JURNAL PACTA SUNT SERVANDA

Volume 4 Nomor 2, September 2023 p-ISSN: 2723-7435, e-ISSN: 2807-632X

Open Access at: https://ejournal2.undiksha.ac.id/index.php/JPSS

Program Studi Ilmu Hukum Fakultas Hukum dan Ilmu Sosial

Universitas Pendidikan Ganesha Sinaaraia



NUSA PENIDA'S UNPREPAREDNESS AMIDST RAPID TOURISM **EXPANSION: DISPARITIES BETWEEN PUBLIC INFRASTRUCTURE AND TOURIST INFLUX**

Ni Kadek Juwita Widyastiti

Universitas Pendidikan Ganesha

E-mail: juwita@student.undiksha.ac.id

Tourism.

Penida,

Info Artikel

Masuk: 1 Januari 2023 Diterima: 1 Februari

2023

Terbit: 1 Maret 2023

Keywords: Nusa Infrastructure, Sustainable Development, **Overtourism**

This research investigates the critical issue of public infrastructure disparity amidst the rapidly growing tourism sector in Nusa Penida, Bali. Known as the "golden egg" of Bali's tourism due to its natural beauty and increasing contribution to regional income, Nusa Penida paradoxically struggles with inadequate public facilities. Despite generating over 26 billion rupiah in regional revenue in the first half of 2024, many parts of the island remain underserved in terms of transportation infrastructure, sanitation, public health access, and waste management systems. The study highlights how the tourism reflected by over 653,000 visitors in 2023 has not been met with parallel improvements in public services. Visitors often face logistical difficulties due to narrow, damaged roads and poor signage, while local communities deal with rising traffic congestion, pollution, and increased living costs. Moreover, the surge in foreign investments for tourism businesses, such as villas and beach clubs, exacerbates inequality by sidelining local entrepreneurs and community participation.

Through the lens of Law Number 10 of 2009 on Tourism particularly articles concerning infrastructure, accessibility, and sustainable development—this research evaluates whether government responsibilities are being fulfilled. The findings demonstrate that Nusa Penida's current state of readiness does not align with the legal mandates for sustainable tourism, raising questions

Kata kunci: Pariwisata, Nusa Penida, Infrastruktur, Pembangunan Berkelanjutan, Overtourism

Corresponding Author:

<u>juwita@student.undi</u> ksha.ac.id about policy implementation and governance. The research ultimately calls for a more inclusive and environmentally responsible tourism model that ensures equitable benefits for local residents and safeguards the island's longterm viability as a tourist destination.

Abstrak

Penelitian ini menyelidiki isu kritis tentang kesenjangan infrastruktur publik di tengah-tengah sektor pariwisata yang berkembang pesat di Nusa Penida, Bali. Dikenal sebagai "telur emas" pariwisata Bali karena keindahan alam dan kontribusinya yang terus meningkat terhadap pendapatan daerah, Nusa Penida secara paradoksal berjuang untuk mendapatkan fasilitas publik yang memadai. Meskipun menghasilkan lebih dari 26 miliar rupiah dalam pendapatan daerah pada paruh pertama tahun 2024, banyak bagian dari pulau ini yang masih kurang terlayani dalam hal infrastruktur transportasi, sanitasi, akses kesehatan masyarakat, dan sistem pengelolaan limbah. Studi ini menyoroti bagaimana pariwisata yang tercermin dari lebih dari 653.000 pengunjung pada tahun 2023 belum diimbangi dengan peningkatan layanan publik yang paralel. Pengunjung sering menghadapi kesulitan logistik karena jalan yang sempit dan rusak serta rambu-rambu yang buruk, sementara masyarakat setempat menghadapi kemacetan lalu lintas yang meningkat, polusi, dan peningkatan biaya hidup. Selain itu, lonjakan investasi asing untuk bisnis pariwisata, seperti vila dan klub pantai, memperparah ketidaksetaraan dengan mengesampingkan pengusaha lokal dan partisipasi masyarakat.

Melalui lensa Undang-Undang Nomor 10 Tahun 2009 tentang Kepariwisataan-khususnya pasal-pasal yang berkaitan dengan infrastruktur, aksesibilitas, dan pembangunan berkelanjutan-penelitian ini mengevaluasi apakah tanggung jawab pemerintah telah dipenuhi. Temuan penelitian menunjukkan bahwa kondisi kesiapan Nusa Penida saat ini tidak sejalan dengan mandat hukum untuk pariwisata berkelanjutan, sehingga menimbulkan pertanyaan tentang implementasi kebijakan.

Introduction

Nusa Penida is an archipelago located in Klungkung Regency, Bali Province, Indonesia. Geographically, Nusa Penida is located at 115 degrees 27' 47.6" East - 115 degrees 37' 41.8" East with an area of approximately 210 square kilometers or 2/3 of the Klungkung mainland area. This small island is divided into three islands namely, Nusa Penida Island, Lembongan Island, and Ceningan Island which consists of 16 Dinas Villages and 48 Adat Villages. The names of the official villages are Batununggul, Batumadeg, Batukandik, Bungamekar, Jungutbatu, Klumpu, Kutampi, Kutampi Kaler, Lembongan, Ped, Sakti, Pejukutan, Sekartaji, Suana, Tanglad, and Toyapakeh villages.

When viewed from its boundaries, Nusa Penida is located on the north of the Badung Strait, west of Nusa Ceningan, east of the Lombok Strait, and south of the Indian Ocean.

Bali's golden egg, this is the nickname for this beautiful island. This term illustrates how much economic potential the island has in boosting the tourism sector and regional income. The mesmerizing natural beauty ranging from cliffs, hills, to beaches with white sand is able to attract many tourists from foreign countries to visit tourist attractions in Nusa Penida. The increase in the number of tourists has an impact on the soaring Regional Original Income (PAD) of Klungkung Regency. Head of the Klungkung Tourism Office (Dispar) Ni Made Sulistiawati revealed that the sale of entrance tickets to Nusa Penida per the first semester of 2024 contributed revenue to Klungkung reaching more than Rp 26 billion, which was previously achieved (PAD) in 2023 of Rp 17.799 billion. This amount is higher than last year's achievement for the same period. The revenue is calculated from the number of tourist retribution tickets entering the tourist area on three islands, including Nusa Penida, Nusa Lembongan, and Nusa Ceningan. Meanwhile, the levy collected is IDR 25 thousand per tourist. Nusa Penida is the foundation of tourism in Klungkung Regency, contributing the highest number of visits and investment. Compared to other tourist attractions, Klungkung Tourism Office data, until December 2023, recorded that Nusa Penida had been visited by 653,579 tourists. The highest tourist visits occurred in the last three months. In detail, tourist arrivals in Nusa Penida in May 2024 reached 114,503 people, June 2024 102,983 people, and July 2024 108,272 people.

Behind the beauty that Nusa Penida has to offer, there are crucial problems, especially in terms of the availability and equitable distribution of public facilities. One of the main problems that is very striking is the condition of the road infrastructure, which is still far from adequate. Many roads in Nusa Penida are narrow, potholed and poorly paved. There have been road expansions, but the quality of the material used is very poor and even very bad, which should use asphalt, but what is used to widen public roads is asphalt, which if passed several times will quickly deteriorate. This leads to severe congestion, especially during weekends or the holiday season, when the number of tourist vehicles increases dramatically. One of the worst spots is the access to Kelingking Beach, one of Nusa Penida's tourist icons, where tourists must go through a narrow and damaged uphill path. Not a few vehicles are forced to stop for a long time due to the heavy traffic flow that is not matched by adequate road facilities.

Not only that, but the lack of signage, lack of parking, and absence of sidewalks for pedestrians exacerbate the situation. The public transportation system is also unavailable, forcing tourists to rely on renting motorbikes or private cars, which only adds to the traffic burden. Moreover, many international tourists are unable to use motorcycles but are forced to use them recklessly, often causing accidents. On the other hand, unstructured waste management, lack of proper public toilets, and limited health and safety facilities, emphasize that Nusa Penida is not fully prepared to become an international tourist destination. This is no longer in line with Law No. 10/2009 on Tourism, which emphasizes that tourism development must be carried out in a sustainable manner, taking into account the carrying capacity of the environment, and prioritizing the comfort and safety of tourists. Article 25 states that the government and local governments are obliged to provide infrastructure, public facilities, and accessibility to tourist destinations.

P-ISSN: 2723-7435

This is very contrary to the income earned. Nusa Penida has contributed a lot of income to the local government, but until now there is no clarity regarding infrastructure improvements, especially public road access. This article will discuss in depth the disparities between public facilities and the surge of tourists in Nusa Penida, and illustrate how the urgency of sustainable tourism planning is key so that this "golden egg" is not cracked before it has time to really benefit all parties with the title NUSA PENIDA'S UNPREPAREDNESS AMIDST RAPID TOURISM EXPANSION: DISPARITIES BETWEEN PUBLIC INFRASTRUCTURE AND TOURIST INFLUX.

Research Methods

The research method employed in this study is empirical juridical, using a sociological juridical approach that explores the discrepancy between legal norms and the realities experienced by the people of Nusa Penida. This approach was chosen to investigate how the legal framework outlined in Law Number 10 of 2009 concerning Tourism—especially regarding the obligation of government and local authorities to provide adequate infrastructure, accessibility, and public facilities—is reflected (or not) in actual development practices on the island. The research is qualitative descriptive in nature. Data collection techniques include: Document studies: Reviewing relevant laws and regulations, government reports, planning documents, and news coverage about tourism infrastructure in Nusa Penida. Observation: Direct field observations were made in various tourist and local areas within Nusa Penida, such as the access roads to Kelingking Beach, Toyapakeh-Sebunibus road, and other critical infrastructure points. Interviews: Semi-structured interviews were conducted with local residents, traditional village leaders (desa adat), local entrepreneurs, tourism service providers, and representatives from the Department of Public Works and the Department of Tourism in Klungkung Regency.

The sampling technique used is purposive sampling, selecting informants who are knowledgeable or directly affected by the infrastructure issues, including those who have experienced the tourism impacts firsthand. The data analysis technique used is descriptive qualitative analysis, where field data is categorized and interpreted in accordance with the principles and legal stipulations of sustainable tourism. The analysis also compares the government's budget allocations from 2024 and 2025 with on-the-ground results to evaluate the effectiveness and transparency of tourism infrastructure planning. This method allows the research to assess not only the legal compliance of tourism development policies but also the socio-economic and environmental consequences of infrastructure imbalances in a tourism-heavy region. The ultimate goal is to provide a legal and policy-based perspective on how Nusa Penida can achieve a more equitable and sustainable tourism future.

Results and Discussion

The Surge Of Tourists In Nusa Penida Affect Infrastructure Readiness And The Balance Of Regional Development

Based on Article 4 of the Law of the Republic of Indonesia Number 10 of 2009 concerning Tourism, it states that one of the objectives of tourism is to improve people's welfare, in contrast to the theory, the soaring tourism sector in Nusa Penida not only ends in a positive impact but also causes a negative impact, especially since the existing facilities are inadequate. The more tourists that come, the more people flock to convert their green or empty land to build new businesses such as lodging, restaurants, bars, souvenir shops, and the like. Although there has been progress, the community has not

yet fully felt it. In addition, the community has also experienced various significant problems, one of the most felt problems is the traffic jam that is getting worse and can cause an increase in air pollution in Nusa Penida. The existing roads on the island are already narrow, and inadequate to accommodate the increasing volume of vehicles. This condition is exacerbated by road infrastructure that is still damaged at many points, especially in places that lead to tourism objects. The rapid growth of tourism is not always aligned with the improvement of adequate infrastructure. Such a thing is a concrete example of the negative impact of an uncontrolled surge in tourism, which is not in accordance with the principle of the implementation of tourism, namely the principle of sustainability (Article 2 letter h of Law Number 10 of 2009 concerning Tourism). For this reason, it is important for local governments to integrate infrastructure development in a sustainable manner so that tourism growth not only benefits investors, but also improves the welfare of local communities.

Nusa Penida is currently experiencing Overtourism which has caused an increase in various fields, especially in business development. Business development—such as villas, restaurants, beach clubs, and others are not all owned by the Nusa Penida community but many are from foreign investors. This causes profits or opportunities to only be obtained by outsiders while the local population is still grappling with basic infrastructure challenges. As a result, locals often feel neglected in a development process that should also improve their quality of life. Road infrastructure is very poor, such as the condition of the Sebunibus and Toyapakeh roads, which are still damaged and quite narrow. Many developments that are not conducive and controlled give the impression of inequality between public facilities, especially road infrastructure, which is very behind. In contrast, Nusa Penida is experiencing rapid tourism growth but has not been matched by infrastructure readiness.

Some other tourist areas have shown seriousness in managing the surge of tourists in a sustainable manner. One of them is Ubud in Bali, which from the beginning implemented zoning of tourist areas, limited the construction of large hotels in rural areas, and integrated local culture in destination governance. As a result, although Ubud has also become an international tourist destination, the balance between nature, culture and development is still maintained. Another example is the road in "Bunga Mekar" that leads to Klingking Beach, which is very damaged. This condition has not improved from year to year and is very chaotic when tourist visits are booming such as before Christmas and New Year. Not a few tourists choose to take a vacation to Nusa Penida, but the first impression they get is disturbed by the damaged road.

The inequality of infrastructure development in Nusa Penida is not only the responsibility of the local government, but also involves the important role of village and customary village governments. In the context of regional autonomy, Law No. 6/2014 on Villages provides space for villages to independently manage local potential, including the tourism sector. Article 26 paragraph (1) states that "The Village Head is obliged to implement the principles of good governance, including in managing development in the village." This means that villages have the authority to design and implement development in accordance with the characteristics and needs of their communities. However, in many areas of Nusa Penida, village involvement in tourism management is still not optimal. Villages are often not involved in the licensing process for villas, beach clubs and other businesses that have a direct impact on the local

P-ISSN: 2723-7435

environment and culture. In fact, the decentralization of tourism levy management has not evenly benefited indigenous communities or village officials.

In fact, based on Article 95 paragraph (1) of Law Number 10/2009 on Tourism, it is stated that "The government, local governments, communities, and businesses are responsible for the implementation of sustainable tourism." In other words, villages and indigenous communities have an important position as parties who can and should participate in determining the direction of tourism development in their areas. Traditional villages, which have strong social structures and cultural authority, actually have great potential in maintaining harmony between nature, culture and tourism. But currently, local values are often displaced by the interests of outside investors. If village governments and customary villages are given more space to regulate spatial planning and establish development rules based on local wisdom, the tourism potential in Nusa Penida can grow more inclusive and sustainable.

The Inequality Of Public Facilities Affect The Comfort And Sustainability Of Tourism Amidst The Surge Of Tourists In Nusa Penida

Nusa Penida is a tourist destination, where they try something new, where they feel a different atmosphere from the tired work or education they experience, however, if the facilities available are not good enough, tourists will get a bad impression even though the natural beauty is unmatched if the access to the place is very dangerous, it is a driving factor for them not to visit existing tourist attractions. The inequality of public facilities such as damaged and less extensive roads, minimal sanitation, limited access to clean water, and lack of health and security facilities can have a direct impact on the comfort of tourists, whether from foreign tourists or domestic tourists. Travelers coming to a destination like Nusa Penida expect a pleasant and safe experience. When basic facilities are inadequate, this will not only disappoint visitors, but also potentially lower the overall image of the destination which will result in a decrease in tourist numbers.

There are many complaints from the community regarding road damage and other public facilities. One of the people of Nusa Penida, I Nengah Star (deceased), stated that the road in Nusa Penida is very narrow and there are many potholes, vehicles that pass each other, often rubbing against each other. This is very ironic, considering that Nusa Penida is one of the granaries of Regional Original Revenue (PAD) in Klungkung. If you look back at the revenue generated by Nusa Penida, it is very sufficient to repair damaged road infrastructure. In terms of sustainability, the inequality of public facilities can accelerate environmental degradation and cause excessive pressure on local ecosystems. For example, lack of waste management or poor drainage can pollute the coastal areas that are the main attraction. In addition, local communities will be marginalized if infrastructure is only focused on tourist areas without considering the needs of local residents. The Klungkung DPRD representative also stated that there is no reason why the government does not have the budget, repairs should be carried out immediately and to prevent congestion it would be more effective to make a shortcut.

Previously there were efforts to repair damaged road infrastructure and widen the road but the materials used were inappropriate and of poor quality so that the road was damaged again. Based on Law Number 10 of 2009 concerning Tourism in article 7 letter b states that one of the tourism developments is tourism destinations. Where in this provision what is meant by tourism destination development, namely; community empowerment, development of tourist attractions, infrastructure development, provision of public facilities, and development of tourism facilities in an integrated and sustainable manner. Sustainable development includes the development of

infrastructure and public facilities as part of tourism destination development, which means that the success of the tourism sector is highly dependent on infrastructure equality.

Currently, it is planned to improve infrastructure in Nusa Penida, which was conveyed directly by the Head of Klungkung Public Works, Spatial Planning, and Settlement Areas (PUPRKP) on the Detik.com web page, the Klungkung Regency Government has allocated a budget of Rp 13.955 billion for road improvements in Nusa Penida in 2025. These include maintenance of the Yellow Bridge (Lembongan-Ceningan) Rp 1.5 billion, upgrading Bunga Mekar-Pura Kalibun Road Rp 2.828 billion, upgrading Sekartaji-Sedihing Road Rp 2.905 billion, routine maintenance of roads in Nusa Lembongan Rp 200 million. Routine maintenance of roads in Nusa Penida Rp 2 billion, periodic maintenance of the Toya Pakeh - Sebunibus road Rp 1.416 billion, periodic maintenance of the Klumpu - Batumadeg T-junction road Rp 189 million, periodic maintenance of the Batukandik T-junction road Rp 189 million, periodic maintenance of the Batumadeg-Sebuluh T-junction road Rp 189 million. Periodic maintenance of Karang-Atuh Road Rp 189 million, road widening of Batu Kandik Village to Pura Dalem Dukut Rp 470 million, periodic maintenance of Banjar Subia Road, Klumpu Village Rp 282 million. Periodic maintenance of Banjar Angas road, Batukandik village Rp 188 million, periodic maintenance of Dungkap-Banjar Buluh road, Batukandik village Rp 1.222 billion, periodic maintenance of Cubang road, Sakti village Rp 188 million. Routine maintenance of roads in mainland Klungkung Rp 2 billion. Total road maintenance in mainland Klungkung and Nusa Penida is Rp 15.955 billion.

If we compare it to 2024 on the Detik.com website, the Public Works, Spatial Planning, Housing, and Settlement Areas (PUPRPKP) Office said that the repair of damaged roads and construction of new routes in Nusa Penida is budgeted at IDR 63.3 billion. One of the budgets is used for annual routine maintenance of Rp 3.3 billion. The details are for routine maintenance in Nusa Penida Rp 2.9 billion, maintenance of the yellow bridge Rp 200 million, and road maintenance in Nusa Lembongan Rp 200 million. Meanwhile, the construction of new roads comes from the Presidential Instruction (Inpres) fund. Funding for two lanes, namely Bunga Mekar-Pura Kalibun Road along 6 kilometers (km) worth Rp 37 billion and Lembongan-Klatak lane along 4.4 km worth Rp 20 billion. Meanwhile, the Klungkung regional budget of Rp 6.3 billion was used for the construction of the 2.15 km Jungut Batu-Klatak road.

In 2024, not a little budget was spent but the road infrastructure or other public facilities that were seen still had no signs of improvement. This certainly raises big questions among the public about the effectiveness of the use of such a large budget. Although in 2024 the total budget allocated reached Rp 63.3 billion, the facts on the ground show that a number of road infrastructure is still in a damaged condition and has not shown significant progress. This condition raises concerns about discrepancies between the planning, implementation and supervision of development projects in the Nusa Penida region.

The community hopes that in 2025, with a reallocated budget of Rp 13.955 billion for Nusa Penida, the government really ensures that the implementation of improvements is transparent, well-targeted and closely monitored. Do not let the allocation of funds that continues to roll in every year only become a formality without

P-ISSN: 2723-7435

having a real impact on improving the quality of life and accessibility of residents in the islands.

Conclusion

The tourism boom in Nusa Penida has indeed contributed significantly to Klungkung Regency's Regional Original Revenue (PAD), but this growth has not been matched by basic infrastructure readiness. The condition of damaged and narrow roads, lack of public transportation, sanitation facilities, and poor waste management show that Nusa Penida is not ready to become an international tourist destination. This imbalance has a direct impact on the comfort of tourists and the environmental and social sustainability of local communities. Ironically, in the midst of large revenues from the tourism sector, infrastructure improvements seem slow and not targeted. In fact, various regulations such as Law No. 10 of 2009 and Law No. 6 of 2014 have emphasized the importance of sustainable and inclusive tourism development, including the involvement of village governments and indigenous peoples.

Recommendation

Based on the research findings, the following recommendations are proposed to address the gap between tourism growth and public infrastructure development in Nusa Penida:

- 1. Improve infrastructure quality planning and control for infrastructur, local governments should prioritize quality infrastructure development-particularly road access, sanitation, and waste management-using durable materials and effective monitoring to ensure long-term sustainability.
- 2. Strengthen transparency and public participation, ensure transparent budgeting and implementation of infrastructure projects and involve local communities in the planning and monitoring process to increase accountability and public trust.
- 3. Empowering local communities in tourism management, increase the involvement of customary villages and village offices in managing tourism-related development to ensure that local values are preserved and economic benefits are felt by the indigenous population.
- 4. Implement sustainable and inclusive tourism policies, implement tourism policies that are in line with sustainability principles by regulating the number of visitors, limiting overdevelopment, and supporting local entrepreneurs to compete with foreign investors.

References

Book

Nasrullah, et al. (2023). Tourism Destination Planning. Cet. 1. Yogyakarta: Yayasan Kita Tulis.

Tamaulina Br. Sembiring, et al. (2023). Local Government System. Cet. 1. Solo: MAFY Media Literacy.

Journals and Articles

Clarissa Alya Alifia Vendra. (2024). The Role of Local Government in Managing Local Revenue from the Tourism Sector Based on Bali Province Regional Regulation Number 9 of 2019 concerning Regional Taxes. Unes Law Review, Vol. 6, No. 1, pp. 45-58.

- Desmayeti, et al. (2021). The Role of Local Government in the Development of Padang Melang Beach Tourism in Batu Berapit Village, Jemaja District, Anambas Islands Regency. Journal of Social and Political Sciences of Raja Haji, Vol. 3, No. 1, pp. 112-126.
- Evy Sriwati, et al. (2024). The Role of Local Government in Infrastructure Development. Unismuh Journal, Vol. 5, No. 1, pp. 73-86.
- Agus Muriawan Putra. (2019). The Role of Local Government, Industry, and Society in Sustainable Tourism Management. Proceedings of the National Seminar "Media Capitalism and Political Communication in the Era of the Industrial Revolution 4.0", pp. 54-59.
- I Putu Soni Maaiwa Kusuma & I Ketut Sudiarta. (2021). Legal Products of the Bali Regional Government Regarding Environmental Protection in Tourism Activities. Journal of Kertha Negara, Vol. 9, No. 2, pp. 130-141.
- Bate Pongsitanan, Harmonis Rante, Tiurlina Siregar. (2021). Analysis of the Influence of Infrastructure on Nature Tourism Negeri di Atas Awan Kabupaten Toraja Utara. ELIPS Journal, Vol. 4, No. 1, pp. 36-41.

Legislation

Law of the Republic of Indonesia Number 10 Year 2009 on Tourism. Law of the Republic of Indonesia Number 6 of 2014 on Villages.

Web

- BaliPost.com. (2023). Throughout 2023 Nusa Penida is still a favorite tourist destination.

 Link: https://www.balipost.com/news/2023/12/29/380326/Sepanjang-2023,Nusa-Penida-Masih...html. Accessed on April 09, 2025.
- Detik.com. (2025). Tourists to Nusa Penida Contribute Revenue to Klungkung Rp 26 Billion. Link: https://www.detik.com/bali/bisnis/d-7487757/turis-ke-nusa-penida-sumbang-pendapatan-ke-klungkung-rp-26-miliar. Accessed on April 09, 2025.
- Detik.com. (2024). Nusa Penida Road Repair Takes Rp 63 Billion Budget. Link: https://www.detik.com/bali/berita/d-7339423/perbaikan-pembangunan-jalan-di-nusa-penida-telan-anggaran-rp-63-3-miliar. Accessed on April 10, 2025.
- NusaBali.com. (2025). Road Repair Budget in Nusa Penida Rp 13.9 M. Link: https://www.nusabali.com/berita/189903/anggaran-perbaikan-jalan-dinusa-penida-rp-139-m. Accessed on April 10, 2025.