

**ENVIRONMENTAL IMPACT ASSESSMENT  
AS THE REQUIRED DOCUMENT IN ACHIEVING SUSTAINABLE DEVELOPMENT  
(Study Case in Term of Achieving Agreement  
of Brawijaya University Educational Hospital)**

**Zahratul Aeni, Sarwono, Minto Hadi**

Public Administration Department, Faculty of Administrative Science, Brawijaya University, Malang

*E-mail: zahramuchasin12@gmail.com*

***Abstrak: Analisis Mengenai Dampak Lingkungan (AMDAL) sebagai Dokumen Wajib dalam Mewujudkan Pembangunan Berkelanjutan.** Sebagai bentuk terhadap upaya perbaikan kualitas kehidupan manusia berdasarkan konsep pembangunan berkelanjutan, kebutuhan akan pelaksanaan peraturan berkenaan perlindungan dan pengelolaan lingkungan hidup harus diutamakan. Sebagai kebutuhan dalam upaya pengelolaan perlindungan dan pengelolaan lingkungan hidup sesuai peraturan perundangan, telah disebutkan dalam Undang-Undang No. 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup bahwa izin lingkungan merupakan syarat untuk menerbitkan izin usaha dan/atau kegiatan pada semua sektor, termasuk kegiatan pembangunan sarana kesehatan. Rumah Sakit Universitas Brawijaya hadir dalam upaya pengembangan sarana kesehatan dalam dunia pendidikan di bidang penelitian dan pengembangan. Prakiraan dampak dari kegiatan pembangunan rumah sakit berdasar pada AMDAL, membawa berbagai tanggapan dari masyarakat terkena dampak. Menurut survei, terdapat masyarakat sekitar area pembangunan yang menyatakan persetujuan maupun penolakan. AMDAL sebagai produk para ahli diharapkan mampu mewakili keinginan dan kebutuhan masyarakat terkena dampak terhadap segala proses pembangunan.*

*Kata kunci: analisis dampak lingkungan, rumah sakit universitas brawijaya*

**Abstract: Environmental Impact Assessment as the Required Document in Term of Achieving Sustainable Development.** To support the implementation of the quality of human life, implementing protection policies and environmental management must be prioritized. The need for policies which is contained on Environmental Protection and Management Law, explained the environmental permit used to issuing permits of activities/business in all sectors, including health facilities. Brawijaya University Educational Hospital presence to support the fulfillment of societies live and specifically as a means of developing the medical field in the activities of education, research and development. Estimating the impacts of development, through EIA, brings wide range responses from affected communities. From the results of survey showed there are people in surrounding of the construction place who is agree and disagree and EIA as a product of experts considered can be represent desires and needs of affected communities as a legal product.

Keywords: environmental impact assessment, brawijaya university educational hospital

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## **Introduction**

The world experienced a shock of environmental problem, finally led the birth of Sustainable Development, which has defined as an effort that encourages the achievement needs of the current generation without compromising the ability of future generations to meet their needs. Sustainable Development has emphasized

that most of the environmental problems in developing countries are caused by poverty, which in developed countries it is caused by industrialization and technological advancement. However, integrating and balancing attention in the economic, social and environmental need a new perspective. First, that man is the center of

attention on sustainable development by living a healthy, productive and in tune with nature. Second, the state has the sovereign right to explore the resources they fit their environment and development policy.

Third, the best handling of environmental issues is the participation of the whole community that responds to the environment of various levels. Fourth, environmental impact assessment should be carried out as a national instrument for the proposed activities, which may have a direct impact on the environment that require decisions at the national level. Fifth, indigenous peoples have an important role in the management of the environment due to the understanding and development of their traditional knowledge.

Indonesia actually facing the same problem with environmental issues. *Badan Pusat Statistik (BPS)* results in 2010, as many poor people in Indonesia 31.02 million, equivalent to eight (8) million poor households (*BPS* on July 1<sup>st</sup>, 2010). Economic development is done on a large scale in order to reduce unemployment and raise welfare rates. As a result, Indonesia is a fertile field growing industrial sector based on economy. Recorded economic growth based on the results of the study Indonesian Economic Review and Outlook, reaching 6.23% and is one of the highest in Asia after China. But, Indonesia's economic growth was not accompanied by improvement of the environmental sector as a component of sustainable development. To support the implementation of the quality of human life as one of the efforts towards the achievement of sustainable development, as the government's development in making policies, implementing protection policies and environmental management as a systematic effort to implement development based on environmental balance. The need for policies in the management and protection of the environment contained in Undang-Undang No. 32 Tahun 2009 on Environmental Protection and Management (*UUPPLH*).

The important content in protection and management the environment is minimizing the risk of development of all economic sector through the enforcement provisions regarding environmental permits. Environmental permits are the EIA as outlined in the Environmental Management Plan (EMP). EMP in simply is a description of the process of reaching an agreement between the proponent with the community as one of the decision makers in order to give birth to a representative policy to avoid the rejection of the construction process

like what happened in Brawijaya University Educational Hospital (hereinafter stated as UB Educational Hospital) which got rejection from 24,62% people in the surrounding resident. The rejections come up because the lack of information and publication process toward the people affected. The information and publication should be done by the proponent continuously to share about all of the positive and also negative impact from the construction and operational process of the hospital. These rejection caused the termination of the policy which is proved that EIA, as the expert product, still can't be able to achieve the social aspect to be a document that can represent the desires of the societies.

## **Theoretical Review**

### **1. Public Policy**

#### **a. The Definition of Public Policy**

Dye in Wahab (2012, p.14) which states that public policy is whatever government choose to do or not to do. The public policy can be explained by several stages, as follows:

- a) Identification of policy issues this is done through the identification of what the public demand for government action.
- b) Preparation of the agenda (agenda setting), this stage is focused on the activities of public officials and the media for what decision will be decided on particular public issues.
- c) Policy formulation, this stage is the stage of policy formulation through initiation proposing and developing policy proposals
- d) Endorsement policy (legitimizing of policies), this is done through political action by political parties, pressure groups, the president and congress.
- e) Policy implementation, in this stage is done through the bureaucracy, public budgets and activities are organized executive agent.
- f) Policy evaluation phase was conducted by the government agencies, consultants from outside the government, the press and the public.

#### **b. The Analysis of Public Policy**

According to Dunn (1999, p.44), that policy analysis is an intellectual and practical activity aimed at creating, critically assessment and communicate the knowledge of and in the policy process. Based on Dye in Wahab (2012, p.45), explained that to response the diverse of social problems facing society today, the expert is developing specific approaches in public policy analysis, namely: a). Process Approach

according Dye in Wahab (2012, p.46), b). Participatory Approach according to Laswell in Wahab (2012, p.55), c). Expert Approach according to Dubnick and Barders in Wahab (2012, p.61).

## **2. Public Administration of Deliberative**

In Inauguration Speech of Susilo Zauhar deliberative democracy described as a model which is not built on individual freedom or a majority, but rather an action of the participants through the understanding of action, argue and agreement in opinion formation and structure of the will. The purpose of deliberative democracy, legitimacy is based on rationality in the process of deciding a qualified policy. An institution established to recognize the various interests groups in the wake of collective deliberation process, which includes rationality, freedom, and equality of individuals. Thus, the results achieved are rationality and legitimacy. In this case the result can be established by a process of opinion and will formation.

Popular sovereignty is the main source of legitimacy in order to create political and legal decisions that have an integrative force for the community itself. The issue of legitimacy arises when the mechanism for creating the communicative power of experiencing congestion. Whereas communicative power can be succeed only through the power of consensus that flexibility achieved through discursive means. Legitimacy lies not in the fact that the majority consent has been obtained, but rather on the fact that the ways by taking it fair and equitable.

## **3. Policy Termination**

Policy termination has been defined by Garry Brewer and Peter deLoon as “the deliberate conclusion or specific government functions, programs, policies or organization.” Elaborating upon this definition, another termination researcher explains that “termination is premeditated behavior, with the intent of ending a particular public organization or policy.” There are several conclusions about the implementation of policy termination by Daniels in Gerston (2010, p.1499); First, termination rarely has economic justification. Termination usually costs more than policy continuation. Termination is usually a result of political rather than analytical decision making. Second, termination is highly political and hard to achieve. Third, termination often involves changing ideologies. Successful termination is often the result of a change in the application of certain principle, or assumptions, about what

services are appropriate for government to sponsor or how these services should be delivered. Fifth, in termination there are always the one who is support and the one who is opposes.

## **Research Method**

This study used a qualitative approach. Focuses in my research are: (1) The implementation of the EIA publication as an essential condition in setting up a business and/or activity; (2) Describing the urgency from the formation of a memorandum of agreement between the various parties involved in the establishment UB Educational Hospital according to regulation on Environmental Impact Assessment based on existing condition right now; (3) Analyze the best alternative recommendations in the formation of a Memorandum of Understanding (MoU) through a deliberative process to public administration based on the government interest, the people affected interest and also the proponent interest in order to create legitimate EIA of UB Educational Hospital. The study sites were established in Malang, specifically in Dinas Lingkungan Hidup Kota Malang. In this study, the data's involve primary and secondary data. Data collection techniques in this study using three ways, namely: interview, documentation, and observation. Activity data analysis in this research using Miles and Huberman in Moleong (2002, p.248), which consists of four stages, including the data collection, data reduction, presentation of data, and draw conclusions.

## **Discussion**

### **1. Identification of Environmental Policy Implementation**

In an effort to fulfill the fifth aspect of the policies required a design that is oriented towards the participation of all parties. To ensure all human activities from all areas are well integrated in realizing sustainable development it is necessary to form a governing policy each activities that are expected to have an impact on the wider public through fixed procedures prepared and passed environmental assessment documents there in contained Environmental Impact Assessment. To meet participatory aspect in it, in the process of publishing an EIA must be with feedback and perceptions of business plans and/or activities. EIA documents as referred to in Article 22 of Undang-Undang No. 32 Tahun 2009, compiled by the initiative by involving the community. Community participation should be based on the principle of transparent and complete information and be notified before.

Even further set out in Article 26 paragraph (4) that the public can file objections to the EIA document. To meet participatory aspect in it, in the process of publishing an EIA must be with feedback and perceptions of business plans and /or activities. EIA documents as referred to in Article 22 of Undang-Undang No. 32 Tahun 2009, compiled by the initiative by involving the community. Community participation should be based on the principle of transparent and complete information and be notified before. Even further set out in Article 26 paragraph (4) that the public can file objections to the EIA document.

In approving the EIA document, the proponent must fulfill conditions listed in the regulation of Mayor of Malang Number 16 of 2009, as was their mandatory provisions of socialization to the community as evidenced by the news event. News event in question is a written proof has been holding meetings as a form of socialization on the development plan UB Educational Hospital. Socialization should be attended by representatives of UB Educational Hospital as the proponent, the village and the local district, representatives of the community, and representatives from the Environment Agency, as well as representatives of the owners of the land and/or buildings which coincide with the construction site.

## **2. Urgency Formulation MoU**

Memorandum of Understanding contains the agreement of both parties who promised to carry out the terms proposed by each of the negotiating parties to reach agreement. In the development process of UB Educational Hospital, the formation of the MoU is considered important by the proponent and affected residents counter that attitude of the community towards the construction of a hospital building in their neighborhood, which certainly brings negative impact on the environment for long-term periods. Therefore, it is natural that residents of RW 12 Griya Shanta propose a condition to their approval for the construction of a hospital building on an area of open space in their neighborhood.

The existence of the MoU itself has an objective to balance or harmonize the various interests, especially the interests of society and the interests of the proponent in order to avoid social inequality, where there is the much better off than others. Looking at the various impacts estimated to occur in the development process and the process of hospital operations, affected societies ask about the requirements for environmental management in order to guarantee

their environment is not polluted by development activities. The next requirement is included in the deal points are the initiators promising labor recruitment process priority for societies affected and also the guarantee of health facilities cost reduction and cost reduction in the number of hospitalizations different for each class.

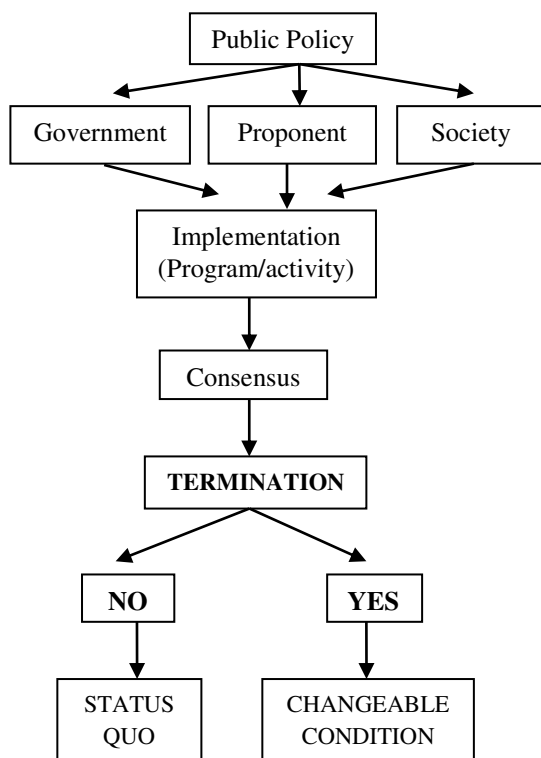
The deal has been set, but residents still have not seen affected by the realization of the initiators of the points of agreement recruitment priority for the societies affected. Plus the points of agreement to prioritize citizens in labor recruitment for hospitals not included in the EIA and does not have the qualifications to be clear about the requirements of employees needed to meet the standards. So is the realization of the promise of environmental management are not included in the deal points also lead to permanent residents to be counter to the construction of the hospital building. Can be concluded, that the establishment of a Memorandum of Understanding as an early achievement of the agreement which is the beginning of the creation of community support, especially societies affected by the construction of hospitals, walk not according as the objectives to be achieved.

## **3. Policy Termination**

The cessation of construction in the building process for a while cause termination on the implementation of existing policies. Policy termination may occur if the two organizations with different interests are at the legal framework and policies are the same and have to negotiate with each other to achieve the goals of either party. Cessation of the development process is UB Educational Hospital one of the conditions in which the cessation of a policy due to licensing issues from the public stumble. At the stage where policy should collide with the interests of the organization that led to the policy process itself stalled, in the end must meet the conditions in which the relevant stakeholders have to choose to remain on the existing status quo or continue the policy process with a variety of changes that must be cultivated.

Seeing the condition of the physical plant UB Educational Hospital is nearing completion and also look at the operation of the activities in it, then it becomes difficult to stop the development process to permanently, in other words it is impossible to cancel the construction of the hospital, then the status quo available the continued development of existing without any changes to existing policies. The other possibility, it will end up on the option to make changes to the policy in order to continue the policy process that has been stalled. The status

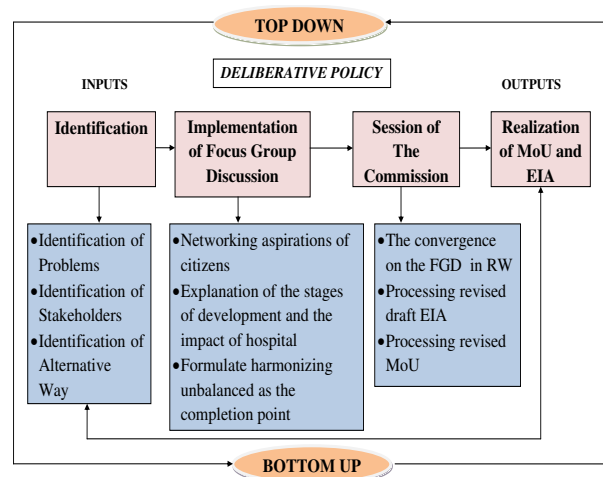
quo is the policy termination in the case of the construction of the UB Educational Hospital which acts continue development without making changes. This means that there should be no change in the plan, including changes to public demands set out in the Memorandum of Understanding. But if the choice made is to make changes after the termination it must be done some reshuffle in fixing the policy that has been running, including even a change in the approach to the people affected, even if the necessary changes to the content of the agreement.



#### 4. Alternative Models of Deliberative Policy in Reaching Agreement

Looking at the phenomenon that occurs in the development process Brawijaya University Educational Hospital, who suffered termination policy, it would be prudent if assessed through a phenomenological approach that reinforces basic change in the status quo that exists today. In the phenomenological approach described in Wahab (2012, p.44), that since the development of democracy in Indonesia, we need to see the various reactions that had arisen in the form of discontent which led to the use of scientific methods, including the EIA approval process. This approach confirms, policy analysts need respect for their intelligent use of intuition, which is generally obtained by a person through long experience, and therefore can't be underestimated by the use of models, hypotheses,

quantification, data and the like. Therefore be important in formulating a policy to put an understanding with the hypothesis that walking, instead of a rigid predictions with the hypothesis that at any moment ready to be tested. Additionally, emphasized the need for mutual interaction (deliberative/dialogue) between analysts and policy-makers that the object of policy implementation, not a one-way observation and dominated by policy makers (analyst). In short, the termination process in the development of UB Educational Hospital, required a change in approach by replacing the focus on rigid scientific way, with a total of intuition and social involvement in obtaining relevant information in order to reach an agreement with the community. In this scheme below, can be seen about how the deliberative process can be reached. The approaching methods that suppose to be used in this case start with certain identifications that should be run continuously.



EIA as a product of environmental management policy which is the design of the experts already have to make a change, especially concerning the licensing aspect of the affected residents. In Malang Mayor Regulation No. 16 Year 2009 on the System and Standard Operating Procedure Document Legalization arranging and Environmental Studies (*Tentang Sistem dan Prosedur Tetap Penyusunan dan Pengesahan Dokumen Kajian Lingkungan*), has been arranged that the licensing documents obtained from affected residents at the time of the proposed for EIA wants to establish an EIA. Approval of affected persons is one of the requirements that must be met to establish an EIA. As already explained earlier that the licensing of community contained in a transcript of the commission, which unfortunately has the

disadvantage that it can not guarantee concluded the entire affected societies aspirations. It is then a matter of how to permit correction of society through socialization or other methods can truly reflect the aspirations and wishes of the people against the construction of UB Educational Hospital.

### Conclusion

Environmental Impact Assessment as a critical study of the impact of a business or planned activities on the environment necessary for the decision-making process is not feasible or appropriate, a business or activity established, has been unable to meet the democratic aspect. Seen by the presence of contrast attitudes of the

community towards the development of Brawijaya University Educational Hospital with a variety of factors that lie behind them, proving that the EIA as a legitimate product of expertise has not been able accepted properly by people who have a major role in supporting the achievement of the objectives of the establishment of the UB Educational Hospital itself as one of the effort to support health facilities and education in Malang city in terms of the achievement of sustainable development aspects. Due to those problems, especially in term to achieving the agreement and stopped the termination, it will be necessary to take the deliberative process to move on with next agendas.

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