

**LIMITATION OF HOTEL BUILDINGS
IN SUPPORTING SUSTAINABLE TOURISM
(IMPLEMENTATION OF REGULATION OF BADUNG REGENCY
NO. 36 YEAR 2014)**

Solihin¹
Ni Made Rai Sukmawati²
Nyoman Mastiani Nadra³
Budi Susanto⁴

¹²³Tourism Department, Politeknik Negeri Bali
Jl. Kampus Bukit Jimbaran, Kuta Selatan, Badung, Bali-80364
Telp. +62 361 701781 ext. 196
E-mail: ¹solihinmoelyadi@gmail.com; ²raisukmawati30@gmail.com;
³mastianinadra@yahoo.com

ABSTRACT. The dynamics of tourism in Badung regency, among others, is reflected by the rapid development of tourist accommodation facilities. In the period 2010 - 2015, the number of hotel rooms or inns in Badung regency increased by 47%. To anticipate the negative impact of the rapid establishment of tourist accommodation facilities, Badung regency government applying Regulation of Badung Regent No. 36 year 2014 about minimum standards land for hotel and condotel buildings. This paper discusses the Regulation of Badung Regency No. 36 of 2014 and its implementation in limiting hotel buildings to support sustainable tourism development. This paper is a form of tourism study that uses a qualitative approach. The data collection process was done by observation technique, document study and in-depth interview with 8 informants consist of 4 informants as staff management of star hotels and 4 informants as observers of Bali tourism. The data was analysed by applying descriptive-qualitative method. The results of the study indicate that the Regulation of Badung Regent No. 36 of 2014 is a policy related to the development orientation of tourism sector and minimum land area arrangement for the establishment of hotel and condotel buildings in Badung regency. This policy is oriented towards sustainable tourism development efforts, namely the development of tourism that supports the efforts of environmental conservation and the improvement of socio-economic welfare of local communities. The relevant stakeholders, including potential investors, owners, and management of hotels and condotels can continue to support efforts to realize sustainable tourism development.

KEYWORDS: Regulation of Badung Regency, hotel building, sustainable tourism

**PEMBATASAN BANGUNAN HOTEL UNTUK MENDUKUNG PARIWISATA
BERKELANJUTAN (IMPLEMENTASI PERATURAN BUPATI BADUNG NO 36
TAHUN 2014)**

ABSTRAK: Dinamika kepariwisataan di Kabupaten Badung, antara lain tercermin dengan pesatnya pembangunan fasilitas akomodasi wisata. Dalam periode 2010 – 2015, jumlah kamar hotel atau penginapan di Kabupaten Badung meningkat sebanyak 47%. Untuk mengantisipasi dampak negatif dari pesatnya pendirian fasilitas akomodasi wisata, Pemerintah Kabupaten Badung menerapkan Peraturan Bupati Badung No 36 tahun 2014 Tentang Standar Minimal Luas Lahan untuk bangunan Hotel dan Kondotel. Makalah ini membahas Peraturan Bupati Badung No 36 tahun 2014 dan implementasinya dalam membatasi bangunan hotel untuk mendukung pembangunan pariwisata berkelanjutan. Makalah ini merupakan bentuk kajian pariwisata yang menggunakan pendekatan kualitatif. Proses pengumpulan data dilakukan

dengan teknik observasi, studi kepustakaan, dan wawancara mendalam dengan 8 informan pelaku dan pemerhati pariwisata Bali. Analisis data dilakukan secara deskriptif–intepretatif dalam perspektif kajian ilmu pariwisata. Hasil kajian menunjukkan bahwa Peraturan Bupati Badung No 36 tahun 2014 merupakan kebijakan yang terkait dengan orientasi pembangunan sektor pariwisata dan pengaturan luas lahan minimal untuk pendirian bangunan hotel dan kondotel di Kabupaten Badung. Kebijakan ini berorientasikan kepada upaya pembangunan pariwisata berkelanjutan, yaitu pembangunan pariwisata yang mendukung upaya pelestarian lingkungan dan peningkatan kesejahteraan sosial-ekonomi masyarakat lokal. *Stakeholders* terkait, termasuk calon *investor*, pemilik dan manajemen hotel serta kondotel dapat terus mendukung dalam upaya mewujudkan pembangunan pariwisata berkelanjutan.

KATA KUNCI: *Peraturan Bupati Badung, bangunan hotel, pariwisata berkelanjutan*

INTRODUCTION

Today, tourism has become one of the largest industries in the world. The growth of tourism will continue to increase from year to year. It is estimated that the number of international tourists will reach 1.6 billion by 2020. Priority has become the largest industry today, both in terms of the amount of labour absorbed and the amount of dollars generated. The tourism sector can increase people's income and economy and contribute greatly to the foreign exchange of a country. More and more developing countries are interested in developing the tourism sector, including Indonesia. In addition to being a source of foreign exchange, tourism can improve the economy and community welfare (Pitana, 2005 and 2011).

Bali tourism becomes a development sector that continues to be developed to support the economy of the people of Bali. This is done because Bali does not have natural resources such as oil and gas, forest products, or large industrial manufacturing as well as those owned by other regions in Indonesia. Bali has become a leading tourist destination (DTW) in Central Indonesia. The development of Bali as a tourist destination for both foreign and domestic tourists is supported by various factors, including the natural and cultural potential of the people of Bali (Suradnya, 2006).

Development of tourism in Bali is expected to remain referring to the policy orientation of cultural tourism development, namely the development of tourism that remains maintains cultural aspects owned by the Balinese Hindu community. Tourism development as an industry needs to be considered from different aspects, because tourism as an industry is not independent, but closely related to economic, social, and cultural aspects that live in society (Bali Provincial Government Regulation No.3 Year 1991).

The development of cultural tourism should indeed provide a "blessing" for local people in Bali. Therefore, the planning should have a populist dimension, namely the existence

of (1) strategic planning that is a perception agreement with the beginning of the vision, mission, goals, objectives, and work plan, (2) the need to equation point of departure, that tourism is just a tool to improve welfare , should be utilized effectively and efficiently, so that the negative impacts can be minimized, (3) holistic planning, systematic and enforcement of strict legislation, (4) tourist visit is certain to improve the quality of life of the community (5) the participation of local people in the decision-making process, including the type of development that is desirable, (6) sustainable development has a sense of preserving culture and landscape, while increasing public incomes and suppressing negative impacts (Munuaba, 1998).

The development of tourism sector should be supported by supporting facilities such as accommodation facilities (hotels, villas, etc.), cultural objects and attractions, restaurants, travel agents, money changers, infrastructure and tourism destinations for tourists. One of the areas in Bali that continues to grow its tourism sector is Badung regency. The development of tourism activities in the region of Badung regency, among others, is marked by the rapid development of tourist accommodation facilities such as hotels, villas, and other tourist inns. In the last five years, the number of hotel / lodging rooms in Badung regency increased by 47% (from 25,649 units in 2010 to 37,818 units by 2015).

Increasing the building of tourist accommodation facilities (hotels, villas, inns), in addition to having changed the function of agricultural land, also result in the business benefits of tourism accommodation services itself. Business competition among tourism service providers is becoming increasingly tight. An increase in the number of auto-built hotels will increase the number of available rooms. Furthermore, the ever increasing number of rooms led to a tariff war so the price of hotel rooms fell. In some hotels, the price of the original room is sold at a price ranging from Rp. 450,000 - Rp. 750,000 was reduced to Rp. 250.000 - Rp. 400,000. The phenomenon of tariff war among accommodation service providers at this time can be seen with the implementation of the tariff of a number of hotels and condotel is relatively cheap as jasmine class hotel.

The decline in the price of a relatively cheap hotel room is assessed by some as a phenomenon of less healthy tourism business. In the long run, the practice of reducing the price of this hotel will hurt the tourist service accommodation entrepreneurs because the return of investment (ROI) was very difficult. Increasing the number of hotel rooms automatically also causes the occupancy rate of hotel rooms to decline. With the decrease of hotel room occupancy, automatic service charge that must be accepted by hotel employees also decreased causing employee work motivation and hotel performance decreased (Sutawa, 2015).

To anticipate the negative impact of the rapidly increasing number of hotel rooms / inns, Badung Regency Government has issued Regulation of Badung Regent No. 36 year 2014 on Minimal Standards Land Area and Area Room and Facilities Supporting Hotel and Kondotel. This paper discusses two things: (1) What aspects are regulated in the Regulation of Badung Regent No. 36 of 2014?, (2) How is its implementation in supporting sustainable tourism development?

RESEARCH METHODS

This paper discusses the Regulation of Badung Regency No. 36 of 2014 and its implementation in limiting hotel buildings to support sustainable tourism development. This paper is a form of tourism study that uses a qualitative approach. The data collection process was done by observation technique, document study and in-depth interview with 8 informants, consist of 4 informants as staff management of star hotels and 4 informants as observers of Bali tourism. Selection of informants was done by purposive sampling. The data was analysed by applying descriptive-qualitative method.

RESULTS AND DISCUSSION

1. Limitation on Accommodation Facilities in Badung Regency

In line with Bali tourism dynamics, the development of tourism accommodation facilities in Badung regency, whether in the form of star hotels and non-star hotels (hotel jasmine, kondotel) continues to grow. In the last five years (2010-2015), the number of star and non-star hotels in Badung regency increased dramatically. If in 2010 the number of star and non-star hotels in Badung Regency is 633 units or 25,649 rooms, then by the end of 2015 to 1,115 units or 37,818 rooms (Disparda Bali, 2015; *Bali dalam Angka*, 2017).

Table 1:
Number of Cumulative Hotel Rooms / Lodging in Badung Regency
Year 2010 and 2015

Type of hotel	2010		2015	
	Unit	Number of room	Unit	Number of room
Star Hotel	98	15.836	183	25.154
Non Star Hotel	367	9.032	491	10.863
Pondok Wisata	168	781	441	1.801
Jumlah	633	25.649	1.115	37.818

Source: Bali Tourism Office, 2015; *Bali in Figures*, 2017.

The rapid development of tourist accommodation facilities such as hotels, villas, or condotel in Badung regency is enhanced by a number of factors. Among them is because the area of Badung regency has become one of the centre of Bali tourism activities that grew since the decade of the 1960s and 1970s. Kuta area for example, since the 1960's has been known to foreign tourists as an interesting tourist attraction. Similarly, the area of South Kuta and Nusa Dua that since the decade of the 1970s and 1980s have been made as pilot resorts in Bali. In the area of South Kuta and Nusa Dua continues to be developed star hotels and non-star buildings that until now still attract tourists.

The increasing of hotel building in Badung area is also caused by the high desire of investors who tend to choose Badung as a place to invest. Since 2008, the investors who have proposed the investment of hotel builders in Bali, most (about 80%) want to invest in Badung regency. The construction of a tourist accommodation facility in Bali that is concentrated in the Badung region has led to a variety of problems such as narrowing farmland, congestion, environmental stresses such as floods, garbage, sewage and so on.

The construction of hotels, condotels and other accommodation facilities centrally located in Badung regency over the past few decades has sparked disparities between districts / cities in Bali, in terms of revenue generation. Badung Regency has a relatively higher source of local revenue (PAD) than other regencies / cities in Bali. The construction of the hotel should not only be in the Badung regency, but evenly distributed throughout Bali, including in West Bali, North Bali and East Bali. However, investors seem less interested in investing in East and West Bali due to poor infrastructure, such as roads, electricity grids and ground water.

The rapid development of hotels in the area of Badung regency directly causes the availability of hotel rooms to be over. The advantages of hotel rooms automatically affect the occupancy rate (occupancy) is less than optimal. The results of a study indicate that in general, star hotels in Badung and Bali in general in the period 2010 - 2014 to reach room occupancy rate of about 60% to 80% (Sutawa, 2015). Increasing the number of hotel rooms that exceed the needs in general can affect the way the hospitality business is less healthy. In addition to the impact of delayed return on investment (ROI), the rapid growth of accommodation facilities (hotels, condotel, villas) in the area of Badung directly affect the spatial condition.

To control the utilization of space in Badung regency, then applied Regulation of Badung Regent No. 36 year 2014 About Minimal Standard Area Land and Room Area And Facilities Supporting Hotel and Condotel. In this policy stated that the area of land for the construction of hotels and condotel for the district of Kuta is set minimum of 50 (fifty) are, the

sub district of North Kuta is set minimum 75 (seventy five) acre and for the area of Kuta South sub district is set minimum 100 (one hundred) are (Article 2 P Regent Regulation of Badung No. 36/2014). As shown in Table 2, the minimum standard hotel and condotel standards include a thirty-two-square-meter bathroom (Article 4 Regent Regulation of Badung No. 36/2014).

Table 2:
Policy on Spatial and Land Use for Hotel Building
(Local Regulation No. 26 of 2013 and Regent Regulation No. 36 of 2014)

Policy	Substance / Content
Regent Regulation of Badung (Peraturan Bupati Badung) No. 36 year 2014 About Minimal Standards Land Area and Area Rooms And Facilities Supporting Hotel and Condotel	Land area for hotel and condotel development: <ul style="list-style-type: none"> – Kuta district area minimum 50 (fifty) are – the area of the sub district of North Kuta is at least 75 (seventy five) acres – the area of South Kuta sub-district is at least 100 (one hundred) acres
Local Regulation no. 26 of 2013 on Spatial Plans of Badung Regency	Purpose <ul style="list-style-type: none"> – realize the regency of Badung as a centre of national activities and international destinations of quality tourism – competitive and self-Bali culture – the synergy of the development of the northern Badung region, central Badung and southern Badung on an on-going basis – based on agricultural activities, services and tourism towards community welfare – as an implementation of the philosophy of <i>Tri Hita Karana</i> (art. 3).
	Strategy Improving the quality of tourism supported by: <ul style="list-style-type: none"> – international standard infrastructure – the utilization of space by considering the carrying capacity of the land and the capacity of the area – improve the quality of tourist objects and supporting facilities – controlling the use of space that is not harmonious with tourism activities

Badung Regent Regulation no. 36 Year 2014 is a standard related land area for the establishment of hotel buildings or condotel. This policy was issued indirectly as well as efforts to reduce the number of hotel rooms that tend to increase which resulted in tariff war due to the construction of city hotel is relatively narrow and unhealthy. This policy is also at the same time to limit new hotel building in Badung regency and to develop Quality Tourism (quality tourism) like statement of I Gusti Sutawa following.

"Southern Badung region is relatively saturated as a place of construction of hotels. Hundreds of hotels (star and non-star) have been established around Kuta District and South Kuta sub district. For that, the requirement of the land area of about 100 acres to be the right step to halt the pace of hotel development. The availability of abundant hotel rooms must be limited so that the tariff war between the sellers of tourist accommodation services can be reduced "(interview, November 2016).

As Sutawa stated above, the policy of restrictions on hotel buildings in Badung Regency is necessary, to maintain the "health" of tourist accommodation services business. Regulation of Badung Regent (Perbud) No. 36 years 2014 about Minimum Standards Land Area and Area Rooms, and Facilities Supporting Hotels and Condotel is a policy that complements the previous policy, namely the Local Regulation no. 26 of 2013 on Spatial Planning of Badung Regency. Issuance of Local Regulation no. 26 (a) to realize the regency of Badung as a centre of national activities and international tourism destinations of quality, (b) competitive and self-cultural of Bali, (c) synergy of the development of Badung region in the north, central Badung and southern Badung in a sustainable manner, (d) based on agricultural activities, services and tourism to the welfare of society, (e) as implementation of the *Tri Hita Karana* philosophy.

2. Implementation of Local Regulation No. 36 of 2014 in Supporting Sustainable Tourism Development

According to Anom (2010: 5), tourism is a complex, multi-sector and fragmented activity, therefore the coordination of various related sectors through the proper planning process is very important. Planning is also expected to help achieve the match between market expectations with developed tourism products without sacrificing the interests of each party. Given the future of change, planning is expected to anticipate the changes in the strategic environment in question and avoid as far as possible the negative impacts caused by these environmental changes. To that end, the strategic planning of tourism development today must be guided by the principles of sustainable development, namely development that ensures: (1) ecological sustainability, (2) socio-cultural sustainability, and (3) economic sustainability.

Planning for the development of hotel accommodation facilities, condotel, or other tourism in Badung regency basically follow the principles of sustainable tourism development. This is reflected in the Regulation of Badung Regency No. 36 of 2014 on Minimum Standards of Land Area and Area Room, and Facilities Supporting Hotel and Condotel. All parties, especially tourism entrepreneurs, are expected to comply with policies related to the tourism development orientation of Badung Regency, including the completion of building permit (IMB) and other permits required by the Badung Service and Licensing Agency (BPPT) of

Badung Regency. In case of failure to comply with it, a list of businesses bagged by tourism entrepreneurs may be revoked (art. 39).

In general, the licensing process that needs to be taken in establishing hotel buildings is: Principle Permit, UKL (Environmental Management Effort) and UPL (Environmental Monitoring Effort) for hotels with less than 200 units of rooms or Environmental Impact Assessment (EIA) for hotels number of rooms 200 units or more), IMB, Nuisance Permit, Tourism Business Signature (TDUP). Usually cases of violations that occur in the field is a condition of buildings that are not in accordance with the IMB, so that the next licensing process cannot be processed until there is an improvement so that the building in accordance with the IMB that has been issued by the Licensing Service.

The Regulation of Badung Regent No.36 of 2014 requires that the area of the new hotel building is at least 50 acres for the Kuta District area, at least 75 acres for the area of North Kuta District, and at least 100 acres for the area of South Kuta District. Efforts to socialize policies related to the requirements of the hotel building area are very important. If there are investors who want to build a hotel, but the land area is less than the provisions, then the concerned must increase the land (by buying or cooperating with others) or divert the type of activities or business plan of his hotel into other forms such as setting up a tourist cottage.

In addition to observing Regulation of Badung Regent No. 36 of 2014, the construction of hotels in the area of Badung regency should also pay attention to regional regulations no. 26 of 2013 on Spatial Plans of Badung Regency and District Regulation of Badung No. 2 of 2012 on Tourism. In this Policy (Article 3) it states: "Spatial Planning of Regency aims to realize Badung Regency as a National Center of Tourism and international tourism destination of quality, competitiveness and cultural identity of Bali through development synergies Badung North, Central Badung and South Badung in a sustainable based on agricultural activities, services and tourism towards the welfare of the community as the implementation of the Tri Hita Karana philosophy.

To realize the development of tourism based on the philosophy of Tri Hita Karana, the government of Badung Regency implies some strategies. (B) optimizing the use of space by considering the carrying capacity of the land and the capacity of the area, (c) improving the quality of tourism objects and supporting facilities, and (d) controlling the utilization of space which is not harmonious with tourism activities on the corridor to the tourism area (Article 4, Regulation No. 2 of 2012).

In accordance with Local Regulation no. 26 of 2013, the development of tourism business is expected to synergize three areas of Badung regency, namely North Badung, Central Badung and Southern Badung. According to informants, the area of North Badung,

Central Badung and Southern Badung are synergies. In the District of Petang, for example, as the North Badung area developed into a green area, protecting water resources, the area of Badung Mengwi developed into areas of animal husbandry and industry such as sausage meat processing and Coca Cola beverage company, South Badung becomes the most tourist accommodation . Similarly, between the agricultural sector, tourism and other services are synergies.

Badung Regency Government continuously strives to synergize development in North Badung, Central Badung and Southern Badung area to be improved. According to geographical potential, North Badung is developed as a farming and botanical area. This is done, among others, by printing a new rice field of about 100 hectares in the area of Petang. The land that had no irrigation, now the land is used as a paddy field complete with irrigation. The results are quite encouraging. For example in Petang, there are farmers who cultivate asparagus, its production 3 times. With the support of investors, the Government of Badung Regency facilitates farmers in the area of Petang to implement an intensive farming system. Investor support succeeded in increasing the production of local farmer's asparagus.

Regional development is also done in the area of Central Badung and Southern Badung, especially Taman Ayun was developed as "world heritage", a conserved heritage site. While in the area of South Badung made a selective tourism area in accordance with the spatial and local tourism potential.

Restrictions on hotel buildings in Bali are part of the strategy of Bali Provincial Government in implementing sustainable tourism development by involving broad public participation. Community participation can be established if community empowerment is done. Community empowerment becomes the main key in tourism development because with empowerment, the community will participate in safeguarding the tourist object, that is their cultural potential and natural potential so that eventually sustainable tourism development can be achieved (Sutawa, 2012).

In order to develop tourism business in Badung regency can run as planned, Badung regency government will do guidance and supervision. The guidance of the implementation of tourism shall be carried out by the Regent in the form of arrangement, guidance, supervision and control over Tourism Business activities (Article 36). In order to realize the development of tourism organization, efforts are made: (a) improving the quality and quantity of tourism; (b) the spread of tourism development; (c) increasing tourism accessibility; (d) the creation of a sound business climate in the tourism business sector; (e) increasing private participation in tourism business development; (f) increasing public participation in tourism

business development; (g) protection of the preservation and wholeness of tourist objects and attractions; (h) improving the promotion and marketing of tourism products; and (i) enhancement of regional, national and international cooperation (Article 36, paragraph 3).

According to the informants' assessment, the issuance of Regulation of Badung Regent No. 36 of 2014 which strengthens the Local Regulation No. 2 of 2012 on tourism is the policy of Badung regency government which is appropriate because this rule of law can be used base in the development of hotel business in Badung region. In particular, the policy is implemented to control the growth of accommodation in the area of Badung regency is rapid. By itself, this policy has supported nature conservation efforts, including the basic building coefficient (KDB) requirements. In addition, supervision and coaching efforts related to the construction of new hotels in the Badung region has been done by the authorities, especially in curbing the permit issue of the establishment of the hotel. Officials from the Tourism Office and the Badung District Licensing Agency checked the permits on site. If the administrative requirements of the hotel construction permit are incomplete, then the owner of the hotel must complete it as revealed by the following informants.

"When there is an inn or hotel that has been operating, but has not pocketed the permit, it will get coaching and rebuke. Usually the Tourism Department of Badung Regency plunge to conduct guidance and supervision in the field (Ismoyo, 47 years, interview 1 September 2017).

Regulation of Badung Regent No. 36 year 2014 related requirements land area that can be used for the establishment of hotel buildings and condotel continues to be enforced. In the process of enforcement in the field, it found a number of obstacles. First, there is still an accommodation service business in Badung regency that does not have operational permit, especially the hotels in Kuta area and its surroundings, as well as the establishment of villas by local residents. Supposedly, any establishment of a hotel or villa is required to be equipped with licensing requirements. However, some hotels have not been able to fulfil it because some technical requirements have not been completed such as lack of land area and Basic Building Coefficient (KDB) that is not fulfilled. Other requirements that are also not fulfilled are many hotels or accommodation still belongs to individuals. This is not in accordance with the Minister of Culture and Tourism Regulation no. 86 / HK.501 / MKP / 2010 Concerning the Provision of Accommodation Provisioning Procedure that every accommodation business must be incorporated.

Second, the establishment of tourist accommodation facilities in the Badung area is also colored by violations of the green line but limited to the construction of houses and small business places such as stalls. Violation of the green line is also quite rampant in the area of

North Kuta and Abiansema. Officers from the Building Supervision of the public Works Service of Badung Regency continue to make persuasive efforts to the owner of the building. Some buildings were ordered and forced to be dismantled for violating the designation. In this regard, the government apparatus, civil service police of Badung Regency has not been fully able to enforce policies related to the establishment of business venues that violate the green line. Related to land conversion in every green lane, civil service police of Badung Regency cannot prohibit. Moreover it is done to improve the landowner's economy. In this regard the Head of civil service police, Badung Regency said:

"... we cannot forbid people to build buildings on the green line. In order for no buildings on the green line, the government must make a new law on green lines, and landowners should be compensated "(bali.tribunnews.com/2016/05/29).

Violation of the green line in the form of diversion of agricultural land into a place of business or the establishment of accommodation facilities accommodation (including hotels, villas) became a phenomenon of modernization of tourism in Badung regency. In the area of Canggu Village, North Kuta District, for example, in the last decade many farms have been converted to the location of the villa or business premises so that the weakness of the local *subak* is increasingly shrinking. Until 2012, the *subak* area of sub district remains 290 hectares, 62 hectares (18%) have been converted to residential areas and villas (Sutika, 2013). Furthermore, the Agriculture Office of Badung noted that the conversion of agricultural land in 2015 is 40 hectares (Ha), covering 7 Ha in Kuta, 17 Ha in North Kuta area, 12 Ha in Mengwi and 4 Ha in Abiansema (bali.tribunnews. com / 2016/05/29). This is not in accordance with Local Regulation no. 26 of 2013 on Spatial Planning of Badung Regency, the strategy of improving the quality of tourism in Badung regency is supported by spatial utilization considering the carrying capacity of land and the capacity of the area.

Third, other violations encountered in the field are hotel buildings that do not follow Balinese architecture. In general, this violation occurred in the new hotel building architect design is too innovative, so out of the model of Balinese architecture. In order to curb it, a proper and careful strategy is needed because it involves the professional rights of the architects. If Balinese architecture style architecture policy is treated rigidly, the creativity of the architects can be disturbed. In this regard, the Government of Badung Regency has minimal prerequisites that must be followed by investors related to the implementation of Balinese architecture in the hotel building that is built, so that the tourists still feel that they are in Bali.

Fourth, the height of the hotel building is in excess of 15 meters from ground level. In accordance with Bylaw No. 16 In 2009, the height of hotel buildings in Bali is expected to

not exceed 15 meters from the road surface. If there is a violation related to the height of the hotel building (which is more than 15 meters), it is necessary to make adjustments according to the requirements specified. If not implemented, then the process of completion of the next permit cannot proceed. The problem that is still often encountered in the field is when a hotel building is on a sloping land that gives rise to multiple perspectives. The owner of the hotel feels no violation of spatial policy, while from the government side of the building is considered to violate. For that, related to the requirement of the height of the hotel building a maximum of 15 meters is still requires a deep study, especially the position of the hotel building on the ground that is not flat / tilt.

Spatial law is a regulation for the control of environmental conditions in accordance with the development of the era. The current implementation of the spatial law continues to be evaluated annually, and reviewed every five years. Spatial changes in Badung regency are carried out in accordance with the results of evaluations and developments in the field. However, in general it can be stated that spatial policy and land area requirements for hotel building in Badung regency give enough positive meaning. Implementation of spatial regulation has determined the quality of area in Badung regency. This is proven, among others, by the efforts of beautification of the area, the arrangement of urban parks, and the improvement of toilet facilities on tourist objects, pedestrian (sidewalk) in all tourism areas in Badung regency.

Policies related to the development of the hotel building above can be effective if supported, active participation of the community and potential investors. Therefore, it is deemed necessary to streamline the policy socialization activities related to the layout and requirements of the hotel building. According to Ismoyo (47 years), socialization activities have been run, but not optimal. Badung regency government is expected to be more intensive in disseminating policies related to the construction of new hotels in Badung regency. The socialization of the policy is expected to be carried out on a regular basis, from the policy planning process, the enforcement process in the field to the evaluation process.

The role of business actors in policy enforcement related to spatial and hotel development is needed. The hotel's restriction policy is part of the effort to preserve the environment and the beauty of the local environment. This is in accordance with the Tourism Code of Ethics (WTO) which states that: "Tourism, a factor of sustainable development" (Article 3, WTO General Assembly, 1999). In addition, the use of space for hotel buildings should support the principle of sustainable tourism development in accordance with *Tri Hita Karana*, the concept related to the inner happiness of the Balinese Hindu community. According to Mantra (1996), *Tri Hita Karana* is the balance between man and God

(*parahyangan*) man and man (*pawongan*), man and environment (*palemahan*). Tri Hita Karana's (THK) enforcement efforts will be meaningful for sustainable Bali tourism development. The paradigm of sustainable cultural tourism includes: maintaining the quality of natural and cultural resources, increasing the welfare of local communities, and realizing the satisfaction of tourists (Ardika, 2006).

Limitation on the building of tourism accommodation facilities (hotels, condotels) in Badung regency can now support the development of sustainable social tourism. Sustainable populist tourism is a process of community tourism planning, sustainable development (sustainable development) and economic development populist (Erawan, 1994). Sustainable tourism has the pillars of quality, continuity, and balance that align the needs of local communities, sustainability of resources (physical and cultural) and tourist satisfaction. In the development of sustainable tourism is based on three important aspects of tourism development activities that impact on (1) improving the socio-economic welfare of local communities; (2) strengthening the socio-cultural life of local communities, (3) not damaging the environment (Ardika, 2006; Prasiasa, 2013).

CONCLUSION AND SUGGESTION

1. Conclusion

Regulation of Badung Regent No. 36 year 2014 is a policy related to the development orientation of the tourism sector and setting the minimum land area for the establishment of hotel and condotel buildings in Badung regency. This policy is oriented towards sustainable tourism development efforts, namely the development of tourism that supports the efforts of environmental conservation and the improvement of socio-economic welfare of local communities. Some of the obstacles that have been anticipated in the enforcement of policies that transport the construction of tourist accommodation facilities in Badung regency are related to operational permits, green line violations, hotel building styles that are not in accordance with Balinese architecture, and hotel building height rules.

2. Suggestions

To support the development effort of hotel building in Badung Regency area to support sustainable tourism development, socialization of Regulation of Badung Regent No. 36 year 2014 and other policies related to spatial intensive need to be done. Stakeholders related in Badung regency, including potential investors, owners and hotel management and condotel can continue to support in the effort to realize sustainable tourism development.

BIBLIOGRAPHY

- Anom, I Putu. (2010). "Sustainable Tourism Development", in *Tourism Sustainable in the Global Crisis Whirls*, Baiquni, *et al* (ed.). Denpasar: Udayana University.
- Anonymous. (2015). "Can a Green Line Function Redirect in Badung?" This Answer and the Facts, Sunday, May 29, 2016; <http://bali.tribunnews.com/2016/05/29/bolehkah-the-fluid-functional-functional-functionalities>.
- Ardika, I Wayan. (2006). *Management of Cultural Heritage as Tourism Object and Tourism of Bali (in Bali Reborn)*. Denpasar: Department of Culture and Tourism of RI and Udayana University.
- BPS Bali Province. (2017). *Bali In Figures*.
- Erawan, I Nyoman. (1994). *Tourism and Economic Development (Bali as Case)*. Denpasar: Upada Sastra.
- Mantra, Ida Bagus. (1996). *The Foundation of Balinese Culture*. Denpasar: Dharma Sastra Foundation.
- Provincial Regulation of Bali, Provincial Regulation Dati I Bali No. 3, Year 1991 about Cultural Tourism.
- Local Regulation no. 16 of 2009 on Spatial Planning (RTRW) of Bali Province.
- Local Regulation of Badung Regency No. 2 of 2012 on Tourism.
- Local Regulation no. 16 of 2009 on Spatial Planning (RTRW) of Bali Province.
- Local Regulation of Badung Regency No. 2 of 2012 on Tourism.
- Local Regulation no. 26 of 2013 on Spatial Planning of Badung Regency.
- Local of Badung Regent No. 36 year 2014 About Minimal Standards Land Area and Area Room and Facilities Supporting Hotel and Condotel.
- Minister of Culture and Tourism Regulation no. 86 / HK.501 / MKP / 2010 Regarding the Procedure of Registration of Provision of Accommodation.
- Pitana, I Gde and Putu G Gayatri. (2005). *Sociology of Tourism*. Yogyakarta: Andi.
- Pitana, I Gede and Putra, I Nyoman Darma. (2011). *Empowerment and Hiperdemocracy in Tourism Development*. Denpasar: Literature Library.
- Prasiasa, Dewa Putu Oka. (2013). *Community Based Tourism Destination*. Jakarta: Salemba Humanika.
- Sutawa, Gusti Kade. (2012). Issues on Bali Tourism Development and Community Empowerment to Support Sustainable Tourism Development, Proceeding International Conference on Small and Medium Enterprises Development with a Theme "Innovation and Sustainability in SME Development". *Procedia Economics and Finance*, Vol. 4, pp. 413-422. Elsevier Ltd.

- Sutawa, Gusti Kade, Bendesa, I.K.G, and Madiun, I.N (2015). Efforts to Maintain and Improve Star Hotel Performance in Badung Regency, Bali. *International Journal of Multidisciplinary Educational Research*, Volume 4, Issue 4 (1), April 2015, pp. 1-15, ISSN: 2277-7881. Sucharitha Publications: Visakhapatnam.
- Suradnya, I Made. (2006). "Analysis of Bali Tourism Attraction Factors and Their Implications for Bali Tourism Planning". In *Soca (Socio-Economic of Agriculture & Agribusiness)*, Volume 6, No.3. University of Udayana: Denpasar
- Sutika, I Nyoman. (2013). Hegemony of Villa Development against Subak in Canggu Village, North Kuta Sub-district, Badung Regency (*Thesis*). Denpasar: Master Program of Cultural Studies, Postgraduate of Udayana University.
- The General Assembly of the Code. (1999). *WTO Global Tourism Organization Tourism Ethics*.
