

# SPATIAL PLANNING PROBLEM FOR TRANSFERRING LAND FUNCTIONS IN PROTECTED FOREST AREA IN NORTH PENAJAM PASER TO BECOME THE NATIONAL CAPITAL

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**Abstract:** *The current period, changes in land use on arable land are commonplace, yet they provide numerous issues. The benefits of agricultural land extend to society, the environment, and the economy. Objective What variables influence the transfer of a protected forest to the national capital? The impact of making PenajamPaser Utara subdistrict, East Kalimantan's forest, the national capital. This study is qualitative in nature. Empirical qualitative research employs observation, experimentation, and inquiry approaches. This research examines the spatial land conversion rules in the protected forest of North PenajamPaser, East Kalimantan. The Parks and Sanitation Department within the Spatial Planning and Building Office administers the Mayor's Regulation No. 38 of 2009 regarding Structural Work Job Descriptions in an efficient manner. Good coordination with agencies, as well as partnership with the private sector, encourage the responsibilities and authority of the Government and Spatial Planning and Spatial Planning Services in structuring green open spaces.*

**Keywords:** *Protected Forest, Land, RTH, Government, PenajamPaser;*

## INTRODUCTION

Development is one of the important factors in a country because it can touch all parts in it. In Indonesia itself, development is often interpreted as a form of building infrastructure or other physical facilities-. However, basically development is a process of change that will continue to be carried out to achieve better conditions while still paying attention to existing norms or rules. Environmental management and development must evolve with human life. To meet human demands, such as population expansion, clean residential areas and efficient dwellings must be built. Population increase and migration can affect urban economic, social, and environmental quality, especially if urban development is poorly planned-. Land procurement meets land needs. Indonesia needs forests because population growth and economic development raise the need for non-forestry land-. This makes forest land conversion challenging. In other cases, land conversion caused the surrounding land to change function quickly. The accessibility of a land conversion location increases when a residential or industrial area develops. Land sustains life.

Humans need land to survive. Human usage of land for dwelling, business, public access, and other facilities will reduce land availability. Due to land use, carrying capacity, and changes, forest and environmental degradation will disrupt ecological equilibrium-. Utomo et al. (1992) define land use change as a change of part or all of a land area from its original planned purpose to another function that may harm the environment and the land's potential-. Land conversion is changing the purpose of part or all of the land area to harm the environment and land potential. Land conversion is also regarded as a move to other uses due to considerations including the necessity to meet the needs of a growing population and higher quality of life expectations-. Land use change is not a natural process, but a deliberate process by humans-. Regional development also affects land use change.

Indonesia's Ministry of Environment and Forestry (KLH and Forestry) prioritizes sustainable forest damage mitigation and land reduction. Forest rehabilitation has evolved beyond tree planting.



Regenerating deforested, degraded, and underutilized landscapes reduces strain on the world's forests and provides food security benefits including clean water and carbon sequestration.

The Ministry of Environment (KLH) (2014) is restoring woods in 33,000 villages. Most property conversions show capitalists profit from government-issued building permits. Today, productive land conversion is frequent but problematic. Agriculture serves society, economics, and ecology.

According to Article 33 Paragraph (3) of the 1945 Indonesian Constitution, the Unitary State of the Republic of Indonesia (NKRI) is a gift from God Almighty (YME) to the Indonesian people and must be grateful for, maintained, and managed sustainably for their greatest prosperity. To safeguard individual rights, the federal and regional governments passed the Spatial Planning Law.

2007 Law 26 governs spatial planning. Indonesia's Spatial Planning Law and spatial plans regulate space use. Zoning, permits, incentives, and fines limit space. Control, use, and spatial planning are linked. Regional spatial planning includes national, provincial, and regency/city plans (RTRW) PP No. 25 of 2000 grants the province cross-Regency/City administration authority as an Autonomous Region. The Provincial Government governs protected forest areas in multiple districts/cities. Government authority includes guidelines for the designation and safeguarding of production forest and protection forest boundaries, as well as guidelines for the implementation of forest boundaries, reconstruction and delineation of production forest and protection forest boundaries.

The district/city government manages protected forests, hence it should construct a protected forest management institution under a local government ordinance. The nation's capital being one of the most important regions of another area. For sensitive IKN development, sustainable urban design is essential to reconcile natural and environmental conservation with urban development. Sustainable City, Green City, and Eco City principles are being used to developing cities worldwide to solve urban issues and reduce environmental impacts. Green economy is an important concept that can be applied in government regarding decision making for a sustainable policy. PP No. 62/1998 article 6 (5) states that protected forest management includes marking boundaries, maintaining boundaries, maintaining the area and function of protected forests, controlling fires, reforestation in the context of rehabilitation of critical land in protected forests, and using services. environment.

According to Law 29/2007, DKI Jakarta Province is the Capital of the Unitary State of the Republic of Indonesia and has certain tasks, rights, obligations, and responsibilities in government administration (article 5). Jakarta, the capital of Indonesia, has specific rights, authorities, and duties.

DKI Provincial Government owes the President of Indonesia due to its uniqueness (article 26 paragraph 7). The President of Indonesia must be held accountable for "spatial planning, natural resources, and the environment; population and settlement management; transportation; industry and trade; and tourism." The Governor works for the President. Based on this subject, the authors want to explore "Spatial Planning Problem for Transferring Land Functions in Protected Forest Area in North Penajam Paser to Become the National Capital". Based on the background stated above, the main issues in this study are as follows: What factors are considered for the conversion of land functions in protected forest areas to become the national capital and What are the obstacles in spatial planning to become the nation's capital.

## 1. RESEARCH METHODS

An empirical qualitative approach was taken for this investigation. As per the definition of qualitative empirical research, it refers to a circumstance that is founded on occurrences collected through investigation, observation, or experimentation. In addition to this, qualitative empirical research can yield descriptive data in the form of words and pictures, but not statistics. These can be used to explain the results of the study. This research is also utilized to observe the outcomes, which in the case of human conduct can take the shape of physical remains or archival remains. In the course of this study, which will be carried out in the North PenajamPaser Regency of East Kalimantan, the juridical analysis of the spatial features of land conversion in the North PenajamPaser protected forest region, East Kalimantan, will be investigated.

## 2. Discussion

### A. Responsibilities for Forest Function Transfer

This study investigates business players' forest rehabilitation duties. Forestry liability is legal duty. Accountability can mean accountability, cause, or obligation. This accountability is separated into two directions: explicit accountability, which involves reporting all activities and their repercussions, and implicit accountability, which is usually viewed as accountability based on benchmarks to evaluate government actions. Forestry activities are essentially the business of extracting minerals from the earth. Mining is a series of activities in the context of search, forestry, processing, utilization and sales. In carrying out forestry activities, business actors are obliged to comply with the law and all applicable laws and regulations. The obligation to fulfill or comply with regulations is a legal consequence that must be accepted by every business actor, especially in the mining sector. One of the legal consequences that must be obeyed from the implementation of mining activities is the rehabilitation of land by means of reclamation. The implementation of this reclamation activity is a responsibility and obligation that must be carried out by mining companies holding IUP, IUPK and IPR.

### B. Description of Regional Objects of North PenajamPaser Regency

#### 1. Geographic area



Picture 1 : Geographic of North Penajam Paser Regency

According to the national structure, the island of Kalimantan is strategically located at the archipelago's epicenter. In law of the Republic of Indonesia No.7 of 2002 established North PenajamPaser Regency in East Kalimantan Province. North PenajamPaser Regency spans 0008'29" - 01036'37" South Latitude and 116o19'30" - 116o56'35" East Longitude. North PenajamPaser Regency is a strategic gateway for sea and land transit to South Kalimantan Province and a conduit for products and services between the two provinces. North PenajamPaser Regency borders:

**TABLE 1**  
*Area according to the district of PPU Regency in 2013*

Subdistric	Area (Km <sup>2</sup> )		Amount (Km2)	Precentage (%)
	Land	Sea		
Babulu	355,71	43,74	399,45	11,98
Waru	496,05	57,83	553,88	16,62
Penajan	1.036,70	170,63	1.207,37	36,22
Sepaku	1.172,36	0,00	1.172,36	35,17
Jumlah	3.060,82	272,24	3.333,06	100,00

Source: BPS, Penajam Paser Utara Dalam Angka, 2014

**TABLE 2**  
*Total Population by Gender and Population Growth in North Penajam Paser Regency, 2009-2013*

No	Year	Male	Female	Total Number	Growth Resident
1	2009	70.657	66.508	137.165	2,47
2	2010	70.657	66.508	137.165	2,47
3	2011	78.337	70.807	149.144	2,88

4	2012	80.692	72.778	153.470	2,90
5	2013	83.123	74.812	157.944	2,92

Source: BPS, North Penajam Paser in Figures, 2014

The table shows that North Penajam Paser Regency has a low population growth rate. In 2009, population growth was 2.47%, while in 2010 and 2011, it was 2.79% and 2.88%. Population increase averages 2.79%. According to the figures above, over 70% of North Penajam Paser Regency's population is 15-64 years old. This development has the ability to drive economic growth in North Penajam Paser Regency through business sector workforce.

## 2. Citizen Deployment

Judging from the relatively low population density, which is located in North Penajam Paser Regency.

TABLE 3

Population Area, and Population Density by District in PPU Regency 2009 - 201

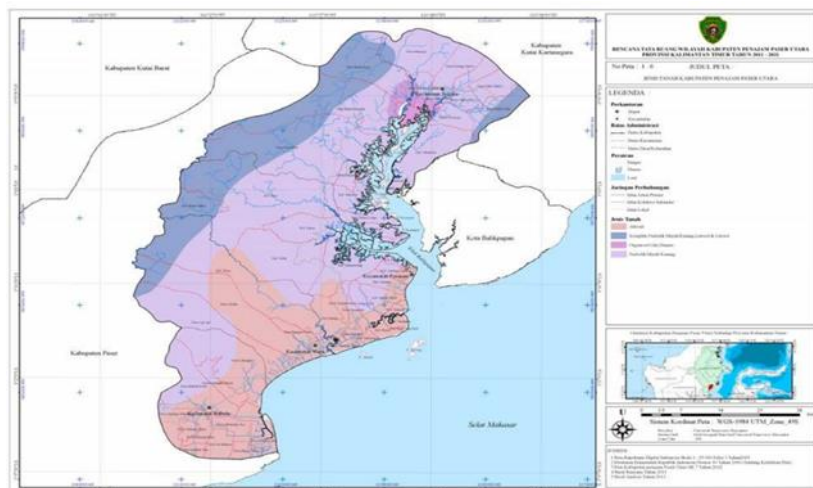
Subdistric	An Area (KM <sup>2</sup> )	The Number of Residents	Average Population per/km <sup>2</sup>
Babulu	399,45	32.185	80,57
Waru	553,88	17.722	31,99
Penajam	1207,37	76.423	63,29
Sepaku	1172,36	31.613	26,29

Source: BNS, North Penajam Paser in Figures, 2014

In 2009-2013, Babulu Sub-District had 80.57 people/km<sup>2</sup>. Sepaku has 26.96 people/km<sup>2</sup> and Penajam 63.29. Populations rise and fall. Fertility, mortality, and migration affect population dynamics. Fertility indicators rule. Family planning affects fertility.

## 3. Topography of North Penajam Paser Regency

Urban planners must study land slope/topography. The slope of the ground determines its viability for different building categories. North Penajam Paser Regency's lowest elevation is 0-500 m above sea level (asl). Land and seawater make up North Penajam Paser Regency. The Makassar Strait borders three sub-districts: Babulu, Waru, and Penajam. North Penajam Paser Regency's topography shows plains and hills, notably in the west.



Picture 2: The Mainland of North Penajam Paser Regency

## 4. Lowland Area

Upstream marl and loam cover this lowland area. Rainwater infiltration is lower in impermeable alluvial plains than limestone locations. Each soil type and property proportion: Alluvial, a blackish-gray clay soil. Irrigated rice fields and ponds dominate the land. Expands food-crop rice farms.

Mediterranean clay-marl soil. Its organic matter is low to moderate. Most of the folded hills' 30% slopes are steep to mountainous. Rainfed rice fields, moorings, and limestone excavations use this soil. Grumusol soil is limestone-marl-clay. Firm-to-plastic dark gray clay soil. Grumusol covers folded hills, lower anticlinal ridges, and undulating syncline valleys. Water-limited soil supports agriculture.

#### **5. Legal Basis**

RTH arrangement is the authority of the Parks and Hygiene Service (DPK). The Parks and Sanitation Service is led by a Head of Service who is under and responsible to the Mayor through the Regional Secretary. The City Park and Sanitation Service has done its best to implement its powers, as seen by the aforementioned layout and implementation. Many factors—supportive and inhibiting—influence its authority. City Regulation No. 6 of 2006 on Regional Spatial Planning governs green space zoning.

Housing projects, including hotels, must give 20% public green open space, according to Department of City Spatial Planning and Building research. A site and building plan with 60% built-up space and 40% open space is necessary for a building permit. Zoning violations are common, but until now only written warnings have been issued.

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#### **C. The Factors of Considered For Land Conversion For Protected Forest Areas to Become the National Capital.**

Relocation of the State Capital (IKN) as an effort to realize economic, social and equitable development in Indonesia. In the IKN Strategic Environmental Assessment (KLHS) document it is stated that the IKN must apply the 10 principles of SMART and Forest City which include management based on watersheds, having a network of green spaces, utilizing 50% of the area for development, efficient water consumption, low ecological footprint, quality good air and cool air temperature, good surface water quality, protecting animal habitats, good forest cover and tropical forest landscape revitalization and application of smart city elements in environmental management. Space-appropriate land usage. Technology, population growth, and time caused this. The transition from rural to industrial society supports regional spatial planning and land use for all community public utilities. Author interviews and data analysis indicate social, cultural, and environmental aspects change land to spatial appropriateness. Forestry-based spatial planning Interviews. To balance human life and trees, spatial planning organizes trade, services, agriculture, facilities, and education. Time management.

Environmental issues as one of the main reasons for moving the capital city. It can be continue to faced by Jakarta with increasing intensity, including climate change, land subsidence, and environmental pollution but on the other hand, the development of the National Capital City (IKN) has the potential for environmental impacts such as population and economic growth affect spatial planning. Economics affect land use. Developers supply housing, public services, and economic centres with various benefits as per capita income rises and the population requires enough accommodation. Building premium homes. This housing project's 2015 luxury homes and shophouses house mostly out-of-towners. Developers are supported by the community selling land. Development sites. Most people sell land—rice fields, fields, plantations, etc.—for economic reasons. Farmers here sell their land because they can't support their families. Ilang Aliudin, Parung Panjang District's sub-district head's secretary, stated this. The corporation informs the neighborhood that this is a housing area and returns. If they agree, the community will sell rights. It's administrative only.





Many residents, both pro- and anti-development, respond to this issue in different ways. According to Satria, as long as I live in the rice fields in this area, it is still wide, so the government through the national defense agency should already have a sketch of the land in this area, so it is still natural for developers to develop the area. Rice crops are still extensive. Suryadi Sinaga added this phrase. For Parung Panjang, there is no problem because the land here is not productive soil, so the type of soil here may be too acidic or too much lime so vegetables are not fertile, so if it is intended for housing, okay, okay, but if the land is fertile and can supply income for the area, I don't agree with housing being built, but I just follow the flow.

Developer land sales will appeal to low-income residents because land in this sub-district is still affordable for large companies. Combined with the various misconceptions of people who think the land in this area is still extremely vast and not very fertile because their habits have not changed too much because the development process is still under construction, the community will experience all of that a few years later.

Parung Panjang's ecological equilibrium. Mahfudz Sarifudin said such issues have pros and cons. Developers will deteriorate and restrict agricultural land, reducing rice barns and social difficulties. Balanced replacement is essential if the central government does not instantly convert additional land to agricultural land. Permits require agricultural land replacement.

Population growth dramatically increases residential land demand. Slums will appear on riverbanks, under bridges, landfills, and public cemeteries if these two factors are not balanced. Social imbalances, especially in the capital, have no clear answer. Limiting spending and managing beggars in the capital city have failed the administration. Migration impacts population structure and what happens. Housing developments by real estate companies attract comers. In this case, the population structure must be updated every month. Reports of residents entering and leaving Pagedangan village show quite a lot of changes from year to year. Especially since the housing has been completed and started to be inhabited. Based on the information obtained from Yayah, one of the people in Parung Panjang District, the change that is being felt at this time is that there are more and more newcomers looking for housing here, looking for shop-houses to make businesses for newcomers.

Farmland-turned-hangout. Oon Suhanan said Parung Panjang District is active. Locals and immigrants who don't safeguard the environment will aggravate environmental harm, social inequity, and cultural loss. 65-year-old Suryadi Sinaga concurred. Increases. Wealthy folks can evict us. I'm worried because there are many like that and I think the government supports inequity. Religionists, respect us first. As people migrate, demographics change gender, religion, education, and livelihood.

Culture Landsuitability changes. Some habits changed drastically. Farming changes less. Society changes. Lost habits. Cities and industrialization affected habits. "As long as the building hasn't started and the lands haven't been leveled, I'm still able to cultivate," said Parung Panjang District resident Aris. "Local farmers and others perceive changes. Yayah, I've changed a lot. For instance, mud-filled roadways have become asphalt, rice fields that were tens of hectares have become shop houses, residences, and an increasing number of immigrants. I think Parung Panjang Sub-District is improving each year.

Population, infrastructure, and land change slowly in Parung Panjang District. Industrial farmers' moods varied. Environment and society evolve constantly. Culture changed. Acceptable foreign funds. Parung Panjang appreciates morality. Democratically treating several unaccepted issues. From 2008 to 2015, Parung Panjang District land suitability modifications boosted economic, social, cultural, and communal growth.

Legally turning protected forests. Converting forestlands requires numerous factors. The Ministry of Forestry prioritizes decentralization. Decentralization of forest management supported the 2004-2009 five priority forestry policies of combating timber theft and trade in illegal timber, revitalizing the forestry sector, especially the forestry industry, rehabilitation and conservation of forest resources, and economic empowerment of forest communities. Regional Sinjai Regency Government agencies convert protected forests. First, protected forest control. Instructed FPS.



According to its authors, the Office's Legal Sub-orders Division supervised forests and chainsaw use. Managed and Sinjai woods teach sustainability. The Regent's Office Legal Sub-Division reported that Sinjai District Government transferred forest chores to improve regional budget income and forest management.

Converting forests helps competent agencies. The Regent's Office Legal Subdivision stated that these instructions comply with the Minister of Forestry's Decree No. 70/KPTS-II/2000 concerning Determination of Forest Areas and Changes in the Status and Function of Forest Areas and the assessment in Decree No. 1615/KPTS-VII/2001 concerning Conversion of Forest Area Functions Only for Optimizing the Funct. Authors say forest function conversion is incompatible. DPRD personnel report forest conversion in hilly areas up to 40% slope. Author alleges protected forest conversion violates regulations. Forest conversion experts must consider slope, soil, and rainfall.

PT. Rakindo aids Sinjai's forests. The partnership administers pine forests. FPS converts forests. Authors believe they can evaluate converted forests as a connected agency. The government needs 1000 tons of pine resin annually but only gets 800 tons, therefore the author interviewed relevant agencies and determined that pine trees are on 40% or steeper slopes. Protected woods. PT. Rakindo Utama Makmur and the Head of the Plantation and Forestry Service signed the Pinus Sap Tap Cooperation agreement No.800/138/Disbunhutl to cooperate. The District Forestry and Plantation Office's Chief of Forestry told the author that tapping the tree could destroy the forest. Author alleges government overlooks rainfall and absorption. Pine forests are capitalist because nothing grows under their hubris. Pine forests absorb less water, causing floods and landslides. Forestry and Plantation Service interviews illustrate pine woodlands being changed for sap, fruit, and old timber for regional fees. Forestry and Plantation Agency asserts Sinjai Regency's woodlands fund regional budgets. The government repairs regions with pine, but mangroves earn money. DPRD and Forestry and Plantations disagreed.

#### **1. Inhibiting and Driving Factors**

There are many factors influencing the authority of the Parks and Sanitation Service in designing green open spaces, both inhibiting and supporting factors. The inhibiting factors for the Parks and Hygiene Service in designing green open spaces are as follows:

- a. Public awareness in the lack of public green open space procurement. There is still a lack of public green open space due to the lack of public awareness of the importance of green open space. So far, counseling/awareness to the community has not been carried out directly. New understanding is carried out through seminars or meetings with the Camat or Lurah. In the future, the Parks and Hygiene Service Office plans to conduct outreach directly to the community.
- b. Public awareness in maintaining and maintaining the existence of green open spaces that lacks awareness can be seen in the many trees that are nailed with billboards and baligho/banners, especially during political campaigns and the felling of trees in green open space locations.
- c. There is a Provincial Government policy that has an impact on reducing green open space. An example of a policy is the expansion of roads in road areas which then reduce green open spaces in the form of road borders.
- d. The Regional Regulation concerning Spatial Plans and New City Areas does not yet exist as a result of the absence of this regional regulation, the Parks and Sanitation Office has not been able to exercise its authority freely in the arrangement of green open spaces.
- e. Lack of budget/cost in structuring green open space. RTH arrangement requires very large funds. The lack of a budget makes the arrangement of green open spaces not optimal. Funds are needed specifically in terms of land acquisition for public green open space. The supporting factors are as follows:

- 1) Awareness of Parks and Hygiene Service employees in managing green open space Even with the unfavorable condition of the office building, Parks and Sanitation Service employees still try to carry out their duties properly so that green open space can be arranged as much as possible, including enthusiasm in collecting data in the field.
- 2) Agencies work well together.

The Civil Service Police Unit (Satpol PP) helps remove baligho, banners, and billboards from city atamans or trees and discusses the Draft Regional Regulation on RTRW and RTH with the Makassar City Spatial Planning and Building Office, Environment Agency, Public Works, and Regional Management Agency. Concern or cooperation with private sector RTH organizations like PT Angkasa Pura I as Flight Operations Safety Area manager (KKOP).

City Hall Park is a private park. Variables can hinder or support. The Parks and Sanitation Service has done its best to comply with Regulation Number 38 of 2009 on Structural Position Work Descriptions and Permendagri Number 1 of 2007, even though it has not yet attained the minimum target outside of public green space. Populist justice programs must first guarantee everyone's maximum basic freedoms. Second, reorganizing socio-economic disparities to benefit everyone.[27] If forest utilization benefits solely the current generation, subsequent generations may be disadvantaged. The principle of the original stance, which states that everyone in society is equal, allows parties to reach balanced agreements.

### CONCLUSION

On the basis of the conversation that took place regarding the primary responsibilities and authorities of the government in the process of arranging green space, the following conclusions can be drawn: The Parks and Sanitation Service has done an excellent job of adhering to Mayor Regulation Number 38 of 2009, which outlines Structural Job Descriptions for employees working in the Parks and Sanitation Service. Data collection is being done based on public green space and private green open space, hence there is currently no data available on the total area of either public or private green open space. In addition, the target of achieving 30 percent of green open space has not been met. At this time, it only has a total land area of 5,012.0 square kilometers, which is equivalent to 28.680% of green open space. Given that the overall area is 175.77 square kilometers, the amount of green open space that ought to be owned is 5,273.1 square kilometers. This represents thirty percent of the total area. Low public awareness in the procurement of public green open space as a result of low awareness and knowledge of the importance of green open spaces Lack of public awareness in maintaining and maintaining green open space There are provincial government policies that have an impact on green open space reduction and lack of green open space The implementation of the responsibilities and authorities of the Government and the Spatial Planning and Regional Offices in the structuring of green open space is driven by a number of factors, the most important of which are the awareness of employees of the Parks and Hygiene Service in the management of green open space, good cooperation with agencies and/or other agencies, and cooperation with the private sector in the structuring of green open space.

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