

## Space Utilization Control on Cultural Activities in the Coastal Border Area of Rembang Regency

Shania Ayu Nur Yulianti<sup>1</sup>, Edith Ratna Mulyaningrum<sup>2</sup>

<sup>1</sup> Universitas Diponegoro, Indonesia, shaniaayu99@gmail.com

<sup>2</sup> Universitas Diponegoro, Indonesia, edithratna.er@gmail.com

Received: 30/03/2024

Revised: 15/05/2024

Accepted: 29/06/2024

### Abstract

The coastal border region of Rembang regency has many cultivation practices that contradict the intended purpose and designated use of that area. this will threaten the sustainability of the coast either directly or indirectly. This study aims to find out the factors the cause of space utilization in the coastal boundary area that is not in accordance with the established spatial plan, the obstacles faced and the efforts made by the Regional Government in controlling the coastal border area so that it is suitable for its designation. This study uses a qualitative method with an empirical juridical approach. Primary data sources were obtained through interviews. While secondary data obtained from legislation, books, journals. The results of this study indicate because the increasingly complex needs of the Rembang community are not accompanied by the availability of land. Some of the obstacles faced by local governments in controlling coastal border areas so that they are suitable for their designation are the lack of implementation of the provisions of incentives and disincentives as well as the imposition of administrative sanctions, the establishment of PPNS. The regional government made several efforts, including conducting socialization, conducting site reviews, providing land rights status for permitted activities.

### Keywords

Cultivation Activities Not in Accordance with the designation; Control of Space Utilization; Beach Border.

### Corresponding Author

Shania Ayu Nur Yulianti

Universitas Diponegoro, Indonesia; shaniaayu99@gmail.com

## 1. INTRODUCTION

Indonesia has the second-longest coastline in the world. This is evidenced by the length of Indonesia's coastline, which measures 95,181 kilometers. (Kementerian Kelautan Dan Perikanan Republik Indonesia, 2019) With a water area of 71 percent of Indonesia's total territory, which is 5.8 million square kilometers. The coastal areas has strategic significance, because this area is a transition between land and marine ecosystems. the wealth owned by this coastal area is controlled by the state and then managed in such a way as to realize community welfare, which will provide benefits for the present and future generations., (Widnyana, 2016) Ttherefore, a proper spatial palnning of coastal area



is required, which will provide great benefits for the community as a whole and will increase economic growth, besides realizing a sustainable, orderly and sustainable environment. (Ramadhon, 2020)

Rembang regency has a long and beautiful coastal area, providing excellent potential to be developed. In Peraturan Daerah Nomor 6 tahun 2019 tentang Perubahan Rencana Pembangunan Jangka Menengah Daerah Kabupaten Rembang Tahun 2016-2021, it states that Rembang regency area has a 63 km long coastline, every beach must have a coastal border area that is essential for preserving the beach. The coastal border area owned by Rembang Regency is designated as a protected area, namely a local protection area.

According to (Peraturan Daerah Nomor 14 Tahun 2011 about Rencana Tata Ruang Wilayah, 2011) Kabupaten Rembang it explains that the coastal border area is the land along the beach shoreline that has a width proportional to the shape and physical condition of the beach, with a minimum of 100 meters from the highest tide of the sea towards the land. The area of the coastal border area in Rembang Regency is 649 hectares, covering 6 districts, namely are Kecamatan Kaliori, Kecamatan Rembang, Kecamatan Lasem, Kecamatan Sluke, Kecamatan Kragan, Dan Kecamatan Sarang.

The spatial utilization in the coastal border area is only for activities that are capable of protecting the coastal border area from abrasion and infiltration or the entry of seawater into the soil. (Hasyim, 2003). Such as tourism without permanent buildings, roads with construction engineering, seaweed cultivation and other activities that do not interfere with or threaten the main function of the coastal border area. The buildings that are allowed to stand in the coastal border area are such as piers, towers for guarding the safety of beach visitors and infrastructure facilities that support sea transportation.

However, in reality, along the coastal border area of Rembang Regency, there are many cultivation activities that do not comply with the designated use of the coastal border area, such as the establishment of warehouse, hotels, industrial areas, offices, residential areas, and schools. This can have negative impacts on the preservation of the beaches in Rembang Regency, both directly and indirectly.

Therefore, in order to realize spatial utilization that is in line with the established spatial plan, one aspect of spatial planning is required, namely the aspect of controlling spatial utilization. With the aspect of controlling spatial utilization for the coastal border area of Rembang Regency, it can realize orderly spatial planning in the coastal area of Rembang Regency and create a safe, comfortable, productive, and sustainable coastal area in Rembang Regency.

Research on the control of spatial utilization by the Regional Government on cultivation activities that are not in accordance with their designation in the coastal area of Rembang Regency is an original and accountable research.

The first prior study is a research conducted by ST. Nadiyah Hudjaemah Parawansa, (Parawansa & Hudjaemah, 2017) a student of Universitas Hasanuddin in 2017, entitled "Land Rights Status on the Coastal Border of Untia Village, Biringkanaya District, Makassar City". This study analyzes the legal provisions and government policies related to spatial planning in the coastal border area of Untia Village, Biringkanaya District, Makassar City and the land rights status on the coastal border of Untia Village, Biringkanaya District, Makassar City. The results of this previous study are that the implications of land rights status on the coastal border area are that it is not allowed to build buildings on the coastal border area as stated in Government Regulation No. 26 of 2008 concerning the National Spatial Planning. If linked, this is not in accordance with the regulations in Regional Regulation No. 4 of 2015 concerning the Spatial Planning of Makassar City for 2015-2034. This clearly violates the zoning regulations for the coastal border area which prohibits the construction of buildings in the area.

The second previous study is research conducted by Shofie Rudhy Aghazsi, a student of Universitas Jember in 2018. (Aghazsi, 2015) entitled "Land Acquisition in Coastal and Coastal Areas". This previous study discusses the regulation of coastal and coastal areas and how to protect and manage coastal and coastal areas. The results of this previous study are that the coastal border must be free from the construction of buildings other than buildings that support beach recreation activities, ports, airports and power generation, considering its function as a local protection area. As well as protection for coastal and coastal areas in the form of prohibitions, supervision and control, as well as determining the boundaries of the coastal border.

The third previous study is a research conducted by Citra Anggini Eka Putri, a student of Universitas Andalas in 2016. (Putri, 2016) entitled "Law Enforcement Against the Utilization of Coastal Border Areas for Food and Beverage Providers in the Padang Beach Tourism Area". This previous study discusses the efforts made by the Padang City Government in enforcing the utilization of coastal border areas for food and beverage providers in the Padang Beach Tourism Area, namely by socializing, collecting data, preparing a relocation site, namely the long chimpago stalls, land acquisition through relocation, and obstacles faced by the Padang City Government in enforcing the utilization of coastal border areas for food and beverage providers in the Padang Beach Tourism Area, namely the obstacle in relocating traders to the long chimpago stalls and the obstacle of the limited budget provided by the Padang City Government.

The fourth previous study is a research conducted by I Wayan Risky Widnyana, a student of Universitas Udayana in 2016. (Widnyana, 2016) entitled "The Effectiveness of Regional Regulation of Bandung Regency Number 26 of 2013 in Protecting the Coastal Border from Accommodation Buildings". This previous study discusses the factors that influence the violation of the coastal border by accommodation buildings and what legal efforts can or have been taken by the Regional Government

to protect the coastal border from accommodation buildings. The results of this previous study are that the factors that influence the violation of the coastal border by accommodation buildings are community factors related to economic problems, while the legal efforts that can be taken by the Regional Government to protect the coastal border from accommodation buildings are in the form of providing information and advice and providing sanctions by authorized officials against violators of the coastal border.

The fifth previous study is a research conducted by Ahmad Idus Showabi in 2017 at Maulana Malik Ibrahim State Islamic University Malang. (Showabi, 2017) with the title "Construction of Hotels and Cafes on the Coastal Border of Tegalsambi Beach, Jepara Regency (Perspective of Law No. 1 of 2014 Concerning Coastal and Small Islands Management and Maqashid al-Syariah Imam al-Syathibiy), The results of this previous study are that it is not allowed to build buildings on the coastal border area and the impact caused on Tegalsambi Beach is that the beach becomes dirty and difficult for the public to access.

## **2. METHOD**

The research approach used in this study is a qualitative approach. (Afiifuddin, 2019) This qualitative approach is the collection of data in a natural setting with the aim of interpreting a phenomenon that occurs. (Sugioyono, 2017) This methods to examine the improper utilization of land in Rembang regency coastal border region, which deviates from the designated spatial plan (RTRW). Its seeks to identify the challenges faced by the local government in regulating activities within this coastal area. (Nugrahani, 2014) Additionally, it investigates the measures taken by the regional authorities to control aquaculture practices that contravene the established spatial planning regulations.

The type of research used in this study is legal empirical research, which assumes that law is inseparable from its existence in society. (Tripa, 2019) This study will examine the actual situation in the field (Mardawani, 2020) regarding the factors cause the utilization of space in the coastal border area of Rembag Regency that is not in accordance with the spatial plan, the obstacles faced by the Regional Government in controlling the coastal border area, and the efforts made by the Regional Government to control aquaculture activities that are not in accordance with their designated use in the coastal border area of Rembang Regency. The location of the research is at DPUTARU, DPTMPTSP, Kantor Pertanahan Kabupaten, dan Kantor Kecamatan Rembang. The data sources in this study are primary and secondary data. (Chaedar, 2008) Primary data is obtained through interviews, while secondary data is obtained thorough such as books, regulations, and journals. The data collection technique used in through interviews.

### **3. FINDINGS AND DISCUSSION**

#### **3.1. Factors Causing Spatial Utilization In The Coastal Border Area Of Rembang Regency To Be Incompatible With The Spatial Plan**

The coastal border has a very important function, namely as an area or zone that can hold between the ocean and facilities that have the potential to develop naturally without using concrete or steel materials that can have a negative impact on the beach and its system. (Ahmad, 2013) Activities that can disturb and damage the beach can be avoided with the existence of a coastal border area. (Hidayat et al., 2021). Spatial planning is defined as a process of spatial planning, spatial utilization, and spatial utilization control which is a unity that cannot be separated from one another. (Darwanto & Stepanoro, 2000)

Changes in coastal areas are very vulnerable, these changes occur due to natural factors and factors caused by human actions. (Hasni, 2010)

According to Undang-Undang Nomor 26 Tahun 2007 about Penataan Ruang it means by spatial utilization is an effort to realize the spatial structure and spatial pattern carried out through the preparation, implementation of programs and financing in accordance with the established spatial plan. The implementation of spatial utilization, apart from being regulated in the Spatial Planning Law, is also guided in detail by Regional Regulations related to the Regional Spatial Plan owned by each region. In Rembang Regency, there is (Peraturan Daerah Nomor 14 Tahun 2011 about Rencana Tata Ruang Wilayah, 2011) which regulates the RTRW, this regional regulation serves as a guideline in the implementation of spatial utilization activities in the Rembang Regency area. (Haryanto, 2012)

The coastal border area is a land area located along the coastline and has an important benefit in maintaining the preservation of the beach function. Meanwhile, the boundary of the coastal border itself is an area of the coastal border that is determined based on certain methods. (Sam et al., 2020) It is mandatory for each regency government that possesses a coastal border region to delineate and demarcate the boundaries of that coastal border area within their regional regulation concerning the Regency's spatial planning. The determination of the coastal border area is important to avoid improper land use that is not in accordance with the spatial plan by the surrounding community. (Haryanto, 2012) Therefore, it is necessary to regulate spatial utilization in the coastal border area, which is a locally protected area. (Aghazsi, 2015)

According to (Peraturan Daerah Nomor 14 Tahun 2011 about Rencana Tata Ruang Wilayah, 2011) Kab Rembang it explains that the regulations related to spatial utilization in the coastal border area prohibit the establishment of cultivation that can disrupt the preservation of the beach's function, degrade water quality, and damage the physical condition and base of the beach. The permitted spatial utilization is the utilization of space for activities that are capable of protecting or strengthening the

protection of the coastal border from abrasion and seawater infiltration into the soil, and the utilization of space for facilities and infrastructure that support sea transportation.

The guidelines for implementing control over spatial utilization in the coastal border area is (Peraturan Daerah Nomor 14 Tahun 2011 Rencana Tata Ruang Wilayah, 2011) and the protection of the coastal border area of Rembang Regency has been clearly regulated in Peraturan Daerah Nomor 14 Tahun 2011. This substance relates to the rules associated with a particular field of law. (Ansori, 2018) as the substance of the provisions in the Rembang Regency Regional Regulation affirms, the coastal border area is a protected area, namely a local protected area, which means this coastal border area must be free from cultivation activities. This is because the coastal border area of Rembang Regency has an important benefit for the protection and preservation of the beach in Rembang Regency in particular, as a climate regulator and a source of germplasm.

However, in reality, spatial utilization in coastal and marine areas in general, and particularly in the coastal border areas of Rembang Regency is becoming increasingly uncontrolled. The violations that occur in the coastal border area are such as the establishment of warehouse, industrial areas, residential areas, offices, and schools. This can threaten the preservation of the coastal environment and damage the coastal ecosystem, as well as potentially cause conflicts, and in the long run, disasters may occur that could endanger the community of Rembang Regency in general.

Numerous factors contribute to the non-compliance of spatial utilization in the coastal border areas of Rembang Regency with the established spatial planning. Several factors contribute to the increasing number of violations in the coastal border areas of Rembang Regency, namely the increasingly complex needs of Rembang residents couple with the increasingly limited availability land. Moreover, the coastal area holds promising potential and its strategic location has enticed people to encroach upon it, and many of them have had buildings passed down through generations in the vicinity of the coastal border of Rembang Regency prior to its issuance Perda Nomor 14 Tahun 2011.

### **3.2. The Constraints of The Local Government in Controlling The Coastal Border Area**

According to (Undang-Undang Nomor 26 Tahun 2007 Tentang Tata Ruang, 2007), spatial planning is defined as an effort of spatial planning, spatial utilization, and controlling spatial utilization.

With the implementation of spatial utilization control, it will realize orderly spatial planning, especially in Rembang Regency. However, in its implementation, the spatial utilization control cannot optimally if it is not accompanied by laws and regulations governing it, legal awareness from within the community, and also fair and competent law enforcement. (Muhajir, 2017)

The Rembang Regency Government, through the spatial utilization control team formed by the Regent based on Keputusan Bupati Rembang Nomor 050/0381/2021 about Pembentukan Tim

Pengawasan Dan Pemanfaatan Ruang Di Kabupaten Rembang. This control team has attempted to control the coastal border area of Rembang Regency to conform with its designated purpose. However, in its implementations, the Rembang Regency Government certainly experiences several constraints in controlling the coastal border area. Based on the research, the Author conducted in 4 agencies, namely DPUTARU, DPMPTSPNAKER, Kantor Pertanahan, dan Kantor Kecamatan Rembang, in the implementation of spatial utilization control in the coastal border area, Rembang Regency Government cannot be separated from several constraints faced in controlling the coastal border area, these constraints includes:

- 1) The increasingly complex needs of the community are not accompanied by the availability of land. The needs of the people of Rembang Regency are increasing, while the availability of land in Rembang Regency is increasingly limited, this causes people to encroach on coastal areas, especially the coastal border areas.
- 2) Most of the people in Rembang establish cultivation activities that disrupt the main function of the coastal border area first, and only then request permits of spatial utilization. This does not comply with the spatial utilization permit procedure as explained by Bapak Budiono, S.Kom., M.M. as Kepala Dinas Penanaman Modal Pelayanan Terpadu Satu Pintu dan Tenaga Kerja. The procedure for spatial utilization permits starts with the applicant submitting a principle permit or spatial utilization permit to DPMPTSPNAKER, then, this principle permit application will be discussed by the control team. If the requested location and activity conform to its designated purpose, a spatial planning recommendation will be issued by DPUTARU, whereas if it does not conform, then the conclusion of the spatial planning recommendation will state that the proposed building is not permitted to be constructed on the X m<sup>2</sup> location, then the permit application will be returned to the Applicant, who is asked to find another location suitable for the building to construct. The spatial planning recommendation issued by DPUTARU and will be used by DPMPTSPNAKER as the basis for issuing a principle permit. Once the principle permit has been issued, the applicant will proceed to apply for the next permit, which is the location permit. The application for a location permit will be reviewed by the control team. The basis for the location permit is from BPN. If the permit is approved, BPN will issue a technical recommendation. This technical recommendation will then be used by the DPMPTSPNAKER as the basis for issuing the location permit. After the location permit has been issued, the applicant will proceed to apply for other permits. If all permits have been issued, the applicant will be allowed to utilize the space in the coastal border area by establishing activity A in an area of X m<sup>2</sup> as requested.
- 3) The non-implementation of all general provisions for the control of spatial utilization as regulated in Pasal 35 Uu No 26 Tahun 2007 tentang Penataan Ruang and Pasal 41 ayat (3) Peraturan Daerah

Nomor 14 Tahun 2011, the general control provisions that have not yet been implemented are the provisions on incentives and disincentives, as well as guidelines for imposing sanctions. The non-implementation of these provisions is due to the fact that existing regulations do not specifically regulate their implementation. The implementation of these provisions is necessary to ensure the optimal implementation of spatial utilization control. The imposition of sanctions is also necessary, as it serves as a tool for enforcing order against the utilization of space that is not in accordance with the spatial plan and zoning regulations. (Nasution, 2014)

- 4) The absence of PPNS in Rembang Regency, this poses a significant obstacle to effective enforcement, as PPNS are granted special authority by law to conduct investigations in cases of violations of Regional Regulations.
- 5) Limited of human resources for controlling and supervising spatial allocation in Rembang Regency.
- 6) Limited budget for implementing spatial utilization control activities in the coastal border area of Rembang Regency.
- 7) Many cultivation activities had already been established before the issuance of Perda RTRW Kabupaten Rembang Tahun 2011-2031, these activities have been passed down through generations and are allowed to continue operating on condition that no expansion or addition of buildings is carried out.

In order to the implementation of spatial utilization control to run optimally, it needs to be accompanied by the presence of 3 components of legal elements as put forward by Lawrence M. Friedman in his theory, namely the theory of the legal system. The three essential elements consist of the substantive content of the law, the structural framework, and institutions that enforce the law, and the cultural attitudes and values surrounding the implementation of the law. Legal substance is defined as norm and rules. (Anwar Anas, 2020) Moreover, this substance constitutes the entirety of legal rules, including legal principle and legal norms, whether written or unwritten, including court decisions. (Ali, 2017)

Perda RTRW Kabupaten Rembang specifically, the general provisions on spatial utilization control do not provide detailed explanations regarding the implementation of incentives and disincentives, as well as the imposition of administrative sanction on spatial utilization actors in the coastal border area. Therefore, in order for the control of the coastal border area to run optimally, it is necessary to submit a proposal that Perda RTRW Kabupaten Rembang Tahun 2011-2031 can change, the aspects that need to be amended in the regulation are adding detailed information regarding the implementation of incentives and disincentives, as well as guidelines for imposing sanctions on violating occurring in the coastal border area of Rembang Regency in particular.

Through the lens of the legal structures component, the legal structures can be analogized to a



machine. Therefore, it can be said that if the legal substance is good but the law enforcers are not serious in applying the regulations, the formulation of regulations initiated by legal scholars will only become academic manuscripts. (Reza, 2017)), Therefore, law enforcement factors play a very important role in legal substance

Addressing the challenges faced by law enforcement officials in Rembang Regency in controlling the coastal border area to ensure it is used in accordance with its designated purpose is the limited number of human resources, which has resulted in the inability to fully control and monitor spatial utilization throughout Rembang Regency. Therefore, it is necessary to add new human resources specifically in the field of spatial utilization control, which can be used as control teams in each kecamatan that has a coastal border area. (Sam, 2020)

Moreover, from the perspective of legal culture, refers to the attitudes, beliefs, values, thoughts, and aspirations of individuals towards law and the legal substance. (Friedman, 2011) Legal culture is closely related to legal awareness in society. Therefore, it can be said that if there is a high level of legal awareness among the community members, it will foster a positive legal culture and can transform the way people perceive and vie the law. (Anwar Anas, 2020)

In terms of controlling the coastal border area to ensure it is used in accordance with its designated purpose, it can be seen that the attitude of the Rembang Regency community towards the law can be categorized as low, and the legal awareness is also low, so it can be said that obedience to the law of Rembang Regency community is also low. This is in accordance with what was explained by Budiyo, S.Kom., MM as the Head of Bidang Pelayanan Perizinan Terpadu that most of the livelihoods of the Rembang Regency peoples are as fisherman, they choose to live near the beach and build permanent buildings around the beach.

### **3.3 Efforts by the Regional Government to Control the Utilization of Cultivation Activities within coastal border area**

Marine spatial planning is indeed complex, but the process of marine spatial planning is very important because we must be wise in using marine space. (Maes, 2008). One of the most crucial aspects of spatial planning is spatial utilization control. This control aspect encompasses the efforts undertaken to ensure that the spatial conditions align with the objectives of spatial planning. (Terinsau, 2019)

Regulations regarding this permit are closely related to urban spatial planning. This is because building permits will greatly affect the spatial planning concept of an area. (Wahanisa & Febrianti, 2013)

Rembang Regency has its RTRW in Perda Nomor 14 Tahun 2011, which serves as the primary reference for determining coastal border areas. This aligns with the mandate of (Peraturan Presiden Nomor 51 Tahun 2016 Tentang Batas Sempadan Pantai, 2016) particularity Pasal 2 ayat (2), which stipulates that district governments with coastlines are obliged to establish their coastal borders in their

respective district. This aims to protect and preserve the sustainability of ecosystem functions, the lives of coastal communities, and allocate space for public access through beaches and water and sewage channels.

The significant impacts of spatial planning violations can be mitigated by implementing spatial planning in accordance with existing technical regulations (Sodikin, 2017) attainment or non-attainment of legal objectives hinges on the implementation of such laws. Social order and tranquility can only be genuinely realized when laws are effectively enforced and upheld. (Sukardja, 2012)

Therefore, spatial utilization control efforts are crucial and should be implemented through a spatial utilization control team appointed based on Keputusan Bupati Rembang Nomor 050/0381/2021 about Pembentukan Tim Pengawasan Dan Pemanfaatan Ruang di Kabupaten Rembang Tahun Anggaran 2021. The Rembang Regency Government has implemented several control measures to address aquaculture activities that do not comply with their designated zoning in the coastal border areas of the regency. These measures include:

- 1) Designate coastal border areas as protected areas with restricted spatial utilization by establishing regulations governing coastal border areas according to Peraturan Daerah Nomor 14 Tahun 2011 about Rencana Tata Ruang Wilayah Kabupaten Rembang Tahun 2011-2031.
- 2) Enforce the general provisions for spatial utilization control as stipulated in Pasal 41 ayat (3) Perda Nomor 14 Tahun 2011. The Regency Government has implemented several spatial utilization control regulations, including zoning regulations, permitting regulations, following the procedures outlined by DPMPTSPNAKER.
- 3) Coordinate with relevant agencies in enforcing Perda RTRW. The Rembang Regency Control team held a TKPRD meeting to discuss spatial planning in the coastal border areas of Rembang Regency.
- 4) The control teams site inspections whenever there is a request for a spatial utilization permit in the coastal border area.
- 5) Granting land rights in the form of management rights for permitted cultivation activities in the coastal border area.
- 6) Conducting supervision, monitoring and evaluation, as well as imposing sanctions for non-compliance with spatial utilization permits.
- 7) Conducting socialization and guidance for residents who have businesses in the coastal border area regarding the next permit if a permit extension is carried out to adjust to the latest permit regulations.
- 8) The spatial utilization control team will not issue principle permits or preliminary approvals for spatial utilization that does not comply with its intended use.

- 9) Providing technical consideration based on Peraturan Daerah Nomor 14 Tahun 2011 a spatial planning recommendation regarding the compliance or non compliance of the requested spatial utilization.
- 10) Residents who lived in coastal border area before Perda RTRW, may continue to live there, but on the condition that they are not allowed to expand or add buildings.
- 11) Allocating sufficient funds and maximizing human resources as well as formulating regulations for controlling spatial utilization, even if only for activities for which spatial utilization permits have been issued.

The effectiveness of law enforcement by law enforcement officers will determine the perception of the existence or absence of law among Indonesian society. (Manan & Magnar, 1987) This is because Indonesia society is still categorizes as “afraid” of the law, so it is not yet categorized as a law abiding society. (Juwana, 2010)

Based on research conducted by the author regarding the efforts made by the Regional Government in controlling the coastal border area of Rembang Regency, there is a control teams formed by the Regent of Rembang Regency, there is a control team formed by Keputusan Bupati Rembang Nomor 050/0381/2021 about Pembentukan Tim Pengawasan Dan Pemanfaatan Ruang di Kabupaten Rembang Tahun Anggaran 2021 and chaired by the secretary of Rembang Regency. Within the team, there is good coordination between the control teams in terms of organizing the coastal border area of Rembang Regency. Effective coordination entails that the control teams conduct outreach and socialization effort to residents who commit violations in the coastal border area. They allocate adequate funding and maximize human resources, even though only for activities that have been formally permitted. (Saptiadi, 2017) They refrain from issuing spatial utilization permits if there is a mismatch with the designated spatial plans. They provide legal land rights status for activities that are not allowed to proceed. They implement general control provisions as regulated in Regional Regulation 14/2011, with the provisions that have been implemented focusing on zoning and lisencing requirements. (Sugiarto, 2019) Additionally, the control teams condusts monitoring, evaluation, and site insprections if there are new permit applications being submitted. (Parsa, 2014)

#### **4. CONCLUSION**

Coastal border area in Peraturan Daerah Nomor 14 Tahun 2011 about Rencana Ruang Tata Wilayah Kabupaten Rembang Tahun 2011-2031 especially pasal 16 ayat (1) designated as a protected area, namely a local protection area. Spatial utilization in coastal border areas is limited to cultivation activities that do not disrupt or threaten the protective function of the coastal border area. Permissible spatial utilization in coastal border areas may include tourism development without permanent

structures, Mangrove forests to reduce abrasion, engineered roads, seaweed cultivation. Several factors contribute to the high number of violations in the coastal border areas of Rembang Regency, namely the increasingly complex need of the Rembang community accompanied by increasingly limited land availability,

Several challenges faced by the Rembang Regency Regional Government in controlling coastal border areas to ensure their proper use include Increasingly complex community needs that are not matched by land availability, Rembang residents establishing cultivation activities without following licensing procedures, limited human resources and budget for controlling coastal border areas to ensure their proper use, the non-implementation of all general provisions for spatial utilization control, including the non-implementation of provisions regarding the provision of incentives and disincentives and the imposition of administrative sanctions for violators. In addition, there has not yet been the establishment of Penyidik Pegawai Negeri Sipil (PPNS) in Rembang Regency. Most people in Rembang Regency work as fishermen and choose to build structures around the coastal area to be close to their work.

The efforts of the Rembang Regency Regional Government to address cultivation activities that are not in accordance with their intended use in coastal border areas are considered to be suboptimal. This is because, from a legal structure perspective, there has not yet been the establishment of PPNS in Rembang Regency. Moreover, the control team has only been conducting site reviews when there are applications for spatial utilization permits in the coastal border areas of Rembang Regency.

## REFERENCES

- Afiifuddin. (2019). *Metodologi Penelitian Kualitatif*. CV Pustaka Setia.
- Aghazsi, S. R. (2015). Penguasaan Tanah Di Kawasan Sempadan Pantai Dan Wilayah Pesisir. *Lentera Hukum*, 2, 117.
- Ahmad, p. m. t & nusa, a. b,. (2013). nEvaluasi Garis Sempadan Pantai Untuk Manajemen Pantai Deli Serdang Begadai. *Jurnal Fakultas Teknik USU*, 2.
- Ali, A. (2017). *Menguak Teori Hukum (Legal Theory) dan Teori Peradilan (Judicialprudence) Termasuk Interpretasi Undang-Undangn (Legisprudence)* (Cetakan ke-7). Kencana.
- Ansori, L. (2018). Reformasi Penegakan Hukum Perspektif Hukum Progresif. *Jurnal Yuridis*, 4(2).
- Anwar Anas. (2020). nKomponen Sistem Hukum Menurut Lawrence M. Friedman. In <https://owntalk.co.id/2020/11/23/komponen-sistem-hukum-menurut-lawrence-m-friedman/>.
- Chaedar, A. (2008). *Pokoknya Kualitatif*. Pustaka Jaya.
- Darwanto, H., & Stepantoro, D. (2000). Penataan Ruang Kawasan Pesisir, Laut, dan Pulau-Pulau Kecil serta Hubungan dengan Penataan Ruang Wilayah. *Jurnal Perencanaan Pembangunan*, 2(1).

- Friedman, L. M. (2011). *The Legal System: nA Social ScriencenPerspective*. Nusamedia.
- Haryanto, T. D. (2012). Model Penatagunaan Tanah Di Indonesia Berdasarkan Undang-Undang Nomor 5 Tahun 1960. *Wacana Hukum*, 8(2).
- Hasni. (2010). *Hukum Penataan Ruang dan PenatagunaanTanah dalam Konteks UUPA UUPR UUPLH*. Rajawali Pers.
- Hasyim, M. (2003). Tinjauan Yuridis Terhadap Pelaksanaan Pengendalian Pemanfaatan Ruang Wilayah Kabupaten/Kota. *Jurnal Hukum IUS QUIA IUSTUM*, 10(22).
- Hidayat, R., Wiranegara, H. W., & Hendrawan, D. I. (2021). Spatial Use Deviation In Coastal Border Area (Case Study: Tanjung Pasir Village, Banten, Indonesia). *IOP Publishing*, 1098(5).
- Juwana, H. (2010). *Penegakan Hukum Di Indonesia*. Alfabeta.
- Kementerian Kelautan Dan Perikanan Republik Indonesia. (2019). *Laut Masa Depan Bangsa Mari Jaga Bersama*. [www.kkp.go.id](http://www.kkp.go.id).
- Maes, F. (2008). The International Legal Framework For Marine Spatial Planning. *Marine Policy*, 32(5).
- Manan, B., & Magnar, K. (1987). *Peranan Peraturan Perundang-Undangan Dalam Pembinaan Hukum Nasional*. Armico.
- Mardawani. (2020). *Praktis Penelitian Kualitatif (Teori Dasar dan Analisis Data Dalam Perspektif Kualitatif)*. Deepublish Publisher.
- Muhajir, A. (2017). Kebijakan Pengendalian Pemanfaatan Ruang Dalam Pelaksanaan Ketentuan Penataan Ruang di Kota Baubau Provinsi Sulawesi Tenggara. *Jurnal Reinassance*, 2(2).
- Nasution, B. J. (2014). Upaya Penerapan Sanksi Administratid Dan Perizinan Sebagai Pembatasan Terhadap Kebebasan Bertindak. *Asy-Syir'ah: Jurnal Ilmu Syari'ah Dan Hukum*, 48(1).
- Nugrahani, F. (2014). *Metode Penelitian Kualitatif Dalam Penelitian Pendidikan Bahasa*. Cakra Books.
- Parawansa, S., & Hudjaemah, N. (2017). *Status Hak Atas Tanah Di Atas Sempadan Pantai Kelurahan Untia Kecamatan Biringkanaya Kota Makassar*. Universitas Hasanudin.
- Parsa, I. W. (2014). *Laporan Akhir Tim Pengkahian Hukum Tentang Penegakan Hukum Penataan Ruang Dalam Kerangka Otonomi Daerah*. Badan Pembinaan Hukum Nasional (BPHN).
- Peraturan Daerah Nomor 14 Tahun 2011 Tentang Rencana Tata Ruang Wilayah, Pub. L. No. 14 (2011).
- Peraturan Presiden Nomor 51 Tahun 2016 Tentang Batas Sempadan Pantai, Pub. L. No. 51 (2016).
- Putri, C. A. E. P. (2016). *Penindakan Terhadap Kegiatan Pemanfaatan Ruang Sempadan Pantai Bagi Usaha/Jasa Penyedia Makanan Dan Minuman Di Kawasan Wisata Pantai Padang*. Universitas Andalas.
- Ramadhon, S. R. A. S. (2020). *Perundang-Undangan Indonesia: Kajian Mengenai Ilmu dan Teori Perundang-Undangan Serta Pembentukannya*.
- Reza, M. (2017). Sistem Hukum. In <https://www.metrokaltara.com/8788-2/>.
- Sam, I. M. (2020). Analisis Penguasaan Pemilikan Penggunaan Dan Pemanfaatan Tanah Di Sempadan

- Pantai Di Kelurahan Bintarore. *Tunas Agraria*, 32.
- Sam, I. M., Setiowati, S., & Riyadi, R. (2020). Analisis Penguasaan, Pemilikan, Penggunaan dan Pemanfaatan Tanah di Sempadan Pantai di Kelurahan Bintarore. *Tunas Agraria*, 3(2).
- Saptiadi, I. M. (2017). Kajian Tentang Penguasaan Tanah Pantai dan Penguasaan Wilayah Pesisir Di Indonesia. *Jurnal Teknologi*, 16(2).
- Showabi, A. I. (2017). *Pembangunan Hotel dan Kafe di Sempadan Pantai Tegalsambi Kabupaten Jepara (Perspektif Undang-Undang No 1 Tahun 2014 Tentang Pengelolaan Wilayah Pesisir dan Pulau-Pulau Kecil dan Maqashid al-Syariah Imam al-Syathibiy)*. Universitas Islam Negeri Maulana Malik Ibrahim Malang.
- Sodikin, S. (2017). nEksistensi Penyidik Pegawai Negeri Sipil (PPNS) Dalam Penegakan Hukum Terhadap Pelanggaran Tata Ruang. *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*, 6(2).
- Sugiarto, A. (2019). Implementasi Pengendalian Pemanfaatan Ruang Dan Sanksi Administratif Dalam Rencana Tata Ruang Wilayah Kabupaten Sidoarjo. *Jurnal Kebijakan Dan Manajemen Publik*, 5(1).
- Sugioyono. (2017). *Metode Penelitian Pendidikan (Pendekatan Kuantitatif, Kualitatif, dan R&D)*. Alfabeta.
- Sukardja, A. (2012). *Hukum Tata Negara dan Hukum Administrasi Negara Dalam Perspektif Fikih Siyash*. Sinar Grafika.
- Terinsau, A. (2019). Kebijakan Pengendalian Pemanfaatan Ruang Melalui Penegakan Hukum Pidanan Pada Pelanggaran Rencana Tata Ruang Dihubungkan Dengan Undang-Undang No 26 Tahun 2007 Tentang Penataan Ruang. *AKTUALIA*, 2(2).
- Tripa, S. (2019). *Diskursus Metode Dalam Penelitian Hukum*. Bandar Publishing.
- Undang-Undang Nomor 26 Tahun 2007 Tentang Tata Ruang, Pub. L. No. 26 (2007).
- Wahanisa, R., & Febrianti, N. (2013). Penyadaran Masyarakat Atas Pengurusan Ijin Mendirikan Bangunan (IMB) nsebagai Peran Masyarakat dalam Penataan Ruang di Kelurahan Kalisegoro Kecamatan Gunungpati Kota Semarang. *Jurnal Abdiman*, 17(1).
- Widnyana, I. W. R. (2016). *Efektivitas Peraturan Daerah Kabupaten Bandung Nomor 26 Tahun 2013 Dalam Melindungi Sempadan Pantai Dari Bangunan Untuk Penginapan*, . Universitas Udayana.