



Authority of PPAT in implementing land transfer for tourism investment in Badung regency

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Article Info

ISSN (online): 2582-7138

Volume: 04

Issue: 04

July-August 2023

Received: 27-06-2023

Accepted: 18-07-2023

Page No: 872-880

Abstract

Green Open Space (RTH) is one of the elements in an area that is very important to support the life and activities of the population, because basically green open space is a natural element that plays a very important role in realizing an environmentally sound Badung Regency. Green open space planning is based on considerations to achieve balance, harmony, and building safety with the surrounding environment. As part of the spatial plan, the position of green open space will determine the balance of the living environment and the built environment because green open space is the lungs of an area. Spatial planning is the basis for anticipating the rapid development of built spaces, which must be followed by a policy of providing open spaces. This limited land has resulted in the existence of green open space being reduced because of being pressured by other functions that arise along with the development of the need for buildings in Badung Regency. Green open space often experiences land conversion into buildings or hardened land that does not allow plants to grow. In addition, the Badung Regency government is also inconsistent in maintaining the existing green open space, because there are many land conversions or road widening or development that are not matched by green open space rejuvenation. Moving on from the assumption regarding the promulgation of a regulation in terms of year, the PERDA Green Line of Badung Regency which was promulgated on May 17, 1993 with the PERDA RTRW of Badung Regency which was promulgated on December 30, 2013 with a time difference of 247 months or 20 years and 7 months has greatly reduced the green line area in Badung Regency. In this case, it is also necessary to study the duties and authorities of the PPAT in maintaining land balance in the conversion of the land function.

DOI: <https://doi.org/10.54660/IJMRGE.2023.4.4.872-880>

Keywords: Authority, PPAT, Land Function Transfer, Investment, Tourism, Badung Regency

1. Introduction

Green open space or what is commonly referred to as RTH is one of the important components that must be available in every urban area. What is meant by green open space is an elongated/lane and/or grouped area, intentionally planted ^[1]. Green open space itself in principle has several functions such as ecological functions, aesthetic/beauty functions, socio- cultural functions, and economic functions. These functions will become more visible as the number of green open spaces increases. In an urban

¹ Pasal 1 angka 31 Undang-Undang Nomor 26 Tahun 2007 tentang Penataan Ruang, Pasal 3 angka 18 Peraturan Menteri Pekerjaan Umum No: 5/PRT/M/2008 Tentang Pedoman Penyediaan dan Pemanfaatan Ruang Terbuka Hijau di Kawasan Perkotaan

area, it is mandatory to have at least 30% green open space of its area which is then divided into 20% public green open space and 10% private green open space. With these provisions, of course, each region must meet these criteria. If you look at the rapid development in urban areas which incidentally have many multi-storey buildings, many settlements ranging from elite settlements to slum settlements, many have educational places and other public infrastructure facilities, it seems that efforts to fulfill these requirements will require quite a long time and process. Until now, there are still many cities whose green open space area still does not meet the requirements.^[2]

Tourism has become one of the sectors that are relied on in development in Bali. The various tourism potentials that are owned are developed to attract tourists. Badung Regency is one of the regencies in the province of Bali where most of the local revenue comes from the tourism sector. The development of tourism in Badung Regency has positive and negative impacts. The positive impact is increasing regional income, advancing the economy such as in terms of business fields and employment, as well as increasing tourist facilities and infrastructure such as the construction of hotels, restaurants, recreation areas and others. The negative impact is causing traffic jams, increasing crime, and narrowing green open spaces. Green Open Space (RTH) is one of the elements in an area that is very important to support the life and activities of the population, because basically green open space is a natural element that plays a very important role in realizing an environmentally sound Badung Regency. Green open space planning is based on considerations to achieve balance, harmony, and building safety with the surrounding environment. As part of the spatial plan, the position of green open space will determine the balance of the living environment and the built environment because green open space is the lungs of an area. Spatial planning is the basis for anticipating the rapid development of built-up spaces, which must be followed by a policy of providing open spaces. This limited land has resulted in the existence of green open space being reduced because of being pressured by other functions that arise along with the development of the need for buildings in Badung Regency. Green open space often experiences land conversion into buildings or hardened land that does not allow plants to grow. In addition, the Badung Regency government is also inconsistent in maintaining the existing green open space, because there are many land conversions or road widening or development that are not matched by green open space rejuvenation. These things make green open space in Badung Regency have to compete with difficult conditions ranging from limited land to poor environmental conditions due to tourism development. The condition of green open space in Badung Regency has decreased from time to time in line with the dynamic development of Badung Regency, as well as changes in environmental conditions that are getting worse from year to year. The definition of green open space is contained in the Badung Regency Regional Regulation Number 26 of 2013 concerning the 2013-2033 Badung Regency Regional Spatial Plan (PERDA RTRW Badung Regency) Article 1 number 38 namely "Green Open Space, hereinafter referred to as RTH, is an elongated area/lane and and/or grouping, whose use is

more open, a place for plants to grow, both those that grow naturally and those that are intentionally planted". In an urban area, there are four functions of green open space that are combined according to the needs, interests and sustainability of the city, namely:

1. The main function is to provide guarantees for the procurement of green open space to become part of the air circulation system (city lungs), regulate the microclimate so that the natural air and water circulation system can run smoothly, as a shade, oxygen producer, rainwater absorber, provider of animal habitat, adsorbents of air, water and soil media pollutants, as well as windbreaks.
2. Social and cultural functions, namely describing local cultural expressions, being a communication medium for city residents, recreation areas, educational containers and objects, research, and training in studying nature.
3. The economic function is the source of products that can be sold, such as flower plants, fruit, leaves, major vegetables and can be part of agricultural, plantation, forestry and other businesses.
4. The aesthetic function is to increase comfort, beautify the urban environment both on a micro scale such as courtyards, residential areas, and on a macro scale, namely the overall urban landscape, stimulate the creativity and productivity of city residents, form architectural beauty factors, create a harmonious and balanced atmosphere between areas woke up and didn't wake up^[3].

Explicitly regarding the purpose of green open space is contained in Article 51 paragraph (1) PERDA RTRW Kab. Badung, namely the designated green space area as referred to in Article 23 paragraph (3) letter m, is developed with the aim of: a) Maintain harmony and balance between built-up land and open spaces that function as water catchments; b) Creating a balance between the natural environment and the built environment; And c) Improving the quality and aesthetics of the environment. Types of green open space according to Article 51 paragraph (2) PERDA RTRW Kab. Badung which includes the green belt area, agricultural and plantation areas, city parks located in urban areas, environmental parks located in residential areas, parks in the Central Government Area of Badung Regency, setra located throughout Traditional Villages, bengang reefs in Rural Areas, cemeteries public areas, sports fields, ceremonial fields, open parking, lanes under high and extra high voltage electricity networks, road safety lanes, road medians and pedestrian crossings, and Regency Area boundaries.

Due to the wide range of types of green open space, this paper will focus on the green belt area which is part of the green open space. The meaning of the green belt area in the PERDA of RTRW Kab. Badung is not explained in a comprehensive manner, and is only listed in the Explanation of Article 51 paragraph (2) PERDA RTRW Kab. Badung namely: "The Green Line is green open space in the form of wetland agriculture (rice fields) whose existence is preserved in a sustainable manner with the aim of preserving irrigated paddy fields, limiting the development of one land use or limiting one activity to another so that they do not interfere

² Bab II angka 2.1 Huruf a Peraturan Menteri Pekerjaan Umum No : 5/PRT/M/2008 Tentang Pedoman Penyediaan dan Pemanfaatan Ruang Terbuka Hijau di Kawasan Perkotaan

³ Joy Irman, 2014, "Penataan Ruang", URL: <http://www.penataanruang.com/ruang-terbuka-hijau.html> diakses pada tanggal 8 September 2017 pukul 10.00 WITA.

with each other. Distribution of the Green Line Area, defined as an area of approximately 2,776.3 ha (two thousand seven hundred seventy six point three hectares) includes: a) Petang District with an area of approximately 300.7 ha (three hundred point seven hectares); b) Abiansemal District with an area of approximately 807.5 ha (eight hundred seven point five hectares); c) Mengwi District with an area of approximately 1,421.4 ha (one thousand four hundred and twenty one point four hectares); d) North Kuta District with an area of approximately 236.5 ha (two hundred thirty six point five hectares); And e) Kuta District with an area of approximately 10.1 ha (ten point one hectare)".

Regarding the comprehensive understanding of the green line can be seen in the Regional Regulation of the Regency of Badung Level II Region Number 3 of 1992 concerning the Prohibition of Constructing Buildings in the Green Line Area in the Level II Regency of Badung (PERDA Green Line of Badung Regency) Article 1 letter f namely "The Green Line is a line of wide and green expanse of land that is determined by the Regional.

Government as an area that may not be developed. There is a difference between the Badung Regency RTRW PERDA and the Badung Regency Green Line PERDA regarding the determination of the green line area in Badung Regency.

Regarding the determination of green belt areas according to PERDA RTRW Badung Regency there are only 5 sub-districts, while regarding the determination of green belt areas according to PERDA Badung Regency Green Line there are 13 departments. Moving on from the assumption regarding the promulgation of a regulation in terms of year, the PERDA Green Line of Badung Regency which was promulgated on May 17, 1993 with the PERDA RTRW of Badung Regency which was promulgated on December 30, 2013 with a time difference of 247 months or 20 years and 7 months has greatly reduced the green line area. In Badung Regency.

Based on the problems mentioned above, it is important to carry out further research and discussion in the form of a legal thesis regarding "Authorities of PPAT in Implementing Land Function Transfer for Tourism Investment in Badung Regency" with the intention that this paper can contribute ideas to minimize changes in land use functions. Green line in Badung regency.

The similarity in this paper is that researchers focus more on the problem of implementing the green line in the Badung Regency area and the effectiveness of green line regional regulations in the Badung Regency area.

2. Method

The research method used in empirical legal research. Empirical legal research is used to examine the main problems related to aspects of the values that live in society. In this case, Legal research is used to generate arguments, theories or new concepts as prescriptions for solving problems at hand. Because in descriptive science the expected answer is true or false. While the expected answers in legal research are right, appropriate, inappropriate or wrong. Thus, it can be said that the results that can be obtained in legal research already contain value. (Peter Mahmud Marzuki, 2016: 9) ^[4].

3. Discussion

Land Transfer Regulations for Tourism Investment in Badung Regency

The limited land area has resulted in the existence of green open space being reduced because of being pressured by other functions that arise along with the development of the need for buildings, as is the case with a study conducted by the author in Badung Regency. Green open space often experiences land conversion into buildings or hardened land that does not allow plants to grow. In addition, the Badung Regency government is also inconsistent in maintaining the existing green open space, because there are many land conversions or road widening or development that are not matched by green open space rejuvenation.

These things make green open space in Badung Regency have to compete with difficult conditions ranging from limited land to poor environmental conditions due to tourism development. The condition of green open space in Badung Regency has decreased from time to time in line with the dynamic development of Badung Regency, as well as changes in environmental conditions that are getting worse from year to year. The definition of green open space is contained in the Badung Regency Regional Regulation Number 26 of 2013 concerning the 2013-2033 Badung Regency Regional Spatial Plan (PERDA RTRW Badung Regency) Article 1 number 38 namely "Green Open Space, hereinafter referred to as RTH, is an elongated area/lane and and/or grouping, whose use is more open, a place for plants to grow, both those that grow naturally and those that are intentionally planted".

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The meaning of the green belt area in the PERDA of RTRW Kab. Badung is not explained in a comprehensive manner, and is only listed in the Explanation of Article 51 paragraph (2) PERDA RTRW Kab. Badung, namely: "Green Lane is green open space in the form of wetland farming (rice fields) whose existence is preserved in a sustainable manner with the aim of preserving irrigated paddy fields, limiting the development of a land use or limiting one activity to another so as not to interfere with each other. Distribution of the Green Line Area, defined as an area of approximately 2,776.3 ha (two thousand seven hundred seventy six point three hectares) includes: a) Petang District with an area of approximately 300.7 ha (three hundred point seven hectares); b) Abiansemal District with an area of approximately 807.5 ha (eight hundred seven point five hectares); c) Mengwi District with an area of approximately 1,421.4 ha

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a) Department of Denpasar Kuta. b) Department of Denpasar – Sangeh. c) Department of Denpasar – Mengwi. d) Department of Mengwi – Sembung. e) Department of Abiansema – Mengwi. f) Department of Sangeh – Plaga. g) Department of Blahkiuh – Punggul – Bongkasa. h) Department of Darmasaba – Lukluk. i) Department of Lukluk – Penarung. j) Department of Tonja – Tingas. k) Department of Kuta – Kerobokan. l) Ship Department – Munggu – Seseh. m) Kerobokan Department – Munggu. There is a difference between the Badung Regency RTRW PERDA and the Badung Regency Green Line PERDA regarding the determination of the green line area in Badung Regency.

Regarding the determination of green belt areas according to PERDA RTRW Badung Regency there are only 5 sub-districts, while regarding the determination of green belt areas according to PERDA Badung Regency Green Line there are 13 departments. Moving on from the assumption regarding the promulgation of a regulation in terms of year, the PERDA Green Line of Badung Regency which was promulgated on May 17, 1993 with the PERDA RTRW of Badung Regency which was promulgated on December 30, 2013 with a time difference of 247 months or 20 years and 7 months has greatly reduced the green line area. in Badung Regency.

Land use change is an act of changing the initial function of land a land into another function on a permanent basis. Based on Article 1 of Law Number 20 of 1961 concerning Revocation of Land Rights and The objects that exist above it, that the main condition is the permissibility of revocation of land rights for public purposes. The act of land conversion must meet the appropriate functional transfer requirements in Article 2 of Government Regulation Number 19 of 2021 concerning the Implementation of Land Procurement for Development for Public Interest, which states that, Land for Public Interest is used for Development: a) National defense and security b) Public roads, toll roads, tunnels, railway lines, railway stations and railway operating facilities; c) Reservoirs, dams, bends, irrigation, water and sanitation channels and other irrigation structures; d) Seaports, airports and terminals; e) Oil, gas and geothermal infrastructure; f) Power generation, transmission, substation, network and/or distribution; g) Government telecommunications and informatics networks; h) Waste disposal and treatment sites; i) Central Government Hospital or Regional Government; j) Public safety facilities;

k) Central government or local government public cemeteries; l) Social facilities, public facilities, and public green open spaces; m) Natural and cultural reserves; n) Central Government Office, Regional Government, or

village; o) Arrangement of urban slum settlements and/or consolidation of land and housing for low-income people with rental status, including for the construction of public houses and special houses; p) Central Government educational or school infrastructure or Local government; q) Central Government or Regional Government sports infrastructure r) Public markets and public parking lots; s) Upstream and downstream oil and gas industrial estates initiated and/or controlled by the Central Government, Regional Governments, state-owned enterprises, or regionally-owned enterprises; t) Special economic zones initiated and/or controlled by the Central Government, Regional Governments, state-owned enterprises or regionally-owned enterprises; u) Industrial estates initiated and/or controlled by the Central Government, Regional Governments, state-owned enterprises, or regionally-owned enterprises; v) Tourism areas initiated and/or controlled by the Central Government, Regional Governments, state-owned enterprises, or regionally-owned enterprises; w) Food security areas initiated and/or controlled by the Central Government, Regional Governments, state-owned enterprises, or regionally-owned enterprises; x) Technology development areas initiated and/or controlled by the Central Government, Regional Governments, state-owned enterprises, or regionally-owned enterprises.

Along with the high population growth in urban areas, either as a result of migration from villages to cities or as a result of natural births, the need for space is also increasing. This population growth has an impact on the high intensity of changes in land use and the shifting of land functions based on the allocations that have been determined in the Regional Spatial Planning document. The factor that influences the change in the area of green open space is the increase vacant land which plays a significant negative role in area changes RTH, while the increase in the number of health facilities is variables that have the potential to play a positive role in changes in area RTH. There are at least

3 (three) important factors that cause land conversion, namely: a) External factors are factors caused by the dynamics of urban growth, demographics and the economy. b) Internal factors look more at the side caused by the socio-economic conditions of households using land c) Policy factors, namely regulatory aspects issued by the central and regional governments related to changes in land use.

Weaknesses in the regulatory aspect or the regulations themselves are mainly related to issues of legal force, sanctions for violations, and the accuracy of land objects that are prohibited from being converted. The existence of tourism activities that are the focus of this research is the activity of developing tourist objects and tourist facilities in Badung Regency. The factors that encourage land use for tourism activities so that it can have an impact on spatial changes can be seen from the encouragement of economic aspects and social aspects culture. The economic aspect can be studied with several indicators, namely increasing income, creating jobs, and changing professions.

Meanwhile, the socio-cultural aspects can be seen from several things namely infrastructure, regulations/policies, and institutions. The availability of infrastructure can be measured from several indicators, including easy access, completeness and variety of infrastructure, as well as environmental safety and comfort. tourism development the tourism industry can provide the economy and infrastructure aspects are considered to be the biggest contribution to

changes in land use.

The Indonesian government, especially the local government of the province of Bali, is very depend on income or foreign exchange from the tourism sector. This is because the tourism sector is an industry whose development is very rapid from year to year and investment in this sector is relatively profitable because it depends on the image of the tourist area in question, both in terms of its natural beauty and local character and culture of the tourist area in question. In Indonesia, the tourism sector is developed as a sector that promises to bring in large revenues for the country, especially in areas that have abundant natural and cultural resources. Various potentials are explored to attract tourists to come to visit so that it is hoped to be able to improve people's welfare. Bali Island as one of the tourism destinations in Indonesia has uniqueness when compared to other tourist destinations. The uniqueness and tourism potential of Bali which is developed as a tourism destination based on culture and supported by beauty very interesting nature.

Thus the structuring, management and development Tourism potential is generally found in various natural resources and cultural resources resources) that are diverse in both form and character of the attraction itself. Bali tourism development is based on three elements. The three elements are society, nature, and culture. These three elements collaborate to form a destination area the most popular tours which must then be maintained for the sake of the sustainability of Bali tourism in the future.

Badung Regency is a district that has several leading tourist attractions. Kuta is a tourist destination that is most in demand by both domestic and foreign tourists. Tourist activities in Kuta are generally centered on Kuta beach. The emergence of Kuta beach as the most desirable place has had an impact to tourism in the Kuta area. Many changes have occurred as a result of the development of tourism, but what attracts the most attention is the high level of development of tourism accommodation businesses with a very limited amount of land. These limitations are then not included immediately stopping development even results in higher rates of land conversion which threatens the existence of green open spaces.

Land conversion due to tourism investment, especially land conversion from agriculture to tourism accommodation business, is a problem that requires attention. When talking about tourism in Badung Regency and Canggu Village in particular, we must realize that nature and culture are the spirit of tourism. If this is allowed to continue, it is not impossible that tourism, which was originally expected to be able to improve people's welfare, would actually threaten the welfare of the community itself.

So with a phenomenon like this, it is very interesting to explore further the impact caused by tourism on land conversion and socio-culture of local communities as happened in Badung Regency. Land is the main natural resource in supporting every activity of human life, both as a resource that can be processed and as a place to live, especially because it is permanent, immovable and unique. For this reason, it is not surprising that land has become the beacon of hope from various interests. However, when a plot of land can be used for a variety of purposes, and its availability is limited, conflicts often occur between the various groups alternative use and designation in its utilization. The development of tourism in Badung Regency is strongly influenced by the physical characteristics and

social and cultural characteristics of the local area. One of the areas with rapid tourism development, for example in Canggu Village, is one of the areas in Badung Regency where tourism development activities are increasingly developing, so that land conversion in Canggu Village has increased. Population activity in the area is currently growing rapidly. Therefore, the Canggu Village Area continues to experience development, so there is a fairly rapid change in land use, this is indicated by the large number of agricultural lands into non-agricultural lands. Areas that used to be rice fields have turned into residential areas, such as the transformation of paddy field land use into residential land use, namely villas, hotels, bars, restaurants and homestays, which occurred in Canggu Village, will affect the spatial structure of the area. Canggu Village. As a result of the concentration of settlement land, it causes an increase in land prices. Land prices are getting higher because many foreign tourists are buying land in the village of Canggu. Land conversion or change of function of agricultural land to non-land Agriculture is actually not a new problem. Population growth and economic growth demand infrastructure development in the form of roads, industrial buildings and settlements, this of course must be supported by the availability of land. Conversion of agricultural land is carried out directly by land-owning farmers or indirectly by other parties, which previously started with buying and selling of agricultural land. Factors that influence landowners to convert land or sell their agricultural land are land prices, income proportions, land area, land productivity, land status and government policies. The Canggu village area is included in the urban area so that it has main non-agricultural activities with the function of the area as a place for urban settlements, centralization and distribution of services. government services, social services. According to the Law of the Republic of Indonesia Number 10 of 2009 concerning tourism, it is stated that tourism is a variety of tourist activities and is supported by various facilities and services provided by the community, businessmen, government and local governments.

Tourism is the overall activity of government, business and society to organize, manage and serve the needs of tourists. Land conversion is a process of changing the use of a part or all of a land area from its original function to another.

This land conversion occurs dynamically and the change tends to lead to an increasing population. Humans use and utilize land resources to meet their various needs, such as: residences (settlements), industry, shops, offices, and other infrastructure. This is what makes the availability of land resources a demand that must be fulfilled to support the economic activities of the community.

To meet the needs of the land, there is often competition for land use which in turn will shift the availability of agricultural land to agriculture non- agricultural land. Tangibly the impact of tourism activities that occurred in Badung Regency provides evidence that current tourism activities are only oriented towards quantity and development as high as possible. Reflected by what is happening now, tourism activities are starting to have an impact on the convention of green open space becoming a means of accommodation which is increasing rapidly every year. Badung Badung Tengah Regency which has the policy of maintaining green open space, slowly shows an increase in land conversion in the investment sector, especially tourism. The development of tourism in terms of land use change has enough benefits for the development of sustainable tourism in the future, and

for the purposes of the researchers, the results of this writing can provide a reference or guideline for the local community to better analyze how the influence of tourism development will continue.

Land conversion has a positive role in the development of tourism in Badung Regency, in addition to affecting the community's economy, this land conversion also affects the lifestyle of the community members. The impact of tourism on land conversion in Badung Regency includes tangible impacts and intangible impacts. Tangible impact of tourism on land conversion resulted in more and more the construction of accommodation facilities which increasingly threaten the sustainability of environmental land. The development of accommodation facilities also has an impact on job changes from those that start to lead to jobs in the field tourist. On the cultural side, the tangible impact of tourism has also resulted in the loss of the culture of arranging offerings in the form of offerings in the form of offerings which are usually done every six months as a symbol of gratitude for the ruler of the rice fields, namely the goddess of the wife and caretaker of the rice fields, namely Betari Sri. Intangible, the impact of tourism on land conversion results in the loss of the sacred value of traditional village religious rituals and the growth of individualism with an oriental profit view.

Legal Certainty against Land Use Change in Badung Regency for Investment in the Tourism Sector

Policies are needed to accommodate the development and development of tourism. So that policies can maximize the benefits of tourism for stakeholders and minimize negative impacts, costs and other impacts. Synergy in tourism policy is needed with a multisectoral and multidisciplinary approach, so as to be able to formulate a comprehensive tourism policy. Synergy between the government, private sector, community, media, academics and nature is needed to realize sustainable tourism on the island of Bali. The development and development of tourism on a large scale in Badung Regency.

Massive tourism development and development in the Tourism Area has widened to the District of North Kuta, even having an impact on spatial and regional changes. This development even has implications for the conversion of agricultural land and a reduction in the area of Subak which is used as tourism accommodation to support tourism activities. Based on the phenomena and findings above, research was carried out from the perspective of development policy and tourism development in Badung Regency in the 2017-2025 period. The tourism development and development policy that has been approved by the Regional Government of Badung Regency, in the Badung Regency Regional Regulation concerning the Badung Regency Tourism Development Master Plan (RIPPARKAB) and the Badung Regency Spatial Plan (RTRW).

The results of this study aim to explore and find out the description related to tourism development and development policies in North Kuta District in the 2017-2025 period. Based on Law Number 10 of 2009 concerning Tourism, tourism can be defined as a variety of tourism activities supported by various facilities and services provided and offered by the public, private sector and government to tourists. Tourism is a multidimensional and cross-sectoral industry. Therefore the tourism industry is not a sector that stands alone, it requires the participation and support of all

parties. In the development of integrated tourism destinations, it is increasingly difficult to consider cross-sectoral linkages and tourism management

Tourism area is an area that has the main function and activity is tourism. The uniqueness of the Tourism area is that the process of production and consumption related to tourism in the area takes place at the same time. Based on Law Number 10 of 2009 concerning Tourism that tourism areas are defined as areas that have the main benefits for tourism and have the potential for tourism development that has an impact on one or more perspectives, such as economic, social and cultural growth, empowerment of natural resources, environmental carrying capacity, as well as defense and security.

Based on the Badung Regency Regional Regulation Number 26 of 2013 concerning Spatial Plans for the Badung Regency Regional Tourism area can also be interpreted, a strategic tourism area that is geographically located in one or more village or sub-district administration areas in which there is potential for tourist attraction, high accessibility, the availability of public facilities and tourism facilities as well as community socio-cultural activities that mutually support the creation of tourism. Regional Regulation Number 17 of 2016 concerning RIPPARKAB Badung for the 2017-2025 period, is positioned as a basic policy or reference in the management and control of tourism development. Thus RIPPARKAB has become a guide for stakeholders, starting from the government, the (private) tourism industry, and the community. The purpose of having RIPPARKAB is for the management and development of tourism in a planned, targeted and sustainable manner. Destination aspects, industrial aspects, marketing aspects, and institutional aspects are the four focuses in tourism development.

The principle of tourism development in Badung Regency, in the form of the value of "Tri Hita Karana", then the principle of sustainable tourism, then based on the empowerment of local communities, utilization of local potential (in the form of nature, culture, and society), and integration between sectors and between regions. North Kuta District is included in the Kuta Tourism Area, leading types of tourism being developed in the form of beach tourism, shopping tourism, and entertainment tourism (RIPPARKAB Badung, 2016).

Planning for the development of a beach tourism attraction in the Kuta Tourism Area is planned in the form of physical development and local community participation. Physical development in the form of public facilities and infrastructure such as toilets was built with international standards to support the comfort and needs of tourists. Furthermore, the arrangement of coastal utilization zones to support tourism activities. And finally tourism development involves the participation of local communities, this is intended to provide direct benefits to local communities from tourism activities Regional Regulation of Badung Regency Number 26 of 2013 concerning Spatial Plans for Badung Regency 2013-2033 is a tourism development policy from the spatial and regional aspects. Space and area allocations for development have been divided into various sectors, such as trade, agriculture, tourism, etc. Therefore, it is clear what the division and allotment of space and territory is focused on for development.

The area designated for tourism is approximately 8.40% of the total area of Badung Regency, which is divided into tourism areas, special promotional tourist attraction areas and tourist attractions. North Kuta District is included in the Kuta Tourism Area, consisting of half the area of Kerobokan

Village, then Kerobokan Kelod Village, then Canggu Village, and finally Tibubeneng Village. The types of tourism in North Kuta District are dominated by natural tourism which shows the beauty of sandy and rocky beaches, and cultural tourism which is outside the Petitenget Temple area (RTRW Badung Regency, 2013).

As the backbone of tourism activities on the island of Bali, the rapid use of space in Badung Regency has had far-reaching impacts. One of them is the large-scale conversion of productive land for agriculture to fulfill tourism accommodations such as hotels, villas, homestays, restaurants, etc. This phenomenon of conversion or land conversion often occurs in North Kuta District, where in the RTRW of Badung Regency, North Kuta District is planned as a buffer zone for the Kuta Tourism Area. The strategy for improving the quality of tourism is quoted from the RTRW of Badung Regency, which states, paying attention to the carrying capacity of the environment and the carrying capacity of the area; then maximize the use of space for tourism activities; and monitoring of disharmonious spatial use in tourism activities in corridors close to tourism areas (RTRW Badung Regency, 2013).

However, in practice on the ground this is not the case, much of the use of space in North Kuta District which is intended for agriculture has instead changed its function into housing, tourism accommodation, trade and services. The Agriculture and Food Service of the Badung Regency found that in the last five years, land use in the Badung Regency averaged 95 hectares of land use. The areas that experienced the most conversion of paddy fields were in North Kuta District, followed by Abiansemal District, and Mengwi District (Balipost.com/ 2020).

The existing tourism policy in Badung Regency shows that the Regional Government is making serious efforts to manage Bali tourism in a more prepared and well-prepared manner. Tourism policy is closely related to planning, both from regional spatial planning and tourism development planning. From the aspect of regional spatial planning, it was initiated to regulate the use of space and territory in accordance with its designation and planning. Then from the aspect of development planning in the tourism sector, it was initiated for the development of the tourism sector in a more systematic and planned manner. Development indicators and strategies in the tourism sector are separated into four aspects namely tourism destinations, tourism industry, tourism marketing, and tourism institutions. The tourism development policy in North Kuta District for the 2017-2025 period is contained in the Badung Regency Regional Regulation Number 17 of 2016 concerning RIPPARKAB Badung. Then the tourism development policy, especially related to space and area allocation, is contained in the Badung Regency Regional Regulation Number 26 of 2013 concerning Badung Regency RTRW.

The established tourism policy has become a compass (guideline) for stakeholders in implementing and supervising the tourism sector. The Government's role in formulating tourism policy is to establish an operational framework for participation between the public and private sectors involved in tourism activities. Then the Government enforces and encourages compliance with laws, regulations, and control measures that have been established by the Regional Government, to protect against conflicts between communities, then protect the environment, and preserve cultural heritage. Furthermore, the Government prepares a

budget for programs that support and support the tourism sector. And the Government prepares infrastructure, superstructure, facilities and infrastructure that support the public interest as well as support tourism activities.

Tourism management in the RIPPARKAB Badung policy has practiced the principles of tourism management, such as the development and development of tourism that reflects the cultural uniqueness of the local community and is based on local wisdom values (special local sense). RIPPARKAB Badung in the tourism development principle section has included the value of local wisdom, namely "Tri Hita Karana". In addition, the principles of tourism development also include a narrative of sustainable tourism. But in practice empirically, the principles of tourism management have not been applied, such as protecting, preserving and improving the quality of resources based on the development of tourism areas. North Kuta District is a sad picture, because of the large-scale transformation of agricultural land and Subak in Badung Regency.

As a result of changes in the function of agricultural land, most of the land has turned into built-up land in the form of settlements; tourism accommodation; trade and services. It seems that the aspect of protecting and preserving nature cannot be achieved at the political level, the government is actually compromising on matters related to the environment. If explored more deeply, the RIPPARKAB Badung policy is only limited to technical planning related to tourism development in Badung Regency. The focus in the RIPPARKAB policy is more on pursuing economic growth from the tourism industry, this kind of practice has been going on since the New Order government. It can be seen from the indicators to be achieved in RIPPARKAB Badung, in quantity by bringing in large numbers of tourists and with good quality economically in the form of duration of stay and the amount of spending from tourists.

Environmental/natural variables are not a focus in the implementation of tourism policies, such as calculating the capacity for tourism activities in tourist attractions. Even though the principles of tourism development contained in RIPPARKAB Badung, apply the principle of "Tri Hita karana", then sustainable tourism then integration between sectors and between regions. However, there is no integration between the tourism sector and other sectors, instead the tourism sector operates independently and other sectors also operate separately. The phenomenon of transformation and reduction of paddy fields and Subak in North Kuta District has changed its designation into tourism accommodation. It can be seen that environmental/natural variables often become objects that are exploited solely, for the benefit of humans. Whereas paddy fields and Subak, if used optimally apart from producing food, can also add added value by becoming tourism products in the form of rural tourism and agro-tourism. This condition shows that there is a duality between economic and environmental interests in the rapid development of the tourism sector in the Kuta Tourism Area. The existing tourism policy in Badung Regency shows that the Regional Government is making serious efforts to manage Bali tourism in a more prepared and well-prepared manner. Tourism policy is closely related to planning, both from regional spatial planning and tourism development planning. From the aspect of regional spatial planning, it was initiated to regulate the use of space and territory in accordance with its designation and planning. Then from the aspect of development planning in the tourism sector, it was

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4. Conclusion

Implementation of regulations on land conversion for tourism investment in Badung Regency that land conversion is an act of changing the initial function of a land into another permanent function. There is a difference between the Badung Regency RTRW PERDA and the Badung Regency Green Line PERDA regarding the determination of the green line area in Badung Regency. Regarding the determination of green belt areas according to PERDA RTRW Badung Regency there are only 5 sub-districts, while regarding the determination of green belt areas according to PERDA Badung Regency Green Line there are

13 departments. Moving on from the assumption regarding the promulgation of a regulation in terms of year, the PERDA Green Line of Badung Regency which was promulgated on May 17, 1993 with the PERDA RTRW of Badung Regency which was promulgated on December 30, 2013 with a time difference of 247 months or 20 years and 7 months has greatly reduced the green line area. in Badung Regency The authority of the PPAT in the process of transferring land use for tourism investment in the Badung Regency area, is that the community will in principle entrust the land conversion to the PPAT on the grounds that the PPAT takes care of the land conversion more efficiently and quickly compared to the community taking care of the land conversion itself. Second, land conversion carried out by PPAT is the provision of consultations to the community and is included within the authority of PPAT, this is based on Article 7 paragraph (1) of Government

Regulation Number 37 of 1998 concerning Regulations for Officials Making Land Deeds, which states that PPAT can hold concurrent positions as Notary, Consultant, or Legal Advisor. So that the PPAT can be said to be an In-House Lawyer by providing assistance in managing the conversion of agricultural land to the community. PPAT in carrying out land conversion, in this case for the purpose of tourism investment in Badung Regency, because PPAT takes care of the conversion of agricultural land, is in accordance with the procedures stipulated by the Regulation of the Head of the National Land Agency Number 2 of 2011 concerning Guidelines for Land Technical Considerations in Issuing Location Permits, Determining Location, and Land Use Change Permit. The existence of PPAT is very important in the process of land conversion, especially land for tourism investment in the Badung Regency area. Legal counseling to the community to increase legal awareness for PPATs is something that is very urgent.

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