

Pendirian usaha spbu di daerah pemukiman analisa kasus putusan PTUN No 184/G/ 2010/PTUN- Jkt = Establishment of regional housing enterprises stations administrative court decision no case analysis 184/G/ 2010/PTUN-Jkt

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Abstrak

Skripsi ini membahas Bagaimana dampak dari pembangunan SPBU di daerah Pemukiman terhadap nilai jual tanah dan apakah PTUN dapat ikut mengawasi keberadaan SPBU. Penelitiannya bersifat yuridis-normatif dengan desain studi kasus. Hasil penelitian memperlihatkan keberadaan SPBU didaerah pemukiman akan berdampak terhadap nilai jual tanah karena calon pembeli property atau tanah akan mempertimbangkan telah terjadinya pencemaran terhadap air, pencemaran tanah, pencemaran udara, serta kekhawatiran akan terjadinya ledakan atau kebakaran serta kemacetan. Sehingga akan berpengaruh kenyamanan dan keamanan. Penulis juga mendapat kesimpulan bahwa keputusan PTUN dapat mengawasi keberadaan dari SPBU, karena ini menjadi harapan tegaknya keadilan dan menjadi preseden baik untuk penegakan hukum di Indonesia, karena dalam putusan PTUN No. 184/G/2010/PTUN-Jkt, tertib Administrasi tidak dilakukan oleh Dinas P2B DKI.

Penulis mengemukakan beberapa saran membuat Undang Undang Gangguan Baru versi Indonesia, bukan lagi berdasarkan kepada Undang Undang Gangguan peninggalan Pemerintahan Hindia Belanda (H/O) ataupun Izin Gangguan Daerah, Gubernur melalui aparatnya hendaknya selalu mengadakan pemeriksaan tertib administrasi, perangkat Administrasi di daerah hendaknya mengetahui tentang peraturan perundang-undangan yang berlaku dan masih digunakan di Indonesia, Tata Ruang (RTRW) yang sudah di tetapkan Pemerintah daerah hendaknya diawasi dilapangan dengan memperhatikan tentang pelestarian lingkungan, dan Izin Pembangunan dan pengoperasian SPBU hendaknya ditinjau ulang oleh Kementerian Energi dan Sumber Daya Mineral dan Pertamina, mengingat semakin banyaknya dibangun dan beroperasinya SPBU didaerah pemukiman.

.....Study Program Majoring in Business Law PK IV Title Establishment of Regional Housing Enterprises stations Administrative Court Decision No Case Analysis 184 G 2010 PTUN Jkt This thesis discusses What is the impact of the construction of the gas stations in the area selling value of land settlement and whether the administrative court can monitor the presence of the pump Juridical normative research with case study design The results showed the presence of gas stations residential areas will affect the sale value of the land as a potential buyer would consider the property or land have pollution to water soil pollution air pollution as well as fears of an explosion or fire as well as congestion So it will affect comfort and safety. The author also gets the conclusion that the decision of the Administrative Court can supervise the presence of the pump because it became the hope for justice or a good precedent for law enforcement in Indonesia because the decision of the Administrative Court No 184 G 2010 PTUN Jkt orderly administration is not done by P2B agency.

The authors propose some suggestions to make New Nuisance Act Indonesian version no longer based on the Law Governing Nuisance Dutch heritage H O or Regional Disturbance Permit the Governor through its agents should always hold the orderly administration of the examination the Administration in the area

should know about legislation in force and are still used in Indonesia Spatial Spatial which is in charge local governments must be supervised in the field by taking into account of environmental conservation and permit construction and operation of the pump should be reviewed by the Ministry of Energy and Mineral Resources Ministry and Pertamina given the increasing number of construction and operation of gas stations residential areas Keywords Establishment of gas stations the sale value of land the Administrative Court.