

Implementation of Law Number 10 of 2009 Concerning Tourism: Regional Tourism Development Plan (Case Study of Tapanuli Selatan)

Arif¹, Sutiarnoto²

¹*Student of Doctoral Program, Universitas Sumatera Utara, Jl. Universitas No 4 Kampus USU, Medan, Indonesia*

²*Lecturer of Doctoral Program, Universitas Sumatera Utara, Jl. Universitas No 4 Kampus USU, Medan, Indonesia*
 Email : arifbsn@yahoo.com, sutiarnoto@usu.ac.id

ABSTRACT

Law No. 10 of 2009 concerning Tourism mandates that tourism development must be carried out based on the tourism development master plan, which within the district area is the Regency Tourism Development Master Plan. In the perspective of human resource development, tourism has the potential to be used as an instrument in improving the quality of the community life, especially residents around the tourism destinations. Tapanuli Selatan, is one of the districts in North Sumatra Province, that has the potential of tourism destinations and attractions, in the form of natural, cultural and artificial attraction. It has developed the Regency Tourism Development Master Plan of their own. This study aims to determine the utilization and empowerment of tourism destinations in Tapanuli Selatan, as an effort to improve the socio-economic life, and the process of developing the Regional Tourism Development Master Plan, including the development of tourism destinations, industry, marketing and institutions.

Keywords: *Regency Tourism Development Master Plan, utilization, empowerment, institutions*

1. Introduction

Law number 10 of 2009, concerning Tourism, mandates that tourism development must be carried out based on tourism development planning, which in district development planning is the Tourism Development Master Plan (RIPPARKAB). The scope of RIPPARKAB planning is not only a tourist destination, but also tourism and the tourism convenience according to the directives of Law number 10 of 2009 concerning tourism. For Indonesia, tourism development has a significant contribution to the national economic development, as an instrument of increasing foreign exchange earnings. From the perspective of human resource development, tourism has the potential to be an instrument in improving the quality of people's life, especially residents around the tourism destinations. Thus, tourism can improve the welfare of the community, not only the material and spiritual well-being, but also the cultural and intellectual welfare. From the perspective of a broader nation, tourism has a greater potential and also nobler, which can improve the quality of relationship between people and between nations. Thus, there is better mutual understanding, mutual respect, friendship, solidarity and even peace. The tourism sector in Indonesia, especially in the North Sumatra, has great potential to continue, develop its tourism industry, and introduce it to foreign countries. North Sumatra has a large tourism potential, as the 4th largest population in Indonesia, North Sumatra region has potential resources, such as area, culinary variety, and attractive tourist destinations.

South Tapanuli District is one of the districts in North Sumatra Province with many tourism object potentials,

including nature tourism, artificial tourism and so forth. Given the considerable and varied promising attractions, South Tapanuli District needs to improve both its facilities and infrastructure as well as prepare to increase the number of future tourists, so that South Tapanuli District becomes a reliable tourism destination. The District Tourism Development Master Plan, in addition to being a reference for tourism development, is expected to be able to bridge the economic interests and the interests of preserving the natural, social and cultural environment. This planning must also be able to encourage greater and wider positive impacts, as well as anticipate and control the negative impacts that may arise in the tourism development process in South Tapanuli district at present and in the future. In addition, it is necessary to conduct an assessment considering the tourism potential in South Tapanuli District, partly located in the conservation forest area and other forest areas.

2. North Sumatra Tourism Development Plan

The North Sumatra Province tourism development guide is based on the 2016-2025 Regional Tourism Development Master Plan (RIPPARDA) of North Sumatra Province. The concepts and policies stipulated in the North Sumatra Province, RIPPARDA, are a summary of various input from tourism stakeholders in North Sumatra in various Focus Group Discussion (FGD), organized by the North Sumatra Province's Department of Culture and Tourism. Based on the guideline of Governmental Regulation, Number 50 of the Year 2011, on National Tourism Development Master Plan, the development of North Sumatera tourism is also built on four principles, namely tourism destination,

marketing, industry and institutional development. In the context of the development of tourism destinations in North Sumatra, regional plans have been made in the form of Provincial Tourism Destinations (DPP) and Provincial Tourism Strategic Areas (KSPP). In the regional aspect of tourism development in North Sumatra, 12 DPPs have been set up in 33 Districts/Cities. The referred DPP are:

- a. DPP Medan and surrounding;
- b. DPP East Coast of North Sumatra;
- c. DPP TNGL Region of North Sumatra Region;
- d. DPP Binjai, Namusira-sira and surrounding;
- e. DPP Tanah Karo and surrounding;
- f. DPP Dairi and surrounding;
- g. DPP Serdang Bedagai, Simalungun and surrounding;
- h. DPP North Tapanuli, Samosir, Tobasa, Asahan and surrounding;
- i. DPP Rantauparapat, Kota Pinang, Gunung Tua and surrounding;
- j. DPP Sibolga and surrounding;
- k. DPP Nias Islands;
- l. DPP Tapanuli Selatan and surrounding.

In relation to the tourism development of South Tapanuli District region tourism, DPP and KSPP North Sumatera, which is related to one another, is in DPP South Tapanuli. There are several KSPP in DPP South Tapanuli, as follows:

- a. KSPP Harangan Tapanuli and surrounding
- b. KSPP Taman Nasional Batang Gadis and surrounding;
- c. KSPP Sipirok and surrounding
- d. KSPP Kotanopan and surrounding
- e. KSPP Natal and surrounding;

In relation to the tourism development of South Tapanuli District, the determination of two KSPP in DPP South Tapanuli is adjustable to the determination plan of Tourism Destination in South Tapanuli District, namely:

- a. KSPP Sipirok and the surrounding related to the Sipirok Mashalih District Tourism Destination (DPK).
- b. KSPP Harangan Tapanuli and the surrounding related to the Batang Toru Toru Tourism Destination (DPK), especially in the Lubuk Raya District Tourism Strategic Area (KSPK).

3. Strategic Area of North Sumatera Province

North Sumatera Province has an area of 71.680 km² and 12 nautical miles of sea area from the coastline to the offshore. Based on the interpretation of Landsat imagery in 2006, the land cover of North Sumatera Province in 2006 was dominated by agricultural and plantation activities covering 4,139,625,131 Ha (58.71%) and forest land covering 1,910,101.54 Ha (27.09%). The biggest land use for agricultural activities is in the East Coast region, which covers an area of approximately 57% of the total agricultural area of North Sumatra. Most of the forest land is in the West Coast region, which is approximately 69% of the forest area in North Sumatra Province. Agricultural activities dominate the East Coast region, while the West Coast region has relatively balanced agricultural and forest activities. In the

North Sumatra Province RTRW plan 2010 – 2030, there is a Provincial Strategic Area. Based on Law Number 26 of 2007, concerning Spatial Planning, Strategic Areas are areas that are nationally determined to have strategic values whose spatial planning is prioritized based on the interests of defense and security, economic growth, socio-cultural and environmental functions, and the carrying capacity and utilization of natural resources and/or high technology. To support the creation of the desired spatial structure and encourage the creation of steady economic growth, several regions have been designated as strategic areas that will act as a driver of national economic growth. Based on the regional analysis and applicable policies, in addition to the strategic areas stipulated in the RTRWN, there are strategic areas in the Province of North Sumatra based on the interests of:

- a. Economic growth;
- b. Social and cultural;
- c. Functions and carrying capacity of the environment.

Based on the North Sumatra Province RTRW, the strategic area determined based on the angle of interest in the functions and carrying capacity of the environment are:

- a. Lake Toba region and surrounding areas;
- b. Leuser and Bohorok Ecosystems;
- c. Tapanuli Protected Forest (Batang Toru Forest);
- d. Batang Gadis National Park (South Tapanuli);
- e. Nias Islands Region.

South Tapanuli District has varying natural ecosystems in the form of highlands, lowlands and coastal areas. Each region has different characteristics with diverse potential tourist attractions. The topography of the mountainous and hilly areas is a cluster of Bukit Barisan mountains with a dense tropical forest, which is a habitat for various species of animals and plants typical of the rainforest. In addition to, the natural and cultural attractions, this district also has historical and man-made attractions spread across several sub-districts. Each destination offers its own charm and uniqueness. Existing tourist destinations, in general, are still from domestic tourists who spend their holidays with family. Most of the existing tourist destinations have not been managed well with the availability of a complete standard of visiting service facilities. Supporting tourism infrastructure is not fully available yet. Some of the road infrastructure to tourist destinations is still in a damaged condition. Except for destinations that are close to provincial and district roads, the road conditions are relatively good. Meanwhile, modes of transportation to the existing tourist destinations still rely on public transportation and private vehicles. Hotel accommodation facilities are still very limited and are located in a number of sub-district capitals, which are already crowded, with non-star class hotel standards. Tor Sibohi Nauli Hotel is the only two stars hotel with a resort concept located in Sipirok. Based on the tourism product portfolio in South Tapanuli district, it is illustrated that, South Tapanuli has diverse promising destination with domestic tourist segmentation, and in some cases also attracts foreign tourists as researchers and environmentalists who carry out activities in conservation areas. The tourist attractions in the South Tapanuli district consist of natural, cultural and man-made tourist attractions. In addition to the tourism objects that have

been developed, there are also potential attractions to be developed into a new Tourism Destination Area (DTW) in South Tapanuli District. These tourism objects have the potential to be developed are the natural attractions in the form of natural baths, panoramas, hot water, nature reserves and beach tourism, while cultural tourism are in the form of cultural heritage sites, religious tourism and cultural arts. Artificial tourist destinations in the South Tapanuli district are Sibio Bio Nature Recreation Park, Cekdam and Recreation Ponds in East Angkola District, as well as people's handicraft centers in Sayur Matinggi Subdistrict. Based on the 2016-2020 RPJMP South Tapanuli District, the Allocation of Tourism Area consists of natural tourism, cultural tourism and special interest tourism. The Allocation of Tourism functions to introduce, utilize and preserve the values of the history of local culture and natural beauty. The development of tourism cultivation areas is carried out in potential areas and are suitable for tourism development by taking into account Tourism Development Destinations (DPW) and areas of nature reserves, nature conservation and cultural preservation as well as other areas. The tourism allotment area is then regulated further in the South Tapanuli District Tourism Development Master Plan for 2019-2025, which prioritizes destinations and tourist attractions supported by public infrastructure, public facilities and tourism facilities to ensure accessibility and connectivity to all DPK and KSPK to improve the community welfare and the region's original income, consisting of :

- a. marketing tourism destinations and attractions through engaging and collaborating with district, provincial and national tourism stakeholders by making South Tapanuli culture as a characteristic of district tourism;
- b. tourism industry with the support of tourism human resources who are insightful, independent, skilled, entrepreneurial, care about religious, cultural and environmental values and local wisdom;
- c. modern and professional regional tourism institutions supported by technology-based facilities and infrastructure that are reliable, capable of developing the tourism destinations, industries and marketing at the regional, national and foreign levels.

Based on Government Regulation Number 50 of 2011 concerning the National Tourism Development Master Plan, South Tapanuli District, is not included in one of the National Tourism Development Areas (KPPN) in North Sumatra. This situation has caused various Tourism Destination Promotions from the Central and Provinces not directed to South Tapanuli. Therefore, the presence of RIPPARKAB in South Tapanuli is necessary so that various Tourism Attractions in South Tapanuli can be improved both at the Provincial Tourism Development and National Tourism.

In the Implementation of Law No. 9 of 2010 concerning Tourism, especially in the preparation of RIPPARKAB, there are many major obstacles found in determining the goals and targets. Tourism Development at the District Level Target is to increase the domestic tourist visits and foreign tourist visits, prolong the length of foreign tourists visits, expand the employment in the field of tourism. Until 2019, this target is still irrelevant because the relevant agencies do not keep a record of the number of tourists visiting. Another factors

causing the ineffective implementation of this policy is that the establishment of the policy is not accompanied by the existence of development in South Tapanuli District. This is evident from the limited number of available facilities with minimal quality. In the District Tourism Development, there is a great interest from the Regional Government to obtain Regional Original Revenue (PAD), while the presence of Law Number 28 of the Year 2008, concerning Regional Taxes on Regional Levies, regional income from the levies, for example from the entrance tickets of tourism objects is not permitted again as PAD. In an effort to develop a Tourism Attraction, there are obstacles about the status of the Land in the Tourism object. If it is owned by the community, the community usually manages it on their own, making it difficult to control both for the comfort of tourists and the aspect of investment by the district government. To develop tourism destinations in the area, coordination with the area manager (forest) is needed because there are many tourist attractions in the forest area. For this reason, collaboration with the Implementing Forest Management Authority, such as the Forest Management Unit (KPH) or the National Park Office in the case of a tourist attraction is in the Conservation area. Based on the Regulation of the Minister of Tourism Number 10 of 2016, concerning Guidelines for Preparation of Provincial and District/City Tourism Development Master Plan, the preparation of the RIPPARKAB is undertaken by a Working Group chaired by the Regional Secretary, Head of Office Secretary that manages Tourism, other relevant OPD members, assisted by a Technical Team (Academics and Practitioner). Tourism Development Planning includes: (1) Tourism Destinations, (2) Tourism Marketing, (3) Tourism Industry, and (4) Tourism Institutions. In the working group, this study found obstacles in the aspects of coordination and data sharing, because they were not used to doing the task in a planning process.

4. CONCLUSION

1. Law Number 9 of 2010 concerning Tourism requires that management of tourism in the regions should be implemented in a Planning system, called the Tourism Development Master Plan (Province, District/City).
2. The urgency of drafting Regional Regulation of South Tapanuli District on the District Tourism Development Master Plan for 2018-2025 is needed, as part of the regional development planning system.
3. In the preparation of the South Tapanuli RIPPARKAB, the institutional and HR aspects, as tourism actors in the area, need attention.
4. The implementation of the Tourism Development Master Plan for South Tapanuli District has not run optimally due to the establishment of the policy that is not accompanied by the development of tourism infrastructure and supporting activities for tourism.

5. REFERENCES

- 1) A. Mukhtie Fadjar, *Tipe Negara Hukum*, Bayumedia Publishing, Malang, 2005.
- 2) Bagas Hapsoro, Makalah pada Sosialisasi Komunitas ASEAN 2015 dan Lokakarya Isu-isu Hukum di

- ASEAN Untuk Dosen Hukum Se-Sumatera, Direktorat Jenderal Kerjasama ASEAN, Kementerian Luar Negeri RI, Padang 5-6 September 2014.
- 3) Bagir Manan, *Dasar-dasar Konstitusional Peraturan Perundang-undangan Nasional*, Fakultas Hukum Universitas Andalas, Padang, 1994.
 - 4) HAW. Widjaya, *Penyelenggaraan Otonomi Di Indonesia Dalam Rangka Sosialisasi UU No.32 Tahun 2004 Tentang Pemerintahan Daerah*, RajaGrafindo Persada, Jakarta, 2005.
 - 5) Jimly Asshiddiqie, *Pengantar Ilmu Hukum Tata Negara*, Jilid II, Sekretariat Jenderal Mahkamah Konstitusi Republik Indonesia, Jakarta, 2006.
 - 6) Surachmin, *Asas Dan Prinsip Hukum Serta Penyelenggaraan Negara*, Yayasan Gema Yustisia Indonesia, Jakarta, 2004.
 - 7) Soedjono Dirdjosisworo, *Pengantar Ilmu Hukum*, Rajagrafindo Persada, Jakarta 2009.
 - 8) Soedjono Dirdjosisworo, *Pengantar Ilmu Hukum*, Jakarta, Rajawali Pers, 1984.
 - 9) Sri Soemantri, *Perbandingan Antar Hukum Tata Negara*, Alumni, Bandung, 1971.
 - 10) South Tapanuli Regency Regional Regulation concerning Spatial Planning for South Tapanuli Regency Rencana Pembangunan Jangka Menengah Daerah Kabupaten Tapanuli Selatan Tahun 2016-2021.
 - 11) Strategic Plan for the South Tapanuli Regency Tourism Office.
 - 12) Seri Analisis Pembangunan Provinsi Sumatera Utara Tahun 2015, Pemerintah Provinsi Sumatera Utara, 2016.
 - 13) Produk Domestik Regional Bruto Menurut Lapangan Usaha Provinsi Sumatera Utara 2011-2015, BPS Sumut, 2016.
 - 14) Law Number 23 Tahun 2014 concerning Regional Government.
 - 15) Law Number 10 of 2009 concerning Tourism.
 - 16) Law Number 11 Year 2010 concerning Cultural Heritage.
 - 17) Government Regulation Number 50 of 2011 concerning the National Tourism Development Master Plan.
 - 18) Regulation of the Minister of Tourism No. 10 of 2016 concerning Guidelines for Preparation of Provincial and Regency / City Tourism Development Master Plans.