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# The Effectiveness and Legal Impact of Conversion of Agricultural Land into Residential Areas in Mataram

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## ABSTRACT

Land conversion is a process of changing the use of land functions from certain forms of use to other uses, such as the change of undeveloped land to built-up land. In general, the conversion of agricultural rice fields from year to year reaches hundreds of hectares. What plays an important role in the world of agriculture is land. Indonesia absorbs the most labor in the agricultural sector compared to other economic sectors. This research method is normative research, or library research is research which examines document studies using various secondary data such as laws and regulations, court decisions, legal theories, and can be in the form of scholars' opinions. The negative impact of land conversion is the change in socio-economic conditions felt by farmers causing farmers to lose their land and most have an impact on reducing food production and other negative impacts, namely the value of land that becomes high occurs along major roads it happens because major roads are busy roads and adequate public facilities are in the surrounding area.

## KEYWORDS

Effectiveness;  
Land Function;  
Housing



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## INTRODUCTION

Land conversion is a process of changing the use of land functions from certain forms of use to other uses, such as the change of undeveloped land to built-up land. Land conversion is generally a normal symptom caused by the growth and development of an area, but problems begin to arise when the converted land comes from agricultural land.<sup>1</sup>

Regulations on land conversion are regulated in Law No. 41/2009 on the Protection of Sustainable Food Agriculture Land. Which regulates the protection of agricultural land, the preparation of agricultural areas, and the establishment of agricultural land. A sustainable food agricultural land that has been determined to be protected and developed consistently to produce staple food for national food independence, security, and sovereignty is prohibited from being converted. As mentioned in Article 44, land that has been designated as Sustainable Food Agricultural Land is protected and prohibited from being converted in Law Number 41 of 2009 concerning the Protection of Sustainable Food Agricultural Land.

Regulations on land conversion are also regulated in Government Regulation (PP) Number 1 of 2011, which regulates the determination and transfer of sustainable agricultural land functions. And Presidential Regulation of the Republic of Indonesia Number 59 of 2019, which regulates the control of the conversion of sustainable food agricultural land. In Law Number 41 of 2009 concerning the protection of sustainable food agricultural land, there are legal issues with conflicts of norm gaps, namely those contained in article 46, which reads "Land conversion must be carried out by replacing land of equal size and quality, as well as compensation to affected farmers". And in articles 73-75, which reads "Violation of this provision is subject to administrative, criminal or fine sanctions". And the legal issue is that the process of replacing land is often not transparent or difficult to carry out, causing productive land to be lost without adequate replacement, and the sanctions in this Law are often not consistently applied, so they do not have a deterrent effect.

In general, the conversion of agricultural land from year to year reaches hundreds of hectares. What plays an important role in the world of agriculture is land. Indonesia absorbs the most labor in the agricultural sector compared to other economic sectors.<sup>2</sup> Agriculture is one of the cornerstones in the field of national development and plays an important role in the economy and the survival of the community, especially in meeting food needs. The problems caused by land conversion are the loss of fertile agricultural land, environmental damage, reduced water catchment areas, and increased food prices.<sup>3</sup> The next challenge in the agricultural sector is the decreasing agricultural land caused by human economic

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<sup>1</sup> M A Arsyad, R M, Muhibuddin, A, & Nasution, *Alih Fungsi Lahan Pertanian & Sosial Ekonomi Masyarakat* (Jakarta: Graha Ilmu, 2023).

<sup>2</sup> Fathul Hamdani & Ana Fauzia, "IKN dan Masyarakat Adat: Mengupayakan Demokrasi Deliberatif dalam Setiap Pengambilan Kebijakan" in Yanuardi Syukur, ed, *Menyambut Ibu Kota Negara Nusantara Gagasan Multidimensi Masy Indones untuk Kejay Bangsa* (Bantul: Mata Kata Inspirasi, 2024) 262.

<sup>3</sup> Gatoet Poernomo, "Kearifan Lokal dalam Pengaturan Larangan Pembakaran Hutan dan Lahan" (2020) 4:1 Lex J Kaji Huk dan Keadilan 85-109, online: <<https://ejournal.unitomo.ac.id/index.php/hukum/article/view/3372>>.



activities, such as being converted into housing, infrastructure development (roads, tourist attractions, and so on).<sup>4</sup>

Conversion of agricultural land continues to occur to an alarming degree. In general, external and internal factors drive agricultural land conversion. Since the existence of road access surrounded by rice fields, there has been a change in the use of agricultural land for residential areas. This can be seen from the increase in residential houses and housing construction using the services of developers, as well as the construction of several shophouses or mini markets in the area. This has an impact on the community's economic area, which is caused by the effect of the conversion of agricultural land into built-up areas.<sup>5</sup>

The conversion of agricultural land in Mataram City increased in 2022 by 96.42 hectares from 15 hectares in 2021 due to various factors, one of which is the construction of several residential areas. "The land conversion is based on the latest data from the NTB National Land Agency (BPN), which states that the standard area of rice fields in Mataram is recorded at more than 1.3 hectares, while the data on the standard area of rice fields is more than 1.4 hectares. So, from this data, it can be seen that there is an increase in land conversion of more than 96 hectares. The high rate of land conversion in Mataram City is due to various factors, one of which is the large number of housing developments by developers, in addition to the addition of government and public facilities.<sup>6</sup>

The occurrence of land conversion in Mataram City has an impact on rice production. The target is 25,000 tons per year, but from 2021, only 24,500 tons were achieved, and in 2022, the realization of rice production was 24,663 tons, so it was still below the target. As the provincial capital, the issue of land conversion cannot be avoided, especially since Mataram City is the center of trade and business, so what needs to be the attention of the Agriculture Office at this time is how to optimally utilize the existing agricultural land with various innovations and technologies available.<sup>7</sup>

The previous research entitled *Analysis of the Transfer of Agricultural Land Function to Built-Up Areas in Sekarbela District, Mataram City* discusses the factors that cause land conversion and how much influence land use changes have on the community's economy. However, the study did not discuss the mechanism or process of land conversion and the legal impacts arising from land conversion. Therefore, it is necessary to conduct further research to find out the mechanism or process of transferring the function of agricultural rice fields into residential areas and the legal impacts arising from the conversion of agricultural land into residential areas.<sup>8</sup>

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<sup>4</sup> Baiq Burdatun, "Penegakan Hukum Terhadap Alih Fungsi Lahan Pertanian Menjadi Lahan Non Pertanian Di Kota Mataram" (2016) 4:3 J IUS Kaji Huk dan Keadilan 452.

<sup>5</sup> Direktorat Jenderal Bina Pemerintahan, "Peran BPD dalam Percepatan Penetapan Perdes, Khususnya Penetapan Perdes APBDes", (August 2021).

<sup>6</sup> Barda Nawawi Arief, *Masalah Pengakan Hukum dan kebijakan Penanggulangan Kejahatan* (Bandung: PT Citra Adiya Bakti, 2001).

<sup>7</sup> Kornelius Benuf, Siti Mahmudah & Ery Agus Priyono, "Perlindungan Hukum Terhadap Keamanan Data Konsumen Financial Technology Di Indonesia" (2019) 3:2 Refleks Huk J Ilmu Huk 145-160.

<sup>8</sup> Emi Salmah, Titi Yuniarti & Tuti Handayani, "Analisis Pengalihan Fungsi Lahan Pertanian Menjadi Kawasan Terbangun Di Kecamatan Sekarbela Kota Mataram" (2019) 5:1 J Econ Bus 67-108.



## METHOD

This research is a type of normative research, or library research is research which examines document studies using various secondary data, such as laws and regulations, court decisions, legal theories, and can be in the form of scholars' opinions.<sup>9</sup> The sources and types of data in this research consist of primary data (field data) and secondary data (literature data). Primary data collection (field data) is carried out using interviews or direct questioning and answers with related parties, and secondary data (literature data) is collected using document studies. Data analysis is carried out systematically, with qualitative methods.

## RESULT & DISCUSSION

### I. Factors that Lead to the Conversion of Agricultural Land to Housing in Mataram

Land use change, or commonly called land conversion, is an activity of converting the area by changing the function of both parts and all parts into other functions, most of which have negative impacts.<sup>10</sup> But it has positive impacts too. In another definition, land conversion is related to the transfer and allocation of land resources to other uses or functions.<sup>11</sup> Agricultural land conversion is a symptom that often occurs, and it is very cautious, and it turns out that this situation has not decreased. Various efforts have been made to prevent this land conversion and continue to be carried out through various policies, such as providing licensing restrictions and improving the granting of permits for plans to use agricultural land for non-agricultural purposes.<sup>12</sup> This effort is carried out as a form of effort to compensation for the reduction of unproductive agricultural land, so that it is necessary to monitor or supervise the policies that have been regulated. This land conversion is generally related to changes in the distribution of resources from the initial function to other functions. This land conversion usually takes place in bordering or suburban areas and is often done to support the development of the industrial and service sectors.<sup>13</sup>

Agricultural land conversion is no longer a new problem. Issues related to land use change or land conversion activities, especially agricultural land, have been much debated since the release of the results of the agricultural census, which noted that between 1983 to 1993, there was a shrinkage in the area of agricultural land. Local rice fields with an area of 1.28 million hectares. The phenomenon of land

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<sup>9</sup> Saparudin Efendi, Sukma Hidayat & Kurnia Abadi, "Analisa Yuridis Tindak Pidana Illegal Logging Yang Dilakukan Korporasi The Juridical Analysis of Corporate Illegal Logging Criminal Offenses operandi , bahkan kejahatan korporasi ini acapkali terjadi melampaui batas-batas kejahatan keraputih atau white co" (2023) 22 34-48.

<sup>10</sup> Muhammad Khairul Anwar & Nathya Kyra Aprilianisa, "Implementasi Program Food Estate dalam Rangka Mewujudkan Ketahanan Pangan (Studi di Kabupaten Sumbawa, Provinsi Nusa Tenggara Barat)" (2023) 7:1 Lex J Kaji Huk dan Keadilan 112-132, online: <<https://ejournal.unitomo.ac.id/index.php/hukum/article/view/8941>>.

<sup>11</sup> Heni Rahmawati, "Relevansi Pergeseran Alih Guna Lahan Pertanian Menjadi Pemukiman Di Desa Simogirang Kecamatan Prambon" (2021) 1:3 J Ekon Bisnis Dan Akunt 7.

<sup>12</sup> Baiq Riska Anggi Safitri & Catur Erwin Setiawan, "The Granting of Industrial Plantation Forest of PT Sadhana Arif Nusa on the Land of Customary Law Communities in Sambalia District from the Perspective of Legal Certainty Theory" (2025) 1:1 Iuris Philos J 72-80, online: <<https://jurnal.jurisprudenceinsights.com/index.php/Iurisphilosophiajournal/article/view/9>>.

<sup>13</sup> Heni Rahmawati, *supra* note 11.



conversion is an important and unavoidable problem because non-agricultural land use tends to generate financial benefits compared to agricultural land use.<sup>14</sup> This can be seen from the relatively lower rental value of land in agricultural businesses compared to other businesses that carry out non-agricultural activities. Conversion of agricultural paddy fields is a problem that is an issue that must be considered because people are very dependent on the agricultural sector, especially food issues. The process of land conversion is closely related to the demand and supply of land. The fact is that the available land or land supply is low and very limited, while the demand for land is very high and unlimited.<sup>15</sup>

Agricultural land conversion can affect two things, namely: It results in a decrease in national rice productivity, which in turn threatens national food security. And from the form of agricultural land conversion to housing, offices, road infrastructure, industry, and services results in a large loss of funds that have been invested in printing rice fields, building reservoirs, and irrigation systems. To control the conversion of agricultural land is a banking policy by pledging and making rice fields as collateral for credit loans from banks in the country, by supervising the use of credit loans from banks, so that they are right on target for productive and potentially developing types of businesses.<sup>16</sup>

Factors causing the conversion of agricultural land are as follows:

1. Economic factors such as the decline in farmers' incomes have made farmers prefer activities in other non-agricultural sectors, such as opening restaurants, shop houses and shops, to the construction of land plots that make the selling price of land increase dramatically.
2. Population growth factor, The increase in population drives the need for new housing, causing agricultural land to be converted into housing development.
3. For infrastructure development, such as the construction of roads, transportation routes, and public facilities that trigger the development of housing around the area, so that the agricultural land changes its function.

Other factors include, landowners who choose to sell their land because the price is high there is also because they are in need of money, have needs or other reasons that cause them to have to sell their land, as well as high housing needs will make or cause land clearing for settlements which will certainly reduce the rice fields.<sup>17</sup>

## **II. Legal Impacts Arising from the Conversion of Agricultural Land into Residential Areas**

The transfer of land functions and the changes that occur cause several influences, both negative and positive. This is not uncommon for there to be no impact in the area. The impact of land conversion occurs from economic to social aspects. The

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<sup>14</sup> Prof Dr. Ir. Aziz Nur Bambang & Dr. Ing Sudarno, Dr. Rossi Prabowo, *Lingkungan dan konversi lahan* (Semarang: Cahya Gani, 2023).

<sup>15</sup> *Ibid.*

<sup>16</sup> Arsyad, R. M., Muhibuddin, A., & Nasution, *supra* note 1.

<sup>17</sup> Ajat Sudrajat Ilvi Nur Alinda, Asep Yanyan Setiawan, *Alih Fungsi Lahan Dari Sawah Men jadi Perumahan Di Kampung Gumuruh Desa Nagrak Kecamatan Cangkuang* (Bandung: Georea, 2023).



increasing demand for the needs of the community in increasing demand is not in line with the resources, the existence of natural resources (SDA) and human resources (Human Resources) for containers in the fulfillment of all activities.<sup>18</sup>

The negative impact of land use change is the change in socio-economic conditions felt by farmers causing farmers to lose their land and most of them have an impact on reducing food production and other negative impacts are the high land value that occurs along major roads it happens because major roads are busy roads and adequate public facilities are in the surrounding area. In addition to negative impacts, there are positive impacts for the community, such as new job vacancies to work in nearby factories, the community gets jobs as laborers to help build housing, and the community also takes over opening businesses such as food stalls and shop houses around the housing area.<sup>19</sup>

### CONCLUSION

The transfer of land functions and the changes that occur cause several influences, both negative and positive. This is not uncommon for there to be no impact in the area. The impact of land conversion occurs from economic to social aspects. The increasing demand for the needs of the community in increasing demand is not in line with resources, the existence of natural resources (SDA) and human resources (HR) for containers in the fulfillment of all activities. The government must comply with and implement the regional regulation of the city of Mataram concerning regional spatial plans number 5 of 2019 to be more selective in granting licenses to developers and or developers in transferring the function of agricultural land into housing because agricultural land is very important in the food sector, the economic sector and is one of the foreign exchange for the country in the welfare of the people.

### DECLARATION OF CONFLICTING INTERESTS

The authors state that there is no conflict of interest in the publication of this article.

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<sup>18</sup> Rizqi Wardiana Sari Wardiana Sari Sari and Eppy Yuliani, "Identifikasi Dampak Alih Fungsi Lahan Pertanian Ke Non Pertanian Untuk Perumahan" (2022) 1:2 J Kaji Ruang 259.

<sup>19</sup> *Ibid.*



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