

## Model Land Supply for Land Bank to House Application

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### Abstract

This study aimed to find out Land Bank's land supplies to provide land for affordable housing and establish community paradigm for ownership in which building separates from its property. The study was performed using a mixed methodology; namely informative where the primary legal material as a legal framework of housing construction is highlighted by considering legal research conducted with simple legal norms with attention to primary data such as land tenure, land availability, and the amount of housing backlogs that extended to help research. Quantitative data used as a measure of flaws in the application of laws and legal framework, so that all legal resources can be supplemented with quantitative and qualitative data to find alternatives and open access for LIPs houses.

**Keywords:** Land Supply; Land Bank; Affordable Housing.

### Abstrak

*Penelitian ini bertujuan untuk mengetahui persediaan tanah sebagai bank tanah untuk menyediakan tanah perumahan yang terjangkau dan membangun paradigma masyarakat untuk kepemilikan bangunan dan propertinya terpisah. Penelitian dilakukan dengan menggunakan metode normatif dengan data penelitian berupa bahan hukum sebagai kerangka hukum pembangunan perumahan. Hasil penelitian menunjukkan bahwa model kepemilikan lahan untuk kepentingan pembangunan perumahan melalui land bank adalah peluang besar bagi masyarakat miskin dan berpenghasilan rendah guna mendapatkan rumah dengan cara yang lebih murah dan lebih mudah dengan pengembangan paradigma baru tentang kepemilikan tanah yang dipisahkan dari rumah, di mana tanah berada.*

**Kata kunci:** Penyediaan Lahan; Bank Tanah; Perumahan.

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## Introduction

The land is the origin of man, then after death returns to the ground, and will be raised from the ground anyway. Thus at least Islam believes in the role of the land and its relationship with the humankind in line with its belief that man was created by God from the land and will return to the land and be resurrected from the land. Regarding the land, there are more than 20 times mentioned in the holy book of the Qur'an. The convincingly and legitimately that the land is the property of God, no man or a state can claim the land as the absolute ruler, neither the owner of the land over the world. The establishment of a state should basically have the territory under which both the land and the sea are controlled, both of which are also gifts from God. In the Islamic perspective, the land is created and mandated to humans as a place to build the life and continue the existence of life. From human soil can live because the land holds fortune from

the sky and has fortune also, both of which are also from God.(Widyarsana, I.M.W., Damanhuri, E., Agustina, E., 2020)

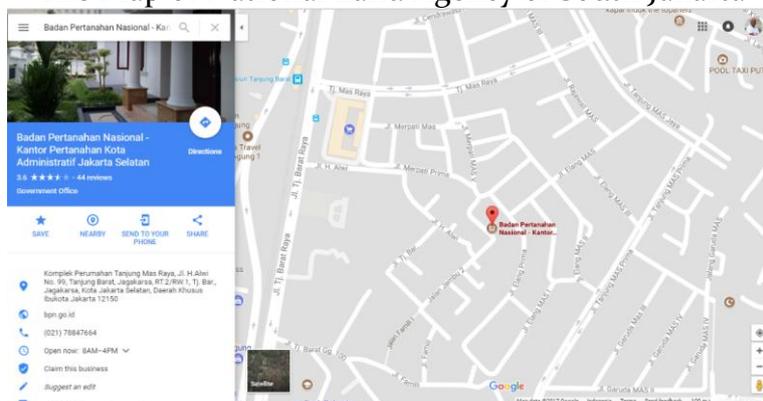
The power over the territory is intended to be a state able to use the land for the greatest prosperity of the people, as affirmed in Article 33 paragraph 3 of the 1945 Constitution which mentioned: "The earth, water, and wealth contained therein are controlled by the state and used for prosperity people". The words "state-controlled" denotes the assertion of the founding father of the monotheistic view of the land, that the state is not the owner of the land as the royal states such as Britain, Malaysia, Saudi Arabia; where the king holds domains over land. Based on Law No. 5 of 1960 (BAL) article 1 stated that: "the earth, the water, the aerospace, and the natural resources contained therein, are controlled by the state and used for the greatest prosperity of the people." In paragraph 2 it says: only the people of Indonesia have a direct relationship to the land. "This article shows that in the legal system of land in Indonesia, the holders of land domains are the people, thus the land is basically for the people.(Izzati, U., Hasibuan, H.S., Indra, T.L.,2020)

In the fourth paragraph of the preamble of the 1945 Constitution, one of the establishments of the Republic of Indonesia goals is: "to protect the nation and to spill the blood" and "to promote the common good", two of the four goals of the Republic of Indonesia emphasize the importance of the state to protect the nation and the homeland to do prosperity for every Indonesian people. Consequently, it's clear if taken from the fifth principle of Pancasila, which is social justice for all Indonesian people, then philosophically, juridically, and politically, which the government has the mandate of state executive, to make the land for the prosperity of society. Some media reported the government officials saying that the government is having difficulty providing land for infrastructure development, including housing infrastructure, in line with Oswar Mungkasa disclosure that it is very difficult to find land for infrastructure, it is almost impossible to build housing in The District of Jakarta.( Mungkasa, Oswar, 2017)

Given the price of land has become more expensive and will incriminate for Low-Income People (LIP) to buy every unit of the house. In this perspective, Mungkasa sees through the approach of vertical attachment practice principle, where each unit in the flat, which is named as "Rusunami" prepared for the LIP, there is also a value of land in proportional proportion by the practice of purchasing the property of a flat unit which includes part of the common ground in certificate of property right of apartment unit, so every purchase of house unit, must also buy land according to NPP (the component of HMSRS). Apparently, Mungkasa as the Deputy Governor of Jakarta on Spatial Planning and Environment, recently also in the other occasion by the Minister of Agrarian and spatial and by the President of Indonesia Joko Widodo, where the government experienced difficulties in the provision of land for the interests of infrastructure development. One of the real evidence, the office of National Land Agency of South Jakarta which is authorized agency to regulate the allotment of land, precisely to get the office, must through a narrow alley, which cannot be done for

the public service office with the number of guests so much every day, as shown in the figure 1. The above fact is the irony of the land of Indonesia, where government agencies are defeated by the private sector.( Roestamy, Martin. and Rita Rahmawati, 2014)

Figure 1  
The Map of National Land Agency of South Jakarta



Source: Googlemap

Because part of the land is already controlled by the private sector, the statement seemed contradictory after it was found out that the President of Republic of Indonesia, which was also followed by the Minister of Agrarian and Spatial Planning has stated that "the government has difficulty in implementing the provision of land for the public interest". (M.Jamil, 2019) As the holder of the mandate of the management of land, water, and space and the wealth contained therein, it must not happen, because the government has been granted a right called the State Controlling Right, which is responsible for arranging the use, supply, and maintenance of the land. In addition, it is also authoritative to determine the legal relationship between the legal subject and the land, the actions of the legal subject with the land, to apply and apply the legal politics to the land, to supervise the traffic of the land mutation, to decide and to determine who has the right to control the land and how much land master it.( Lego Karjoko, Zaidah Nur Rosidah, I Gusti Ayu Ketut Rahmi Handayani, 2019)

How in the nation with the principle of Pancasila comes out a statement from a president and a minister who controls and has the authority to regulate the land and spatial law, says that the government has difficulty serving its people in providing land for infrastructure for the public interest. Why is such a weak government with the philosophical, juridical and political support of the prevailing Constitution and legislation. This situation is inseparable from the consequences of the implementation of government practices in the field of land that deviates from the principles of good governance (good governance). The case of land disputes in the court even to the Supreme Court, and currently according to the Supreme Court source the land dispute case controls most of the approximate 50% of all cases to the Supreme Court. The dispute drains the nation's energy, because it creates economic disparities and jealousy, as published in various mass media such

as Potanigrah case, Meruya case, Kedoya case, Tanjung Priok case, Outer Batang case, and so on with total civil court verdict of 7861 decisions in The last 10 years.( Budihardjo, M.A., Wahyuningrum, I.F.S., Muhammad, F.I., Pardede, R., 2019)

With such a vast land tenure, it is certain that the real estate company that controls the land latifundia, that is, theoretically the land law, the control has violated Article 17 or 7 of BAL on latifundia (find complete) in addition to violating the latifundia ban, practicing absentee practices, i.e. over land control and control of land outside the territory of his / her domicile. There are two factors that become the most obstacle of the provision of land for the construction of houses for the people.

As Mungkasa mentions in the preceding paragraph, there are also concerns among businessmen about the attitude of abandoned land as a result of the violation of the principles of latifundia and absentee mentioned above. The question is, how the government as the holder of the right to control the state, take steps to realize the basic obligation to provide land for the construction of houses for the LIP so that it can be realized the ideals of the constitution that is the land of the prosperity of the people. Second; how is the government's strategic move to facilitate access of land banks to acquire land sources in order to provide land for the construction of houses for LIP.

## **Discussion**

### **1. Land Occupied Phenomenon in Indonesia**

The first step of the land bank is to plan, use, designate and provide land for each area in accordance with the spatial plan and the regional spatial plan. In the initial planning, of course, cannot be released land use planning for other public interest, not solely for the sake of housing. Such general interest, as determined by the Law on the Provision of land, includes, some of them, The Laws of the Republic of Indonesia Number 2 Year 2012 concerning Land Procurement for General Welfares, which regulates 18 types of public welfare, whereas concerning the provision of land for the benefit of housing for low-income people is set in the article number 10, point (o) mentions that the arrangement of urban area and/or land consolidation, and housing for low-income people with the status of rental.( Gouw, T.-L., 2020)

After preparing and determining the Local Tax Object Sales Value (NJOP) guides the base price then carried out socialization to the community whose land will be acquired and then to be processed by the transaction model, such as sale and purchase or exemption of property rights. So far, the provision of land for public interest has not been done by the land bank, because the land bank itself is still in the process of establishment, the body or entity is also still in debate, it is only expected to pay attention to some of the indicators described in table 2 above. In general, land acquisition activities are undertaken by land-use initiatives, or land users, such as: government agencies, state-owned enterprises, or national companies for housing, infrastructure, and other infrastructure. To this extent, the acquisition of land for the provision of land is completed with the condition of the Land Law regulation.( Lego Karjoko, 2017)

The land bank if undertaking activities within the limits of the acquisition as intended, by land consolidation approach, has also been completed, nothing new except for the execution of land acquisition carried out by the land bank, to avoid speculation as described earlier, it is necessary for careful selection of decision makers and management of the land bank. Given the complexity of land affairs in Indonesia, the safest model according to the author's opinion is the model of the Public Service Agency (Central BLU) domiciled in the Capital City and may open the Regional Public Service Board (Regional BLU), provided that its formation must be based on the Law, thus having a stronger position and scope of work can be detailed and have legal-bindings. The next question is the outside land acquisition undertaken as discussed in the previous chapter, how to develop land supply for land banks especially for the provision of land for affordable housing construction, as will be described below. Some thoughts on the results of research that the authors do, the prospect of developing a model of land supply for home construction, can optimize, among others: (I. Gusti Ayu Ketut Rachmi Handayani, Lego Karjoko, Guntur Hamzah, 2019)

#### **1) Utilization of Abandoned Land**

If you look at the data in the previous discussion, there are 5.1 million hectares owned by tycoons in Indonesia, from the tycoon of plantation owners, there are still 2 million hectares that have not been exploited, of course, among others become neglected. According to the provisions of Government Regulation Number 36 of 1998 on the Control and Utilization of Abandoned Land, which regulates the criteria of neglected land; first, land that is not utilized and / or maintained properly; secondly, land which is not used in accordance with the circumstances, nature or purpose of the granting of such rights.

Land abandoned not only from plantation land but many also in the area around the city, among others around JABODETABEK area, namely Jakarta, Bogor, Depok, Tangerang, and Bekasi. Around the area GERBANG KERTOSUSILO namely, Gresik, Bangkalan, Mojokerto, Surabaya, Sidoarjo, and Lamongan. Or the area MABIDE, namely Medan, Tanjung Morawa, Binjai, and Deli Serdang. From the results of research conducted by the Center for Study and Property Law, every empty land that is not worked on, almost can be said the Taipans own everything, i.e., in Jakarta, Surabaya, or Medan. This is the so-called excessive effect of land tenure by violating the prohibition of latifundia, as provided in the UUPA section 7 which states that: "In order not to harm the public interest, the possession and control of the overgrown land is not permitted." also with ceiling is regulated in the Regulation of the Minister of Agrarian and Spatial Planning (ATR) / Head of National Land Agency (BPN) No. 18/2016 on Agricultural Land Control.

Limitation of this area is almost the same as the previous rule, namely Government Regulation in Lieu of Law (PERPU) No. 56/1960 on Stipulation of Land Area of Agriculture. There is basic regulation of the ban on latifundia regulated by the BAL, but if it sees the facts in the discussion of

land acquisition, the situation becomes irony, let alone associated with land tenure by a small group of tycoons by violating the principle of land ownership limits set forth in the principle of *latifundia* and more ironically the ownership of the land has largely violated the prohibition of absentee as provided for in Article 10 paragraph (1) of Law No. 10 of the Republic of Indonesia, which states: "Every person and legal entity having a right to agricultural land is obliged to actively work on it preventing extortion measures." The two violations of land ownership by *latifundia* and absentee are the origins of abandoned land and fluctuations in land prices and increasingly uncontrollable increases.

As a result, there is a scarcity of land for development for the public interest as complained by the high government officials, including the benefits of providing land for affordable housing for low-income communities. Because of this, it is caused by the increasingly high land price, and the land becomes the business commodity and speculation of the owners of capital so that eventually the land becomes abandoned. Under the regulation there is basically a regulation of the ban on *latifundia*, but if it sees the facts in the discussion of land acquisition, then the situation becomes irony, let alone associated with land tenure by a small group of tycoons by violating the principle of land ownership limits set forth in the principle of *latifundia* and more ironically the ownership of the land has largely violated the prohibition of absentee as provided for in Article 10 paragraph (1) of Law No. 10 of the Republic of Indonesia, which states: "Every person and legal entity having a right to agricultural land is obliged to actively work on it preventing extortion measures." The two violations of land ownership by *latifundia* and absentee are the origins of abandoned land and fluctuations in land prices and increasingly uncontrollable increases. As a result, there is a scarcity of land for development for the public interest as complained by the above government officials, including the importance of providing land for affordable housing for low-income people. Because of this, it is caused by the increasingly expensive land price and the land becomes the business commodity and speculation of the owners of capital, so that eventually the land becomes abandoned. (Lego Karjoko, 2017)

In order to avoid injustice and referring to Article 33 paragraph (3) of the 1945 Constitution, the utilization of abandoned land has occurred in the midst of housing stakeholders in each Focus Group Discussion on the provision of houses for the poor and LIP, discourse on the use of abandoned land and land unused land due to *latifundia* and absentee practices is a potential source of land acquisition for the public interest, particularly the construction of houses for LIP. According to the author's opinion, in accordance with the principle of justice deemed by the Land Acquisition Law to be associated with the fifth precept of PANCASILA, as the source of all legal sources in Indonesia, under the juridical foundation of article 33 paragraph (3) of the Indonesian Constitution, the opinion of land

redistribution abandoned lands originating from absentee and latifundian soils are a priority source of land provision and the main task of the land bank that will soon be established. With the BLU model, the transfer of soil functions to the voluntary land-granting model of the tycoons of land rulers in the Republic of Indonesia is an act of honor and patriotic Pancasila. If they do not want voluntary submission as intended, then the government should issue a decree on the suspension of the control over land rights in the interests of the people, in accordance with the applicable provisions. This is called the theme "Ready to Share Land with the People".

## **2) Corporate Social Responsibility (CSR)**

For industrial areas, state-owned companies, or multinational corporations, which have substantial land around their factories, the idea of allowance for profit-sharing with CSR systems can be done by setting aside some industrial land or plantations to be granted to the land bank, in order to be utilized as a source of provision of land for workers of each company and can be built housing workers around the business location. This step should be made in the form of a Government Regulation on the obligation to provide land for factory workers which can be converted to CSR costs or can also be tax-deductable.

During this time, large corporations build dormitories for workers and employees with provisions, after retirement or stop working, workers have to vacate the house, and many incidents, occupants must be forcibly removed or with bailiffs. This way is inhumane, considering that during work, workers have contributed positively to the company, then it is time to think with the establishment of a land bank, the land office in every plantation land, industrial estate or big companies, both multinational and national companies, there is an obligation to set aside at least 5% of the land for the benefit of workers 'and workers' housing, provided that the granting of land is either grant or borrow use, it is only necessary to consider the concept of separate ownership of the building and the land as will be described in the next description. (Lego Karjoko, Hasmonel, 2015)

## **3) Enclaving Model and Redistribution ex-Cultivation Rights**

An enclave is a territory, or a part of a territory, that is entirely surrounded by the territory of one other state. Territorial waters have the same sovereign attributes as land, and enclaves may therefore exist within territorial waters. An exclave is a portion of a state or territory geographically separated from the main part by surrounding alien territory (of one or more states). Many exclaves are also enclaves. *Enclave* is sometimes used improperly to denote a territory that is only partly surrounded by another state. Vatican City and San Marino, enclaved by Italy, and Lesotho, enclaved by South Africa, are the only completely enclaved

states. Unlike an enclave, an exclave can be surrounded by several states. The Azeri exclave of Nakhchivan is an example of an exclave.

The definition of enclave in this paper is prioritized for HGU lands, especially the plantation lands around the city, such as in Sumatera Utama which has a lot of large plantation land, namely Deli Serdang, Serdang Bedagai, Simalungun, and Medan City . Or around the Jabodetabek area which is surrounded by ex-tea plantations of PTPN or private-owned ex-Dutch whose land is large enough if they want to be used as a source of land for land banks. According to the author, the government is only enough to stop the HGU validity, so there is no need for turmoil from within the company or from the surrounding community. This dienclave area is basically, some already around the settlement, such as in the area Cisarua Bogor, Subang, Sukabumi, West Java or Helvetia Deli Serdang North Sumatra, Medan and surrounding areas. The much better dienclave because housing projects are initiated by the region, rather than ruislag done by large private companies, whether it is for the industrial area or for manufacturing industry at home and abroad multinational companies. (Lego Karjoko, I Gusti Ayu Ketut Rachmi Handayani & Adi Sulistiyono, 2017)

What has been happening is that besides the ruislag there is also a wild cultivation by the surrounding community by building illegal buildings, whether it is a hotel, villa, or educational center, which has no benefit to the surrounding community, especially the poor. This is what authors of land redistribution mean after the end of the HGU period is not extended by the government. This is where the government performs the function of HMN, restore the function of land for the greatest benefit of the people's prosperity. The project of land redistribution, can be done with the initiation of each city / regency or provincial government.

## **2. Government Price Pricing and Price Simulations**

Affordable housing is housing which is deemed affordable to those with a median household income as rated by the national government or a local government by a recognized housing affordability index. Most of the literature on affordable housing refers to mortgages and number of forms that exist along a continuum – from emergency shelters, to transitional housing, to non-market rental (also known as social or subsidized housing), to formal and informal rental, indigenous housing, and ending with affordable home ownership. In this paper between affordable homes is also called a home for low income people (LIP), the sense of both is the same. The government has determined an affordable house based on two approaches, namely the tread house and the flats, for the home treads set by each region as in table 3, while for the flats in table 4 is not determined the price, only the price per square meter depends on the extent, whether 21 square meters or 36 square meters as determined, both the flat and the home footprice price is different in each region, the higher the price of home production the higher the selling price of the house. Especially for JABODETABEK region price per meter of multi-storey house is different or more

expensive, this considering the price of land in the area is getting more expensive since 2014 when the governor of Jakarta held by Joko Widodo land prices in Jakarta and surrounding areas experienced a significant surge. In some areas of Jakarta's golden triangle, the surge is doubled or 200% increase from the original price. This also affected the BODETABEK (Bogor Depok Tangerang and Bekasi) areas almost in the average of housing complexes (real estate), the price also increased as the impact of the increase from Jakarta. (Izzati, U., Hasibuan, H.S., Indra, T.L, 2019)

The price set by this government is the price of houses and land, because the principle of government, especially the urban community, still adheres to the urban principle, where the ownership of houses and land are still united. For flats, each unit will get a proportion of the land in proportion to the Proportional Comparative Value (NPP) calculated from the division between: the width of the unit divided by the width of the building multiplied by the joint land area. concern over the application of the vertical attachment principle, is a consideration in this study that has been run for four years, where the application of vertical principles resulted in heavy burden for the people, because they have to pay the price of land plus the risk of buying in the housing environment because they have to bear the cost of investment, done by the residential developer. As a result, affordable house words became increasingly expensive and it also caused the larger housing backlog, the lower purchasing power of the people, as illustrated in the fluctuation of land prices due to some land issues as described in the previous chapter. (Yuniarti, S., Rasyid, A., 2020)

What is meant by a landless house is a house owned by a person who is detached from the land law regime by applying the principle of horizontal separation, then the ownership of the house can be separated or different from the landowner. Research on landless homes has been done by authors over the past decade with the following research sequences: (Ayu Dian Pratiwi, Pius Triwahyudi, 2019)

1. The granting of property rights to the building as the property of a house (property) separate from the ground by applying the principle of horizontal separation,
2. The Concepts of Legal of Certainty of Property ownership for Foreigners,
3. Housing Legal Development Model for Home Provision for LIP,
4. Providing House for The Low-Income People and continued with the Community Paradigm Development Model for Land-Owned Home Ownership to Accelerate the Provision of Homes for LIP.
5. New Paradigm of Affordable housing for Low-Income People.

Research on the granting of rights to buildings in the form of building ownership certification is the initial goal of the author's study, originally aimed at preventing legal smuggling by foreigners by buying land through nominee, dummy, and strawman models, encouraging authors to see ownership alien to the application of the horizontal principle, after the proposition is accepted then the research continued by viewing and encouraging the Change of Law of the

Flats from Law No. 16 of 1985 to Law number 20 of 2011, and after conducting discussions in various circles and stakeholders, holder including parliament, this idea has been accepted in the new 47, 48, and 49 new apartment Act, which has opened up opportunities for separate ownership of the house and land. However, in the implementation of the Act, there are still many government agencies that have not understood, given the old paradigm still remain in their minds, where the land integrates with the land, as adopted by the Dutch in the Civil Code which states about *accasie vertical*. As a result of the application of this principle, then all the land controlled by the Netherlands impacted value added with whatever existing and existing owned or cultivated by natives (inlander) at that time. Therefore, for the indigenous, the Dutch apply the principle of Horizontal separation, in particular this principle applies in the countryside and in the field. (Abdul Kadir Jaelani, 2019)

With the limitations possessed by the government, it is expected that this research will be able to give positive contributions both scientific and practical to be able to provide benefits for the community, especially people who need a house but have limited financial ability to buy a home or to repay credit. If the facility scheme provided by the above Ministry is applied in the principle of horizontal separation, then the affordable house as mentioned will be closer and the house price will not be higher, since the land supply scheme is done by the government through the duties and functions of the land bank as described above. (Mungkasa, Oswar. 2017)

The possibility of obtaining a land supply for the land bank to realize the construction of affordable housing for the people, so far difficult to find the formulation if still charged to the public to buy land. Only, this idea is not popular in the eyes of the housing developers. Since most of the developers, including the wealthy and straightforward housing developers referred to, still keep the land as one of the motive profits; instead, it is the developers are taking profits as much as possible from the price of the land. There is a suspicion from the community that this also needs to be proved to be like soaring land prices that the government is overwhelmed to provide land for development for the public good, there is a game or relationship with land tenure by violating the *latifundia* and absentee principles as mentioned in the previous chapter

The possibility of obtaining land supply for land bank in order to realize the construction of affordable housing for the people, so far difficult to find the formulation if still charged to the public to buy land. Only, this idea is not popular in the eyes of the housing developers. Since most of the developers, including the prosperous and simple home developers referred to keep the land as one of the motive profits, instead it is basically the developers are taking profits as much as possible from the price of the land. There is a suspicion from the community that this also needs to be proved to be like soaring land prices that the government is overwhelmed to provide land for development for the public good, there is a game or relationship with land tenure by violating the *latifundia* and absentee principles as mentioned in the previous chapter. Below is

presented simulation of land prices by playing the role of land bank as a provider of land for the construction of affordable housing as described above:

Table 1  
Simulation of Landless Housing Prices

Region	Vertical Accessie Principle		Separating Horizontal Principle		Difference in Savings	Percentage
	Price per M <sup>2</sup>	Price Per Unit	Price per M <sup>2</sup>	Price per unit (5 levels)		
West Jakarta City	8,900,000	320,400,000	4,000,000	144,000,000	176,400,000	55.06%
South Jakarta City	9,200,000	331,200,000	4,500,000	162,000,000	169,200,000	51.09%
East Jakarta City	8,800,000	316,800,000	4,000,000	144,000,000	172,800,000	54.55%
North Jakarta City	9,600,000	345,600,000	4,500,000	162,000,000	183,600,000	53.13%
Center Jakarta City	9,300,000	334,800,000	4,500,000	162,000,000	172,800,000	51.61%
Tangerang dan South Tangerang City	8,400,000	302,400,000	3,800,000	136,800,000	165,600,000	54.76%
Depok City	8,500,000	306,000,000	3,800,000	136,800,000	169,200,000	55.29%
City/District Bogor	8,600,000	309,600,000	3,800,000	136,800,000	172,800,000	55.81%
City/District Bekasi	8,400,000	302,400,000	3,800,000	136,800,000	165,600,000	54.76%

Source: Roestamy, Martin. Law Certainty on House and Building Ownership by Foreign Investor in Connection with Nationality Principle in Indonesian Land Law System, *Ph.D Dissertation*, Bandung: Padjadjaran University, 2008

From the table above can be explained first that the house referred to the simulation based on the principle of horizontal separation is a 5-story flat house, meaning to avoid the use of elevators or elevators, the use of stairs for traffic up and down is assumed to be adequate. At the beginning of housing construction for the lower classes, in Malaysia and in Singapore also provides a house with 5 floors. Building area 36 square meters in the hope of two bedroom one living room as well as one dining room and kitchen. Establishment of reasonable land prices, based on research conducted for 5 floors in JABODETABEK area, the application of price Rp 3,800,000 per square meter is the result of research for some projects with optimistic price, class B contractor, with first and second quality building materials. Indicated buildings can last for at least 60 to 75 years. By price comparison if the result of this research is accepted by the government as a guideline to open access to the people to get house with main duty and function of land bank as mentioned above, hence economical cost savings average more than 50% from price if applying adhesion principle vertical, where

the people have to finance the land to buy a house. It is also hoped that with the concept of land provision for land banks for housing development, as described in this paper, the objectives of the study are to provide accessibility and accessibility while reducing the housing backlog for poor and low-income people in line with the country's goal of protecting the entire nation and the blood, the general welfare, and the intellectual life of the nation and join the eternal peace for all people and the world will be closer to achieve.

## Conclusion

The idea of this paper is how to take over the reclamation island in Jakarta from the cartels to be served for the advantage of people welfare in accordance with the idea of the constitution of Indonesia and the idea of land bank placement is intended to reduce land speculation and reduce the level of land disputes caused by investment and infrastructure development also positively impact on the provision of land for the construction of affordable housing for the poor and low-income communities and reduce the social gap between capital owners and the poor.

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