



## Background

Development of road network in the southern part of Java Islands was implemented to encourage the optimum use of natural resources potentials.

The local government need the lands via land acquisition for public development (Presidential decree 65/2006)

The land compensation is not really so liable to fulfill the social welfare needs for the society.

The local government budget does not well supporting enough for the land compensation

The solution is to integrate the land consolidation to the spatial planning for the successful managing of the land ownership distribution to the society

## Research Question

- ❑ Is the land consolidation can be integrated to the land aquisition for development of Southern Road Network in Kebumen regency?
- ❑ Is the integration of land consolidation with the land aquisition of development of Southern Road Network can be give some benefids to the local government and the land owners.

## The Objectives

### **Aims:**

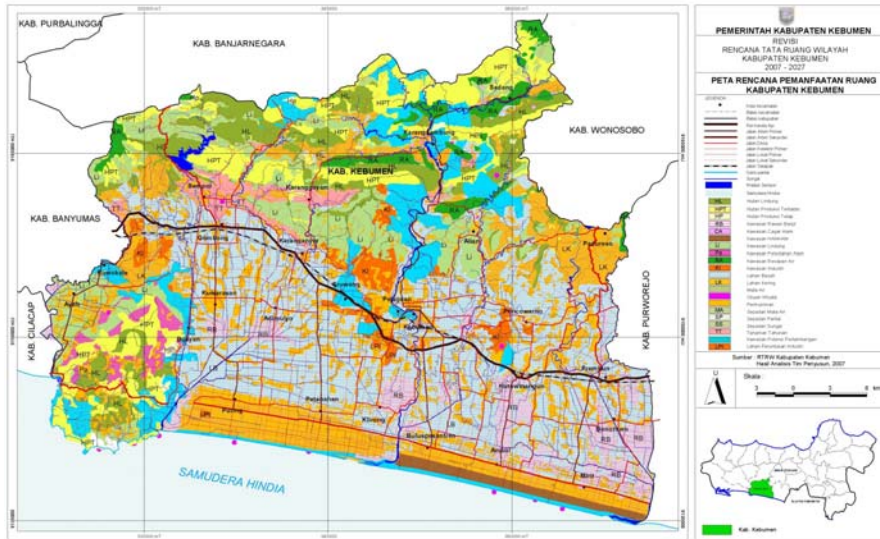
To develop the mechanism of land data aquisition to integrate with the land consolidation in order to give a win-win solution for the local government and the land owners.

### **Benefides :**

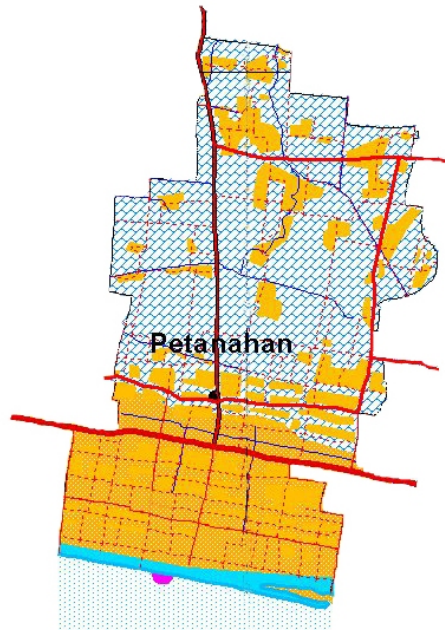
Academically, this research will develop the land administration matters in scientific point a view.

Practically, this research will give some solution to do some implementation for land aquisition to local government and also the value added of land after consolidated in that location.

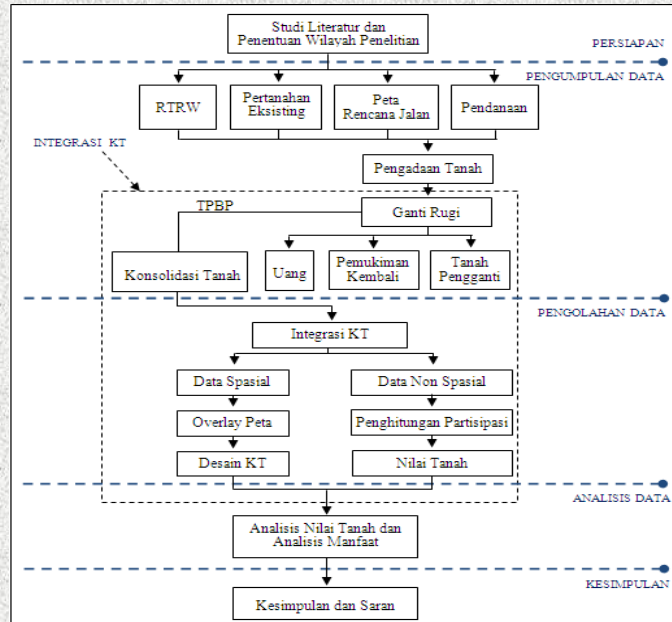
## Location of Kebumen Regency, Central Java, Indonesia



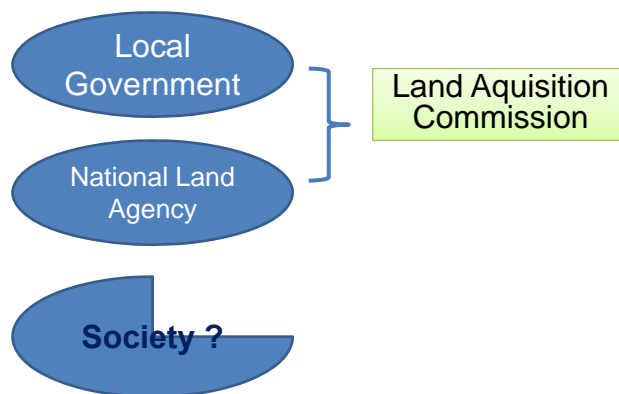
## LC located at Petanahan Sub-District, Kebumen.



## INTEGRATION OF LAND CONSOLIDATION TO LAND ACQUISITION



## Institutional Aspect for Land Acquisition

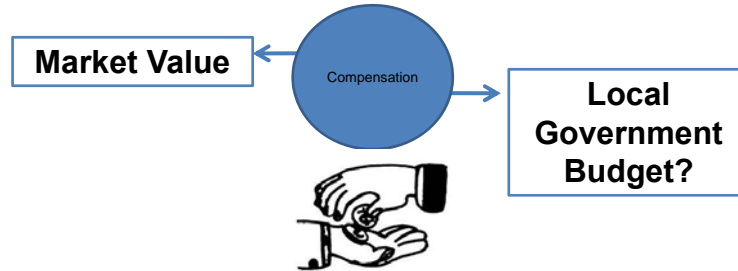






## Financial Aspect in Land Aquisition

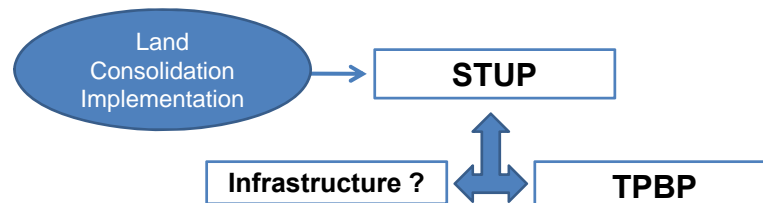
- The probelm in Land aquisition for development is depended on "THE COMPENSATION"



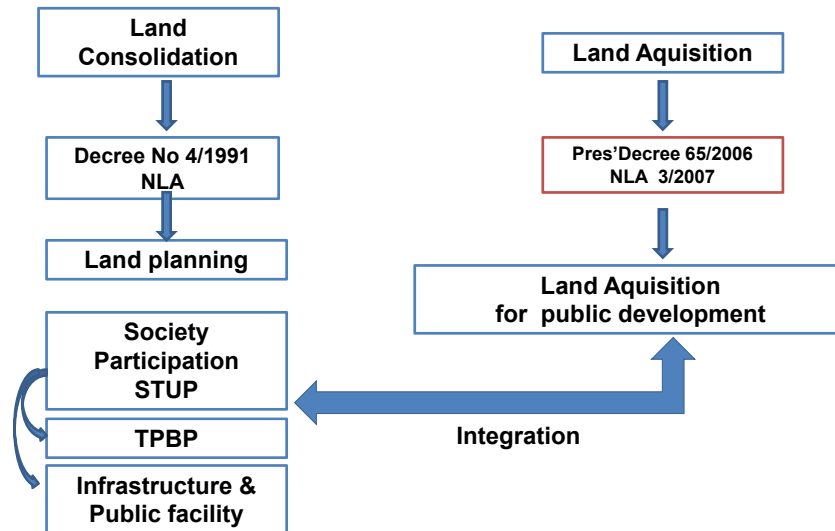
- Kompensasi tanah pertanian harus 6 – 10 kali lipat dari nilai output rata-rata tahunan tanah yang diperoleh selama tiga tahun sebelum pengadaan tanah.
- Sedangkan subsidi pemukiman kembali tidak melebihi 6 - 10 kali lipat dari hasil tahunan dari tanah yang diduduki (Ding, 2004).

## Financing aspect in Land Consolidation

- Land Consolidation is not the complete activity because the implementation base of land consolidation in indonesia should be self resilience of the society.



## Conceptual Frame Work



## The step of Land Consolidation Integration

- 1. Preparation;** Land Aquisition plan and Land Consolidation will include determination of location, land compensation, LC permit and block plan.
- 2. Implementation of LC;** Spatial planning design, ownership title and sertification of Land.
- 3. Phisical Land development :** Phisical land development, include for public facilities and utilities, etc.

## Computation of STUP

$$\text{STUP} = (L - L_s) / L \quad \dots\dots\dots (1)$$

Where :

L = Land area ownership before Land consolidation

L<sub>s</sub> = Land area ownership after Land Consolidation

## Computation of Land Value

$$p = L_s / L \quad \dots\dots\dots (2)$$

Where :

p = Comparison of Land Area after LC and before LC

L = Land Area before LC

L<sub>s</sub> = Land Area After LC

$$N_b \geq (N_a + N_m) / p \quad \dots\dots\dots (3)$$

Dimana :

N<sub>b</sub> = Average Land Value per m<sup>2</sup> after Integration of LC

N<sub>a</sub> = Average Land Value per m<sup>2</sup> before Integration of LC

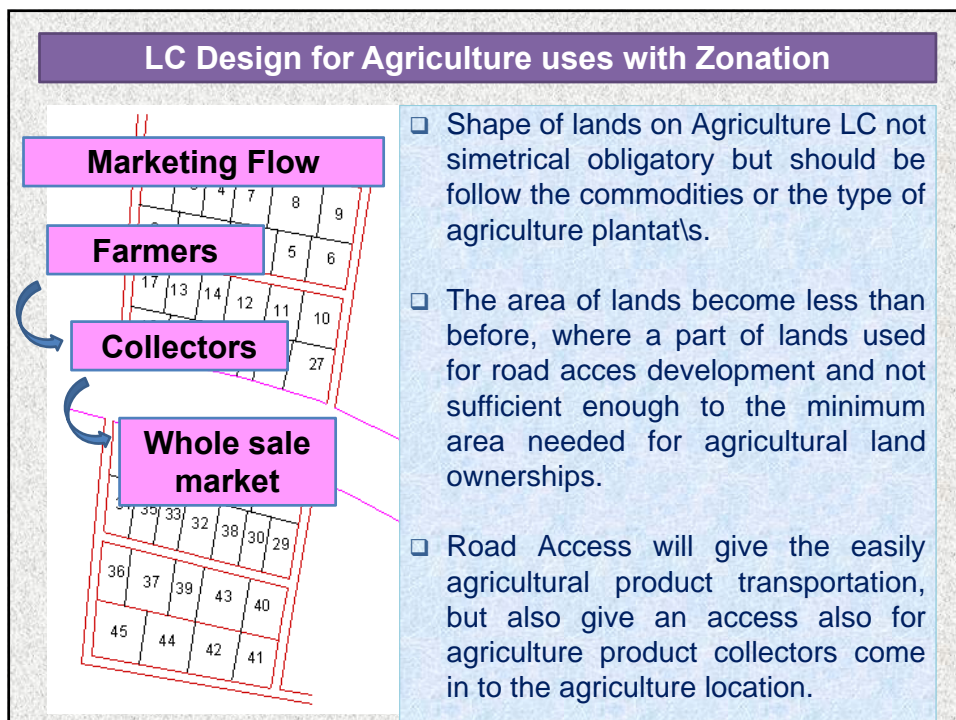
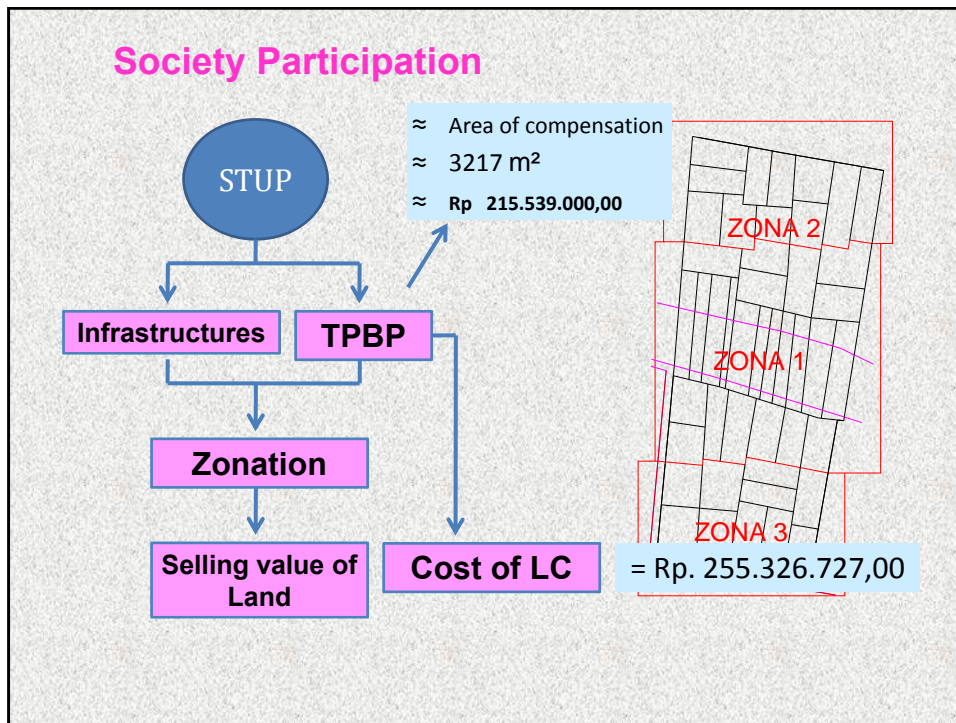
N<sub>m</sub> = Average Value per m<sup>2</sup> of Land development

### PRINCIPLE OF LAND CONSOLIDATION & LAND AQUISION

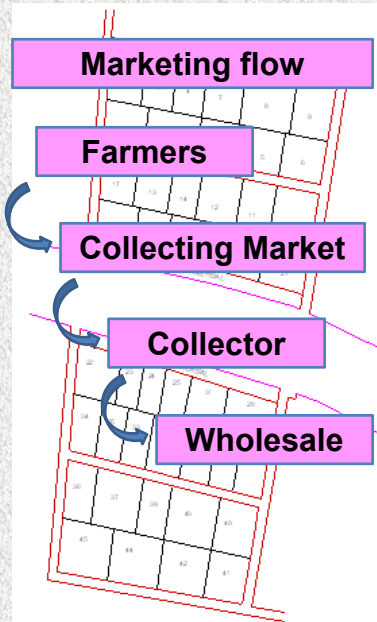
ASPECTS	LAND AQUISION	L. CONSOLIDATION
GEOMETRY	IRREGULER FORM	REGULER FORM
JURIDICTION	COMPENSATION - LAND CLEARING	LANDPLANNING - NO LAND CLEARING
INSTITUTION	NOT FOR SOCIETY ?	FOR SOCIETY
FINANCING	LOCAL GOV'T BUDGET	STUP - TPBP
SOCIAL AND ECONOMIC	WELFARE ?	IMPROVEMENT OF LAND VALUE





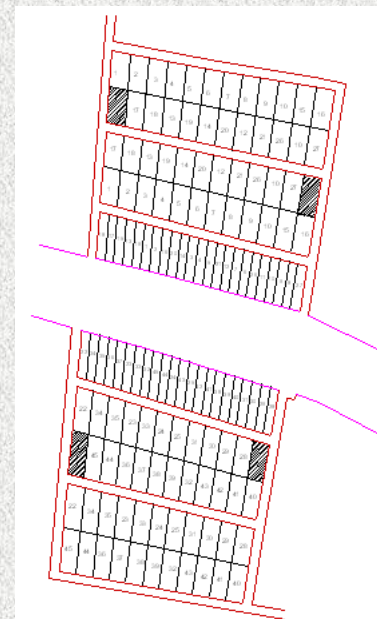


### LC Design for Agriculture with zonation & Commercial



- ❑ Land's shape in agriculture LC must not simetric but should be follow the type of agriculture commodities.
- ❑ Land area become less where a part of the land for dewelopment of road acces and not sufficient for the minimum ownership of agriculture land.
- ❑ Road access and commercial location can be easily for marketing and promotion the agriculture products and also avoiding the speculators.

### LC Design of Settlement with the commercial location



- ❑ The use of dry land agriculttture can be converted to non agriculture.
- ❑ Land shape for the Settlement LC should be semetric as the condition of housing dewelopment.
- ❑ For housing is limited minimum 5 m frontage in order number of houses can have acces to commercial location (where 90 m of shoutern Road network sides for only 36 number of owners), so then the commercial location in form of shop houses.



## Financial Project

No.	Comparison	Land Aquisition	Land Consolidation
1	Determination base	Compensation of Land Aquisition for Shouthern road network.	Project Budget of Land Consolidation of National Land Agency (NLA)
2	Financing (Rp)	80 billion for 119 Ha	400 million for 500 lots
3	Land value per m <sup>2</sup>	Rp 67.000,00	Rp 800.000,00
4	Land area in this research (m <sup>2</sup> )	3217	45 lots = 21.381 m <sup>2</sup> (approx. 2 Ha)
5	Project value	Rp 215.539.000,00	Rp 36.000.000,00

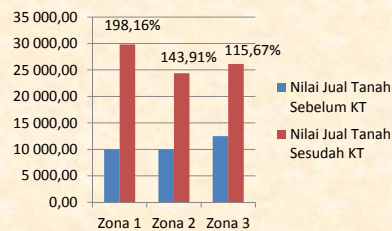
NLA ?

Less counting

7,09 times of NLA Budget

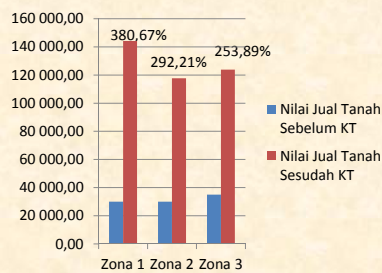
### The minimum selling value on Agriculture Land Consolidation with zonation

Zone	Selling value Before LC (Rp./m <sup>2</sup> )	Selling value After LC (Rp./m <sup>2</sup> )	Gain of Landselling value		
			(Rp./m <sup>2</sup> )	%	times
Zone 1	30.000,00	89.448,22	59.448,22	198,16	2,98
Zone 2	30.000,00	73.171,79	43.171,79	143,91	2,44
Zone 3	35.000,00	75.483,87	40.483,87	115,67	2,16
Average	31.666,67	79.367,96	47.701,29	152,58	2,53



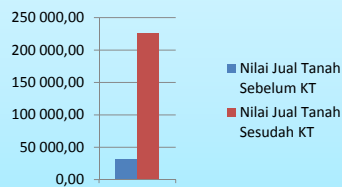
### Minimum Selling Value of Agriculture LC with Zonation and Commercial location

Zone	Selling Value Before LC (Rp./m <sup>2</sup> )	Selling Value After LC (Rp./m <sup>2</sup> )	Gain of Landselling value		
			(Rp./m <sup>2</sup> )	%	times
Zone 1	30.000,00	144.199,84	114.199,84	380,67	4,81
Zone 2	30.000,00	117.662,04	87.662,04	292,21	3,92
Zone 3	35.000,00	123.862,38	88.862,38	253,89	3,54
Average	31.666,67	128.574,75	96.908,08	308,92	4,09

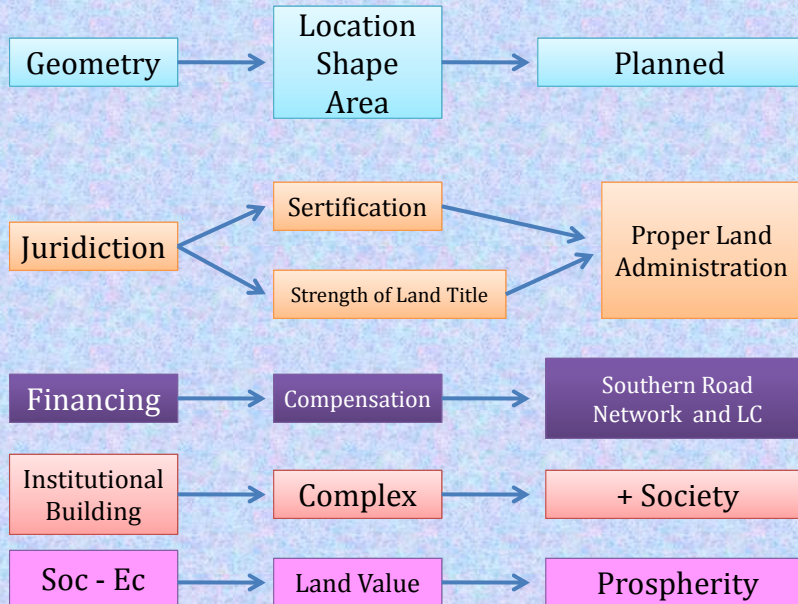


### Minimun Selling Value on Agriculture LC with Commercial location

The Gain of Land Selling Value is 615,28 % or 7,15 times of Land Selling Value before Land Consolidation.



## Benefide Analysis



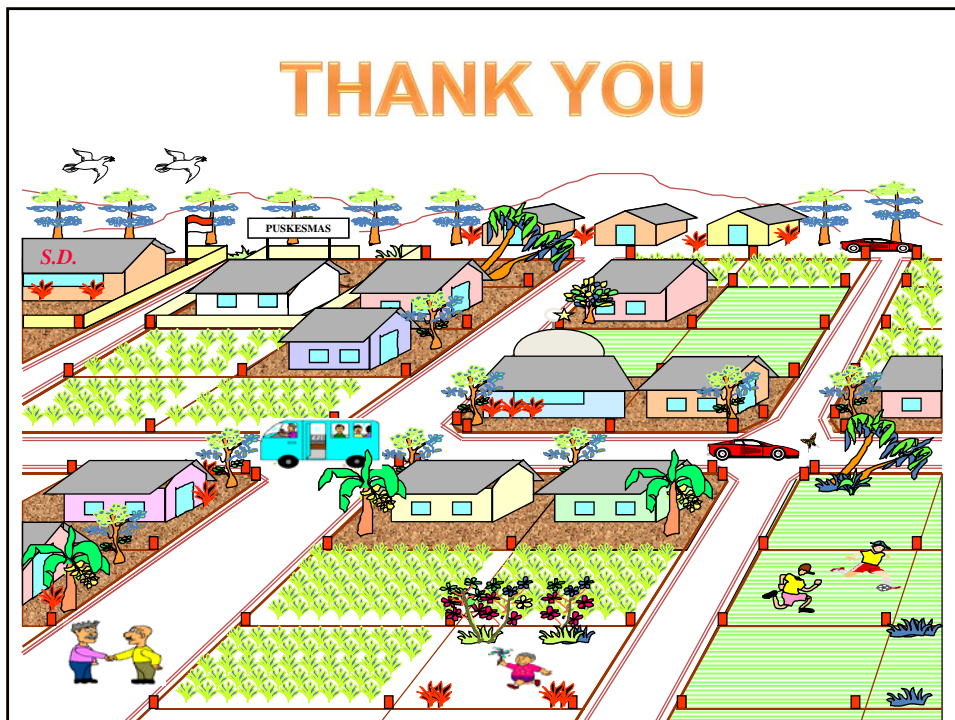
## CONCLUSION

1. LC Budget given by NLA is not enough or too small for implementing the integration of LC and Land Aquisition of Southern Road Network where the real cost of LC is 7 times compared to NLA budget.
2. The alocation of land compensation is not enough to cover LC cost, where the accumulation budget (LG n NLA) still have defisit 3 million Rupiahs or 1.2 % defisit. This will invite some involvements of the 3rd party for financing the LC project.
3. Development of Agriculture LC integration with zonation will improve average selling value of land 152,58 % or 2,53 times bigger than the selling value of land, before LC.
4. Additional commercial location will improve the average of land selling value become 308,92 % or 4,09 times bigger than the land selling value before LC and also will improve the bargaining position of agricultural products to avoid the speculant coming.
5. The limitation of minimum land ownership of agriculture land still become a constrains for the agriculture Land Consolidation.
6. Development of integration for Human Settlement LC with commercial location (shop house) will give a benefid to the land owner to strengtening the local economy and also improving the selling value 615,28 % or 7,15 times of selling value before LC.



## SUGGESTION

1. The development of Land Consolidation Integration need to be ruled in Government regulation as the base of law enforcement for LC implementation. So, there is a synergy for implementing the land aquisition for development, will always be integrated to the Land Consolidation activities.
2. National Land Agency need to rationalise the budget for LC according to the local condition of the region.
3. The financing of LC integration within the land aquisition of Southern Road Network Project, It will be important to invite the involvement of the 3rd party as the financial corporation likes : ADB or World Bank

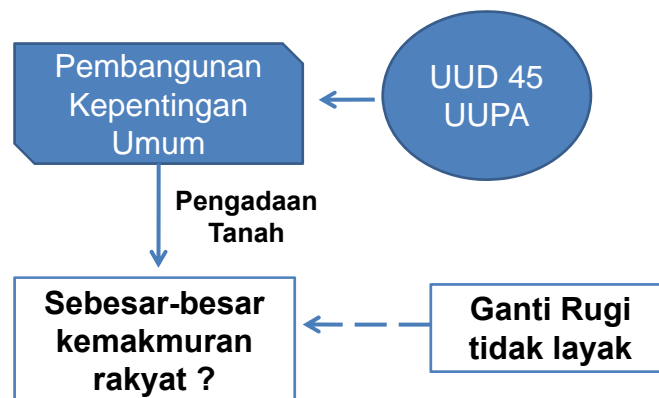




## JJLS

- ❑ JJLS merupakan jalan penghubung wilayah bagian selatan Pulau Jawa mulai dari Jawa Barat, Jawa Tengah, Yogyakarta sampai ke Jawa Timur
- ❑ Melewati Kabupaten Kebumen di 30 desa yang tersebar di 8 kecamatan, dengan panjang jalan direncanakan mencapai 55,8 Kilometer (Km).
- ❑ Tujuan :
  - \* merangsang pendayagunaan potensi sumber daya alam di wilayah tengah Pulau Jawa;
  - \* mengatasi kesenjangan antara wilayah selatan dan utara ;
  - \* mengejar kemajuan pengembangan akses transportasi wilayah selatan.

## Aspek Sosial Ekonomi Pengadaan Tanah



## KONSOLIDASI TANAH

- Dasar Hukum :
  - \* UUD 45
  - \* UUPA
  - \* Peraturan KBPN 4/1991
  - \* Surat KBPN 410-4245/1991
  
- Kegiatan penataan kembali penguasaan dan penggunaan tanah disertai perbaikan infrastruktur dan fasilitas sosial dengan melibatkan partisipasi aktif dari masyarakat.

- \* Pendanaan STUP - TPBP
- \* Tanah Teratur
- \* Perbaikan Infrastruktur
- \* Pemilik asal tidak tergusur

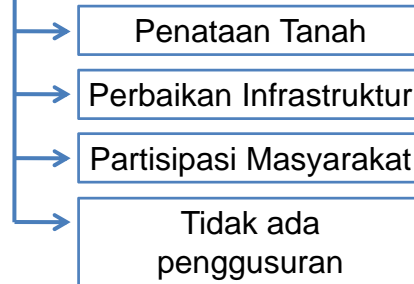
## PENGADAAN TANAH UNTUK PEMBANGUNAN

- Dasar Hukum :
  - \* UUD 45
  - \* UUPA
  - \* UU 20/1961
  - \* Perpres 65/2006
  - \* Peraturan KBPN 3/2007
  
- Kegiatan untuk mendapatkan tanah bagi pembangunan melalui mekanisme tertentu (Ganti Rugi).

- \* Keterbatasan APBN/APBD
- \* Ganti Rugi tidak layak (Kalo, 2004)
- \* Sisa tanah tidak teratur (Setiawan, 2008)
- \* Pemilik tanah tergusur

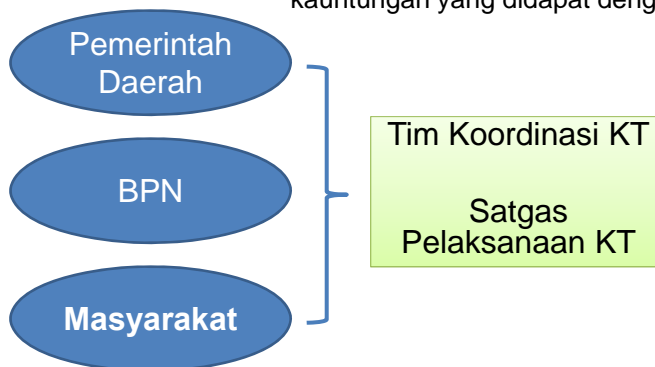
## Aspek Yuridis Konsolidasi Tanah

### □ Per. KBPN 4/1991 :



## Analisis Aspek Kelembagaan

- Pembagian tugas dan wewenang.
- Optimalisasi peran serta masyarakat dan penguatan kelembagaan masyarakat pemilik tanah.
- Optimalisasi BPN : Bidang sengketa – mediasi sengketa  
PPM – pendekatan kepada masyarakat serta penyuluhan-penyuluhan yang terkait kauntungan yang didapat dengan KT.

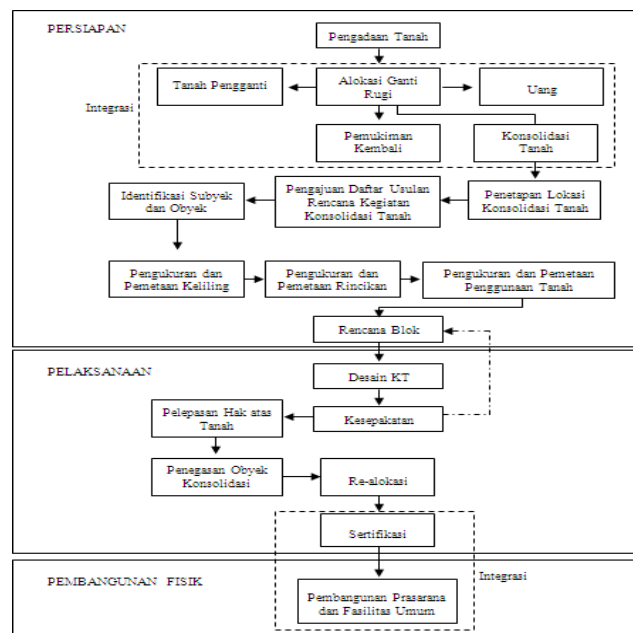


## Aspek Yuridis Pengadaan Tanah

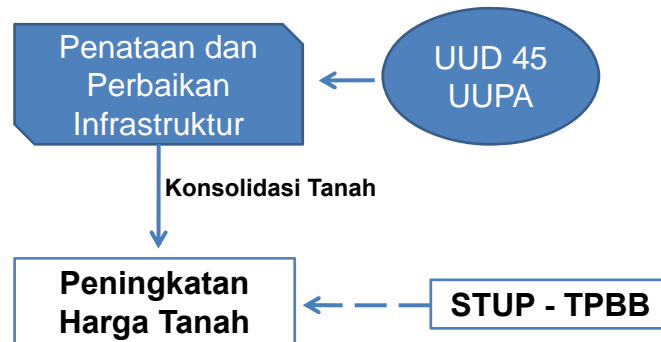
### □ Bentuk ganti rugi (Perpres 65/2006) :



## Tahapan Integrasi KT



## Aspek Sosial Ekonomi KT

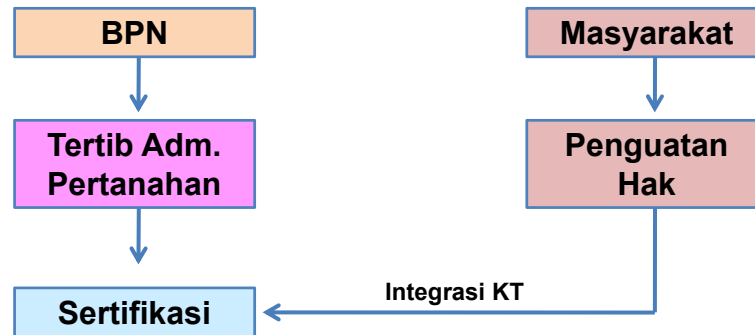


## Prinsip KT

- **Prinsip musyawarah mufakat**, hal ini sesuai dengan prinsip demokratis karena subyek dari KT adalah pemilik tanah.
- **Prinsip kesesuaian dengan RTRW**, KT harus sesuai dengan rencana pemukiman, pembangunan dan pertumbuhan daerah perkotaan.
- **Prinsip administrasi tanah**, konsolidasi tanah harus dilakukan dengan tertib administrasi, meliputi: pendataan fisik tanah, administrasi, aspek hukum sampai kepada dikeluarkannya sertifikat, yang merupakan satu kesatuan dalam manajemen pertanahan.
- **Prinsip manfaat**, melalui KT yang menikmati tidak hanya pemerintah akan tetapi juga para peserta (pemilik tanah)
- **Prinsip partisipasi komunitas**, melalui konsolidasi tanah dilakukan pelibatan peran serta masyarakat.

## Analisis Aspek Yuridis

- Integrasi KT pada lokasi penelitian dalam rangka mengimplementasikan keinginan masyarakat dan tujuan BPN.



## Aspek Kelembagaan Konsolidasi Tanah

