGUNAN MANUSIA DAN PEMERATAAN PEMBANGUNAN

1. Tujuan rakortas dalam rangka melakukan klarifikasi status *clean and clear* atas lahan huntap Tondo II di Kota Palu (guna menyikapi surat dari kuasa hukum PT. Sinar Putra Murni (SPM) dan PT. Sinar Waluyo (SW) kepada Wakil Presiden, tanggal 10 dan 21 Januari 2022 yang intinya menyatakan bahwa tanah hibah yang diserahkan kliennya untuk lahan Huntap II tersebut belum *clean and clear*), serta untuk menindaklanjuti penyusunan dasar hukum/prakarsa Instruksi Presiden baru tentang Penuntasan Penanganan Pascabencana Sulawesi Tengah.
2. Mengingatkan kembali arahan Wapres dalam Kunker Palu, 6 Januari 2022 yaitu:
 - BNPB agar segera menetapkan Kawasan Rawan Bencana.
 - Segera menyelesaikan masalah klaim tanah di wilayah Tondo II, agar permasalahan dapat diselesaikan oleh Gubernur dan Walikota, sehingga pembangunan Huntap segera diteruskan.
 - Target penyelesaian permasalahan huntap Tondo II pada akhir Februari 2022, yang apabila tidak dapat diselesaikan maka akan direlokasi ke wilayah Pombewe Kabupaten Sigi secara keseluruhan.
 - Untuk mempersiapkan relokasi di wilayah Pombewe, Kementerian PUPR agar dapat mempersiapkan wilayah Pombewe sebagai huntap dengan prinsip *smart village*, yaitu tempat hunian yang juga mencakup fasilitas sosial ekonomi masyarakat.
 - Terkait dengan usulan Gubernur Sulteng untuk dapat ditetapkannya Inpres kelanjutan dari Inpres 10/2018 yang telah berakhir masa berlakunya di tahun 2020, akan ditindaklanjuti Kepala BNPB dengan memuat larangan penghunian di zona merah yang dikategorikan sebagai kawasan rawan bencana.
3. Ada tiga *pending issues* yang perlu ditindaklanjuti untuk penuntasan penanganan pascabencana di Sulawesi Tengah, yaitu:
 - a. **Isu Regulasi**
 - Masa berlaku Inpres No.10 Tahun 2018 tentang Percepatan Rehabilitasi dan Rekonstruksi Pascabencana di Provinsi Sulawesi Tengah telah berakhir pada 31 Desember 2020.
 - Peraturan Gubernur Sulteng No. 10 Tahun 2018 tentang Rencana Induk Rehabilitasi dan Rekonstruksi Pascabencana Sulteng telah berakhir pada 31 Desember 2021.

- Telah dilakukan revisi R3P dan telah ditetapkan melalui Peraturan Bupati/Walikota dengan masa berlaku s.d. 2024, sejalan dengan Major Project dalam RPJMN 2020-2024.
- b. **Isu Institusi**, Keppres 28 Tahun 2018 tentang Koordinasi Percepatan Penanganan Pascabencana NTB, Sulteng dan Selat Sunda perlu direaktivasi untuk percepatan penuntasan pemulihan pascabencana Sulteng.
- c. **Isu Implementasi**
 - Ketersediaan lahan, adanya klaim dari masyarakat pada lahan yang akan dibangun huntap serta masih adanya perubahan data warga terdampak bencana (WTB).
 - Kemajuan pemulihan yang masih lambat, terutama di Kota Palu dan Kab. Donggala.

DEPUTI BIDANG KOORDINASI PEMERATAAN PEMBANGUNAN WILAYAH DAN PENANGGULANGAN BENCANA, KEMENKO PMK

1. Progres percepatan pembangunan Huntap Insitu dan relokasi di Sulteng pembangunan insitu dan Relokasi oleh BNPB Tahap I (100%) dan tahap II (98,27%), Tahap II Tambahan (77,4%) dan tahap Relokasi (88,7%).
2. Progres percepatan pembangunan Huntap Direktorat Rumah Khusus PUPR pada tahap 1A (100%) dan Tahap 1B (12,8%) dan Tahap 2 dalam progres perencanaan.
3. Telah diterbitkan Reviu Rehabilitasi dan Rekonstruksi Pascabencana (R3P) sebagaimana surat dari Deputi RR BNPB kepada Deputi PMPP Setwapres melalui surat nomor S-253/BNPB/D-IV/RR.01/11/2021.
4. *Loan* dari World Bank melalui skema NUSP-CERC progress telah mencapai 96,23% dan dijadwalkan selesai pada Maret 2022. Sementara *loan* world bank dengan skema CSRRP telah berprogres 6,9%, masih sedikit karena status kegiatan dinyatakan at risk karena adanya permasalahan lahan di Tondo II dan Talise.
5. Progres pelaksanaan R3P di Kota Palu mencapai 52,23%, Kabupaten Donggala 52,22%, Kabupaten Sigi 90,27% dan Kabupaten Parigi Moutong 80,82%.
6. Rekomendasi Kemenko PMK:
 - BNPB agar segera menyusun reviu R3P pascabencana Sulteng yang diusulkan oleh masing-masing kabupaten/kota per sektor, per kabupaten/kota, dan entitas pembiayaan, termasuk pemetaan sumber dana dan skala prioritas untuk tahun 2022, 2023, dan 2024.
 - Pemerintah daerah:
 - Agar Bupati Sigi, Donggala, Parigi Moutong dan Walikota Palu segera menerbitkan SK penerima manfaat huntap RR dan segera menyerahkan kepada penerima manfaat untuk segera dihuni.
 - Pemerintah Kota Palu bersama Pemerintah Provinsi Sulawesi Tengah segera menyelesaikan masalah klaim tanah di Tondo II sebelum 28 Februari 2022, jika tidak diselesaikan maka relokasi Tondo II dipindah ke Pombewe dan Olobuju.
 - K/L agar tetap konsisten menganggarkan dan melaksanakan RR Pascabencana sesuai dengan wewenang dan komitmen awal yang telah dituangkan dalam dokumen R3P dan revisi R3P-nya.
 - Kementerian PUPR agar menyiapkan Pombewe sebagai smart city yang menunjang sektor sosial ekonomi sehingga masyarakat yang direlokasi tidak mengalami kesulitan dalam membangun perekonomiannya.
 - *Loan* CSRRP perlu dipastikan pelaksanaannya cukup dengan dasar hukum yang lama, RPJMN 2020-2024 serta RKP ataukah harus diterbitkan dasar hukum baru.

DEPUTI REHABILITASI DAN REKONSTRUKSI, BNPB

1. Kemajuan pelaksanaan Rehabilitasi Rekonstruksi Pascabencana di wilayah Sulawesi Tengah tahun 2018 – 2021:
 - Inpres 10 Tahun 2018 tentang Percepatan Rehabilitasi Dan Rekonstruksi Pascabencana Gempabumi dan Tsunami di Provinsi Sulawesi Tengah dan Wilayah Terdampak Lainnya (masa berlaku Inpres berakhir 31 Desember 2020).
 - Rencana pemulihan pascabencana di wilayah Sulawesi Tengah ditetapkan melalui Dokumen R3P yang ditetapkan oleh kabupaten/kota terdampak yang berlaku s.d 2020 memuat komitmen Pemda, K/L, BNPB dan stakeholder lain dalam rangka pemulihan.
 - Kurun waktu 2018 – 2021 pelaksanaan pemulihan dominan pada sektor permukiman baik insitu maupun relokasi:
 - BNPB (dana hibah luar negeri sebesar 235 M untuk rekonstruksi 4.522 unit rumah rusak berat di Kota Palu, Kabupaten Sigi, Donggala dan Parigi Moutong) sudah tercapai 100%;
 - Kementerian Keuangan (dana hibah rehabilitasi dan rekonstruksi untuk bantuan stimulan dana rumah sebesar 1,9 T dengan total target rumah 85.763 unit rumah insitu Rusak Berat, Rusak Sedang dan Rusak Ringan) sedang berproses dan capaiannya 98,91%;
 - PUPR (dana *loan* World Bank); dan
 - Bantuan NGO lainnya seperti Budha Tzu Chi (1500 unit rumah relokasi di Sigi dan Palu) dan AHA Centre (100 unit rumah relokasi di Palu).
 - Pemulihan sektor lainnya (infrastruktur, sosial, ekonomi dan lintas sektor) masih bersifat mikro seperti beberapa bantuan dari UNDP, ISDB dan bantuan non pemerintah lainnya serta yang dikerjakan Pemda maupun K/L.
 - Pelaksanaan rehabilitasi rekonstruksi rumah yang dilakukan oleh BNPB saat ini mengacu pada Peraturan Menteri Keuangan (PMK) Nomor 224/PMK.07/2017 dimana dimungkinkan melakukan perpanjangan masa pemanfaatan hibah sebanyak dua kali sehingga kegiatan rehabilitasi dan rekonstruksi rumah masih berjalan sampai dengan saat ini dengan target pada Maret 2022 akan selesai secara keseluruhan.
 - Terkait dokumen Peta Rawan Bencana akan segera disiapkan.
2. Rekomendasi BNPB:
 - Landasan hukum baru dibutuhkan sebagai dasar kelanjutan pelaksanaan pemulihan pascabencana, baik itu berupa Intruksi Presiden ataupun dasar hukum lainnya.
 - Pemulihan pascabencana Sulawesi Tengah masuk dalam prioritas nasional RPJMN 2020 – 2024. Dibutuhkan revisi atau perpanjangan Rencana Rehabilitasi dan Rekonstruksi Paska bencana (R3P) di Sulawesi Tengah yang nantinya akan menjadi payung hukum dan landasan program kerja demi terpulihkannya semua sektor terdampak di Sulawesi Tengah.
 - Pemerintah Daerah segera mengevaluasi untuk mengetahui kegiatan yang belum diselesaikan, yang merupakan tanggung jawab Pemerintah Daerah, Kabupaten/Kota, Provinsi dan K/L terkait seperti yang tertuang dalam R3P sebagaimana yang sudah disepakati bersama yang ditetapkan melalui Peraturan Gubernur nomor 10 tahun 2019. Hal ini terkait dengan urgensi penetapan landasan hukum baru.
3. Upaya monitoring dan evaluasi yang dilakukan BNPB berupa pertemuan triwulan, kunjungan lapangan, pertemuan melalui *video conference*, dan Pelibatan Universitas Tadulako.

KEPALA PUSAT WILAYAH III, BADAN PENGEMBANGAN INFRASTRUKTUR WILAYAH, KEMENTERIAN PUPR

1. Data dari PUPR belum banyak berubah dari 30 Desember 2021 lalu, namun untuk *wrap up* data sampai 1 Februari 2022, terdapat data progres fisik:
 - Untuk sumber daya air dari 10 program sebagian besar sudah selesai, sedangkan pembangunan *River Improvement and Sediment Control in Bangga River*, Kab. Sigi;

- Sulawesi Tengah dan *River Improvement and Sediment Control in Paneki River*, Kab. Sigi; Sulawesi Tengah tinggal *finishing*, sudah mencapai 90%.
- Untuk Dirjen Bina Marga ada 14 program, sebagian besar program sudah selesai, hanya tiga program belum mencapai 100% yakni Rekonstruksi Jalan Kalawara - Kulawi Dan Sirenja baru tercapai 2%, Pembangunan Jembatan Akses Utama Huntap Tondo – Talise mencapai 70,41% dan Pembangunan Jembatan Akses Utama Huntap Tondo – Talise mencapai 83,12%.
 - Untuk Dirjen Cipta Karya dari 30 program sebagian besar sudah 100%, hanya 5 program yang masih on progress.
 - Capaian Dirjen Perumahan untuk Pembangunan Hunian Tetap Pasca Bencana dan PSU pendukung (CSRRP) mencapai 11% sedangkan Pembangunan Hunian Tetap Pasca Bencana dan PSU pendukung (NSUP) mencapai 77,79%
 - Untuk program tahun 2022 diharapkan selesai pada akhir tahun 2022, semua program sudah masuk anggaran PUPR.
 - Untuk program yang belum selesai diharapkan ada dasar hukum agar bisa melanjutkan pekerjaan, termasuk ide *smart village* agar dapat dimasukkan dalam Prakarsa dasar hukum yang baru.
2. Terdapat rekomendasi PUPR Tahun 2023, namun akan didiskusikan apakah mungkin untuk diselesaikan pada Tahun 2022, berupa:
 - Pembangunan bangunan pengaman pantai di yang terdampak Tsunami dan rawan abrasi di Banawa (Kab. Donggala) sepanjang, 3,42 Km.
 - Pembangunan bangunan pengaman pantai Muara Sungai Palu sepanjang 1,27 Km.
 - Pembangunan Rumah Susun Mahasiswa Tipe 24 3 Lt panjang di Tondo, Mantikulore, Kota Palu, Sulawesi Tengah sebanyak 64 unit.
 3. Pembangunan Rumah Susun ASN Universitas Tadulako di Tondo, Mantikulore, Kota Palu, Sulawesi Tengah sebanyak 44 unit.

DIREKTORAT TATA RUANG DAN PENANGGULANGAN BENCANA, BAPPENAS

1. Saat ini kami tetap mengacu pada list kegiatan yang ada pada daftar *major project* RPJMN 2020-2024.
2. Disadari bahwa sejak 2019 kami memiliki kendala dalam hal lahan yang dimanfaatkan untuk huntap. Namun mekanisme terkait lahan akan diserahkan kepada Kemen ATR/BPN. Karena sudah menjadi *major project* maka pelaksanaan kegiatan akan masuk dalam perpres RKP 2023 dan akan dikoordinasikan.
3. Kami sudah menyarankan kepada mitra kami yaitu pemda provinsi dan kab/kota untuk dapat mengawal dalam diskusi musrenbang kab/kota maupun provinsi agar saat pelaksanaan musrenbangnas *list* proyek yang harus diselesaikan dan menjadi perhatian secara nasional dapat didiskusikan.
4. Pendekatan musrenbangnas saat ini basisnya *clearing house* dari seluruh usulan proyek yang dibiayai secara nasional yang memberikan dampak secara signifikan terhadap pertumbuhan ekonomi secara nasional maupun daerah. proses ini akan terus dikawal bagaimana capaiannya dan kami akan berkoordinasi dengan pihak-pihak terkait.

TANGGAPAN DEPUTI PMPP

- Sebagai alternatif, tetap melanjutkan penanganan pascabencana sesuai *major project*.
- Perlu dikawal dalam kaitannya dengan masukan dari BPIW terkait PHLN agar tidak terganggu/terhambat dalam penuntasannya.
- Akan dilihat terkait *refocusing* tahun 2022 apabila diperlukan, agar sejalan dengan revisi R3P yang sudah dilakukan BNPB.

ASISTEN DEPUTI PEMBANGUNAN MANUSIA DAN KEBUDAYAAN, KEMENSETNEG

1. Surat dari Kepala BNPB telah diterima dan telah dianalisis kemudian diteruskan ke Deputi PMPP untuk dilakukan pencermatan lebih lanjut, apakah memang Inpres ini akan diperlukan untuk disusun atau bisa menggunakan dasar hukum yang telah ada.
2. Sebagaimana yang disampaikan Bappenas bahwa ada RPJMN yang telah mengatur mengenai major project termasuk pihak yang bertanggung jawab termasuk untuk Palu.
3. Terkait RR di Palu, beberapa hal yang perlu dicermati :
 - Penetapan Peta Kawasan, menurut pendapat kami merupakan suatu pengaturan yang kurang tepat kalau peta zona merah kemudian masuk ke dalam Inpres. Ada beberapa *bench mark* yang bisa dilihat misal PermenESDM Nomor 11 Tahun 2016 yang menetapkan Kawasan rawan bencana geologi, mengingat Inpres bukan peraturan perundang-undangan.
 - Untuk pembangunan fisik apakah masih membutuhkan Inpres atau masih bisa menggunakan beberapa dasar hukum yang sudah ada misal Perpres RPJMN, kemudian dengan merevisi RKP dsb, dapat kita lihat kembali.
 - Perlu diidentifikasi apa saja yang belum dilakukan Satgas dan apa saja yang belum tercapai di Inpres sebelumnya. Apakah membutuhkan Inpres baru atau sudah dilaksanakan.

TANGGAPAN DEPUTI PMPP

- Sejak Juli lalu sudah dibahas, kalau bicara kelanjutan berarti harus mengevaluasi dulu yang sudah tercapai apa dan mana yang tersisa, dan ini sebenarnya sudah dilakukan, BNPB telah memilah yang mana yang belum selesai, dan ini yang akan dimasukkan ke dalam Inpres.
- Inpres baru tidak akan memasukkan seluruh K/L, tapi K/L mana saja yang masih mempunyai hutang pekerjaan.
- Perlu disepakati tidak lewat dari Maret 2022, karena banyak sekali rencana 2022-2023 yang tergantung adanya Inpres baru. Yang teknis akan dimasukkan ke dalam R3P.

DIREKTUR JENDERAL PENETAPAN HAK DAN PENDAFTARAN TANAH, KEMENTERIAN ATR/BPN

1. Terdapat beberapa hal yang harus diselesaikan dengan PT. SW.
2. Pertama, memang beberapa waktu lalu kami sudah menetapkan sebagai tanah terlantar karena sudah beberapa tahun tidak dimanfaatkan dan memang ada sedikit permasalahan dengan pemda yaitu ijin tidak dikeluarkan dengan pemda sehingga pada saat itu PT. Sinar Waluyo mengajukan gugatan terhadap penetapan tanah terlantar yang sudah kita keluarkan. Kebetulan PT Sinar Waluyo memenangkan gugatan tersebut sehingga tata cara penetapan tanah terlantar dibatalkan oleh pengadilan.
3. Dikarenakan huntap ini, beberapa HGB yang berada di sekitar lokasi untuk huntap kita potong dan atas kesepakatan ada beberapa hal yang kita sudah tetapkan namun ternyata lokasinya tidak memenuhi syarat yang ditetapkan Kemen PUPR sehingga lokasi dipindahkan.
4. Secara umum memang kita akan memberikan perpanjangan, tetapi memang ada beberapa hal yang memerlukan perizinan dari pemda. Hal ini sudah kami diskusikan, diharapkan PT. Sinar Waluyo dapat menyelesaikan beberapa permasalahan yang terkait dengan pemda karena pemda berkeinginan untuk mengambil tanah tersebut dan menggunakan untuk kepentingan pemda, misalnya untuk pembangunan kawasan baru di lahan yang dimiliki oleh PT. Sinar Waluyo.
5. Menurut kami, (solusi atas permasalahan) bagaimana PT. Sinar Waluyo dapat menyelesaikan permasalahan di lapangan terutama dengan pemda sebagaimana sesuai mekanisme. Kedepan kami akan melihat beberapa hal yang terkait dengan keinginan pemda untuk memanfaatkan lokasi dimaksud karena saat itu kita tetapkan sebagai tanah

terlantar dan perizinan-perizinan yang tidak dikeluarkan pemda untuk PT. Sinar Waluyo guna pembangunan di Kawasan tersebut.

6. Saat ini kami sudah melakukan diskusi internal, dan akan menunggu bagaimana pemda dapat menyelesaikan permasalahan di lapangan dengan PT. Sinar Waluyo.
7. Perpanjangan dari Kemen ATR/BPN harus *clear and clean*.

TANGGAPAN DEPUTI PMPP

Mohon masukan dari Kementerian ATR/BPN untuk menyikapi surat jawaban kepada kuasa hukum perusahaan eks-HGB dari Setwapres menanggapi surat tersebut.

ASISTEN II, PEMERINTAH PROVINSI SULAWESI TENGAH

1. Progres R3P pada akhir Desember 2021, rata-rata capaian sebesar 50%. Sehingga terkait Inpres baru terdapat korelasinya.
2. Kami telah melakukan pemetaan 5 permasalahan yaitu:
 1. Untuk Lokasi Tondo II masih ada klaim dari masyarakat berupa 37 SKPT Thn 74, 9 SKPT Thn 76 dan diatas lahan HGB dan klaim dari pihak developer PT. Sinar Putra Murni seluas 65 ha, meminta ganti rugi sebesar 7 M serta lokasi Huntap Talise klaim dari masyarakat 101 warga meminta kompensasi ganti rugi.
Tindak lanjut: Pemasahan lahan yang klaim masyarakat di lokasi Huntap Talise sudah mencapai kesepakatan dengan Pemerintah Kota Palu untuk mengganti lahan tersebut dengan pola *Zero Property*.
Lahan Tondo II yang diklaim oleh masyarakat berupa SKPT sudah diselesaikan oleh Pemerintah Kota Palu, dan penyelesaian lahan ke pihak Developer saat ini masih ditangani oleh Kanwil BPN/ATR Provinsi Sulawesi Tengah bersama Pemerintah Kota Palu.
 2. Kapasitas Air Belum mencukupi untuk Tondo I, Duyu dan Pombewe
Tindak lanjut: Saat ini kebutuhan air belum mencukupi, kedepan kebutuhan akan dilakukan dengan pembangunan sumber air baku dari Sungai Poboya, Sungai Lwara dan melanjutkan SPAM PASIGALA
 3. Huntap Satelit di Kabupaten Sigi, Kabupaten Donggala dan Kota Palu sebagian lahan belum dibebaskan oleh Pemda karena keterbatasan dana.
Tindak lanjut: Pemerintah Provinsi Sulawesi Tengah menghibakan dana untuk pembiayaan pembebasan lahan untuk lokasi Huntap Satelit kepada Kota Palu sebesar 13,5 M; Kab. Donggala sebesar 12,1 M; dan Kab. Sigi sebesar 6 M.
 4. Belum terbangunnya Jembatan Palu IV disebabkan Pemda Kota Palu belum membebaskan lahan disebabkan keterbatasan dana.
Tindak lanjut: Pemerintah Provinsi Sulawesi Tengah menghibakan dana untuk pembiayaan pembebasan lahan untuk untuk pembangunan Jembatan Palu IV ke Pemda Kota Palu sebesar 27 M.
 5. Belum adanya penetapan lokasi di Keluhan Petobo yang disebabkan belum adanya lahan yang diperuntukan untuk pembangunan huntap khususnya Warga Kelurahan Petobo ex likuefaksi.
Tindak lanjut: Pembangunan Huntap Petobo pihak ATR/BPN Kota Palu melakukan Konsolidasi lahan seluas 80,4 Ha untuk 887 KK warga Petobo, masih dalam tahap kesepakan dengan pemilik lahan dan Gubernur Sulawesi Tengah Sudah Menerbitkan Surat Keputusan tentang Penetapan Lokasi Huntap Petobo.
3. Terkait dengan Peraturan Gubernur sebagai payung hukum statusnya sudah berada di Biro Hukum.

TANGGAPAN DEPUTI PMPP

1. Terkait Tondo II perlu diperhatikan *deadlinenya* pada akhir Februari 2022. Sementara hal lainnya terkait Talise, masalah air, dan Petobo dapat dimuat dalam revisi R3P.

2. Mengingatkan terkait Pergub, walaupun sudah di Biro Hukum lampirannya harus clear dulu, apakah tetap di Tondo II atau pindah ke Pombewe, jangan sampai nanti sudah terbit Pergub tetapi ada perubahan, agar ditunggu sampai akhir bulan ini sebelum ditetapkan.
3. Pergub sebaiknya setelah Inpres diterbitkan, untuk memberi arahan tindak lanjutnya.

SEKRETARIS DAERAH, PEMERINTAH KOTA PALU

1. Pada dasarnya kami ingin menyatakan terkait permasalahan kesepakatan antara masyarakat Talise dan Tondo sudah terselesaikan secara baik.
2. Permasalahan lahan HGB PT. SPM dan PT SW, tahun 2019 sebenarnya sudah terselesaikan sehingga pada kesempatan ini atas nama pemerintah kota Palu saya menyampaikan kepada PT. SPM dan PT. SW untuk menempatkan kepentingan masyarakat diatas kepentingan lainnya.
3. Akan ada win-win solution yang akan diambil dalam rangka mengakomodir keinginan masyarakat agar upaya untuk pembangunan huntap Tondo II dan Talise bisa terealisasi secara cepat.
4. Isu yang harus selesai dan sudah kami tetapkan targetnya sebagai berikut:

No.	Kegiatan	Target Selesai
1.	SK Calon Penerima	28 Januari 2022
2.	Site plan final 199 Unit	3 Februari 2022
3.	Patok/Batas Bidang 199Unit	3 Februari 2022
4.	Pemilihan Persil/Kavling	7 Februari 2022
5.	Surat Pernyataan	7 Februari 2022
6.	Kesesuaian Rencana Tata Ruang	M1 Februari 2022

5. Rencana aksi penyelesaian lahan Talise yang masih berproses adalah terkait pematangan lahan.
6. Untuk Keluarahan Talise, SK Walikota calon konsolidasi lahan sudah selesai dan saat ini dalam tahap penempatan nama-nama di SKet Lokasi.
7. Terkait lahan Tondo II, masyarakat sudah bersepakat untuk konsolidasi lahan sehingga pada kesempatan ini kepada pihak PT. SPM dan PT SW sekali lagi agar menempatkan kepentingan masyarakat diatas segalanya.
8. Warga Talise selama berpuluh-puluh tahun tidak diberikan kesempatan untuk mengolah lahan yang ada di wilayah kelurahannya sehingga saat ini warga meminta kesempatan untuk dapat mengolah lahan tersebut.
9. Kami berharap ada upaya *win-win solution* oleh pemerintah pusat yang mengedepankan kepentingan masyarakat.

KEPALA BPBD PEMERINTAH KOTA PALU

1. Talise sampai kemarin akan disusun analisis LARAP bersama-sama dengan PUPR dan Pemda Kota Palu dan sudah mendekati clear.
2. Sudah dilakukan pertemuan dengan pihak Bank Dunia untuk melakukan tiga fase penyelesaian secara bertahap untuk memberikan NOL proses pembangunan huntap.
3. Khusus Talise sudah clear, masyarakat sudah bersepakat, kami menggunakan pendekatan lokal.
4. Tondo II, sampai dengan kemarin sore, kami sudah melakukan pertemuan dengan Ketua LPM bersama komunitas Perjuangan Masyarakat Tondo yang pada prinsipnya masyarakat mendukung pembangunan di Huntap Tondo II. Dokumen pendukung sudah disiapkan dan hari ini (2/2) mereka akan menyerahkan kepada Walikota Palu berupa BNBA terhadap warga yang menyatakan dukungan, kemudian bermohon tentang kesepakatan menyangkut lahan permukiman untuk keturunan warga asli yang sudah disepakati dengan Walikota Palu.

5. Artinya masyarakat tidak menghalangi namun win win solution yang diharapkan adalah adanya pemberian lahan konsolidasi kepada mereka agar anak-anak mereka memiliki lahan kedepannya.
6. Walikota Palu memiliki konsep bagaimana wilayah ini ditata kembali supaya masyarakat berada pada zona aman.
7. Pendekatan publik yang telah dilakukan bermuara pada satu titik yang nantinya yaitu analisis LARAP yang disusun semuanya akan diselesaikan pada bulan Februari.
8. Kami telah bersepakat dengan Tim Bank Dunia dalam menganalisa semua bahwa tahapan penyelesaian akan dilakukan dalam bulan Februari dan semua dokumen kelengkapan akan dimasukkan ke Bank Dunia melalui PUPR sehingga Bank Dunia dapat membuat kesimpulan terkait pelaksanaan percepatan pembangunan di Talise dan Tondo II.
9. Kami akan tetap berjuang Tondo II bukan di Pombewe.

TANGGAPAN DEPUTI PMPP

Kepada Sekda Pemkot Palu agar dapat disampaikan kepada Walikota Palu untuk memberikan masukan kepada Setwapres dalam menanggapi surat Kuasa Hukum PT SPM dan PT SW.

BUTIR-BUTIR KESIMPULAN DAN KESEPAKATAN

1. Perlu segera diselesaikan permasalahan lahan Tondo II oleh Walikota Palu, terkait klaim lahan oleh masyarakat dan tuntutan PT SPM dan PT SW, dengan batas waktu akhir Februari 2022, untuk dilaporkan Gubernur Sulteng kepada Wapres dan Menteri/Kepala LPNK terkait.
2. Sebagai respon terhadap klaim dan tuntutan PT SPM dan PT SW, perlu dikoordinasikan lintas K/L berdasarkan masukan dari Pemda Provinsi Sulteng dan Pemkot Palu.
3. Agar dapat segera dipersiapkan pembangunan hunian tetap di lahan 65 Ha di Tondo II Kota Palu, dengan telah diselesaikan masalah klaim lahan masyarakat dan eks-HGB, termasuk status lahan bagi WTB yang ditempatkan di Tondo II. *Apabila harus direlokasi ke Pombewe, perlu ditetapkan status warga terdampak bencana (WTB) dari wilayah Tondo II Kota Palu ke wilayah Pombewe Kabupaten Sigi.*
4. Revisi Rencana Rehabilitasi dan Rekonstruksi Pascabencana (R3P) Sulteng agar dapat diselesaikan oleh BNPB melalui koordinasi Kemenko PMK, dengan masukan dari Pemprov dan Pemda terdampak di Sulteng.
5. Penyusunan rancangan Inpres Penuntasan Penanganan Pascabencana Sulteng segera ditindaklanjuti, dengan berpedoman pada R3P Sulteng TA 2022-2024, termasuk memperhatikan major project RPJMN 2020-2024.
6. Ditargetkan penyelesaian R3P 2022-2024 dan Inpres Penuntasan Penanganan Pascabencana Sulteng dapat diselesaikan pada triwulan I TA 2022, untuk dapat dijadikan pedoman RKP/RKPD dan RAPBN/RAPBD TA 2023, sekaligus penajaman dan refocusing APBN dan APBD TA 2022.
7. Dokumen R3P 2022-2024 untuk ditetapkan melalui Pergub, pengganti Pergub 10/2019 sebagai pedoman penuntasan penanganan pascabencana oleh Pemprov dan Pemkab/Pemkot terdampak.

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Attachment 31
Letter dated February 8th 2022



KEMENTERIAN SEKRETARIAT NEGARA RI
SEKRETARIAT WAKIL PRESIDEN

Jalan Kebon Sirih No. 14, Jakarta 10110, Telepon (021) 38413849
Faksimile (021) 3810104, Situs: www.wapres.go.id

Nomor : B-10/SWP/D-2/SB.02.00/02/2022 8 Februari 2022
Sifat : Segera
Lampiran : Tiga Berkas
Hal : Permintaan Tanggapan dan Masukan atas Surat
Pengaduan kepada Wakil Presiden dari Kuasa Hukum
PT.SPM dan PT.SW terkait Lahan Hunian Tetap di
Wilayah Tondo II di Kota Palu, Sulawesi Tengah.

Yth. Para Pejabat pada Daftar Terlampir
di tempat

Sesuai dengan hasil kesepakatan Rapat Koordinasi Terbatas tingkat Eselon I pada tanggal 2 Februari 2022 yang lalu dan guna menyiapkan laporan secara komprehensif kepada Wakil Presiden terkait surat pengaduan dari Kuasa Hukum PT.SPM dan PT SW atas lahan hunian tetap di wilayah Tondo II, bersama ini kami lampirkan Surat Pengaduan dimaksud untuk mohon kiranya Saudara dapat memberikan tanggapan dan masukannya.

Dengan memperhatikan arahan Wakil Presiden bahwa waktu penuntasan masalah klaim lahan di wilayah Tondo II harus sudah bisa diselesaikan sebelum akhir Februari 2022, maka dimohonkan tanggapan dan masukan tersebut dapat disampaikan kepada kami paling lambat pada tanggal 14 Februari 2022.

Atas perhatian dan kerjasama yang baik, kami ucapkan terima kasih.

Deputi Bidang Dukungan Kebijakan
Pembangunan Manusia dan
Pemerataan Pembangunan,

Suprayoga Hadi

Tembusan :

1. Kepala Sekretariat Wakil Presiden
2. Gubernur Sulawesi Tengah
3. Walikota Palu



Dokumen ini telah
ditandatangani secara
elektronik.

Lampiran 1 Surat Dinas

Deputi Bidang Dukungan Kebijakan Pembangunan
Manusia dan Pemerataan Pembangunan

Nomor : B-10/SWP/D-2/SB.02.00/02/2022

Tanggal : 8 Februari 2022

DAFTAR PEJABAT YANG DIKIRIMI SURAT DINAS

1. Direktur Jenderal Pengadaan Tanah dan Pengembangan Pertanahan, Kementerian Agraria dan Tata Ruang/Badan Pertanahan Nasional.
2. Direktur Jenderal Penetapan Hak dan Pendaftaran Tanah, Kementerian Agraria dan Tata Ruang/Badan Pertanahan Nasional
3. Sekretaris Daerah Provinsi Sulawesi Tengah
4. Sekretaris Daerah Kota Palu
5. Kalak BPBD Provinsi Sulawesi Tengah
6. Kalak BPBD Kota Palu

Deputi Bidang Dukungan Kebijakan
Pembangunan Manusia dan
Pemerataan Pembangunan,



Suprayoga Hadi

Attachment 32
Response Letter of the Mayor dated February 11th 2022



WALI KOTA PALU

Palu, 11 Februari 2022

Nomor	: 591/0805/HUKUM/2022	Kepada
Sifat	:	Yth : Deputy Bidang Dukungan
Lampiran	: Lbr	Kebijakan Pembangunan
Perihal	: Tanggapan dan Masukan	Manusia dan Pemerataan
	Atas Surat Pengaduan	Pembangunan Kementerian
	Kuasa Hukum PT.SPM dan	Sekretaris Negara RI
	PT. SW	Sekretariat Wakil Presiden

Menindaklanjuti Surat Deputy Bidang Dukungan Kebijakan Pembangunan Manusia dan Pemerataan Pembangunan Kementerian Sekretariat Negara RI Sekretariat Wakil Presiden, Nomor B-10/SWP/D-2/SB.02.00/02/2022 tanggal 8 Februari 2022 Tentang Permintaan Tanggapan dan Masukan atas Surat Pengaduan Kepada Wakil Presiden dari Kuasa Hukum PT. SPM dan PT. SW Terkait Lahan Hunian Tetap di Wilayah Tondo II di Kota Palu Sulawesi Tengah, maka bersama ini kami sampaikan sebagai berikut :

1. Pada prinsipnya pemanfaatan lahan Huntap Tondo II dilaksanakan berdasarkan Instruksi Presiden Nomo.10 Tahun 2018 Tentang Percepatan Rehabilitasi dan Rekonstruksi Pasca Bencana di Sulawesi Tengah dan Surat Keputusan Gubernur Nomor 369/516/DIS.BMPR-G-ST/2018 tentang Penetapan Lokasi untuk kebutuhan pembangunan Hunian Tetap bagi Warga terdampak bencana 28 September 2018.
2. Berdasarkan batasan kewenangan, dari beberapa poin yang menjadi aduan kuasa hukum PT. SPM dan PT. SW, untuk mengklarifikasi ataupun penyelesaiannya diluar batas kewenangan Pemerintah Kota Palu dan merupakan kewenangan Kementerian ATR/BPN.
3. Bahwa terkait pengaduan PT.SPM dan PT.SW dalam suratnya Nomor 09/KTH/1/2022 tanggal 10 Januari 2022 sebagaimana yang tertulis pada angka 5, yang menyebutkan bahwa Wali Kota Palu telah mengambil tanah perseroan, kami jelaskan bahwa Pemerintah melalui Wali Kota ***hanya diserahi/menerima pengelolaan tanah negara dari lembaga pemerintah yang berwenang dibidang itu***, berdasarkan Berita Acara Penyerahan Lahan Hunian Tetap (HUNTAP) Kota Palu tanggal 27 Mei 2021.

Terkait perencanaan Kota Satelit, kami sampaikan bahwa segala aktifitas pembangunan rehab rekon yang terjadi di Kota Palu saat ini yang sebagian terlaksana diatas lahan eks HGB, tidak bisa dipandang

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dengan melihat kondisi *an sich* hari ini, karena semua dinamika itu terjadi disebabkan oleh peristiwa bencana yang begitu dahsyat pada 28 september 2018 yang membawa dampak kemanusiaan yang sangat besar bagi kami warga masyarakat Kota Palu, dimana peristiwa tersebut oleh para ilmuwan dibidangnya, dinyatakan sebagai peristiwa yang memiliki siklus yang berulang, maka Pemerintah daerah melalui Wali Kota wajib gelisah, karena memiliki tanggung jawab moril dunia akhirat untuk keberlangsungan kehidupan "**manusia**" warga kota palu, yang memerlukan perlindungan dan rasa aman dari bencana, maka rencana pembangunan kota Satelit dengan konsep pembagunan konprehensif terpadu yang berbasis mitigasi dianggap sebagai salah satu solusi yang bisa ditempuh, karena disamping pertimbangan pembangunan Kota Palu yang wajib berbasis mitigasi, konsep kota satelit juga diharapkan baik oleh pemerintah pusat maupun oleh pemerintah provinsi, mampu menyelesaikan dinamika sosial ditengah masyarakat yang mengkalim kepemilikan di Lokasi Huntap, karena dinamika tersebut menjadi salah satu faktor yang sangat mempengaruhi kelancaran pembangunan Huntap. Perencanaan Kota Satelit terlaksana melalui proses dan bukan sesuatu yang serta merta, dimana Wali Kota Palu secara lisan dalam pertemuan dengan Menteri ATR/BPN di Kantor Kementerian ATR/BPN, menyampaikan wacana itu, dan oleh Menteri ATR/BPN, bapak Dr. Sofyan A Djalil, SH, MA, MALD, merespon positif hal itu, dengan mengatakan silahkan buat perencanaannya, dengan catatan bahwa tanah yang sudah berakhir HGB nya saya serahkan, namun yang belum berakhir HGB nya silahkan Wali Kota komunikasikan dengan pemilik HGB, maka sesuai arahan pa Menteri, pemerintah Kota Palu mengundang pemilik HGB dan secara formal membuat perencanaan serta menyurat secara resmi, dan selanjutnya Pemerintah Kota Palu menunggu tindak lanjutnya sesuai ketentuan. Perlu pula kami sampaikan bahwa dalam pertemuan dengan Pemilik HGB, kami sampaikan bahwa konsep pelaksanaan pembangunan di kawasan kota satelit tetap memberi ruang bahkan akan memprioritaskan pemilik HGB untuk berpartisipasi, apabila masih berniat dan beritikad baik untuk membangun Kota Palu.

4. Sebagai Penjelasan tambahan, dapat pula kami sampaikan hal-hal sebagai berikut:

- a. Peristiwa bencana alam Gempa Bumi, Tsunami dan Likuifaksi di Kota Palu Provinsi Sulawesi Tengah pada tanggal 28 September 2018 telah menimbulkan korban jiwa dan kerugian harta benda masyarakat yang sangat besar dan membutuhkan penanganan yang cepat. Undang-Undang No. 24 Tahun 2007 Tentang Penanggulangan Bencana Pasal 58 dan 59 menegaskan antara lain: proses pemulihannya adalah dalam bentuk pemenuhan kebutuhan dasar berupa tempat Hunian Tetap (Huntap). Untuk pemenuhan tanah dalam kondisi bencana, sesungguhnya sudah ditegaskan dalam

Undang-Undang No. 2 Tahun 2012 tentang Pengadaan Tanah Untuk Kepentingan Umum sebagai berikut:

- 1) Pengadaan tanah untuk kepentingan umum karena keadaan mendesak akibat Bencana Alam, Perang, Konflik Sosial yang meluas dan Wabah Penyakit dapat langsung dilaksanakan pembangunannya setelah dilakukan Penetapan Lokasi Pembangunan untuk kepentingan umum.
 - 2) Sebelum penetapan lokasi pembangunan untuk kepentingan umum sebagaimana dimaksud pada ayat (1) terlebih dahulu disampaikan pemberitahuan kepada pihak yang berhak.
 - 3) Dalam hal terdapat keberatan atau gugatan atas pelaksanaan pengadaan tanah, Instansi yang memerlukan tanah tetap dapat melaksanakan kegiatan pembangunan sebagaimana dimaksud pada ayat (1).
- b. Peraturan Pemerintah No. 19 Tahun 2021 Pasal 42 ayat (3) menegaskan: **dalam hal terjadi bencana sehingga Pengalihan Fungsi Lahan Untuk Infrastruktur tidak dapat ditunda**, persyaratan tentang kajian kelayakan strategis dan rencana alih fungsi lahan pun tidak diberlakukan.
- c. Undang-Undang No. 23 Tahun 2014 Tentang Pemerintahan Daerah Pasal 65 ayat (2) poin (d) menjelaskan bahwa dalam melaksanakan tugas, **Kepala Daerah berwenang mengambil tindakan tertentu dalam keadaan mendesak yang sangat dibutuhkan oleh daerah dan/atau masyarakat**. Selanjutnya, pada pasal 65 ayat (7) poin (a) ditegaskan pula **Dalam keadaan tertentu, DPRD atau Kepala Daerah dapat mengajukan rancangan peraturan daerah di luar program pembentukan PERDA karena alasan antara lain (poin a) Mengatasi keadaan luar biasa, keadaan konflik, atau bencana alam**.
- d. Bertitik tolak dari kondisi bencana yang menimbulkan korban jiwa dan kerugian, kebutuhan tanah untuk pemenuhan kebutuhan dasar warga terdampak bencana di Kota Palu serta regulasi kewenangan mendesak (diskresi) bagi penyelenggara pemerintahan daerah maka sesungguhnya penanganan bencana Gempa Bumi, Tsunami dan Likuifaksi di Kota Palu dapat dilaksanakan secara cepat dan efektif demi keselamatan dan pemulihan kondisi warga masyarakat.
- e. Berdasarkan hasil pendataan dan verifikasi Warga Terdampak Bencana yang tercantum didalam Surat Keputusan Gubernur
- f. Sulawesi Tengah Nomor 360/167/BPBD-G.ST/2019 tentang Penetapan Data Korban Bencana Alam Gempa Bumi, Tsunami dan Likuifaksi Provinsi Sulawesi Tengah Tahap II Tanggal 10 April 2019 antara lain menyatakan bahwa jumlah Rumah yang Hilang 6.504, akibat Likuifaksi dan Tsunami dan perlu untuk Direlokasi ke permukiman yang baru dan aman dari bencana. Hingga saat ini

Hunian Tetap (Huntap) yang sudah terbangun sejumlah 2067 unit sehingga masih mengalami kekurangan 4.537 KK/ unit. Hasil Pendataan dan Verifikasi calon penerima Huntap di Lahan Tondo II berjumlah 1.933 KK/Unit, di Huntap Talise 1004 dan Huntap Petobo 676 KK/Unit, selebihnya dalam rencana Huntap mandiri dan yang masih belum terverifikasi. Memperhatikan jumlah data tersebut tentulah memerlukan lahan Huntap yang cukup luas.

Pembangunan Huntap Tondo II dan Talise maupun Petobo hingga saat ini belum berjalan dengan baik karena belum ada kejelasan Lahan Huntap (*Clean and Clear*). Upaya-upaya pendekatan masyarakat sekitar Huntap Tondo II dan Talise mengacu pada persyaratan Bank Dunia untuk memulai pembangunan Huntap sudah dilakukan oleh Pemerintah Kota Palu dalam agar terjadi dukungan positif untuk berjalannya pembangunan Huntap dengan tidak adanya klaim dan komplain warga atas lahan yang dapat menghambat pembangunan Huntap.

g. Memperhatikan dengan seksama adanya pengaduan PT. SPM dan PT. SW sesungguhnya menjadi konteks regulatif bidang pertanahan yang menjadi kewenangan ATR/BPN yang telah berproses. Dalam surat Menteri ATR/BPN No. BP.04.01/1801/X/2019 Tanggal 15 Oktober 2019 kepada Kakanwil BPN menyebutkan antara lain:

- 1) Tidak memperpanjang/pembaharuan terhadap hak-hak atas tanah yang sudah habis masa berlakunya dan tanahnya diperuntukkan untuk memenuhi kebutuhan dalam pembangunan Hunian Tetap (Huntap).
- 2) Terhadap hak atas tanah yang jangka waktunya belum berakhir diminta para pihak melepaskan hak atas tanahnya seluas kebutuhan dalam rangka Rehabilitasi dan Rekonstruksi pembangunan Huntap.
- 3) Terhadap sisa hak atas tanah yang dimaksud diatas, dapat dipertimbangkan untuk dimohonkan kembali sesuai ketentuan yang berlaku dan ketentuan Rencana Tata Ruang Wilayah (RTRW) Provinsi.
- 4) Menyerahkan lahan untuk pembangunan Huntap kepada Kementerian PUPR dan BNPB, Dalam Surat Menteri ATR/BPN tersebut, diuraikan Lahan HGB PT. SPM dan PT. SW termasuk kategori yang sudah berakhir (HGB 09/Tondo berakhir 25 Agustus 2019, HGB 10/Tondo berakhir 11 September 2019, HGB 122/Tondo berakhir 24 Agustus 2019, HGB 03/Talise berakhir 11 September 2019).

h. Sesuai dengan kewenangan Kementerian ATR/BPN, Menteri ATR/BPN mengeluarkan surat No. AT.02/656/V/2021 tanggal 17 Mei 2021 perihal Pembangunan Huntap Relokasi Bencana antara lain memerintahkan Kakanwil BPN untuk melakukan penyerahan lahan Huntap seluas 193,1 hektar di dalamnya antara lain 65 Hektar

oleh PT. SPM dan PT .SW terletak di kelurahan Tondo kepada Pemerintah Kota Palu.

- i. Mencermati kronologi penerapan kewenangan ATR/BPN tersebut, dapatlah disebutkan bahwa **status lahan HGB PT. SPM dan PT. SW telah berakhir dan statusnya menjadi Tanah Negara** dan sebagiannya diserahkan pengelolaannya kepada Pemerintah Kota Palu yang diperuntukkan bagi kepentingan masyarakat khususnya pembangunan Huntap. Dengan penyerahan tersebut, Pemerintah Kota Palu dapat mengatur pemanfaatannya sesuai dengan kebijakan RTRW Provinsi Sulawesi Tengah dan diselaraskan dengan RTRW Kota Palu.
- j. Keputusan Gubernur Sulawesi Tengah nomor 369/372/DIS.BMPR-G.ST/2021 tanggal 21 Oktober 2021 Tentang Perubahan atas Keputusan Gubernur Nomor 369/516/DIS.BMPR-G.ST/2021 Tentang Penetapan Lokasi Tanah Relokasi Pemulihan Akibat Bencana di Provinsi Sulawesi Tengah, menyatakan antara lain Lokasi Tanah Relokasi di Kecamatan Mantikulore terletak di Kelurahan Tondo dan Talise seluas 481,63 Ha.
- k. Masukan yang dapat diberikan terhadap keterlambatan tersebut, dengan memperhatikan kondisi Warga Terdampak Bencana yang belum memperoleh kepastian atas perolehan Hunian Tetap adalah agar semua pihak yang terkait dalam percepatan pembangunan Huntap , baik dalam hal penyediaan lahan, pembangunan rumah, dan kebijakan terkait lainnya yang oleh kewenangan dan tanggung jawabnya masing-masing, lebih mengedepankan prinsip kemanusiaan. Dengan demikian, berbagai upaya dan pendekatan kebijakan dapat saling mendorong penyelesaian masalah-masalah yang ada dalam proses percepatan pembangunan Huntap.

Demikian disampaikan, atas perkenan dan kebijakannya, kami ucapkan terima kasih.



Tembusan:

1. Wakil Presiden RI di Jakarta
2. Menteri Sekretaris Negara RI di Jakarta
3. Kepala Sekretariat Wakil Presiden di Palu.
4. Gubernur Sulawesi Tengah di Palu
5. Kepala Kantor Wilayah Pertanahan Prov. Sulteng di Palu
6. Ketua DPRD Kota Palu di Palu
7. Kepala Kantor Pertanahan Kota Palu di Palu.

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Attachment 33
Minutes of Meeting dated March 1st 2022



KEMENTERIAN SEKRETARIAT NEGARA RI
SEKRETARIAT WAKIL PRESIDEN

Jalan Kebon Sirih No. 14, Jakarta 10110, Telepon (021) 38413849
Faksimile (021) 3810104, Situs: www.wapres.go.id

Nomor : B-01/SWP/D-2/SB.02.00/03/2022 2 Maret 2022
Sifat : Segera
Lampiran : Dua Berkas
Hal : Penyampaian Risalah Rakor Penuntasan
Permasalahan Lahan Relokasi Warga Terdampak
Bencana Di Wilayah Tondo II Kota Palu tanggal 1
Maret 2022

Yth. Para Pejabat pada Daftar Terlampir
di tempat

Berkenaan dengan pelaksanaan Rapat Koordinasi Rakor Penuntasan Permasalahan Lahan Relokasi Warga Terdampak Bencana di Wilayah Tondo 2 Kota Palu yang telah diselenggarakan pada Selasa, 1 Maret 2022, bersama ini kami sampaikan risalah rapat sebagaimana terlampir.

Berdasarkan risalah rapat dapat dirangkum beberapa hal pokok yang menjadi kesepakatan dan rencana tindak lanjut sebagai berikut:

1. Rencana pembangunan hunian tetap warga terdampak bencana akan tetap diprioritaskan di wilayah Tondo 2 Kota Palu dengan memperhatikan:
 - SK Walikota Palu Nomor 132 tahun 2021 yang terkait dengan penetapan lahan untuk pembangunan hunian tetap di wilayah Tondo 2;
 - Masyarakat Tondo 2 sudah menyepakati akan dilakukan *land consolidation*;
 - Lahan untuk pembangunan hunian tetap seluas 65 Ha sudah di-*freeze*/dicadangkan;
 - Relokasi ke wilayah Pombewe tidak dipilih apabila Tondo 2 sudah *clean and clear*.
2. Menteri ATR/Kepala BPN akan menyampaikan surat kepada Wakil Presiden pada akhir minggu ini, untuk memberikan penjelasan dan mengkonfirmasi penyelesaian klaim atas lahan relokasi di wilayah Tondo 2 Kota Palu.
3. Bahwa Kementerian ATR/BPN akan segera menyampaikan surat tanggapan dan penjelasan kepada Kuasa Hukum PT. SW dan PT SPM dengan tembusan terpisah kepada Wakil Presiden.
4. Kementerian ATR/BPN akan menyampaikan surat penjelasan dan klarifikasi terkait status lahan di wilayah Tondo 2 ke Kementerian PUPR, untuk menjadi lampiran LARAP yang akan dilaporkan kepada pihak Bank Dunia paling lambat pada akhir Maret 2022.
5. Diharapkan dukungan Gubernur Sulawesi Tengah dan Walikota Palu untuk melakukan mediasi dengan PT. SPM dan PT. SW agar dapat menyepakati pelepasan HGB atas lahan yang direncanakan untuk pembangunan hunian tetap di wilayah Tondo 2.



Dokumen ini telah
ditandatangani secara
elektronik.

6. Kesepakatan rapat terkait lahan Tondo 2 ini akan ditindaklanjuti melalui rapat lanjutan yang diagendakan pada Jumat, 4 Maret 2022 untuk membahas Rancangan Inpres Penuntasan Rehabilitasi dan Rekonstruksi Pascabencana Sulawesi Tengah.
7. Akan dilakukan rapat lanjutan pada minggu kedua Maret 2022 untuk mengevaluasi dan memastikan penyelesaian permasalahan lahan Tondo 2 sudah *clean and clear*.

Terima kasih atas perhatian dan kerjasamanya yang baik.

Deputi Bidang Dukungan Kebijakan
Pembangunan Manusia dan
Pemerataan Pembangunan,



Suprayoga Hadi

Tembusan :
Kepala Sekretariat Wakil Presiden

Lampiran 1 Surat Dinas
Deputi Bidang Dukungan Kebijakan
Pembangunan Manusia dan Pemerataan
Pembangunan
Nomor : B-01/SWP/D-2/SB.02.00/03/2022
Tanggal : 2 Maret 2022

DAFTAR PEJABAT YANG DIKIRIMI SURAT DINAS

1. Deputi Rehabilitasi dan Rekonstruksi, Badan Nasional Penanggulangan Bencana
2. Direktur Jenderal Pengadaan Tanah dan Pengembangan Pertanahan, Kementerian Agraria dan Tata Ruang/Badan Pertanahan Nasional
3. Direktur Jenderal Penetapan Hak dan Pendaftaran Tanah, Kementerian Agraria dan Tata Ruang/Badan Pertanahan Nasional
4. Kepala Badan Pengembangan Infrastruktur Wilayah, Kementerian Pekerjaan Umum dan Perumahan Rakyat
5. Kepala Satuan Tugas Pelaksana Penyelenggaraan PB Pasca Gempa Bumi dan Tsunami Sulawesi Tengah, Kementerian Pekerjaan Umum dan Perumahan Rakyat
6. Sekretaris Daerah Provinsi Sulawesi Tengah
7. Sekretaris Daerah Kota Palu
8. Kepala Pelaksana BPBD Provinsi Sulawesi Tengah
9. Kepala Pelaksana BPBD Kota Palu

Deputi Bidang Dukungan Kebijakan
Pembangunan Manusia dan
Pemerataan Pembangunan,



Suprayoga Hadi

RISALAH RAPAT KOORDINASI PENUNTASAN PERMASALAHAN LAHAN RELOKASI WARGA TERDAMPAK BENCANA DI WILAYAH TONDO II KOTA PALU

Hari, tanggal : Selasa, 1 Maret 2022
Waktu : Pukul 16.00 s.d. 17.40 WIB
Pimpinan Rapat : Deputi Bidang Dujak Pembangunan Manusia dan Pemerataan Pembangunan (PMPP), Sekretariat Wakil Presiden
Peserta Rapat : Dirjen Penetapan Hak dan Pendaftaran Tanah, Kemen ATR/BPN; Direktur Jenderal Pengadaan Tanah, Kemen ATR/BPN; Direktur Pemulihan dan Peningkatan Fisik-BNPB; Kepala Satgas Pelaksana Penyelenggaraan PB Sulteng-PUPR; Kepala Pusat Pengembangan Infrastruktur PUPR Wilayah III-Kemen PUPR; Sekretaris Daerah Pemrov Sulteng; Walikota Palu; Sekretaris Daerah Kota Palu, dan Kepala Dinas Penataan Ruang Kota Palu.

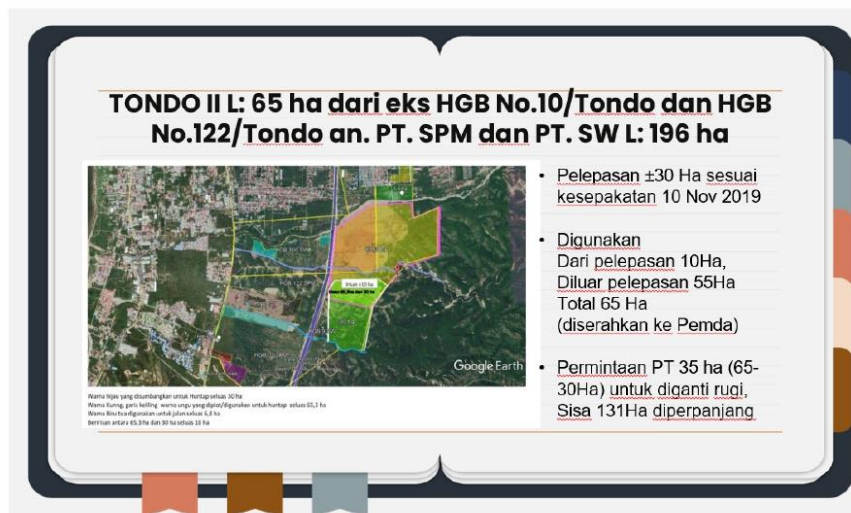
DEPUTI PEMBANGUNAN MANUSIA DAN PEMERATAAN PEMBANGUNAN SETWAPRES

1. Tujuan Rakor untuk menindaklanjuti arahan Wapres di Palu, Sulawesi Tengah tanggal 6 Januari 2022 yang mengamanahkan Walikota Palu akhir Februari status Tondo II harus *clean and clear* apabila tidak selesai maka relokasi akan dipindahkan ke Pombewe, juga sebagai tindak lanjut atas Surat Tanggapan Walikota Palu 11 Februari 2022 sebagai jawaban atas surat kepada Deputi PMPP Setwapres 8 Februari 2022 Tentang Permintaan Tanggapan dan Masukan atas Surat Pengaduan kepada Wapres dari Kuasa Hukum PT. SPM dan PT. SW juga sebagai tindak lanjut surat dari Kasetwapres kepada Menteri ATR/BPN serta tindak lanjut kesepakatan Rapat Koordinasi Tingkat Eselon I, pada 2 dan 10 Februari 2022 serta adanya surat dari Kasetwapres kepada Menteri ATR/BPN.
2. Permasalahannya surat PT. SPM dan PT SW kepada Wapres sangat tidak layak sehingga segera diselesaikan permasalahan lahan Tondo II oleh Walikota Palu, terkait klaim lahan oleh masyarakat dan tuntutan PT SPM dan PT SW, dengan batas waktu akhir Februari 2022, untuk dilaporkan Gubernur Sulteng kepada Wapres dan Menteri/Kepala LPNK terkait.
3. Pemasalahan lahan berakibat pada pembahasan Revisi Rencana Rehabilitasi dan Rekonstruksi Pascabencana (R3P) Sulteng yang saat ini sedang diselesaikan oleh BNPB.
4. Hal yang perlu dibahas terkait surat Walikota Palu adalah:
 - Pada prinsipnya pemanfaatan lahan Huntap Tondo II dilaksanakan berdasarkan Instruksi Presiden Nomor 10 Tahun 2018 tentang Percepatan Rehabilitasi dan Rekonstruksi Pasca Bencana di Sulawesi Tengah, dan Surat Keputusan Gubernur Sulawesi Tengah Nomor 369/516/DIS.BMPPR-G/ST/2018 tentang Penetapan Lokasi untuk kebutuhan pembangunan Hunian Tetap bagi Warga terdampak bencana 28 September 2018.
 - Sesuai batasan kewenangan, dari beberapa hal aduan kuasa hukum PT SPM dan PT SW, untuk mengklarifikasi ataupun penyelesaiannya diluar batas kewenangan Pemerintah Kota Palu dan merupakan kewenangan Kementerian ATR/BPN.
 - Sesuai kewenangan Kementerian ATR/BPN, Menteri ATR/BPN telah mengeluarkan surat No. AT.02/656/V/2021 tanggal 17 Mei 2021 perihal Pembangunan Huntap Relokasi Bencana, dengan antara lain memerintahkan Kakanwil BPN Provinsi Sulteng untuk melakukan penyerahan lahan huntap seluas 193,1 Ha, yang di dalamnya antara lain 65 Ha oleh PT SPM dan PT SW yang terletak di Kelurahan Tondo kepada Pemerintah Kota Palu.
5. Rapat koordinasi masalah lahan Tondo 2 harus dapat menyepakati penyelesaian status lahan Tondo 2, sebagai dasar lanjutan pembahasan Rinpres Penuntasan 4 Maret 2022.

6. Dimohonkan kerjasama kementerian ATR/BPN untuk dapat segera merespon surat kuasa hukum dan melaporkannya kepada Wakil Presiden, untuk arahan lebih lanjut penuntasan pascabencana.

DIRJEN PENGADAAN TANAH DAN PENGEMBANGAN TANAH, KEMEN ATR/BPN

1. Terkait lahan yang lain tidak ada masalah, hanya terkait Tondo II saja.
2. Kalau bicara Tondo II, rencananya adalah 65 Ha dari eks HGB dimana HGB sudah berakhir pada tahun 2019 sehingga saat ini kita sebut sebagai eks HGB.
3. Luas keseluruhannya sebenarnya ada 196 Ha, rencana yang terpakai untuk Tondo II sebenarnya hanya 65 Ha saja. Tetapi ada permasalahan disini, per 10 November 2019 sudah dilepaskan secara sukarela oleh PT SPM dan PT SW seluas 30 Ha (tidak ada penggantian, murni pelepasan), akan tetapi pada saat dimatangkan oleh PUPR ternyata lokasi ini tidak layak dan yang terpakai hanya 10 Ha dari bagian yang 30 Ha dan kebutuhan lahannya lebih luas, naik ke utara (sampai dengan garis merah muda). 65 Ha ini yang terpakai dari pelepasan hanya 10 Ha dan tersisa 20 Ha.



4. Yang dipermasalahkan oleh PT. SPM dan PT. SW adalah yang 55 Ha ini, apabila yang 30 Ha kembali ke mereka berarti masih ada 35 Ha yang belum dilepaskan dan permintaan mereka adalah harus minta ganti rugi. Apabila ganti rugi sudah jelas bahwa dari awal disebutkan untuk tanah nol rupiah, uang negara tidak ada karena untuk pembangunan saja kita utang pake loan Bank Dunia.
5. Kami sudah coba upayakan penyelesaian untuk mendekati pemegang Hak PT. SPM dan PT SW untuk menyerahkan sisanya secara sukarela karena untuk huntap. Waktu itu mereka mensyaratkan untuk memperpanjang sisanya karena kalau menurut hitungan masih ada sekitar 131 Ha yang tidak digunakan untuk relokasi, akan tetapi ini terkena rencana pengembangan kota oleh Wali Kota jadi isunya:
 - a. Meminta ganti rugi atas lahan 35 Ha, akan tetapi tidak ada anggaran untuk ganti rugi;
 - b. Perpanjang sisanya, perpanjangan ini di Pak Suyus yang nanti akan menjelaskan.
6. Kalau kita bicara UU 2 Tahun 2012, dia minta ganti rugi maka buat kami ada masalah karena yang pertama apabila memakai UU No 2 ada ganti rugi dan kami tidak ada uangnya, apabila uangnya ada dan dilakukan ganti rugi maka tanah ini menjadi asset

instansi dan bila diberikan ke masyarakat akan ada tahapan lagi untuk pelepasan dan sebagainya, baru bisa menjadi tanah masyarakat.

7. Kalau huntap tidak ada dalam UU 2 sebagai salah satu jenis kepentingan umum. Apakah bisa dibayar? Bisa, walaupun sudah habis jangka waktunya (tetap) bisa dibayar tetapi kembali lagi harus dilihat apakah eks HGB ini masih dimanfaatkan atau digunakan oleh yang bersangkutan? Berdasarkan informasi, isunya tanah tidak dimanfaatkan dan pernah ditetapkan menjadi tanah terlantar akan tetapi di PTUN kita kalah.
8. Apabila harus segera, kami sudah coba menyampaikan juga ke Pak Djoko (melakukan pendekatan) tetapi yang bersangkutan sepertinya tetap berdasarkan surat-surat (bahwa) sisa yang belum dilepaskan mohon di ganti rugi dan yang tidak digunakan untuk relokasi untuk diperpanjang.
9. Terkait masyarakat, mungkin nanti akan Bapak Wali Kota yang akan menyelesaikan, sudah ada beberapa skema penyelesaian terkait klaim masyarakat.
10. Kalau dari saya, apabila ini harus cepat, alternatif yang sudah juga kita bicarakan, menurut Pak Wapres kita masih punya tanah di Pombewe dan sudah dilepaskan. Masih ada sisa 258 Ha, daripada pusing menyelesaikan masalah Tondo yang tidak selesai, kenapa tidak kita pindahkan saja ke Pombewe karena sudah dilepaskan dan tidak ada masalah dari pemegang hak nya.

DIRJEN PENETAPAN HAK DAN PENDAFTARAN TANAH, KEMENTERIAN ATR/BPN

1. Tadi penyelesaiannya, tadi saya sudah mendiskusikannya dengan Bu Embun, memang penyelesaiannya harus satu kesatuan, tidak bisa saya memperpanjang kemudian
2. saya harus ganti rugi juga. Jadi ini harus komprehensif dan hal ini juga yang sedang Bu Embun selesaikan dan kita selesaikan juga di kementerian.
3. Bahwa ada haknya PT. SPM dan PT. SW mungkin bisa kita perpanjang sepanjang ketentuan-ketentuannya bisa dipenuhi dan yang paling penting adalah apa yang disampaikan Bu embun terkait dengan lokasi Tondo II sebaiknya bisa dilaksanakan pembangunan huntapnya segera karena memang meskipun ada keberatan tetapi tetap dapat dilakukan pembangunannya tinggal bagaimana pembayarannya sebagaimana yang disampaikan Bu embun mengalami beberapa kendala dan mungkin nanti apabila disepakati oleh Bu embun nanti proses perpanjangannya akan kita laksanakan juga sepanjang sesuai dengan tata ruang yang ada di pemerintah kota dan juga bisa menunjukkan batas-batasnya. Kita harus mengukur ulang karena batas-batasnya tidak kelihatan, hal-hal administrasi ini harus diselesaikan oleh pemilik.
4. Ada dua hal yang harus kita lihat, bagaimana penguasaan fisik di lapangan, bagaimana batas kemanfaatan dan juga bagaimana nanti sesuai dengan ketentuan tata ruang.
5. Apa yang disampaikan Bu Embun, bahwa proses pengadaannya nanti disampaikan beberapa hal yang harus diperhatikan. Tetapi secara undang-undang, harusnya bisa dilaksanakan tinggal nanti mekanisme seperti apa.
6. Memang ini harus menjadi satu kesatuan, penyelesaian di Tondo II, karena di huntap Tondo I, Duyu sudah diterbitkan sertifikatnya begitu juga di Pombewe.
7. Kita sangat mendukung sekali program ini. Kita ingin menyelesaikan dengan beberapa catatan tadi, mudah-mudahan bisa selesai dan Bu Embun bisa segera bertemu dengan pemilik perusahaan dan kita bisa menyelesaikan karena ini bukan buat kita tapi buat masyarakat Palu.

TANGGAPAN DEPUTI PMPP

- Memang ini harus diselesaikan Bu Embun dulu baru setelah itu ke Pak Suyus. Tapi kami mohon kepada Bapak dan Ibu Dirjen, kalau boleh kami mohon surat respon dari Pak Menteri bisa segera disampaikan ke Pak Wapres, termasuk beberapa hal

konsekuensinya umpamanya kita harus mengadakan ganti rugi dan sebagainya, kita kan harus ada pembicaraan lebih lanjut ke Kementerian Keuangan dan sebagainya. Apakah hal ini dimungkinkan atau tidak? sehingga nanti arahan dari Wapres seperti apa? Kami mohon permintaan dari Pak Wapres kepada Pak Menteri bisa segera di respon supaya nanti ada arahan lebih lanjut dari pak Wapres.

- Terus terang beliau sangat concern dengan kondisi masyarakat Tondo dalam hal ini supaya opsi terakhir untuk pindah ke Pombewe mungki benar-benar final result.
- Kalau boleh dalam minggu ini bisa kita terima? Respon dari pak Menteri.

DIRJEN PENETAPAN HAK DAN PENDAFTARAN TANAH, KEMENTERIAN ATR/BPN

Nanti kita usahakan segera pak, mungkin dalam minggu ini, paling lambat Jumat.

DIRJEN PENGADAAN TANAH DAN PENGEMBANGAN TANAH, KEMEN ATR/BPN

Siap, akan kita koordinasikan jawabannya supaya (jadi) satu kesatuan karena permintaannya dibayar yang 35 Ha dan diperpanjang sisanya, jadi satu kesatuan kalau yang satu dibayar tapi sisanya tiadk diperpanjang akan masih ribut lagi begitupun sebaliknya.

DIRJEN PENETAPAN HAK DAN PENDAFTARAN TANAH, KEMENTERIAN ATR/BPN

Usulan kita, seharusnya boleh diperpanjang tetapi yang sisanya buat huntap karena yang lain kan juga memberikan tanahnya.

DIRJEN PENGADAAN TANAH DAN PENGEMBANGAN TANAH, KEMEN ATR/BPN

Barusan ini saya bicara lagi dengan yang bersangkutan dan melakukan pendekatan persuasif tetapi yang bersangkutan belum mau, tetap keukeh mau keduanya.

TANGGAPAN DEPUTI PMPP

Jadi opsi perpanjangan yang kita fokuskan ya bu, karena kalau ganti rugi kita akan lebih sulit lagi.

DIRJEN PENGADAAN TANAH DAN PENGEMBANGAN TANAH, KEMEN ATR/BPN

- Benar, karena tidak bisa ujug-ujug mencari uang untuk ganti rugi jadi tetap saja kalau kita perpanjang tanpa ganti rugi dia akan tetap ribut. Sementara anggaran *loan* ini sedikit saja ada gesekan terkait dengan status mereka akan lari.
- Mungkin nanti ke pak Wali Kota bagaimana merangkulnya, kan bisa saja Namanya pengusaha ada sesuatu yang katakanlah rugi disini tetapi ada sesuatu yang bisa mendatangkan keuntungan di tempat lain.
- Saya lebih berharap bagaimana pendekatan pak Wali Kota karena kami dari ATR BPN tidak bisa menjanjikan apapun, kami tidak punya apa-apa selain memberikan perpanjangan. Saya berharap pendekatan pak Wali Kota Bagaimana, katau tidak memang satu-satunya jalan pindah.

TANGGAPAN DEPUTI PMPP

Baik Bu, tolong satu dua hari ini ada negosiasi lebih lanjut, mungkin Pak wali juga dapat memberikan masukannya atau kontribusinya nanti pada saat kesempatannya nanti. Kami akan melaporkan sementara (bahwa) pada minggu ini mudah-mudahan surat dari Pak Menteri kepada pak Wapres sudah bisa menjelaskan langkah-langkah yang akan dilakukan dalam hal ini.

KEPALA SATGAS PELAKSANA PENYELENGGARAAN PB PASCA GEMPA BUMI DAN TSUNAMI SULAWESI TENGAH, PUPR

1. Progres terakhir LARAP Huntap Talise sudah didiskusikan dengan World Bank (WB), target tanggal 4 Maret akan dievaluasi versi Bahasa Indonesia, kalau sudah diperbaiki, maka tanggal 6 Maret akan dikirim versi Bahasa Inggris ke Washington DC. Talise status Clear and Clean.
2. Tondo perlu diubah beberapa bab sesuai pembahasan, diperlukan Surat Keterangan dari Kementerian ATR/BPN tentang status lahan Tondo II sebagai lampiran LARAP ke World Bank, target untuk Tondo II akhir Maret sudah selesai.

TANGGAPAN DEPUTI PMPP

- Diperlukan dua surat dari ATR/BPN yaitu dari Menteri ATR/BPN ke Wakil Presiden dan dari salah satu Dirjen untuk World Bank sebagai lampiran LARAP.
- Surat permohonan dari PUPR sudah meluncur ke ATR/BPN, agar ditanggapi sehingga sebelum akhir Maret sudah selesai.

SEKRETARIS DAERAH PROVINSI SULAWESI TENGAH

1. Gubernur sangat optimis sesuai janji Walikota di depan Pak Wapres saat itu bahkan kita sudah tindaklanjuti dalam rapat dengan Wamen PUPR yang dihadiri Deputy PMPP saat itu, sebagaimana hasil rapat sesuai schedule yang ditetapkan sudah tuntas. Masalah saat ini hanya keberatan dari kuasa hukum PT. SPM dan PT. SW.
2. Diharapkan ada campur tangan pemerintah pusat yaitu Kementerian ATR/BPN terkait status HGB untuk dijadikan solusi.
3. Walikota lebih tepat memberi tambahan penjelasan.

TANGGAPAN DEPUTI PMPP

- Saat Gubernur Sulawesi Tengah melakukan audiensi dengan Wakil Presiden, Gubernur menjanjikan akan melakukan audiensi dengan Kuasa Hukum PT. SW dan PT. SPM.

WALIKOTA PALU

1. Walikota Palu sudah mengirim surat ke Setwapres tanggal 18 Februari 2022 untuk meminta waktu secara langsung pertemuan dengan Pak Wapres untuk menyampaikan progress yang sudah dilakukan dan diharapkan surat tersebut bisa dibalas karena dengan pertemuan secara langsung diharapkan bisa diambil keputusan.
2. Masalah Huntap Tondo II harusnya sudah selesai, karena ketika SK dikeluarkan berarti sudah jelas bahwa tanah digunakan untuk kepentingan negara, untuk masyarakatnya. Hanya kemudian diserahkan ke Pemerintah Kota dalam upaya mengakomodir masalah klaim yang disampaikan masyarakat terkait lahan Huntap Tondo dan sekitarnya.
3. Prediksi terkait bencana 28 September 2018, dapat berulang 30 tahun lagi, kantor pemerintahan Kota Palu masuk zona merah sehingga ketika diketahui ada tanah negara yang statusnya HGB dan sudah berakhir, Pemerintah Kota Palu menanyakan apakah ada peluang untuk meminta tanah negara tersebut untuk membangun Kota Baru.
4. Terdapat beberapa pertemuan dengan Menteri ATR/BPN pada tahun 2019 yang kesimpulannya tanah yang expired diserahkan kepada Pemerintah Kota untuk kota satelit, tetapi untuk tanah yang masih aktif dipersilahkan Walikota mengkomunikasikan langsung dengan pemilik hak atas tanah tersebut.
5. Untuk masyarakat yang mengklaim tanah atas lahan Tondo II, Pemkot solusinya dengan *land consolidation*, namun pembangunan hunian tetap berdasar pinjaman Bank Dunia yang tidak menginginkan adanya gesekan.
6. Dalam perencanaan Kota Satelit yang disiapkan oleh Kota Palu diserahkan ke pemerintah pusat apakah menyetujui perencanaan kota satelit karena waktu itu

persetujuan hanya lisan, tentu tidak kuat. Tujuan kota satelit adalah mengakomodir semua agar kawasan satelit berkembang dengan baik.

7. Pemerintah Kota mempunyai hak mengeluarkan rekomendasi atas perpanjangan tanah yang diklaim PT. SPM dan PT. SW, sedangkan sejak Tahun 2002 kedua perusahaan tersebut tidak pernah bayar PBB, kemudian lahan yang diberikan tidak dimanfaatkan sehingga masuk dalam tanah terlantar walaupun menang dalam gugatan. Pemerintah Kota Palu tidak akan mengeluarkan rekomendasi untuk perpanjangan.

TANGGAPAN DEPUTI PMPP

- Rapat kali ini dalam rangka menanggapi surat Walikota Palu, namun ada hal teknis yang harus dibicarakan sebelum pertemuan dengan Wakil Presiden karena Wapres tidak masuk konteks teknis, apalagi masih ada yang harus dituntaskan, bukan berarti tidak ada kemungkinan untuk bertemu.
- Status relokasi agar dipastikan dulu, mengenai kota satelit dan lainnya akan dibicarakan selanjutnya dan wajib masuk dalam R3P baru tentang penuntasan dan R3P tersebut sedang diselesaikan oleh BNPB.
- Bola saat ini berada di Kementerian ATR/BPN, sehingga fokus menyelesaikan klaim lahan oleh kuasa hukum PT. SPM dan PT. SW karena di atas kertas mereka menang PTUN.
- Mengapresiasi usaha Pemerintah Kota Palu terkait klaim masyarakat yang sudah selesai. Ini menjadi kata kunci bahwa Tondo II akan dilanjutkan.
- Walikota agar tetap melakukan mediasi dengan pihak kuasa hukum PT. SPM dan PT. SW.

DIREKTUR PEMULIHAN DAN PENINGKATAN FISIK, BNPB

1. Kami sedang intens melakukan review R3P dan identifikasi Kementerian/Lembaga yang akan masuk dalam R. Inpres baru.
2. Pilihan yang tepat apabila sesuai yang diinginkan Walikota, mungkin investasinya kan beda. Apakah yang dimaksud kota satelit termasuk kantor-kantor pemerintah? Apabila iya maka materi perintah di R. Inpres akan berbeda.
3. Kami sudah mendampingi 3 kabupaten termasuk Kota Palu terkait dengan napa yang perlu dituntaskan, dari kesimpulan akhirnya nanti akan diwujudkan dalam R. Inpres..

TANGGAPAN DEPUTI PMPP

Kami menunggu data dari BNPB karena tanggal 4 Maret akan di rapatkan, dan Inpres ini menjadi prioritas Presiden, namun sebelumnya beberapa ganjalan harus diselesaikan terlebih dahulu.

CLOSING DIREKTUR JENDERAL PENETAPAN HAK DAN PENDAFTARAN TANAH, KEMENTERIAN ATR/BPN

1. Memang berdasarkan surat dari Pak Menteri, kita sudah melepaskan/ menyerahkan 193 Ha tanah hasil pengadaan tanah pada tahun 2021, termasuk salah satunya tanah 65 Ha di lokasi Tondo II, hal ini mungkin bisa ditindak lanjuti bagaimana pelaksanaan untuk pembangunan huntap.
2. Kaitannya dengan perpanjangan HGB, memang secara normative dapat dilakukan perpanjangan sepanjang sesuai dengan tata ruangnya, bagaimana tatanannya dikuasai secara fisik. Jadi kita harus *clean and clear* untuk proses perpanjangannya itu.
3. Nanti kita akan lihat bagaimana kondisi di lapangan saat ini, tentunya nanti data itu mulai dari Kantor Pertanahan, dari pak Yanis dimana pak Yanis nanti akan melakukan survey lapangan kemudian akan dilihat bagaimana kemanfaatan untuk kesesuaiannya dengan tata ruang yang sudah ada.

4. Jadi memang kita akan lakukan secara normative seperti itu pak Wali Kota dan Pak Yoga, tapi harus kita pastikan memang ada surat dari PT. SPM dan PT. SW yang harus kita selesaikan, selain yang masyarakat sudah diselesaikan oleh Wali Kota.
5. Jadi ada satu lagi, surat dari perusahaan yang membuat dinas PU tidak akan melaksanakan pembangunan karena ada satu keberatan dari masyarakat. Hal ini yang akan kita selesaikan juga.

CLOSING DIRJEN PENGADAAN TANAH DAN PENGEMBANGAN TANAH, KEMENTERIAN ATR/BPN

1. Pertama, tanah dilantarkan itu memang demikian yang disampaikan oleh pak Wali Kota tetapi secara yuridis, ATR BPB sudah melaksanakan tugas dalam artian menertibkan HGB-HGB yang ditelantarkan. Bapak Menteri sudah menetapkan lahan ini sebagai tanah terlantar. Tanah terlantar berarti menjadi tanah negara yang dikuasai negara tetapi kenyataannya secara yuridis pengadilan mengatakan berbeda dan Lembaga tertinggi yang bisa memutus di negara ini adalah pengadilan. Secara yuridis, secara hukum bahwa tanah ini secara keperdataan milik PT. SPM dan PT. SW. kalau kita melakukan perbuatan-perbuatan tanpa mengindahkan secara yuridis punya legalitas maka kita akan punya masalah hukum kedepannya.
2. Kami di ATR/BPN kalau menyatakan *clean and clear* sangat gampang di gugat bukan hanya secara TUN tetapi juga secara pidana khusus karena sudah melampaui kewenangan, karena sudah ada putusan pengadilan. Bahkan dia sudah tau sekali bahwa untuk hak yang sudah berakhir, ada hak prioritas sepanjang dia menguasai. Tadi pak Dirjen Suyus menyatakan persyaratannya misalnya penguasaan fisik, dia masih layak sebagai subyek hak atas tanah, jadi sebenarnya syaratnya hanya itu, kalau kita tidak memperpanjang kita kena lagi. Kalau dia sudah bisa menguasai tanah ya, karena saya mendapatkan informasi ada penguasaan dari masyarakat. Kalau di (PT SPM dan PT SW) bisa menguasai tanah dan tidak kita memperpanjang (maka) kita akan kena lagi pasal kejahatan dalam jabatan tidak memperpanjang.
3. Jadi kalau Bapak ingin mengembalikan status ini ke Pak Menteri, maka kasian sekali kami. Kami sangat rentan sekali bukan hanya secara TUN tapi pidana khusus, pidana Tipikor penyalahgunaan jabatan. Karena kembali lagi UU 2 Tahun 2022 untuk tanah, untuk kepentingan umum harus ada ganti rugi yang layak. Jadi ini sudah hak asasi, tidak ada hak orang yang bisa dirampas kecuali untuk kepentingan umum dan kepada pemegang haknya diberikan ganti rugi yang layak, itulah kenapa lahir UU 2 Tahun 2012.
4. Demikian juga dengan tata ruang, penyelenggaraan tata ruang UU 26 Tahun 2007, penyelenggaraan tata ruang harus menghormati hak milik orang sesuai dengan peraturan perundang-undangan. Jadi secara UU belum lagi nanti ada putusan pengadilan, kit aitu lemah. Saya apa adanya, oleh karena itu saya mengambil opsi yang kita terbaik-baik, oleh karena itu di awal pak Menteri terbaik-baik sama mereka, mengundang dan akhirnya keluarlah 30 Ha pelepasan itu, dan yang lainnya semua bahkan di Talise, Tondo I, Pombewe semuanya nol rupiah dengan cara terbaik-baik dengan pemegang hak, "ayo kita akan bantu memfasilitasi untuk membantu yang lain, tetapi tolong dong serahkan untuk kemanusiaan". Caranya hanya itu, kita bermohon, terbaik-baik, tidak bisa merampas.

TANGGAPAN DEPUTI PMPP

- Terima kasih bu Dirjen dan Pak Dirjen, kami sangat paham kondisi ini sudah masuk ke ranah hukum jadi kita harus hati-hati sekali dalam konteks ini, karena itu kami hanya ingin minta dalam konteks surat, yang tadi dijanjikan dalam minggu ini, mudah-mudahan Jumat sudah bisa diterima. Tapi kami sangat paham bahwa perlu proses.

- Saat ini umpamanya saya ditanya lagi sama pak Wapres, kira-kira kalau kita yakin Tondo II menjadi Kawasan relokasi untuk masyarakat terdampak ini, kira-kira akan tuntas kapan? Kita terus terang ada runtutan berikutnya, kalau tadi rancangan Inpres, R3P yang sedang disusun BNPB, termasuk Bank Dunia, karena the people can not wait, masyarakat istilahnya sudah keleleran hampir 3,5 tahun belum dipindahkan sementara yang lainnya sudah. Kira-kira kapan kita bisa menuntaskan hal ini, apalagi pak Ari tadi sudah kasih deadline akhir Maret LARAP harus sudah selesai.
- Kalau boleh kira-kira kapan ya? Bu Dirjen dan Pak Dirjen? Kalau nanti butuh mediasi dan sebagainya, nanti pak Gubernur juga saya sudah minta bisa memediasi, selain pak Wali juga bisa melakukan pendekatan lebih lanjut. Kami butuh waktu berapa lama ya?

KEPALA SATGAS PELAKSANA PENYELENGGARAAN PB PASCA GEMPA BUMI DAN TSUNAMI SULAWESI TENGAH, PUPR

Kami bermohon, surat yang kami mohonkan itu bisa tidak yang 65 Ha itu di *freeze* dulu, yang lainnya (tetap) berproses. Intinya kami akan berupaya bernegosiasi, meyakinkan kepada World Bank bahwa yang 65 Ha ini di *freeze*, tidak akan diperpanjang. Boleh tidak Ibu Dirjen? Untuk yang lainnya oke masih membutuhkan proses Panjang. Terima kasih.

DIRJEN PENETAPAN HAK DAN PENDAFTARAN TANAH, KEMENTERIAN ATR/BPN

Pak ari, memang akan begitu pak bahwa yang 65 Ha pasti akan kita *freeze*, tidak akan kita perpanjang juga yang 65 Ha karena kalau kita perpanjang dengan persyaratan-persyaratan dan ketentuan perpanjangan yang diluar 65, yang 65 Ha tetap tidak kita perpanjang. Sementara ini yang kebijakan kita seperti itu.

DIRJEN PENETAPAN HAK DAN PENDAFTARAN TANAH, KEMENTERIAN ATR/BPN

Tanah itu sudah punya pak Wali, 65 Ha itu sudah hak nya pak Wali, sudah kira serahkan. Kita sudah berkirim surat dan pak kanwil sudah menyerahkan ke pak Wali yang 65 Ha itu, nanti kita proses surat balasannya dengan Bu Embun juga.

DIRJEN PENGADAAN TANAH DAN PENGEMBANGAN TANAH, KEMEN ATR/BPN

Suratnya isinya nanti hanya Kementerian ATR/BPN tidak akan memperpanjang karena kan salah satu syarat memperpanjang adalah tanahnya tidak digunakan untuk kepentingan umum, (tanah ini) kan digunakakan, berarti tidak diperpanjang. Akan tetapi kami tidak dapat memberikan jaminan itu akan digugat/tidak akan digugat oleh PT. kalau hanya sekedar surat itu saya yakin (surat) sudah jadi.

KEPALA SATGAS PELAKSANA PENYELENGGARAAN PB PASCA GEMPA BUMI DAN TSUNAMI SULAWESI TENGAH, PUPR

Siap ibu, yang lainnya kami akan negosiasikan. Kami akan masukkan ke LARAP tadi bu Dirjen.

TANGGAPAN WALI KOTA PALU

- Saya luruskan dulu bahwa kita bukan merampas, kemudian hak ini disebabkan karena HGB sudah expired 2 tahun, karena sudah 2 tahun makanya kita mengajukan, sesuai juga dengan green light yang disampaikan pak Menteri ATR/BPN.
- Kepada pak Bernadus, untuk kota satelit tidak kita masukkan dalam perencanaan untuk pembiayaan di RR.

- Menurut saya, penyelesaiannya, lahan yang 65 Ha yang sudah masuk dalam SK 132 sudah clear tidak ada masalah. Untuk penyelesaian agar pembangunan Huntap Tondo II dapat berjalan dengan baik, itu ok kalau kota satelit di hold dulu tetapi untuk land consolidation masyarakat yang meng-klaim tanah di lahan 65 Ha ini harus terakomodir. Mereka itu kalau dalam perencanaan kota satelit, kita sudah siapkan pemetaannya disana sekitar 45 Ha untuk mengakomodir land consolidation ini.
- Dari jumlah masyarakat yang meng klaim tanah di Tondo sekitar 1000 orang, dari jumlah ini bahwa mereka sudah bertanda tangan di atas materai dengan saksi dua orang dan kemudian kami sudah membentuk tim terpadu untuk melakukan investigasi, pemeriksaan dengan mengundang mereka-mereka yang menandatangani ini untuk memastikan kembali bahwa mereka adalah pemilik tanah. Kalau ini diakomodir maka pembangunan huntap Tondo II bisa berjalan baik karena yang 65 Ha sudah masuk dalam SK 132.
- SK ini sudah diterima oleh PT. SPM dan PT. SW, yang dipermasalahkan PT adalah keinginan pemerintah kota untuk memanfaatkan sisa lahan PT untuk pembangunan kota satelit. Hal inilah yang dipermasalahkan mereka. Kalau untuk Huntap Tondo II tidak dipermasalahkan.
- Dalam perencanaan kota satelit, saya sampaikan lagi ada 45 Ha yang dialokasikan untuk warga yang meng klaim tanah di Kawasan huntap Tondo II, ini harus diakomodir. Kalau ini diakomodir maka pembangunan Huntap Tondo II bisa berjalan dengan baik
- Urusan PT. SW dan PT. SPM diserahkan kepada pemerintah pusat, itu bukan ranah kami. Adapun lanjutan untuk semua itu saya berharap bahwa tidak bisa dinafikan bahwa kebutuhan Kota Palu terhadap kota baru, kota mitigasi adalah hal yang urgent. Karena tidak mungkin kita membangun kota ini dalam satu hari.
- Kami hanya butuh sekitar 60 Ha untuk kawasan pemerintah kota, Kawasan DPRD. Sisanya untuk fasilitas public dan sarana-sarana lainnya. Saya sudah sampaikan ke PT. SPM dan PT. SW, kami hanya butuh tanah 45 Ha. Kami butuh kota mitigasi, tapi itu ok apabila ini di hold dulu, kita fokus pada penyelesaian huntap Tondo II.
- Cara penyelesaiannya tidak boleh masyarakat yang meng klaim tidak di akomodir dan pengakomodiran masyarakat itu saya berharap mengakomodir perencanaan yang kami buat berdasarkan perencanaan kota satelit sehingga kedepan apabila hal ini bisa berkelanjutan maka Kawasan yang dibangun ini akan searah dengan perencanaan kita di Kota Palu.

TANGGAPAN DEPUTI PMPP

- Saya menangkap, ada hal yang promising karena tadi Bapak sampaikan tadi bahwa tanah yang 65 Ha sudah *clean and clear* dalam hal ini karena sudah masuk dalam SK 132 kemudian yang di klaim PT. SW itu di luar 65 dan sebagainya.
- Saya pikir ini menjadi masukan untuk ATR/BPN, kalau memang seperti itu yang disampaikan oleh pak Wali berarti sebenarnya sudah tidak ada masalah, kita bisa move on untuk pembangunan huntap.
- Kita apresiasi bahwa pak Wali sudah buat Tim Terpadu, masyarakat sudah tanda tangan di atas materai, dsb. Jadi beberapa mozaik ini dapat dikonsolidasikan kembali. Kelihatannya kita sudah mengarah pada hal yang positif dengan prioritas tetap untuk huntap, ini yang utama.
- Selesai huntap kita tau ada kompensasi kepada masyarakat yang meng klaim untuk land consolidation yang sudah dilakukan pak Wali sebagai tahapan menuju konteks nanti.

KEPALA DINAS PENATAAN RUANG KOTA PALU

1. Ada 2 masalah yaitu lahan dan bank dunia, untuk lahan dasar kami adalah Surat Menteri ATR/BPN 15 Oktober 2019 yang menyatakan tidak ada perpanjangan HGB, namun kedua Dirjen seperti memberi angin kemungkinan diperpanjang.
2. Kedua apakah bisa di Inpres diganti bahwa dana dari Bank Dunia diganti rupiah murni. Kami merasa didikte bank dunia, kita tidak merdeka mengatur masyarakat sendiri.

TANGGAPAN DEPUTI PMPP

- Kita harus tetap mengikuti prosedur pihak pemberi pinjaman dan pemilik lahan.
- Namun hal ini menjadi salah satu opsi, kami sudah bicarakan dengan pihak ATR/BPN kemungkinan dibutuhkannya negosiasi lebih lanjut.

KESIMPULAN DAN KESEPAKATAN TINDAK LANJUT

1. Disepakati fokus huntap tetap di Tondo II dengan catatan:
 - Sesuai SK Nomor 132;
 - Masyarakat sepakat land consolidation;
 - 65 Ha sudah di *freeze*/cadangkan;
 - Pombewe menjadi opsi yang tidak digunakan jika Tondo II jelas *clean and clear*.
2. Disepakati Menteri ATR/BPN akan menjawab surat dari Kasetwapres minggu ini dengan penegasan terkait apa yang akan dan kapan penyelesaian klaim atas Lahan Tondo II.
3. Akan ada surat Menteri ATR/BPN kepada Kuasa Hukum PT. SW dan PT SPM dengan tembusan terpisah kepada Wakil Presiden.
4. Balasan surat dari ATR/BPN ke PUPR akan digunakan untuk lampiran LARAP ke World Bank.
5. Rapat hari ini akan ditindaklanjuti dengan Rakor pada Jumat, 4 Maret 2022 untuk membahas Rancangan Inpres dan R3P.
6. Diharapkan kesediaan gubernur dan walikota tetap melakukan mediasi dan pendekatan teknis dengan PT. SPM dan PT. SW agar tidak ada konsekuensi lebih lanjut.
7. Akan ada evaluasi dalam 2 minggu kedepan untuk memastikan semua sudah *clean and clear*.

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Attachment 34
Surat Mentri ATR/BPN 31 Mei 2022



**MENTERI AGRARIA DAN TATA RUANG/
KEPALA BADAN PERTANAHAN NASIONAL**

Nomor : HT.02.01/438/III/2022
Sifat : SEGERA
Lampiran : -
Hal : Informasi status lahan Hunian Tetap
Tondo II. Jakarta, 31 Maret 2022

Yth. Menteri Pekerjaan Umum dan Perumahan Rakyat,
di Jalan Pattimura Nomor 20, Kebayoran Baru, Jakarta Selatan.

Sehubungan dengan surat Kepala Central Project Management Unit, Central Sulawesi Rehabilitation and Reconstruction Project, Kementerian Pekerjaan Umum dan Perumahan Rakyat tanggal 24 Februari 2022 Nomor UM.02.06/CPMU CSRRP/08 terkait dengan status tanah atau tanah yang akan digunakan sebagai Kawasan Hunian Tetap (Huntap) Tondo II seluas 65,3 ha, terletak di Kota Palu, Provinsi Sulawesi Tengah, bersama ini disampaikan hal-hal sebagai berikut:

1. Bahwa berdasarkan surat kami tanggal 15 Oktober 2019 Nomor BP.04.01/1801/X/2019, dinyatakan:
 - a. terhadap bidang tanah yang berada pada penetapan lokasi rencana pembangunan huntap diprioritaskan untuk kepentingan kebencanaan dan diperuntukkan untuk memenuhi kebutuhan dalam rangka rehabilitasi/rekonstruksi pasca bencana, terutama untuk pembangunan huntap;
 - b. terhadap Hak Atas Tanah yang sudah berakhir jangka waktunya tidak dilakukan perpanjangan/pembaruan hak atas tanah, dan terhadap Hak Atas Tanah yang jangka waktunya belum berakhir, pemegang hak melepaskan haknya seluas kebutuhan untuk rehabilitasi/rekonstruksi pembangunan huntap dan dikoordinasikan oleh Kepala Kantor Wilayah Badan Pertanahan Nasional Provinsi Sulawesi Tengah.
2. Bahwa areal seluas 65,3 ha yang akan digunakan sebagai Kawasan Hunian Tetap Tondo II di Kota Palu, Provinsi Sulawesi Tengah berada pada Hak Guna Bangunan Nomor 122/Tondo atas nama PT Sinar Putra Murni dan Hak Guna Bangunan Nomor 9/Tondo atas nama PT Sinar Waluyo, yang saat ini telah berakhir haknya.
3. Bahwa areal yang akan digunakan sebagai pembangunan huntap sebagaimana pada angka 2 telah diserahkan oleh Kepala Kantor Wilayah Badan Pertanahan Nasional Provinsi Sulawesi Tengah kepada Wali Kota Palu sesuai Berita Acara Penyerahan Lahan Hunian Tetap (Huntap) Kota Palu tanggal 27 Mei 2021 sebagai tindak lanjut surat kami tanggal 17 Mei 2021 Nomor AT.02/ 656/V/2021.
4. Bahwa PT Sinar Waluyo dan PT Sinar Putra Murni selaku bekas pemegang hak masih mengharapkan ganti kerugian terhadap sebagian dari luas keseluruhan areal yang akan digunakan sebagai Kawasan Hunian Tetap Tondo II di Kota Palu, Provinsi Sulawesi Tengah dimaksud, sehingga dapat berpotensi untuk diajukan gugatan ke pengadilan.

5. Berkenaan...

5. Berkenaan dengan hal-hal tersebut dan memperhatikan ketentuan Pasal 40 ayat (1) Peraturan Pemerintah Nomor 18 Tahun 2021 tentang Hak Pengelolaan, Hak Atas Tanah, Satuan Rumah Susun dan Pendaftaran Tanah:
- a. maka sebagian areal Hak Guna Bangunan PT Sinar Putra Murni dan PT Sinar Waluyo seluas 65,3 ha yang akan digunakan sebagai pembangunan huntap tidak diperpanjang haknya;
 - b. terhadap sisa areal Hak Guna Bangunan PT Sinar Putra Murni dan PT Sinar Waluyo dapat diproses perpanjangan/pembaruan haknya sepanjang telah memenuhi ketentuan peraturan perundang-undangan.

Demikian untuk menjadi maklum.

MENTERI AGRARIA DAN TATA RUANG/
KEPALA BADAN PERTANAHAN NASIONAL



Tembusan:

1. Wakil Presiden Republik Indonesia, di Jakarta;
2. Kepala Sekretariat Wakil Presiden, di Jakarta;
3. Kepala Central Project Management Unit, Central Sulawesi Rehabilitation and Reconstruction Project, Kementerian Pekerjaan Umum dan Perumahan Rakyat, di Jakarta;
4. Direktur Jenderal Penetapan Hak dan Pendaftaran Tanah, di Jakarta;
5. Direktur Jenderal Pengadaan Tanah dan Pengembangan Pertanahan, di Jakarta;
6. Kepala Kantor Wilayah Badan Pertanahan Nasional Provinsi Sulawesi Tengah, di Palu;
7. Kepala Kantor Pertanahan Kota Palu, di Palu.

Attachment 35
Surat Pernyataan Walikota Palu No : 591/2277/HUKUM/2022



WALI KOTA PALU

SURAT PERNYATAAN

Nomor : 591/2277/HUKUM/2022

Yang bertanda tangan di bawah ini :

N a m a : **H. Hadiananto Rasyid, S.E.**
Jabatan : Wali Kota Palu

Menindaklanjuti Rapat Koordinasi bersama Pemerintah Pusat, Kementerian ATR/BPN, Bank Dunia, dan Konsultan melalui zoom meeting "Pembahasan Due Diligence Report (DDR) Tondo 2, Talise, dan Petobo", pada tanggal 15 Juli 2022, dengan ini saya menyatakan :

1. Bahwa pada prinsipnya pemanfaatan lahan Huntap Talise dan Tondo 2 dilaksanakan berdasarkan Instruksi Presiden Nomor: 10 tahun 2018, Tentang "Percepatan Rehabilitasi dan Rekonstruksi Pasca Bencana di Sulawesi Tengah dan Surat Keputusan Gubernur Nomor : 369/516/DIS.BMPR-G-S-ST/2018, tentang "Penetapan Lokasi Untuk Kebutuhan Pembangunan Hunian Tetap Bagi Warga Terdampak Bencana 28 September 2018".
2. Klaim/gugatan lahan Huntap Talise dan Tondo 2 dari warga telah diselesaikan melalui musyawarah dan tawaran Pemerintah Kota Palu untuk warga Kelurahan Talise, Talise Valangguni dan Tondo akan mendapatkan lahan di Kelurahan Talise Valangguni di luar lokasi Huntap Talise melalui program redistribusi lahan Kota Palu telah disepakati bersama. Apabila nantinya masih ada warga yang melakukan klaim maka Pemerintah Kota Palu akan bertanggungjawab secara penuh untuk menyelesaikan klaim/gugatan tersebut sampai dengan tuntas.
3. Bahwa seandainya PT Sinar Waluyo dan PT Putra Sinar Murni selaku pemilik eks HGB di Tondo 2 melakukan gugatan untuk memperbaharui haknya, maka Pemerintah Kota Palu tidak akan memberi rekomendasi untuk pengajuan Hak Guna Bangunan (HGB) yang baru karena peruntukan Rencana Tata Ruang Wilayah di Kota Palu sudah dirubah dengan Peraturan Daerah (Perda) Kota Palu nomor 2 tahun 2021 tentang "Rencana Tata Ruang Wilayah (RTRW) periode 2021-2041".

Demikian Surat Pernyataan ini saya buat dengan sesungguhnya, agar dapat dipergunakan sebagaimana mestinya.

Palu, 15 Juli 2022



WALI KOTA PALU

H. Hadiananto Rasyid, S.E.

Dipindai dengan CamScanner