

1. LEGAL PROTECTION RIGHTS SOCIETY IN PERDA-PERDA SPATIAL PLANNING AREA SE-NTB

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2. ABSTRACT

Spatial planning involves the various parties, one of which is public. For it is as one of the interested parties, the rights and obligations of society should be organized and well protected. Therefore, this research aims to study and understand the legal protection of the rights of people in Spatial Plan (RTRW) in West Nusa Tenggara.

This research is normative law, then the approach is the approach used legislation (statute approach), approaches the concept, a comparative approach and analytical.

The results of study after study and analysis showed that both philosophically and legally (constitutionally) has laid the solid foundation on the protection of the rights of the community in various aspects of development. However, having researched and studied various laws and regulations RTRW NTB and RTRW District / City has not been set up and protect the rights of the community well, the people's rights are still ignored by the government. Therefore, the government must be willing and encouraged to re-evaluate.

3. INTRODUCTION

Every human being is born to bring the rights of each and every person's right to be respected and valued by others. As human beings, every human being has a desire to live together or in groups called a society. In the life of society and the nation, the Indonesian nation is governed by a basic norm of the most fundamental, namely Pancasila. In Pancasila are the basic values that govern human life with Indonesia. This basic norms derived from the rules of living together as agreed upon by members of the community itself, known as values, norms, or rules or laws is called. The law is set up, nurture, and protect both individual rights and community rights. At the level of the nation and state are state laws, and the laws of the State's most fundamental to the Indonesian nation is the 1945 which is the basis of the constitution that protects the basic rights of all people, all groups, all parties.

Thus, the main basis of the legal protection of a person subject to the law is the Pancasila as the source of all sources of law as well as its philosophical basis, and the 1945 Constitution as a constitutional basis. Second base is an ideology and a philosophical basis for the Indonesian nation that upholds humanitarian values by putting the law as a commander and not the rule. A consequence is that the State shall protect human rights. Philip M Hadjon using western concepts as a conceptual framework and foundation of

departure in formulating Pancasila principles for recognition and protection of human dignity based on Pancasila and the Principle of Rule of Law based on Pancasila.

The rights of individuals and society as stipulated in the 1945 Constitution are as follows:

1. The right to have equal status in law and government (Article 27);
2. The right to association and of expression (Article 28);
3. The right to profess religion (Article 29);
4. The right to participate in the defense of the State (Article 30);
5. Right to education and culture (Article 31);
6. Rights and freedom to develop cultural values (Article 32);
7. Right to the economy and national welfare (Article 33 & 34).

The rights contained in the Articles of the 1945 Constitution guarantees the rights of individuals and community members to carry out and enjoy it. Guarantee of individual and community rights are further regulated in a variety of legislation.

Based on the above, the problem is as follows:

1. How legal conceptions protection of individual rights and the public?
2. How regulation and legal protection of the rights of individuals and communities within the Spatial Plan As NTB?

4. METHODOLOGY

Methodology in the commonly accepted sense, is logical and systematic study of the principles that lead on scientific research. Scientific research is a process in the form of a series of steps carried out in a planned and systematic problem solving is useful to obtain or get answers to specific questions.

1.4.1. Type of Research

This study is a normative law. As a normative legal research, the purpose of this study is to investigate, assess and understand the principles of law, legal norms and government policies. Normative legal research by Mukti Fajar and Yulianto Achmad "is a legal research building laying down the law as a system of norms. System of norms in question is about the principles, norms, rules of legislation, court decisions, treaties and doctrines (teachings). "

1.4.2. Method of Approach

Approach method is the approach of the legislation (statute approach), approaches the concept, a comparative approach and analytical approach. Approach to legislation intended to assess legislation as the basis for analysis. The approach is intended to examine the concept of the legislation as the basis for analysis. The approach is intended to examine the

concept of the concepts in the science of law; comparative approach to comparing legislation that one with the legislation governing the other similar problems; While analytical approach used to search for the meaning of terms and concepts law contained in the legislation.

1.4.3. Sources and Types of legal materials

Sources of legal materials that literature (library research) to assess primary legal materials in the form of legislation, secondary legal materials include: concepts theories and expert opinions, and official documents, research results, as well as legal materials tertiary term dictionaries.

1.4.4. Collection of Materials Engineering Law

The collection of legal materials is done by reviewing and analyzing the literature materials, namely reviewing legislation and literature books. It is also reviewing legal documents, reviewing the opinions of the jurists, and legal research beforehand.

1.4.5. Materials Analysis Techniques laws

To assess the normative aspect of law (law in books), then normatively analitislah method referenced in the study and analyze the problem something. Analysis of legal materials by using legal interpretations, both authentic interpretation, the interpretation of grammatical, historical interpretation, and interpretation extensively. From the analysis further seek legal principles, the relationships between the legal principles with other legal principles, using inductive-deductive reasoning.

5. RESULTS AND DISCUSSION

5.1. Basic conceptions of legal protection of the rights of the people according to the 1945 Constitution.

Every human individual and society have the basic rights that must be respected and valued by others. The basic rights of individuals and communities of Indonesia was governed by a basic norm of the most fundamental, namely Pancasila. This basic norms derived from the rules of living together as agreed upon by members of the community itself, known as values, norms, or rules or laws is called. The rule of law is further stated in the Constitution of 1945, which is the basis of the constitution that protects fundamental human rights. The basic rights of individuals and communities, among others: the right to live in freedom, the right to legal protection, the right to welfare and education, the right to have an equal footing in law and government, the right to association and of expression, and human rights humans. Guarantee the rights of individuals and the community further stipulated in various laws and regulations.

5.2. Basic conceptions of the rights of peoples under UUPR and its implementing regulations.

Spatial planning is one of laws of the State policy / government in accordance with its authority to regulate the supply, designation, use and exploitation of space and natural resources. Given the space and its natural resources contained in it is something that is directly related to and serving the people, for it needs to be regulated and protected by the state / government. As a legal product that spatial planning really pay attention to the rights and obligations of the interested parties or stakeholders, so that no one feels hurt one another. One of the stakeholders in terms of spatial planning is the community. It is therefore, the interests, rights and obligations should be on prioritizing without ignoring the rights and obligations to other stakeholders.

Development in various fields of life aims to promote the welfare of the people, therefore the rights and participation of the community in a very important development. It is a form of empowerment is real and focused. Community participation in development planning and implementation is very beneficial to the public interest, because the ideas, the ideas and aspirations of the community are very useful for planning and implementation, both in urban and in rural areas.

JB. Kristiadi said public participation in urban development may include, among others:

- a. Compliance communities in meeting their obligations, such as paying taxes and paying fees for the services they receive;
- b. Willingness to comply with the rules laid down by the city, such as getting a building permit (IMB) before mendirikan buildings, dispose of waste in the space provided, and other regulations;
- c. Their willingness to build and operate the facilities and infrastructure of the city;
- d. Their willingness to reserve land for the construction of urban infrastructure;
- e. Their willingness to manage and maintain the infrastructure and facilities provided by the government well.

Goes on to say in order to spur motivation in order to participate in the development community, the local government should be to create conditions that can lead to motivation of people to voluntarily participate in the development of the city, through the attitudes and policies are as follows:

- a. Provides information about city development activities that can be implemented through a partnership between the government and the public;

- b. Develop a sense of responsibility among the citizens to help the government in carrying out these activities for the benefit of;
- c. Instilling confidence among the public that their contribution will ultimately have a positive impact on society and business;
- d. Provide guidance and assistance needed by the community to be able to participate;
- e. Provide the necessary regulations to ensure the mutually beneficial cooperation between the government and the public;
- f. The city government needs to be more open about the policies adopted, the activities carried out by the city government, and the reasons why they are carried out, particularly in the preparation of urban spatial structure;
- g. The city government to communicate with the public in order to provide ample opportunity for them to develop their forms of participation;
- h. The city government should establish forms of cooperation as well as other regulations required in the guarantee a harmonious cooperation, balance, and harmony between the city government with the community;
- i. The city government needs to improve the technical and managerial capabilities of the agents, increase honesty and self-discipline through inherent monitoring (waskat) in order to foster public confidence padapemerintah.

Philosophy of community participation in development, especially the planning and implementation of spatial development is preceded by a variety of approaches that attempt to use a variety of new terminology such as: bottom up planning, participatory planning, democratic planning grass root planning, public involvement, collaborative planning, advocacy planning, and so that shows the similarity in basic philosophy, namely democracy, in which members of the public should have the opportunity participate in the decision making process to determine their future.

Public involvement/community in the formation of legislation, particularly concerning the formation of laws governed by Law No. 12 Year 2011 on the establishment of legislation in Article 35 to determine: the preparation Prolegda (Regional Legislative Program) Province referred to in Article 34 paragraph (1), the preparation of a draft list of provincial regulations are based on:

- a. Legislation command higher;
- a. regional development plans;
- b. implementation of regional autonomy and the duty of assistance, and
- c. aspirations of local communities.

While conceptions of rights and obligations in spatial planning according to Law No. 26 Year 1007 on Spatial Planning (UUPR) are:

1. Article 48 (1) spatial otherwise directed to rural areas:
 - a. empowerment of the rural population;
 - b. defense of local and regional environmental quality are supported;
 - c. conservation of natural resources;
 - d. preservation of the local cultural heritage;
 - e. defense's perennial food agriculture land for food security, and
 - f. secure balanced development of rural and urban areas.
2. Article 60 specified that the arrangement of space, everyone is entitled to:
 - a. know the layout plan;
 - b. enjo the added value of space as a result of spatial planning;
 - c. obtain appropriate reimbursement for losses arising from the implementation of development activities in accordance with the spatial planning;
 - d. appealed to the authorities to development that does not comply with spatial planning in the region;
 - e. filed a permit cancellation and termination of development that is not in accordance with the layout plan to the authorities, and
 - f. filed for compensation to the government and/or permit holder if construction activities are not in accordance with the spatial planning result in losses.
1. Article 60, the public also have obligations in the planning, implementation and monitoring spatial. The obligations under the terms of Article 61 that, in the utilization of space, each person must:
 - a. obey spatial plans that have been established;
 - b. utilizing the space in accordance with the land use permit from the competent authority;
 - c. comply with the conditions set out in terms of space utilization permits, and
 - d. provide access to the areas by the provisions of the legislation declared as public property.
4. Public participation in the planning, utilization, and control layout specifically stipulated in Article 65, namely:
 - (1) The arrangement of space taken by the government by involving the community.
 - (2) The role of the community in the spatial plan referred to in paragraph (1) shall, among others, by:
 - a. participation in spatial planning;

- b. participation in the utilization of space, and
- c. participation in the control of land use.

(3) Further provisions on the procedures and the role of the community in the form of spatial arrangement referred to in paragraph (1) shall be regulated by government regulations. In addition to the rights, obligations and participation in spatial planning, also regulates the right people to get legal protection if injured in layout as provided for in Article 66 as follows:

(2) People who suffer due to spatial organization may file a lawsuit in court.

(3) In the case filed as referred to in paragraph (1), a defendant can prove that there is no deviation in the spatial organization.

Furthermore, in the Government Regulation Number 15 Year 2010 concerning Spatial LN 2010 No. 21, TLN No. 5103 set out more about their rights, and participation in the planning of the layout, which is as follows:

1. Article 25 (1) Procedures spatial planning National include:

- a. process of preparing national spatial plan;
- b. the role of community involvement at the national level in the formulation of National Spatial Plan, and
- c. discussion draft National Spatial Plan by stakeholders at the national level.

2. Article 27 (1) preparation procedure provincial spatial plans include:

- a. spatial planning process of the province;
- b. the role of community involvement in the preparation of provincial spatial plan of the province and
- c. discussion draft provincial spatial planning by stakeholders at the provincial level.

3. Article 32 (1) spatial planning procedures of the district include:

- a. spatial planning process of the district;
- b. the role of community involvement at the district level spatial planning districts, and
- c. discussion draft spatial plan of the district by stakeholders at the district level.

While the concept of public participation in the preparation of strategic spatial planning in the PP. 15 of the year 2010 as follows:

1. Article 53 (1) spatial planning procedure referred to in Article 20 for the spatial plan national strategic area include:

- a. spatial planning process strategic areas nationwide;
- b. the role of community involvement at the national level in the area of spatial planning strategic national and
- c. discussion draft spatial plan national strategic stakeholders at the national level.

2. Article 55 (1) spatial planning procedure referred to in Article 20 for the planned provincial strategic spatial structure include:
 - a. spatial planning process provincial strategic areas;
 - b. the role of public engagement at the provincial level in spatial planning strategic areas of the province and
 - c. discussion of the draft regional spatial plans by the provincial strategic stakeholders at the provincial level.
3. Article 57 (1) spatial planning procedure referred to in Article 20 for the strategic spatial planning districts / cities include:
 - a. spatial planning process a strategic area district / city;
 - b. the role of community involvement at the district / city spatial planning strategic area districts / cities, and
 - c. discussion of the draft regional spatial planning strategic districts / cities by stakeholders at the district / city.

Setting the rights and participation, both in national spatial planning and spatial planning in provinces, districts and cities is intended in an effort to provide a legal basis, as well as legal protection to the public in connection with the planning of the new spatial.

The grant of authority to the community to participate in the preparation, use, and control of the spatial plan is intended to provide opportunity for the public to participate in setting policies related to the provision, designation, utilization and use of space and natural resources. This is consistent with the mandate of Law Number 12 Year 2011 on the establishment of legislation that every establishment legislation should involve the community. This provision is contained in Article 96 paragraph (1, 2, and 3) that determines as follows:

- (1) Citizens have a right to provide input verbally and / or written in the formation of legislation.
 - a. Put orally and / or in writing as referred to in paragraph (1) can be done through: public hearings, working visits, socialization, and / or
 - b. seminars, workshops, and / or discussion.
 - (2) Communities as referred to in paragraph (1), an individual or group of persons having an interest in the substance of the draft legislation.
- 5.3. Protection of the Rights of Communities in Local RTRW NTB No. 3 of 2010.
- The conception of the word in relation to the protection of legal protection word is setting certain things in order to obtain something of a safe place, or setting something by law

that protected the rights and obligations of the law. Satjipto Rahardjo, saying "the law is to provide shelter protection of human rights are harmed others and protection is given to the public in order to enjoy all the rights granted legal." Adnan quoted saying: "the law is the protection of human dignity and protect the right to of rape is essentially an attack on the rights of others have been violated norms of the rule of law and the Constitution."

Relating to the protection of the law by the government or ruler, Philip M. Hadjon distinguish the two types, as follows:

1. Legal protection is preventive legal protection where people are given the opportunity to raise objections (*inspraak*) before a decision or opinion of the government's got a definitive shape. Thus preventive legal protection aims to prevent disputes.
2. Protection of repressive laws, the legal safeguards of justice administration. Protection of repressive laws intended to resolve the dispute."

UUPR have laid the foundation of the conception of law regarding public participation, rights and obligations of the community in the planning, implementation, and monitoring of spatial planning. Thus, based on the principles of existing law then, the conception UUPR participation, rights and obligations shall be accommodated by special local regulations governing spatial planning.

After reading, studying and understanding the load regulation setting RTRW province, it can be drawn about the regulation of the rights and obligations, as well as community participation as follows. In *Konsiderans Spatial Plan Bylaw No. 3 of 2010 NTB* letter b states that spatial adjustments implemented to create order in the implementation of spatial development in West Nusa Tenggara Province optimally harmonious, balanced and sustainable. This shows that the formation of spatial planning regulations provide the basis and direction for the preparation of planning and spatial arrangement regencies and cities, so that the development of each regular region, optimal, harmonious, balanced and sustainable.

Harmonious, balanced set forth in spatial planning is the harmony, the harmony, the balance between the various interests, the interests of the government on the one hand the public interest, and on the other is the private and public interests. It is therefore, in Article 1 number 38 and 39, Article 11 paragraph 4 letter g & h, and Article 72 of Regulation RTRW NTB formulate and participation society. Article 1 of the 39 decisive role of society is active community participation in the process of spatial planning, space utilization, and control of land use. While Article 72 paragraph (1) NTB Provincial Spatial Plan Bylaw states: Community participation in spatial planning done at this stage: the process of spatial planning, space utilization, and control of land use.

Government's obligation to protect the rights and obligations are in accordance with the duties and responsibilities of the state as an organization of power that is authorized by the community to organize and conduct public welfare. Bagir Manan said: "The state or the government not merely as security or public order, but the primary bearers of responsibility for social justice, the general welfare and prosperity of the people as much as possible.

With regard to the role of the State for the welfare of society, the determination of the allocation and utilization of space NTB is based on the role and function of the area. The role and function of the area Lombok NTB is an affirmation of the position in the context of regional and national levels. Determination of the role and function is based on the existing potential, the influence of the external environment that can be used as an opportunity in the development of the region. The role and function of the area as a center of West Nusa Tenggara Agribusiness Development and Tourism, which is realized by:

1. Revitalizing the development of agriculture, livestock and plantations;
2. Accelerated development of coastal, marine and small islands;
3. Accelerating the development of tourism and culture;
4. Accelerating the development of small and medium industries including cottage industries and crafts;
5. Accelerating the development of regional infrastructure (transport, energy, telecommunications and water resources);
6. Restoration and conservation of protected areas.

Revitalization and acceleration of the development potential of the area and infrastructure utilization, conservation and recovery of protected areas are intended in order to achieve the national development goals and regional development in order to achieve the welfare of the community.

Implementation planning and land use designation of new areas can work well as expected to do the control and supervision. Settings related to community involvement in the control and supervision of the use of space can be assessed from the provisions of Article 39 paragraph (2) and Article 40 paragraph (3) Regulation RTRW NTB. Article 39 paragraph (2) determines that the Land Use Control by the Governor, together with the Regent / Mayor with respect to aspects of community participation. In addition to supervision by the governor also made by the body and involve the public as provided in Article 40 paragraph (3) BKPRD supervising Space Utilization by involving the community.

Community involvement in planning, controlling and monitoring the utilization of space is given that the region of space that is already occupied by the public, resulting in the determination of the provision, designation, utilization and use of the area to the approval of members of the public with respect to usefulness, effectiveness, and efficiency spatial use. Besides the need for the involvement and participation of community members in the planning of the provision, designation, utilization and use of space in order to meet the principles of democracy, the principles of transparency and accountability of public kepeda. Thus, the actual preparation of spatial plans must be preceded by a feasibility study and the support of community members. Because if it did not involve members of the community, the spatial plan will not be implemented. NTB Spatial Plan Bylaw No. 3 of 2010 does not regulate the rights and obligations of the community. So therefore, that the law does not protect RTRW the rights and obligations as set out clearly in UUPR. In terms of actual legislation Provincial Spatial Plan provides the basis and direction for the district and city governments to plan provision, designation, utilization, and the use of space-based efforts to protect the rights and obligations within 20 (two) decades into the future.

5.4. Protection of the Rights of Communities in Local District and municipal spatial plan NTB.

To determine whether the regulation of a District or City Spatial Plan reflects the principles of openness, and siding with the rights and obligations of the community, the following authors will examine the provisions contained in the law RTRW Mataram, West Lombok regency spatial planning laws and regulations RTRW Bima.

5.4.1. Protection of the Rights of Indigenous law in Mataram City Spatial Plan Bylaw No. 12 of 2011.

After reading, observe and assess RTRW regulation, it can be described to sides the rights of the people. Regarding partisanship RTRW Mataram City to the rights of the community can be analyzed from the following terms. Article 4 of Regulation RTRW determine:

"The purpose of the arrangement is to realize the town hall as the City Education City, Trade and Services, Industry, and Tourism-Based Local Wisdom Supported by Urban Infrastructure and Environmental Balance."

In explanation of this Article 4 stated that the purpose of Mataram City to realize the City Government, Education, Trade and Services, Industry, and Tourism is based on the function of the city of Mataram in the national constellation as the National Events Centre with a role as:

1. NTB provincial government center as well as the administrative center city of Mataram;
2. Node collection of regional distribution of goods and services, as well as residents in NTB;
3. Central processing of agricultural products and marine;
4. Central public service activities, such as education, health, and culture;
5. The attractiveness of the area behind the cities in particular counties and cities in the province of NTB in general;
6. One tourist destination in the NTB Province.

The purpose of spatial planning will eventually accommodate the vision of the City of Mataram "Mataram City That Brought Forward, Religious and cultured". To realize these goals, the government of Mataram would take a policy as specified in Article 5, namely: policies and strategies for the development of the city spatial structure, and policies and strategies for the development of spatial pattern of the city. City service center development policy as mentioned in Section 7 above is intended to provide the basis and direction for the implementation of regional development Mataram city forward in the interests of a pluralistic society (heterogeneous), with a variety of city issues are quite complex.

While the regulation on the protection of the rights, obligations and participation in planning, implementation and control and monitoring spatial Mataram City can be studied from several Mataram City Spatial Plan Bylaw provisions below. Setting the protection of people's rights in the law RTRW Mataram City under the provisions of Article 96 are: In the Spatial any person and / or entity entitled to:

- a. know the layout plan;
- b. enjoy the added value of space as a result of spatial planning;
- c. obtain appropriate reimbursement for losses arising from the implementation of development activities in accordance with the spatial planning;
- d. appealed to the authorities to development that does not comply with spatial planning in the region;
- e. filed a permit cancellation and termination of development that is not in accordance with the layout plan to the authorities, and
- f. filed for compensation to the government and / or permit holder if construction activities are not in accordance with the spatial planning result in losses.

The rights of the community to the government in the implementation requires the use of space to make it happen. With the regulation of the rights of the people in the law

RTRW shows that community rights dilindugi by law, so if the government in carrying out the development in accordance with the layout, but it violates the rights of the public, then the public has the right to object to claim compensation even if ignored or violated because the result in losses.

In addition to the rights, people also burdened with an obligation under Article 97 as follows: In the use of space, any person and / or entity must:

- a. obey spatial plans that have been established;
- b. utilizing the space in accordance with the land use permit from the competent authority;
- c. comply with the conditions set out in terms of space utilization permits, and
- d. provide access to the areas by the provisions of the legislation declared as public property.

In general, the setting duties with the aim that people not only pay attention or demanding rights, but also the obligation to obey the rules of law relating to spatial planning and execution, and control. Community shall comply with the rules specified spatial arrangement, the mandatory use of the space in accordance with the land use permit, shall comply with the provisions and licensing requirements, and shall provide access to the government if the rights necessary for the public interest.

5.4.2. Protection of the Rights of Indigenous law in West Lombok regency spatial planning regulation No. 11 of 2011.

Settings on the protection of rights and public participation in spatial planning in the law RTRW West Lombok can be studied from the provisions of Article 64, which specifies the following: In the area of spatial planning activities, the public is entitled:

- a. participate in the process of planning and zoning, land use, and control of land use;
- b. knowing openly Spatial Plan of West Lombok regency;
- c. enjoy the benefits of living and / or the value space as a result of the arrangement of space, and
- d. obtaining adequate reimbursement on her condition as a result of the implementation of development activities in accordance with the Land Use Plan.
- e. Filed a cancellation of license and termination of development that is not in accordance with the Land Use Plan.

In addition to the rights, people also burdened with obligations in the provision of planning, designation, utilization and use of space and natural resources as set forth in Section 65 that determines each person is obliged to:

- a. comply with spatial plans that have been established;

- b. utilizing the space in accordance with the land use permit from the competent authority;
- c. comply with the conditions set in the permit space utilization, and
- d. providing access to the widest possible expressed by legislation as public property.

Setting the obligation is intended that responsibility in the planning, implementation and use of space is not only the responsibility of government alone but a collective responsibility of all parties. Obligated to obey the rules of society that has been created, use the space according to spatial planning, taking care of building permits, and provide the broadest possible access to the government in the implementation of regional development in the public interest.

Noting the provisions of several articles in the law RTRW West Lombok above, shows that the law RTRW West Lombok regulate and protect the rights and obligations of the community. This differs from the regulation RTRW NTB is not regulating and protecting the rights and obligations of the community.

5.4.3. Protection of the Rights of Indigenous law in the law RTRW Bima district No. 9, 2011.

To find out about setting orientation RTRW Bima regulation of the rights and participation, the authors analyze some of the provisions contained in the Spatial Plan Bylaw No. 9 of 2011.

Arrangements regarding the rights of the public in spatial planning set out in Article 60. This article specifies that the developer and the public has the right to obtain government incentives when planning and space utilization is detrimental to society. Instead the government will impose a disincentive to people who violate the provisions RTRW. Terms and diisentif incentives by the government to developers and the public in accordance with Article 61 is given in the form:

1. The provision of incentives to the developer's local government, is given in the form:
 - a. compensation;
 - b. urun stock;
 - c. development and provision of infrastructure, and
 - d. award.
2. Incentives to the community, given in the form:
 - a. relief distribution;
 - b. compensation;
 - c. benefits;
 - d. lease space;

- c. urun stock;
- d. provision of infrastructure;
- e. ease licensing procedures, and
- f. award.

Furthermore, in Article 64 specifies that the spatial activity public is entitled as follows:

- a. participate in the process of planning and zoning, land use, and control of land use;
- b. knowing openly Spatial Plan Bima;
- c. enjoy the benefits of living and / or the value space as a result of the arrangement of space, and
- d. obtaining adequate reimbursement on her condition as a result of the implementation of development activities in accordance with the Land Use Plan.

Community participation in the planning and layout, utilization, and control of land use is intended to give the public an opportunity to participate, as well as participate in determining public policy by the government. People are given the right to determine the designation and use of space and natural resources in their area. Giving opportunity to the public by the government is done by socialization and public consultation with the community about the preparation of spatial plans for the next 20 years. This activity is carried out in addition to protecting people's rights, as well as to implement the principles of openness or transparency in spatial planning.

6. Conclusion

Based on the description above, it can be disimpilkan as follows:

1. Basic conception of legal protection is setting certain things in order to obtain something of a safe place, or setting something by law that protected the rights and obligations of the law. Protection laws that provide shelter for human rights and legal protection to the public in order to enjoy all the rights granted legal.
2. Legal protection of the rights of individuals and society as reflected in the Pancasila philosophy and constitutionally stipulated in the 1945 Constitution and the various laws and regulations, including UUPR. However, the legal protection of the rights of individuals and communities in a variety of spatial planning legislation Se-NTB is not set properly.

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