

LAW OF THE REPUBLIC OF INDONESIA  
NUMBER 26 YEAR 2007

CONCERNING  
SPATIAL MANAGEMENT

BY THE GRACE OF GOD ALMIGHTY

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering :

- a. that the space of the Unitary State of the Republic of Indonesia which constitutes an archipelagic state with Nusantara characteristics, both as a unity of land space, oceanic space, and air space, including space within the earth and also as a resource, there is a need to improve its management with wisdom, productivity and profitability based on spatial management principles in order to maintain the sustainability of national space for the general welfare and social justice, with respect to 1945 Constitution of the Republic of Indonesia;
- b. that development in the national and international situation and conditions requires enforcement of the principles of integrity, sustainability, democracy, legality, and justice in order to provide good administration of spatial management in accordance with the ideal foundation, Pancasila;
- c. that to strengthen National Defense based on the Archipelagic Point of View and in line with the autonomy policy which gives greater authority to the local government in the administration of spatial management, therefore such authority needs to be regulated in order to maintain harmony and integrity among regions and between the central and local government so as not to develop gaps between regions;
- d. that the existence of limited space and the development of society's understanding on the importance of spatial management so it is deemed necessary for the administration of spatial management to be transparent, effective and participative to realize a safe, convenient, productive and sustainable space;
- e. that geographically the Republic of Indonesia lies on a disaster area, so it is necessary to have spatial management based on disaster mitigation as an effort to increase safety and comfort of life and living;

- f. that Law No 24 Year 1992 on Spatial Management is no longer relevant to the necessity to stipulate spatial management and needs to be substituted by a new spatial management law;
- g. that based on the considerations in letters a, b, c, d, e and f, it is deemed necessary to enact a new law on spatial management.

In view of :

Article 5 paragraph (1), Article 20, Article 25A, and Article 33 Paragraph (3) of the 1945 Constitution of the Republic of Indonesia;

By the joint approval of

THE HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF  
INDONESIA

and

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

DECIDES:

To stipulate:  
LAW ON SPATIAL MANAGEMENT.

## CHAPTER I

### GENERAL PROVISION

#### Article 1

Hereinafter referred to as:

1. Space means a site that consists of land space, oceanic space, and air space, including space within the earth as one united area, where humans and other creatures live, carry out activities and maintain a sustainable life.
2. Spatial use is the form of space structure and space pattern.
3. Space structure is a structure of residential centers and infrastructure network systems which function as a support for the society's social economic activity which has a functional relation in a hierarchy.

4. Space pattern is the distribution of space allocation in one area that covers space allocation for conservation and cultivation.
5. Spatial management is a system for the process of spatial planning, space utilization and control over space utilization.
6. Administration of spatial management is an activity that consists of regulation, establishment, execution, and supervision over spatial management.
7. Central Government, hereinafter referred to as the "Government", is the President of the Republic of Indonesia who holds the governing authority in the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia.
8. Local government means the Governor, Regent or Mayor and local officials as the executive elements of local governance.
9. Spatial management regulation is an effort to promulgate the legal basis for the Government, local government and society in spatial management.
10. Spatial management establishment is an effort to increase the performance of spatial management conducted by the Government, local government, and society.
11. Spatial management execution is an effort to achieve goals of spatial management through spatial planning, space utilization, and control over space utilization.
12. Spatial management supervision is an effort so that the spatial plan can be realized in accordance with the prevailing regulations.
13. Spatial planning is a process to determine space structure and space pattern that consists of preparing and determining the spatial plan.
14. Utilization of space is an effort to realize space structure and space pattern in accordance with the spatial plan through the formulation and execution of the program along with its funding.
15. Control over space utilization is an effort to realize an order of the spatial use.
16. Spatial plan is the result of spatial planning process.

17. Region is space that constitutes geographical unity with all related elements whose boundaries and the system are decided by administrative and/or functional aspects.
18. Regional system is space structure and space pattern that have a range of services on a regional level.
19. Urban internal system is space structure and space pattern that have a range of services on an internal urban level.
20. Area is a region that functions mainly for conservation or cultivation.
21. Conservation Area is a region whose main function is to ensure environmental sustainability which consists of natural and artificial resources.
22. Cultivation area is a region whose main function is to be cultivated based on conditions and its natural resource potential, human resources, and artificial resources.
23. Rural Area is a region with agriculture as its main activity, including natural resource management with areas structured as rural residences, governmental services, social services and economic activities.
24. Agripolitan Area is a region which consists of one or more activity center in a rural area as an agricultural production system and natural resource management that is indicated by its functional relevance and space hierarchy for each residential system and agribusiness system.
25. Urban area is a region with the main activity not in the agricultural field, and with areas structured as urban residences, centralization and distribution of governmental services, social services and economic activities.
26. Metropolitan area is an urban area that consists of one self-supporting urban area or main urban area with other urban areas that have functional relevance which relates to an integrated area infrastructure network system and with a total population of at least 1,000,000 (a million) inhabitants.
27. Megapolitan area is area formed of 2 (two) or more metropolitan areas that have functional relevance and create a system.

28. National strategic area is region prioritized in spatial management due to its important influence in the national point of view to state sovereignty, defense and state security, the economy, society, culture, and/or the environment, including regions established as a part of world heritage.
29. Provincial strategic area is a territory that is prioritized in spatial planning due to its important influence in a provincial scope to the economy, society, culture, and/or the environment.
30. Regency strategic area is a territory prioritized in spatial planning due to its important influence in a regency/municipal scope to the economy, society, culture, and/or the environment.
31. Open Green space is a ribbon and/or a grouping area, with a characteristic of open utilization, place to grow plants, either naturally or artificially.
32. Space utilization permit is a permit required in space utilization activity in accordance with the prevailing regulations.
33. Person is an individual and/or corporation.
34. Minister is a minister that carries out governance affairs in the field of spatial management.

## CHAPTER II.

### PRINCIPLES AND GOALS

#### Article 2

In the outline of the Republic of Indonesia, spatial management is to be carried out based on these principles:

- a. integrity;
- b. compatibility, harmony, and balance;
- c. sustainability;
- d. productivity and profitability;
- e. openness;
- f. togetherness and partnership;
- g. protection of public interest;

- h. legality and justice; and
- h. accountability.

### Article 3

Spatial management aims to realize safe, comfort, productive and sustainable national space based on Archipelagic Point of View and National Defense with:

- a. realization of harmony between natural and artificial environment;
- b. realization of integrity in utilizing natural and artificial resources with respect to human resources; and
- c. realization of protection of space function and prevention from the negative impact to the environment due to space utilization.

## CHAPTER III.

### SPATIAL PLANNING CLASSIFICATION

#### Article 4

The classification of spatial management is based on system, main function of the areas, administrative region, activity of the area, and strategic value of the area.

#### Article 5

- (1) Spatial management based on system consists of region system and urban internal system.
- (2) Spatial management based on the main function of the area consists of the conservation area and cultivation area.
- (3) Spatial management based on the administrative region consists of spatial management on national region, spatial management on provincial region and spatial management on regency/municipal region.
- (4) Spatial management based on activity of the area consists of urban spatial management and rural spatial management.
- (5) Spatial management based on the strategic value of the area consists of spatial management on national strategic area, spatial management on provincial strategic area and spatial management on region/municipal strategic area.

#### Article 6

- (1) Spatial management is to be carried out with regard to:
  - a. physical condition of the Republic of Indonesia that is at risk to disaster;
  - b. the potency of natural resources, human resources, and artificial resources; condition of the economy, society, culture, politics, law, security and defense, environment and science and technology as a unity; and
  - c. geo-strategy, geo-politics, and geo-economy.
- (2) Spatial management on national region, provincial region and regency/municipal region are carried out with phases and in a complementary way.
- (3) Spatial management on national region covers jurisdictional and national sovereignty region which consist of land space, oceanic space and air space, including space within the earth as a unity.
- (4) Spatial management on provincial and region/municipal region consist of land space, oceanic space, and air space, including space within the earth in accordance with the regulation.
- (5) The management of oceanic and air space is governed under specific regulation.

### CHAPTER IV

#### OBLIGATION AND AUTHORITY

##### Section One

##### Obligation

#### Article 7

- (1) State carries out spatial management for the greatest benefit of people's welfare.
- (2) In performing the obligation as referred to in paragraph (1), state gives the authority of managing the spatial management to Government and local government.
- (3) The administration of spatial planning as referred to in paragraph (2) is carried out with respect to people's right in accordance with the prevailing regulations.

## Section Two

### Government Authority

#### Article 8

- (1) Government authorities in managing the spatial management consists of :
  - a. regulation, supervision and control the execution of the spatial management on national, provincial and regional territories, and spatial management of the national, provincial and regional strategic territories;
  - b. execution of spatial management on national region;
  - c. execution of spatial management on strategic national region; and
  - d. cooperation of spatial management between countries and facilitate collaboration of inter provinces in spatial management.
- (2) Government authorities in executing the spatial management on national region consist of:
  - a. arrange spatial management on national region;
  - b. utilization of space on national region; and
  - c. control the utilization of space on national region.
- (3) Government authorities in executing the spatial management on national strategic region consist of:
  - a. determine the national strategic region;
  - b. arrange spatial use on national strategic region ;
  - c. utilize space on national strategic region; and
  - d. control the utilization of space on national strategic region.
- (4) The execution of space utilization and control the utilization of national strategic region as referred to in paragraph (3) letter c and d can be performed by local governments through de-concentration and/or assistance.



- (5) In order to carry out spatial management, Government is authorized to arrange and establish a guidance on spatial management.
- (6) In executing the authorities as referred to in paragraph (1), (2), (3), (4), and (5), Government:
  - a. disseminate information that related to:
    - 1) general and detail plans on spatial planning in order to implement the spatial management on national region;
    - 2) direction of zoning regulation for national system that arranged in order to control the utilization of space on national region; and
    - 3) guidance on spatial management;
  - b. stipulate a minimum standard of services in spatial planning.

#### Article 9

- (1) the administration of spatial plan is performed by a Minister.
- (2) the Minister's obligation and responsibility in administrating spatial management as referred to in paragraph (1) consists of:
  - a. the arrangement, establishment, and observation of spatial planning;
  - b. the execution of national spatial plan; and
  - c. the coordination of administration of spatial management among inter sectoral, regional, and stake holders.

#### Section Three

#### The Authority of Provincial Government

#### Article 10

- (1) The authority of local province government in administrating the spatial management consists of :
  - a. arrangement, establishment and observation on the execution of spatial management on provincial and regency/municipal region, and the execution of spatial management on provincial and regency/municipal strategic area;
  - b. execution of spatial management on provincial area;
  - c. execution of management plan on provincial strategic area; and

- d. cooperation of spatial management on inter provinces region and facilitate the cooperation of spatial management on regent/municipal.
- (2) The authority of local province government in the execution of spatial management on provincial area as referred to in paragraph (1) letter b consists of:
- a. arrangement of spatial plan on provincial area;
  - b. space utilization of provincial area; and
  - c. control of space utilization of provincial area.
- (3) In spatial management on provincial strategic area as referred to in paragraph (1) letter c, local province government executes:
- a. the stipulation of provincial strategic area;
  - b. arrangement of spatial plan on provincial strategic area;
  - c. space utilization of provincial strategic area; and
  - d. control space utilization of provincial strategic area.
- (4) The execution of space utilization and control of space utilization on provincial strategic area as referred to in paragraph (3) letter c and d can be executed by regency/municipal government through assistance.
- (5) In order to carry out spatial management on provincial region, provincial government can construct the execution guide on spatial management for provincial and regency level.
- (6) In carrying out the authority as referred to in paragraph (1), (2), (3), (4), and (5), the provincial government:
- a. disseminate information that is related to:
    - 1) general and detailed plans of spatial management in order to execute the spatial management on provincial region;
    - 2) direction on zoning regulation for provincial system which are compiled in order to control the space utilization of provincial region; and
    - 3) guidance on the execution of spatial management;

- b. executing the minimum standard of services in spatial management.
- (7) In the case where provincial government is unable to fulfill the minimum standard of services in spatial management, the Government will take steps to resolution the spatial plan in accordance with the regulation.

## Section Four

### The Authority of Regency/Municipal Government

#### Article 11

- (1) The authority of regency/municipal government in managing the spatial management consists of:
- a. regulation, supervision and observation on the execution of spatial management on regency/municipal and regency/municipal strategic area;
  - b. the execution of spatial management on regency/municipal;
  - c. the execution of spatial management on regency/municipal strategic region; and
  - d. cooperation of spatial management on inter regencies/cities.
- (2) The authority of regency/municipal government in executing the spatial management on regency/municipal area as referred to in paragraph (1) letter b consists of:
- a. arrangement of spatial management on regency/municipal area;
  - b. space utilization of regency/municipal area; and
  - c. control on space utilization of regency/municipal area.
- (3) In the execution of spatial management on regency/municipal strategic area as referred to in paragraph (1) letter c, the regency/municipal government executes:
- a. the establishment of spatial management on regency/municipal strategic area;
  - b. arrangement of spatial management on regency/municipal strategic area;
  - c. space utilization of regency/municipal strategic area; and
  - d. control on space utilization of regency/municipal strategic area.

- (4) In the execution of authorities as referred to in paragraph (1) and (2), the regency/municipal government abides by the spatial area guidance and its operational procedures.
- (5) In the execution of authorities as referred to in paragraph (1), (2), (3), and (4), the regency/municipal government:
  - a. disseminate information related to general and detailed arrangement of spatial management in executing the spatial management on regency/municipal area; and
  - b. execute minimum standard of services in spatial management.
- (6) In the case where the regency/municipal government is unable to fulfill the minimum standard of services in spatial management, the provincial government can take steps in accordance with the regulation.

## CHAPTER V

### REGULATION AND ESTABLISHMENT OF SPATIAL PLANNING

#### Article 12

Regulation on spatial management is carried out by the enactment of provisions on spatial management including the guidance on spatial management.

#### Article 13

- (1) Government establishes provincial government, regency/municipal government and society on spatial management
- (2) Spatial management establishment as referred to in paragraph (1) is executed through:
  - a. coordination on execution of spatial management;
  - b. socialization on regulation and guidance on spatial management;
  - c. assistance, supervision and consultation on spatial management execution;
  - d. education and training;
  - e. research and development;
  - f. development of information system and communication on spatial management;
  - g. dissemination of spatial management information to society; and
  - h. development of society's consciousness and responsibility.

- (3) Provincial government and regency/municipal government carry out the establishment on spatial management as referred to in paragraph (2) according to their own authorities.
- (4) Further provisions on executing establishment as referred to in paragraph (1) will be stipulated by government regulation.

## CHAPTER VI

### EXECUTION OF SPATIAL MANAGEMENT

#### Section One

#### Arrangement of Spatial Plan

#### Sub-section 1

#### General

#### Article 14

- (1) The spatial planning is carried out to realize:
  - a. general spatial planning; and
  - b. detailed spatial planning.
- (2) General spatial planning as referred to in paragraph (1) letter a in a hierarchy system consists of:
  - a. National Spatial Plan;
  - b. province spatial plan; and
  - c. regency spatial plan and municipal spatial plan.
- (3) Detailed spatial planning as referred to in paragraph (1) letter b consists of:
  - a. island spatial plan/archipelago and national strategic area spatial plan;
  - b. provincial strategic area spatial plan; and
  - c. regency/municipal detailed spatial plan and regency/municipal strategic spatial plan.

- (4) Detailed spatial plan as referred to in paragraph (1) letter b is set out as an operational tools to arrange spatial planning.
- (5) Detailed spatial plan as referred to in paragraph (3) letter a and b is prepared if:
  - a. general spatial planning is unable to be used as a basis in the execution of space utilization and control of the space utilization; and/or
  - b. general spatial planning that consists of a vast planning and map scale in general spatial planning require further details before carried out.
- (6) Detailed spatial plan as referred to in paragraph (3) letter c is set out as a basis in preparing zoning regulation.
- (7) Further stipulation on the meticulousness level of preparation of spatial planning map will be stipulated by government regulation.

#### Article 15

Spatial planning on national, provincial and regency/municipal region consists of land space, oceanic space and air space, including space within the earth.

#### Article 16

- (1) Spatial planning is open for re-evaluation.
- (2) Re-evaluation on the spatial planning as referred to in paragraph (1) can result a recommendation in the form of:
  - a. the prevailing spatial planning is still effective in accordance with the application terms; or
  - b. the prevailing spatial planning need to be revised.
- (3) In the case where the re-evaluation on spatial planning results in a recommendation as referred to in paragraph (2) letter b, the revision of spatial planning is carried out with respect to individual rights in accordance with the prevailing regulation.
- (4) Further stipulation on criterion and procedures of re-evaluation on spatial planning as referred to in paragraph (1) and (2) will be stipulated by government regulation.

## Article 17

- (1) The content of spatial planning consists of space structure and space pattern.
- (2) Space structure plan as referred to in paragraph (1) consists of plan on residence center and facilitation network system.
- (3) Space pattern plan as referred to in paragraph (1) consists of the allocation for conservation and cultivation area.
- (4) The allocation for conservation and cultivation area as referred to in paragraph (3) consists of space allocation for environment preservation activity, society, culture, economy, defense, and security.
- (5) In order to preserve the environment as referred to in paragraph (4), the spatial planning determines that the forest area must be at least 30 (thirty) percent of the river stream area.
- (6) Preparation of spatial planning must be carried out with respect on the area relation, inter functionality and inter activity.
- (7) Further stipulation on preparation procedures of spatial planning that are related to safety and defense function as the subsystem of area spatial planning will be stipulated by a government regulation.

## Article 18

- (1) The draft of provincial regulation on spatial planning on provincial region and detailed spatial planning must obtain a prior approval on the substance from the Minister.
- (2) The draft of regency/municipal regulation on regency/municipal spatial planning and detailed arrangement of spatial planning must obtain a prior approval on the substance from the Minister subsequent to the Governor recommendation.
- (3) Stipulation on the content, guidance and preparation procedures of spatial planning on provincial region as referred to in paragraph (1) and the preparation of spatial planning on regency/municipal region as referred to in paragraph (2) will be stipulated by a Minister regulation.

## Sub-section 2

### National Spatial Planning

#### Article 19

Preparation of spatial planning on national region is carried out with respect to:

- a. Archipelagic Point of View and National Defense;
- b. development on regional and global issues, and research result on the implication of spatial management on national region;
- c. effort to create a fair development and growth, and economic stability;
- d. harmonized aspiration of national and regional development;
- e. environmental support and accommodation;
- f. long term national development plan;
- g. strategic national spatial planning; and
- h. provincial spatial planning and regency/municipal spatial planning.

#### Article 20

(1) National Spatial Plan consists of:

- a. purpose, policy and arrangement strategy of national spatial plan;
- b. national spatial plan which consists of national municipal system that relates to rural region in its service area and main facilitation network system;
- c. space pattern on national spatial plan which consists of national conservatory and cultivation area that have national strategic value;
- d. determination of national strategic area;
- e. direction to space utilization which consists of indications of the main program in an intermediate term of five years; and



- f. direction on controlling the space utilization of national region which contains indication on direction of national regulation on zoning system, permit instruction, incentive and disincentive, and direction on sanction.
- (2) National Spatial Plan is deemed as a guidance to:
  - a. organize a long term national development plan;
  - b. organize an intermediate term national development plan;
  - c. space utilization and control space utilization on national region;
  - d. realize integrity, relevance, and balance the development of inter provincial region, and inter sectoral harmonization;
  - e. determine location and space function for investment;
  - f. spatial planning on national strategic region; and
  - g. spatial planning on provincial and regency/municipal region.
- (3) The duration of National Spatial Plan is 20 (twenty) years.
- (4) National Spatial Plan as referred to in paragraph (1) is reviewed once in every 5 (five) years.
- (5) In a certain strategic environment condition which relates to a big scale natural disaster determined by regulation and/or the change in the boundary of state region stipulated by the Law, the National Spatial Plan reviewed more than once in every 5 (five) years.
- (6) National Spatial Plan will be stipulated by government regulation.

#### Article 21

- (1) Detailed spatial planning as referred to in Article 14 paragraph (3) letter a will be stipulated by Presidential regulation.
- (2) Stipulation on content, guidance and arrangement procedures of spatial planning as referred to in paragraph (1) will be stipulated by Minister regulation.

### Sub-section 3

## Provincial Spatial Planning

### Article 22

- (1) The arrangement of spatial planning on provincial region is based on:
  - a. national spatial plan;
  - b. guidance of spatial management; and
  - c. long term regional development plan.
- (2) The preparation of provincial spatial plan is carried out with respect to:
  - a. the development of national issues and research result of implication from provincial spatial planning;
  - b. effort to create a fair provincial development and economic growth;
  - c. harmonize aspiration of development on provincial and regency/municipal region;
  - d. environmental support and accommodation;
  - e. long term region development plan;
  - f. spatial plan on bordered provincial regions;
  - g. spatial provincial strategic area(s) plan; and
  - h. spatial regency/municipal area(s) plan.

### Article 23

- (1) Spatial provincial area plan consists of:
  - a. goals, policy and strategy of provincial spatial management;
  - b. provincial spatial structure plan consists of urban system in its region which relates to rural area in its service area and facilitation network system on provincial region;
  - c. provincial spatial structure plan consists of conservatory and cultivation area that have provincial strategic value;

- d. determination of provincial strategic region;
  - e. direction for space utilization on provincial region which consists of direction on the main program in an intermediate term of 5 (five) years;
  - f. direction for controlling the space utilization on provincial region which contains directions of provincial system on zoning regulation, direction on permit, incentive and disincentive, and direction on sanction.
- (2) Provincial spatial plan is deemed as a guidance to:
- a. organize a region's long term development plan;
  - b. organize a region's intermediate term development plan;
  - c. space utilization and control of space utilization in provincial region;
  - d. render integrity, relevance, and balance of inter-regency/municipal development, and inter sectoral harmony;
  - e. determine location and space function for investment;
  - f. provincial strategic spatial planning; and
  - g. spatial planning on regency/municipal region.
- (3) The duration of provincial spatial planning is 20 (twenty) year.
- (4) provincial spatial planning as referred to in paragraph (1) is reviewed once in every 5 (five) years.
- (5) In a certain strategic environment condition that relates to a big scale natural disaster stipulated by regulation and/or the change of boundary on state and/or province region stipulated by the Law, provincial spatial planing is reviewed more than once in every 5 (five) years
- (6) Provincial spatial planning is stipulated by provincial regulation.

#### Article 24

- (1) Detailed spatial planning as referred to in Article 14 paragraph (3) letter b is stipulated by provincial regulation.
- (2) Stipulation on content, guidance and procedures on detailed spatial planning as referred to in paragraph (1) will be stipulated by Minister regulation.

## Sub-section 4

### Regency Spatial Planning

#### Article 25

- (1) The regency spatial planning is based on:
- a. provincial spatial planning ;
  - b. guidance and direction on spatial planning; and
  - c. regional long term development plan.
- (2) Preparation of regency spatial planning is carried out with respect to:
- a. the development of provincial issues and research result of implication from the spatial planning on regency region;
  - b. effort to create a fair regency development and economic growth;
  - c. harmonized aspiration of regency development;
  - d. environmental support and accommodation;
  - e. long term region development plan;
  - f. spatial planning on bordered regency; and
  - g. regency strategic spatial planning.

#### Article 26

- (1) regency spatial planning consists of:
- a. goals, policy and strategy of regency spatial planning;
  - b. arrangement of space structure on regency region consists urban system in its region which relates to rural area and facilitation network system on regional region;
  - c. regency spatial patern on which consists of conservatory and cultivation area;
  - d. determination of regency strategic region;

- e. direction for space utilization on regency region which contains directions on main program in an intermediate term of 5 (five) years;
  - f. provisions for controlling the spatial utilization on regency region which contains zoning regulation, directions on permit, incentive and disincentive, and direction on sanction.
- (2) Regency spatial planning is deemed as a guide to:
- a organize region's long term development plan;
  - b. organize region's intermediate term development plan;
  - c. spatial utilization and control over spatial utilization on regency region;
  - d. render integrity, relevance, and inter sectoral balance;
  - e. determine location and space function for investment; and
  - f. regency strategic spatial plan.
- (3) Regency strategic spatial plan is deemed as a basis for issuance of permit on development location and land administration.
- (4) Regency region spatial planning is 20 (twenty) year.
- (5) Arrangement for spatial planning on provincial region as referred to in paragraph (1) is reviewed once in every 5 (five) years.
- (6) In a certain strategic environment condition that relates to a big scale natural disaster stipulated by regulation and/or the change on territorial boundaries of state, province and/or regency stipulated by the Law, the regency spatial planning is reviewed more than once in every 5 (five) years.
- (7) Regency spatial plan region is stipulated by regency regulation.

## Article 27

- (1) Detailed spatial planning as referred to in Article 14 paragraph (3) letter b is stipulated by regency regulation.
- (2) Stipulation on content, guidance and detailed arrangements of procedures on spatial planning as referred to in paragraph (1) is stipulated by Minister regulation.

## Sub-section 5

### Municipal Spatial Planning

#### Article 28

Stipulation on regency spatial planning as referred to in Article 25, Article 26, and Article 27 apply *mutatis mutandis* for municipal spatial planning, with additional provisions to Article 26 paragraph (1):

- a. provide and utilize plan of the open green space;
- b. provide and utilize plan the open non-green space; and
- c. provide and utilize pedestrian facilitation network, public transport, informal sector activity, and disaster evacuation space, which is needed to carry on municipal function as economic social service center and central of growth region.

#### Article 29

- (1) Open green space as referred to in Article 28 letter a consists of public open green space and private open green space.
- (2) The proportion of open green space in a urban region must be at least 30 percent of the urban.
- (3) The proportion of public open green space in a urban region must be at least 20 percent of the urban.

#### Article 30

Public open green space as referred to in Article 29 paragraph (1) and (3) is distributed according to population spread and the service hierarchy with respect to structure plan and space pattern.

#### Article 31

Further stipulation on providing and utilizing open green space and open non-green space as referred to in Article 28 letter a and letter b will be stipulated by Minister regulation.

Section Two  
Spatial Utilization

Sub-section 1

General

Article 32

- (1) Spatial utilization is carried out through spatial utilization program and along with the funding.
- (2) Spatial utilization as referred to in paragraph (1) can be carried out with spatial utilization, either by vertical spatial utilization or by spatial utilization within the earth.
- (3) Spatial utilization program with the fundings as referred to in paragraph (1) includes a description on indication of the main program which is set out in region spatial planning.
- (4) Spatial utilization is carried out in phases in accordance with indication period of the main program on spatial utilization which is set out in spatial plan.
- (5) The execution of spatial utilization in region as referred to in paragraph (3) has to be synchronized with the execution of spatial utilization on surrounding administrative area.
- (6) Spatial utilization as referred to in paragraph (1) is carried out with respect to the minimum service standard in providing facilitation.

Article 33

- (1) Spatial utilization which refers to spatial function, is set out in spatial planning and is carried out by developing land use, water use, air use and use of other natural resources.
- (2) In order to develop usage as referred to in paragraph (1) it is necessary to do organizing activity and create the land use balance, water balance, air balance, and other natural resources balance.
- (3) Land use on spatial designated for infrastructure development and public interest infrastructure provides the first priority of right to acquire transfer of land for Government and local government from the right holder.

- (4) In spatial utilization on conservation area, Government and local government are given the first priority of right to acquire transfer of land from the right holder provided that the right holder will relinquish the right.
- (5) Further stipulation on land use, water use, air use and other natural resources use as referred to in paragraph (1) and (2) will be stipulated by government regulation.

## Sub-section 2

### Spatial Utilization

#### Article 34

- (1) In spatial utilization of national, provincial and regency/municipal region the following need to be carried out:
  - a. the formulation of operational strategic policy in spatial planning and arrangement of spatial plan on strategic region;
  - b. the formulation of sectoral program in order to realize the spatial plan and arrangement of spatial planning on strategic region; and
  - c. the execution of development in accordance with region utilization program and strategic region spatial plan.
- (2) In order to execute the operational strategic policy in region spatial planning and strategic region spatial planning as referred to in paragraph (1) letter a it is necessary to establish a controlled cultivation area and cultivation area whose development is encouraged.
- (3) The execution of development as referred to in paragraph (1) letter c is carried out through integration of region development.
- (4) Spatial utilization as referred to in paragraph (1) is executed according to:
  - a. minimum service standard on spatial planning;
  - b. quality standard of the environment; and
  - c. environment support and accommodation.



## Section Three

### Control over Spatial Utilization

#### Article 35

Control over spatial utilization is performed by stipulating a zoning regulation, permit, incentive and disincentive, and sanction imposition.

#### Article 36

- (1) Zoning regulation as referred to in Article 35 is stipulated as guidance for control over spatial utilization.
- (2) Zoning regulation is stipulated based on the detailed arrangement of spatial plan for each spatial utilization zone.
- (3) Zoning regulation is stipulated with:
  - a. government regulation for direction of zoning regulation on national system;
  - b. provincial regulation for direction of zoning regulation on provincial system; and
  - c. regency/municipal regulation for zoning regulation.

#### Article 37

- (1) Regulations on permit as referred to in Article 35 is stipulated by Government and local government according to each authority with respect to the prevailing regulation.
- (2) Permit on spatial utilization that contravene the region spatial planning will be revoked by the Government and local government according to each authority as stipulated by the regulation.
- (3) Permit on spatial utilization that is issued and/or possessed through an illegal procedure will be annulled.
- (4) Permit on spatial utilization that is issued and/or possessed through a right procedure but subsequently proven to be conflicting the region spatial planning will be annulled by Government and local government according to each authority.

- (5) For loss that is caused by the permit annulment as referred to in paragraph (4), indemnation may be requested to the institution who issued the permit.
- (6) Permit on spatial utilization which no longer appropriate due to changes in the arrangement of spatial planning may be annuled by the Government and local government with suitable indemnation.
- (7) Each government official in charge of issuing permit on spatial utilization is prohibited from issuing a permit that contravene the spatial planning.
- (8) Further stipulation on procedures of permit application and procedures on giving proper indemnation as referred to in paragraph (4) and (5) will be stipulated by a government regulation.

#### Article 38

- (1) In the execution of spatial utilization in order that the spatial is utilized accordingly to region spatial planning, the Government and local government may provide incentive and/or disincentive.
- (2) Incentive as referred to in Article 35, is means or effort to reward an act that performed accordingly to arrangement of spatial planning, as:
  - a. tax deduction, compensation, cross subsidizing, reward, spatial rent, and collected stock;
  - b. development and establishment of infrastructure;
  - c. without difficulty procedure to obtain permit; and / or
  - d. appreciation to society, private entity and/or local government.
- (3) Disincentive as referred to in Article 35, is a means to prevent, restrict the growth, or reduce activities that are not in accordance with spatial planning, as:
  - a. imposing high tax that is adjusted with the cost in settling impacts which evoked from spatial utilization; and/or
  - b. restriction on infrastructure establishment, compensation, and penalty.
- (4) Incentive and disincentive is provided with respect to the society's right.

- (5) Incentive and disincentive can be given by:
- a. Government to local government;
  - b. one local government to another local government; and
  - c. government to society.
- (6) Further stipulation on form and procedures on incentive and disincentive will be stipulated by government regulations.

#### Article 39

Sanction imposition as referred to in Article 35 is an action to create order on spatial utilization that is inapt with arrangement of spatial planning and zoning regulation.

#### Article 40

Further stipulation on control over spatial utilization will be stipulated by government regulation.

### Section Four

#### Urban Spatial Management

##### Sub-section 1

##### General

#### Article 41

- (1) Urban spatial management is carried out on:
- a. an urban area that is a part of a regency region; or
  - b. an area that functionally has urban characteristics and consists of 2 (two) or more regencies/municipals in one or more province(s).
- (2) Urban area as referred to in paragraph (1) letter a and b according to the size can be in the form of small urban area, medium urban area, metropolitan area or megapolitan area.
- (3) Criterias on urban area according to the size as referred to in paragraph (2) will be stipulated by government regulation.

## Sub-section 2

### Urban Spatial Planning

#### Article 42

- (1) Urban spatial plan which constitutes regency territory is a detailed regency spatial plan.
- (2) In urban spatial planning as referred to in paragraph (1), provisions on Article 29, and Article 30 prevail.

#### Article 43

- (1) Urban spatial plan that consists of 2 (two) or more regencies/municipals on one or more province(s) constitute means of coordination in executing development with cross area characteristics.
- (2) Spatial plan as referred to in paragraph (1) consists of directions on spatial structure and spatial pattern with cross administrative area characteristics.

#### Article 44

- (1) Spatial plan on metropolitan region is considered as means of coordination in cross-area development.
- (2) Metropolitan and/or megapolitan spatial plan contains:
  - a. goals, policy and strategy of metropolitan and/or megapolitan spatial management;
  - b. metropolitan spatial structure plan which consists of metropolitan central activity system and infrastructure network system on metropolitan and/or megapolitan region;
  - a. metropolitan and/or megapolitan spatial pattern that consists of conservation and cultivation area;
  - d. direction on metropolitan and/or megapolitan spatial utilization which contains indication on the main program with cross administrative area characteristics; and
  - e. control over metropolitan and/or megapolitan spatial utilization which contains directions on metropolitan and/or megapolitan zoning regulation, permit instruction, incentive and disincentive, and also direction on sanction.

### Sub-section 3

#### Urban Spatial Utilization

##### Article 45

- (1) Urban spatial utilization which is a part of regency region is a part of regency spatial utilization.
- (2) Urban spatial utilization which consists of 2 (two) or more regencies/cities in one or more province(s) is carried out through preparation of development program along with its funding in cooperation between related inter regency/municipal region.

### Sub-section 4

#### Control over Urban Spatial Utilization

##### Article 46

- (1) Control over urban spatial utilization as a part of the regency region constitutes part of regency control over spatial utilization.
- (2) Control over urban spatial utilization which consists of 2 (two) or more regencies/municipals in one or more province(s) is carried out by each regency/municipal.
- (3) For urban area that consists of 2 (two) or more regencies/municipals that has its own managing institution, the control can be carried out by the relevant institution.

### Sub-section 5

#### Cooperation on Urban Spatial Management

##### Article 47

- (1) Urban spatial management which consists of 2 (two) or more regencies/municipals is carried out through inter-regions cooperation.
- (2) Further stipulation on urban spatial management will be stipulated by government regulation.

## Section Five

### Rural Spatial Management

#### Sub-section 1

#### General

#### Article 48

- (1) Rural spatial management is aimed to:
  - a. empower the rural society;
  - b. maintain the quality of local environment and areas it supports;
  - c. conserve natural resources;
  - d. preserve the inheritance of local culture;
  - e. maintain the perpetual area of agricultural food farm for the sake of food sustainability; and
  - f. protect the development balance between rural-urban.
- (2) Further stipulation on protecting perpetual area of agricultural food farm as referred to in paragraph (1) letter e is stipulated by Law.
- (3) Rural spatial management is carried out on:
  - a. rural area which is part of regency region; or
  - b. region which functionally has a rural characteristics that consists of 2 (two) or more regencies in one or more provincial area.
- (4) Rural area as referred to in paragraph (1) can be in the form of an agropolitan region.
- (5) Further stipulation on agropolitan spatial management will be stipulated by government regulation.
- (6) Further stipulation on rural spatial management will be stipulated by government regulation.

## Sub-section 2

### Rural Spatial Plan

#### Article 49

Rural spatial plan which considered as a part of regency region is part of regency spatial management.

#### Article 50

- (1) Rural spatial management in 1 (one) regency can be carried out in district region level or in some village regions or other name equal to village which is a detailed form of regency spatial management.
- (2) Rural spatial plan that consists of 2 (two) or more regencies is a means to coordinate the execution of development with an inter-region characteristics.
- (3) Spatial plan as referred to in paragraph (2) contains a spatial structure and a spatial pattern with inter administrative region characteristics.

#### Article 51

- (1) Agriopolitan spatial plan is a detailed spatial plan for 1 (one) or several regency(ies).
- (2) Agriopolitan spatial plan contains:
  - a. goals, policy and strategy of agriopolitan spatial management;
  - b. agriopolitan spatial structure which covers the central activity system and agriopolitan infrastructure network system;
  - c. agriopolitan spatial pattern which covers conservation area and cultivation area;
  - d. directions on agriopolitan spatial utilization which consists of the main program with a village inter-dependency characteristics;
  - e. directions on agriopolitan spatial utilization which consists of zoning regulation, directions on permit, incentive and disincentive, and directions on sanction;

### Sub-section 3

#### Rural Spatial Utilization

##### Article 52

- (1) Rural spatial utilization as part of regency region is a part of regency spatial utilization.
- (2) Rural spatial utilization which consists of 2 (two) or more regencies is executed through preparation of development program along with its funding with a cooperation between related inter-regency.

### Sub-section 4

#### Control over Rural Spatial Utilization

##### Article 53

- (1) Control over rural spatial utilization which is a part of regency region constitutes as part of control over regency spatial utilization control.
- (2) Control over rural space utilization which consists of 2 (two) or more regencies is performed by each regency.
- (3) For rural region which consists of 2 (two) or more regencies/municipals that have its own managing institution, the control can be carried out by the relevant institution.

### Paragraph 5

#### Cooperation of Rural Spatial Management

##### Article 54

- (1) Rural spatial management which consists of 2 (two) or more regencies is performed through inter-region cooperation.
- (2) Further stipulation of rural spatial management as referred to in paragraph (1) for an agropolitan region that is located in 1 (one) regency will be stipulated by regency regulation, for an agropolitan region that is located in 2 (two) or more regency(ies) will be stipulated by provincial regulation, and for an agropolitan region that is located in 2 (two) or more provinces will be stipulated by government regulation.
- (3) Administration of rural spatial management is integrated with the urban region as a unity in utilizing the regency/urban territory.



- (4) administration of agropolitan spatial management with an integrated between urban and national region system.
- (5) The integration as referred to in paragraph (4) covers integration on residential system, infrastructure system, and open space system, whether it is a green open space or a non-green open space.

## CHAPTER VII

### SUPERVISION ON SPATIAL PLANNING

#### Article 55

- (1) To guarantee the fulfillment of the spatial management administration goals as referred to in Article 3, there will be a supervision on the performance of the regulation, establishment, and execution of the spatial plan .
- (2) Supervision as referred to in paragraph (1) consists of monitoring actions, evaluation, and reporting.
- (3) Supervision as referred to in paragraph (2) is executed by Government and local government according to its authority.
- (4) Supervision from the government and local government as referred to in paragraph (3) is carried out society's involvement.
- (5) Society participation as referred to in paragraph (4) can be executed by submitting report and/or accusation to Government and local government.

#### Article 56

- (1) Monitoring and evaluation as referred to in Article 55 paragraph (2) can be carried out by observing and checking whether the execution of spatial planning is in line with the provisions in the regulation.
- (2) If the result of the monitoring and evaluation as referred to in paragraph (1) proved that there is an administrative misconduct in the administration of spatial management, Minister, Governor, and Regent/Mayor will undertake necessary action in accordance with his authority.
- (3) In the case where Regent/Mayor do not undertake action as referred to in paragraph (2), Governor will take over the settlement action from Regent/Mayor.

- (4) In the case where Governor does not undertake settlement step as referred to in paragraph (2) and (3), Minister will take the settlement step.

#### Article 57

In the case where there is a misconduct in the administration of spatial management as referred to in Article 56 paragraphs (2), those who performed the misconduct will be imposed with sanction in accordance with to the prevailing regulation.

#### Article 58

- (1) To guarantee the fulfillment of the goals on the spatial management administration as referred to in Article 3, there will be observation on the functional performance and benefit of spatial management administration, and performance of fulfilling minimum service standard in spatial management.
- (2) In order to improve the functional performance and benefit in administrating the national spatial management it is deemed necessary to create a service standard of national spatial management.
- (3) Minimum service standard of spatial management as referred to in paragraph (1) covers minimum service standard of provincial spatial management, spatial utilization and control over spatial utilization.
- (4) Minimum service standard as referred to in paragraph (1) contains minimum service standard of provincial spatial management and regency/municipal spatial management.
- (5) Further stipulation as referred to in paragraph (3) and (4) will be stipulated by minister regulation.

#### Article 59

- (1) Supervision on spatial management for each region level is carried out based on spatial management guidance.
- (2) Supervision as referred to in paragraph (1) is attributed on regulation, guidance, and spatial management administration.
- (3) Further stipulation on supervision procedures of the regulation, establishment, and spatial management administration will be stipulated by minister regulation.

## CHAPTER VIII

### RIGHT, LIABILITY, AND ROLE OF THE SOCIETY

#### Article 60

In spatial management, every person has the right to:

- a. recognize spatial plan;
- b. experience an added-value on the space as a result of the spatial management;
- c. acquire proper indemnation for the damage evoked from development activity performed in accordance with the spatial management;
- d. propose objection to authorized official on development which is inapt with the spatial management of the region;
- e. file a suit to annul a permit and restrain a development which is inapt with the spatial plan to authorized official; and
- f. file a suit to government and/or permit holder if the development activity which is inapt with the spatial plan results in a loss.

#### Article 61

In spatial utilization, every person is obliged to:

- a. abide the prevailing spatial plan;
- b. utilize a space according to the spatial utilization permit issued by authorized official;
- c. comply with the rule stipulated in the requirements to obtain a spatial planning permit; and
- d. provide access to area which is designated by regulation as a public property.

#### Article 62

Anyone who violates the regulation as referred to in Article 61, will be imposed with administrative sanction.

### Article 63

Administrative sanction as referred to in Article 62 can be in the form of:

- a. written warning;
- b. activity suspension;
- c. public service suspension;
- d. location close down;
- e. permit revoke;
- f. permit annulment;
- g. building demolition;
- h. spatial function restoration; and/or
- i. administrative fine.

### Article 64

Further stipulation on criteria and procedure on imposing administrative sanction as referred to in Article 63 will be stipulated by government regulation.

### Article 65

- (1) Spatial management administration is executed by the government with society's involvement.
- (2) Society's role in spatial management as referred to in paragraph (1) is carried out, among others, by:
  - a. participating in the preparation of a spatial plan;
  - b. participating in the spatial utilization; and
  - c. participating in the control over spatial utilization.
- (3) Further stipulation on criterias and procedures of the society's role as referred to in paragraph (1) will be stipulated by government regulation.

## Article 66

- (1) Society suffering from a loss caused by spatial management administration can file a suit through court.
- (2) In the case where society file a suit as referred to in paragraph (1), defendant can prove that there was no misconduct in spatial management administration.

## CHAPTER IX

### DISPUTE SETTLEMENT

## Article 67

- (1) Dispute settlement on spatial management administration is firstly attempted with a deliberation toward consensus.
- (2) In the case where the dispute settlement as referred to in paragraph (1) can not reach a settlement, the parties can undergo a dispute settlement through court or out of court in accordance with the regulation.

## CHAPTER X

### INVESTIGATION

## Article 68

- (1) Beside the investigator officials from the police force of the Republic of Indonesia, several civil public servant at government institution whom scope of task and responsibility are in the subject of spatial management are given special authority to assist the investigator officials from the police force of the Republic of Indonesia as referred to in the Code of Criminal Procedure.
- (2) Civil public servant investigator as referred to in paragraph (1) is authorized to:
  - a. verify report or information related to crime in the area of spatial management;
  - b. investigate a person whose suspected to do a crime in the area of spatial management;
  - c. inquire information and evidence from person related to a crime in the area of spatial management;

- d. investigate documents related to crime in the area of spatial management;
  - e. investigate certain places that suspected to contain evidence and other documents and confiscate and seal the object and property obtained from crime which can be used as evidence on criminal action in the area of spatial management; and
  - f. request assistance from an expert to conduct the investigation on crime in the area of spatial management.
- (3) Civil public servant investigator as referred to in paragraph (1) will inform as to the time when the investigation starts to the investigator officials from the police force of the Republic of Indonesia.
  - (4) In the case where the authority execution as referred to in paragraph (2) requires act of arrest and detain, the civil public servant investigator will coordinate with the investigator official from the police force of the Republic of Indonesia in accordance with the prevailing regulation.
  - (5) Civil public servant investigator as referred to in paragraph (1) will convey the investigation result to the public prosecutor through the investigator official from the police force of the Republic of Indonesia.
  - (6) Appointment of civil public servant investigator official and the procedure and process of the investigation will be executed according to the prevailing regulation.

## CHAPTER XI

### CRIMINAL PROVISIONS

#### Article 69

- (1) Any person fails to abide the prevailing spatial plan as referred to in Article 61 letter a and cause a change of spatial function, will be punished with a maximum imprisonment of 3 (three) years and a maximum fine of Rp 500,000,000.00 (five hundred million rupiahs).
- (2) If crime as referred to in paragraph (1) cause a loss on asset and property, the criminal will be punished with a maximum imprisonment of 8 (eight) years and a maximum fine of Rp 1,500,000,000.00 (one billion and five hundred million rupiahs).

- (3) If crime as referred to in paragraph (1) cause someone's death, the criminal will be punished with a maximum imprisonment of 15 (fifteen) years and a maximum fine of Rp 5,000,000,000.00 (five billion rupiahs).

#### Article 70

- (1) Any person who utilize a space without regards to spatial utilization permit issued by authorized official as referred to in Article 61 letter b, will be punished with a maximum imprisonment of 3 (three) years and a maximum fine of Rp 500,000,000.00 (five hundred million rupiahs).
- (2) If crime as referred to in paragraph (1) cause a change in the spatial function, the criminal will be punished with a maximum imprisonment of 5 (five) years and a maximum fine of Rp1,000,000,000.00 (one billion rupiahs).
- (3) If crime as referred to in paragraph (1) cause a loss on asset or property, the criminal will be punished with a maximum imprisonment of 5 (five) years and a maximum fine of Rp1,500,000,000.00 (one billion and five hundred million rupiahs).
- (4) If crime as referred to in paragraph (1) cause someone's death, the criminal will be punished with a maximum imprisonment of 15 (fifteen) years and a maximum fine of Rp 5,000,000,000.00 (five billion rupiahs).

#### Article 71

Any person who violates provisions stipulated in the requirement of spatial utilization permit as referred to in Article 61 letter c, will be punished with a maximum imprisonment of 3 (three) years and a maximum fine of Rp 500,000,000.00 (five hundred million rupiahs).

#### Article 72

Any person who does not provide access to an area stipulated as public property as referred to in Article 61 letter d, will be punished with a maximum imprisonment of 1 (one) year and a maximum fine of Rp 100,000,000.00 (one hundred million rupiahs).

### Article 73

- (1) Each government official who is in charge of issuing permit in accordance with spatial plan as referred to in Article 37 paragraph (7), will be punished with a maximum imprisonment of 5 (five) years and a maximum fine of Rp 500,000,000.00 (five hundred million rupiahs).
- (2) Besides the criminal sanction as referred to in paragraph (1) the criminal can be punished with an additional penalty of dishonorable dismissal from his position.

### Article 74

- (1) In the case where the crime as referred to in Articles 69, 70, 71 and 72 is carried out by a corporation, then besides imprisonment and fine to its management, the amount of fine is 3 (three) times the fine as referred to in Articles 69, 71 and 72.
- (2) Besides of the fine referred to in paragraph (1), the corporation can be additionally punished with:
  - a. revokal of business permit; and/or
  - b. revokal of legal entity status

### Article 75

- (1) Any person who suffers a loss from a crime referred to in Articles 69, 71 and 72 can file civil suit for compensation to the criminal.
- (2) Civil suit for compensation as referred to in paragraph (1) is carried out according to the law on criminal procedures.

## CHAPTER XII

### TRANSITIONAL PROVISIONS

### Article 76

By the time this law comes into effect, all prevailing regulations related to spatial management are still valid as long as they do not contradict or replaced by this law.



## Article 77

- (1) By the time the spatial plan is stipulated, all spatial utilizations that are not in accordance with the spatial plan must be adjusted to the spatial plan through spatial utilization adjustment.
- (2) Spatial utilization which is deemed to be legal according to the spatial plan will be given a prior transition period of 3 years for adjustment.
- (3) For spatial utilization which permit issued before the stipulation of the spatial plan and the permit is proven to be obtained in accordance with the right procedures, the permit holder will be given a reasonable compensation.

## CHAPTER XIII

### CLOSING PROVISIONS

## Article 78

- (1) Government regulation that is mandated by this law is completed at a maximum of 2 (two) years after this law is enacted.
- (2) Presidential regulation that is mandated by this Law is completed at a maximum of 5 (five) years after this law is enacted.
- (3) Minister regulation that is mandated by this Law is completed at a maximum of 3 (three) years after this law is enacted.
- (4) By the enactment of this law:
  - a. Government regulation on National Spatial Plan is adjusted at a maximum period of 1 (one) year and 6 (six) months from the enactment of this law;
  - b. All provincial regulations on Provincial Territory Spatial Plan is established or adjusted at a maximum period of 2 (two) years from the enactment of this law; and
  - c. All regency/municipal regulation about Regency/city Territory Spatial planning Arrangement is to be established or adjusted in the period of 3 (three) year at the latest from the enactment of this law.

## Article 79

By the time this law comes into effect, Law Number 24 Year 1992 concerning Spatial Management (State Gazette of the Republic of Indonesia Year 1992 Number 115, Supplement Number 3501) is revoked and no longer valid.

Article 80

This law comes into effect from the date it is enacted.

For public recognition, to order the enacting of this Law by placing it in the State Gazette of the Republic of Indonesia

Ratified in Jakarta

on the 26 of April 2007

PRESIDENT OF REPUBLIC OF INDONESIA,

Signed  
DR. H. SUSILO BAMBANG YUDHOYONO

enacted in Jakarta

on the 26 of April 2007

MINISTER OF LAW AND HUMAN RIGHT OF THE REPUBLIC OF INDONESIA,

Signed  
HAMID AWALUDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2007  
NUMBER 68

## ELUCIDATION

ON

### REPUBLIC OF INDONESIA LAW NUMBER 26 YEAR 2007

ON

## SPATIAL PLANNING

### I. GENERAL

1. The space of the Republic of Indonesia, both as a unity of land space, oceanic space, and air space, including space within the earth; and also as a resource, which is the bless of God Almighty to Indonesia as a nation and therefore need to be thanked, protected and managed sustainably to the fullest welfare of the people as mandated in Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, and the philosophy and foundation signified in Pancasila. To realize the mandate in Article 33 paragraph (3) of the Constitution of Republic of Indonesia Year 1945, this Spatial Management Law hereby declares that the state will carry out the spatial management, and the execution of the authorization will be carried out by Government and Local Government with respect to the rights entitled to everyone.
2. Geographically, the location of the Republic of Indonesia that lies between two continents and two oceans is very strategic both to the national and international interests. From ecosystem point of view, the natural condition of Indonesia is unique due to its close location to the equator with weather, season, and tropic climate, that constitute as vast assets or resources for Indonesia. Besides the location that has a very strategic value, Indonesia is also located in prone to disaster area, one that naturally can threat the nation's safety. With those conditions, the spatial management administration of the national region will have to be carried out comprehensively, holistically, coordinately, coherently, effectively and efficiently with respect to politic, economy, social, culture, defense, safety and environment conservation factors.
3. The space that covers land space, oceanic space, and air space, including space within the earth, as the place of living for human beings and other creatures, doing their activities, and maintaining their life sustainability, essentially there is a limit to its availability. Related to this issue, and to realize a safe, convenient, productive and sustainable national region based on the Archipelagic Point of View and National Defense, this law mandated the need to execute

a spatial management that can harmonize natural and artificial environment, materialize the integrity of natural and artificial resources utilization, and protect the space function and prevention against the negative effect to the environment caused by space utilization. This spatial management principle has to be able to be implemented and materialized in every spatial planning process.

4. Space as a resource essentially does not recognize region boundary. However, to realize a safe, convenient, productive and sustainable national territory based on the Archipelagic Point of View and National Defense, and in line with realistic, vast, and responsible autonomy policy, spatial management demands the clarity of the approach used in the planning process to maintain the harmony, aptitude, balance, and unison between inter region, center-local, inter sectoral and among stake holders. In this law, spatial management is based on systemic approach, region main function, administrative region, region activity, and region strategic value.

In relation to the autonomy policy, the administration authority the spatial management by Government and Local Government, which constitutes regulation, assistance, execution, and supervision over spatial management, is based on region approach with limitation on administrative region. Using this administrative region limitation approach, spatial management of the entire territory of the Republic of Indonesia consists of national region, provincial region, regency region, and municipal region, each of those region is a space sub-system in accordance with administrative limitation. Within those sub-systems dwell human resources who utilize various natural and artificial resources, and with different levels of space utilization, that if not managed carefully will drive to the inbalance of development among regions and also insustainability of space utilization. Related to municipal spatial management, this law specifically mandates the need to provide and utilize green open space, with the wide proportion has been set at least 30 % of the municipal region wide, filled with plants, either naturally or artificially grown.

Spatial management using main activity approach comprises of municipal spatial management and rural spatial management. City region, according to its size, can fall in the form of small city region, medium city region, big city region, metropolitan region, and megapolitan territory. The spatial planning of the metropolitan territory and megapolitan region, especially metropolitan region that becomes the core of urban area with suburban areas around it that has functional connection and connected with integrated infrastructure networks, becomes the guidance for integrated administrative spatial planning in the territory, and as a means to coordinate the execution of the inter administrative territory

development.

Rural area spatial management is carried out in rural region as a part of regency territory or at a region that has a function like those of rural regions that has 2 (two) or more regency territories in 1 (one) or more provincial territory(ies). Rural territory as part of regency territory can take the form of agropolitan territory.

Spatial planning using regional strategic value approach is meant to develop, preserve, protect and/or coordinate the integration of the development of the related regional strategic value to realize the successful, useful, and sustainable utilizations. The establishment of a strategic area on every level of administrative territory is based on importance of the influence to the state's sovereignty, defense, security, economic, social, cultural, and/or environment, including area determined as world heritage. The consequence of sovereignty, defense, and security aspects emphasize on the establishment of national strategic area, while in connections to economy, social, culture, and environment aspects, that can affect the establishment of national, provincial and regency/city strategic area, are calculated based on externality, accountability and efficiency of the approaches of the related territory management.

5. Spatial planning as a spatial planning management system, space utilization, and space utilization organization is an inseparable unity between one and another and must be performed in accordance to spatial planning principle so can be achieved: (i) the ability to realize resourceful and useful spatial planning and also able to support sustainable environmental preservation; (ii) prevent over utilized spatial planning; and (iii) without causing any space quality reduction.

Spatial planning which is based on characteristic, hold up power and environmental accommodation energy, and is also supported by suitable technology will increase the aptitude, harmony, and balance of subsystem. This means the improvement of the existed space quality. Since the management of one subsystem will influence other subsystem and eventually can influence the national space territory as a whole, spatial planning legal system demanded the development of an integrated system as the main character. This in turn calls for a national policy on spatial planning that can unite various space utilization policies. In relation to that rationale, executed development performed by Central Government, Local Government and also society, both in the capital or local levels, will have to be carried out according to the established spatial planning management. Therefore, space utilization by anyone is not allowed to challenge the spatial planning management.

6. Spatial planning management is made to construct a general spatial planning management and a detail spatial planning management. General spatial planning management is arranged based on administrative territory approach with substance content covers the space structure management and space outline management. Detailed spatial planning management is set based on strategic territory value approach and/or territory activity with substance content that can cover the establishment of block and appointed sub block. Detailed plan arrangement as mentioned is intended as general spatial planning management operation and also as the basic of establishment of zoning regulation. Zoning regulation is a regulation that regulate space utilization requirements and the control terms and set for each appointed block/zone where the zone establishment is in the detailed spatial planning management. Regency/city detailed spatial planning management and zoning regulation which completed that management become one of the foundation in controlling space utilization so the space utilization can be performed according to general spatial planning management and detailed spatial planning management.
7. Space utilization control is also carried out through space utilization permit, incentive and disincentive application, and also sanction imposition. Space utilization permit is intended as an effort to control space utilization so every space utilization will be performed according to spatial planning management. Space utilization permit ruled and enacted by Central Government and Local Government consistent with its own authorities. Inappropriate space utilization to spatial planning management, whether or not equipped with permit, will be imposed with administrative sanction, imprisonment and/or fines.

Incentive is intended as an effort to reward the execution of an activity that is in line with spatial planning management, carried out by both society or local government. The forms of the incentives, for example, can be taxes deduction, infrastructure development and medium (infrastructure), compensation, easy permit procedure, and award presented.

Disincentive is intended as a tool to prevent, curb the growth, and/or reduces activities that are not in accordance with spatial planning management, for example high taxation, limitation in the providing of infrastructures, and also compensation and penalty imposition.

Sanction imposition that constitutes as an effort in controlling space utilization is intended as an apparatus to order any space utilization activity that is against the spatial planning management and zoning regulation. In this law, sanction imposition is not only

given to whoever utilizing space against the spatial planning permit requirement but also apply to government official who authorized the issued of the space utilization permit that violate spatial planning management.

8. 1992 Constitution Number 24 about Spatial planning, as the basis of spatial planning regulation in recent times, basically has given sizable share in render spatial planning order so practically all local government has had territorial spatial planning management. In line with development in nation and state life, several decision had been described previously, and it is felt that there is a decreasing on the space quality on most of the regions that required a change in the ruling of the law.

Some of the developments are for example (i) national and international situation that required the enforcement of integrity, sustainability, democracy and justice principles, in the framework of well performed spatial planning; (ii) the execution of local autonomy policy that gives bigger authority to local government in implementing the spatial planning therefore the authority's performance needs to be regulated to maintain inter regions aptitude and integrity, and so not to cause any gaps among regions; and (iii) a better society consciousness and understanding on spatial planning which need regulation, assistance, implementation and control to get in accord with development existed in society.

To amend to that the development and to anticipate the complexity of development of problems in spatial planning, a new law on spatial planning needs to be formulated to replace the 1992 Law Number 24 about Spatial planning.

9. In order to achieve the purposes of that spatial planning management, this law, covers basic rules as follows:
  - a. a segregation of authority among government, provincial government, and regency/city local government in the execution of spatial planning management to clarify the task and responsibility of each governmental level to realize a safe, comfortable, productive and sustainable national territory space;
  - b. spatial planning arrangement that is established through legislation enactment including the guidelines of spatial planning as a guideline in executing spatial planning management;
  - c. spatial planning assistance through various activities to increase the performance of the execution of spatial planning management;

- d. the execution of spatial planning that covers spatial planning management, space utilization and space utilization control in all levels of government;
- e. spatial planning control which covers control on regulation performance, assistance and spatial planning execution, including control on the performance of minimum service standard in spatial planning through monitoring activity, evaluating, and reporting;
- f. the right, responsibility, and society's role in the execution of spatial planning management is to secure society involvement, including customary society in each of the spatial planning management process;
- g. dispute settlement, either inter region or among other stake holders, is done with dignity;
- h. investigation, that manages public civil servant investigator including his/her authority and action mechanism conduct;
- i. administrative sanction rule and criminal sanction as a foundation for law enforcement in spatial planning management; and
- j. transition rule that manages a compulsory in space utilization adjustment to the new spatial planning management, with transition periods for up to 3 (three) years.

## II. ARTICLE BY ARTICLE

### Article 1

Sufficiently clear

### Article 2

Letter a.

What is meant by "integrity" is that spatial planning to be carried out by integrating various interests of inter sectorals, inter territories, and inter undertakings.

Undertakings, for example, are government, local government, and society.

Letter b

What is meant by "aptitude, harmony, and balance" is



that spatial planning is to be executed by rendering to aptitude among space structured and space pattern, harmony between human life with its environment, balance of growth and development inter regions also between urban areas and rural areas.

#### Letter c

What is meant by “sustainability” is that spatial planning to be executed by securing the preservation and continuity of supportive energy and environmental accommodation energy by noticing the next generation interests.

#### Letter d

What is meant by “effort-usefulness and result-usefulness” is that spatial planning to be executed by optimizing the benefits of space and resource that enclosed in it and also securing the realization of qualified spatial planning.

#### Letter e

What is meant by “openness” is that spatial planning to be executed by giving broad access to societies to get information in relation to spatial planning.

#### Letter f

What is meant by “togetherness and partnership” is that spatial planning to be executed by involving all undertakings.

#### Letter g

What is meant by “protection of public interest” is that spatial planning to be executed by prioritizing the societies interest.

#### Letter h

What is meant by “legality and justice” is that spatial planning to be executed based on law/legislation and that spatial planning to be performed in regard to society sense of justice and also to protect the rights and the responsibilities all parties fairly with legal assurance.

#### Letter i

What is meant by “accountability” is that spatial planning management is accountable on the process, financial and the result.

### Article 3

What is meant by “safe” is the situation in which society are able to perform their activities protected against various threats.

What is meant by “pleasant” is the situation in which society are able to articulate social and culture value and their functions in peaceful atmosphere.

What is meant by “productive” is production and distribution process that run efficiently therewith able to give added economic value to the welfare of the society as well as to increase competitiveness.

What is meant by “sustainable” is physical environment quality condition which can be maintained even improved, including the anticipation to develop territorial economic orientation after the used up of the un-renewable natural resources.

### Article 4

Sufficiently clear

### Article 5

#### Paragraph (1)

Spatial planning based on region system is an approach in spatial planning that has service reach on level territorial.

Spatial planning based on internal urban system constitute an approach in spatial planning that has service reach in urban area.

#### Paragraph (2)

Spatial planning based on area main function constitute as component in good spatial planning which is carried out based on administrative territory, area activity, and also area strategic value.

Includes in conservatory area is:

a. area which protects its subordinate area, for example, conservatory forest area, peat area, and water diffusion area;

b. local protection area, for example, beach border, river border, lakes surrounding area/accumulating basin, and wellspring vicinity area;

c. natural asylum area and culture conservatory, for example, natural asylum area, sea natural asylum area and another waters, mangrove forested beach area, national park, grand forest garden, natural garden vacation, natural preservation, animal asylum, and culture and science preservation area;

d. natural disaster gristle area, for example, volcano eruption gristle area, earthquake gristle area, landslide gristle area, tide rip gristle area, and flooding gristle area; and

e. other conservatory area, e.g. hunting garden, biosphere pledge, nutfah plasma protection area, animal evacuation area, and corral reef.

includes in cultivate area is area allotment for forest production, allotment area for people's forest, agricultural allotment area, fishery allotment area, mining allotment area, residence allotment area, industrial allotment area, tourism allotment area, prays place area, education area, and security defense area.

### Paragraph (3)

Sufficiently clear

### Paragraph (4)

Activity that becomes urban area characteristic cover urban residence area and concentration and distribution for non agricultural activity, as governance service activity, social service activity, and economy activity.

Activity that becomes rural area characteristic cover rural residence area, agricultural activity, activity concerning natural botanical management, natural resources management activity, governance activity, social service activity, and economy activity.

### Paragraph (5)

Strategic area is an area in which activity happens that will have big influence to:

1. spatial planning in surrounding territorial;
2. other activity in a sort area and activity in another area; and/or
3. societies welfare improvement.

Strategic area type, for example, are strategic area from the interest of defense and security, economic growth, social, culture, natural resources utilization and/or advanced technologies, and environment function and support energy.

Included as strategic area from the interest of defense and security, for example, are state border area, including foremost isle, and military training area.

Included as strategic area from the interest of economic growth, for example, are metropolitan area, special economic area, integral economic development area, left behind area, also commerce and free port area.

Included as strategic area from the interest of social and culture, for example, are certain customary areas, culture heritage conservation area, including avowed culture heritage as heritage of the world, as Borobudur's Temple Complex and Prambanan's Temple Complex.

Included as strategic area from the interest of natural resources utilization and/or advanced technologies, for example, are oil mining area and offshore gas comprise of offshore oil mining and earth gas, and area that becomes nuclear energy installation location.

Included as strategic area from the interest of environment function and support energy, for example, is conservatory area and environment preservation, including area which is admitted as world heritage as Lorentz National Park, Ujung Kulon National Park, and Komodo National Park.

Area strategic value in national, province, and regency/city level is measured based on externality accountabilities, and handled efficiency aspect, as referred to in Law about Local Government.

## Article 6

### Paragraph (1)

Sufficiently clear

### Paragraph (2 )

What is meant by “complementary” is that national territory spatial planning, provincial territory spatial planning, and regency/city territory spatial planning completes each other mutually, synergized, and will not have authority overlap in its management.

### Paragraph (3)

Sufficiently clear

### Paragraph (4)

Sufficiently clear

### Paragraph (5)

Sufficiently clear

## Article 7

### Paragraph (1)

Sufficiently clear

### Paragraph (2)

Sufficiently clear

### Paragraph (3)

Right owned by person also covers right owned by customary society according to regulation.

## Article 8

### Paragraph (1)

Letter a.

Sufficiently clear

Letter b

Sufficiently clear

Letter c

Sufficiently clear

Letter d.

Inter state spatial planning cooperation involves other state so existed the inter state relationship aspect that constitutes government competence. Included in inter state spatial planning cooperation is spatial planning cooperation at state border area.

Given authority to Government in facilitating inter provincial spatial planning cooperation is meant to give optimum benefit for all province which is cooperative.

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Paragraph (4)

Government competence in space utilization and space utilization control on national strategic area range bound up aspect with strategic value that becomes basic for strategic area establishment. Provincial local government and regency/city government has competence in management aspect that is not related to strategic value that becomes strategic area establishment basic.

According to regulation, deconcentration was given to Governor as Government representative in region, meanwhile helped task can be given unto Governor and Regent/Mayor.

Paragraph (5)

What is meant by “spatial planning guidance” is covers norm, standard, and manual in spatial planning.

Included as spatial planning standard is technical rule as reference in performing spatial planning.

included in spatial planning manual is performing and technical

guidelines as reference in spatial planning performance.

Paragraph (6)

Letter a.

Information dissemination is done, for example, via electronic media, print media, and other communication media, as the realization of openness principle in spatial planning management.

Letter b

Minimum service standard constitute receiver's right and obligation and service giver that is arranged as Government and local government tool to secure access and basic service quality to society justly.

Minimum service standard in spatial planning is arranged by Government and impose for exhaustive provincial government and regency/city government to secure basic service quality to society justly in order of spatial planning management.

Article 9

Paragraph (1)

Sufficiently clear

Paragraph (2)

Sufficiently clear

Article 10

Paragraph (1)

Letter a.

Sufficiently clear

Letter b

Sufficiently clear

Letter c

Sufficiently clear

Letter d.

Given authority to provincial government in facilitating inter regency/inter city spatial planning cooperation is meant to give optimum benefit for regency/city that cooperative.

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Paragraph (4)

Authority of provincial local government in space utilization and provincial strategic space utilization control related to strategic value that becomes strategic area establishment basic. Regency/city government has authority in aspect management that has no relation with strategic value that becomes strategic area establishment basic.

Paragraph (5)

What is meant by “can construct the execution guide” is that performance guidance collation by provincial government is adjusted to the need with notice on region characteristic. Intended performance guidance constitute formulation of spatial planning area guidance that specified by government.

Paragraph (6)

Letter a.

Sufficiently clear

Letter b

Sample of minimum service type is in provincial territory spatial planning arrangement for example society participation in provincial territory spatial



planning; meanwhile its service quality declared by society participation frequency in provincial territory spatial planning arrangement.

Paragraph (7)

Step taken by Government in order to work out covers assistance to provincial government, to be able to accomplish minimum service standard of spatial planning area. That assistance effort can be in the form of technical help to meet minimal service standard that is not accomplished by provincial government.

Article 11

Paragraph (1)

Sufficiently clear

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Paragraph (5)

Letter a.

Sufficiently clear

Letter b

Sample of service type is in regency/city territory spatial planning arrangement, for example, are society participation in constructing regency/city territory spatial planning arrangement; meanwhile its service quality declared by society participation frequency in regency/city territory spatial planning arrangement process.

Paragraph (6)

Provincial government takes step for way out in shape of accomplishment of minimum service standard if after the assistance; regency/city government still unable to improve its performance in spatial planning arrangement according to local autonomy regulation.

Article 12

Sufficiently clear

Article 13

Paragraph (1)

Sufficiently clear

Paragraph (2)

Letter a.

Sufficiently clear

Letter b

Regulation and spatial planning guidance socialization is meant to give comprehension to government official, society, and other undertaking, about regulation substance and spatial planning guidance.

Letter c

Sufficiently clear

Letter d.

Education and training is meant, for example, to increase government apparatus ability and society in spatial planning arrangement, space utilization and space utilization control collation.

Letter e

Sufficiently clear

Letter f

Sufficiently clear

Letter g

Sufficiently clear

Letter h

included in consciousnesses development effort and society responsibility is growing and increasing consciousness and society responsibility, which is expected will increase society role in spatial planning arrangement.

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Article 14

Paragraph (1)

Letter a.

Sufficiently clear

Letter b

Detailed spatial planning arrangement constitute general spatial planning arrangement that can be as strategic area spatial planning arrangement that the area establishment comes within region spatial planning arrangement.

Detailed spatial planning arrangement constitute operational general spatial planning arrangement which performed by abode attention on society aspiration so the arrangement content will be able to perfected by obey limitation regulated in detailed arrangement and zoning's regulation.

Paragraph (2)

General spatial planning arrangement is differentiate according to administrative government region because the authority to manage space utilization is divided according to governance administration division.

Letter a.

Sufficiently clear

Letter b

Sufficiently clear

Letter c

As referred to in government administration, regency spatial planning arrangement and city spatial planning arrangement have equal position.

Paragraph (3)

Letter a.

island/archipelago spatial planning arrangement and national strategic territory spatial planning arrangement constitute detailed arrangement for National Territory Spatial planning Arrangement.

Letter b

Provincial strategic territory spatial planning arrangement constitute detailed arrangement for provincial spatial planning arrangement.

Letter c

Detailed regency/city spatial planning arrangement and regency/city strategic territory spatial planning arrangement constitutes regency/city detailed arrangement for region spatial planning arrangement.

Paragraph (4)

Sufficiently clear

Paragraph (5)

Letter a.

Sufficiently clear

Letter b

spatial planning execution effectiveness is influence very much by degree of accuracy or in depth regulation and map scale in spatial planning arrangement. Spatial planning arrangement that covers vast territory is common to have no detailed degree of accuracy or in depth regulation. Therefore, in the execution will have to be detailed further.

If spatial planning arrangement that covers region which its vast made possible of regulation and map provide with high degree of accuracy, then detailed arrangement is not required.

Paragraph (6)

Sufficiently clear

Paragraph (7)

Sufficiently clear

Article 15

National Territory Spatial planning Arrangement covers natural resources utilization in Indonesia exclusive economic zone.

Article 16

Sufficiently clear

Article 17

Paragraph (1)

Sufficiently clear

Paragraph (2)

In territorial system, residence center is urban area that constitutes center for society economy social activity,

whether in urban area and also rural area. In urban internal system, residence center is urban activity service station.

infrastructure network system, for example, ranging from transportation network system, energy network system and electricity, telecommunication network system, waste system and sanitize, and water resource network system.

Paragraph (3)

Sufficiently clear

Paragraph (4 )

Sufficiently clear

Paragraph (5)

Proportion establishment on wide of forest area to wide of river stream is meant to maintain water balance, since a large part Indonesia region have high drops and rain intensity, and have surge continent configuration, with hills and mountain that sensitive to balance troubling as flood, erosion, sedimentation, and lack for water.

Forest areas wide distribution is adjusted to river stream condition which covers morphology, rock type, and river and brook jetting form. Therefore forest area not necessarily distributed justly on every administrative region in the river stream.

Paragraph (6)

Inter region relevance constitutes form of inter region integrity and synergy, which is national territory, provincial territory, and regency/city territory.

area inter function relevance constitutes form of inter area integrity and synergy, for example, covers relevance between conservatory area and cultivate area.

area inter activity relevance constitutes form of inter area integrity and synergy, for example, covers relevance between urban territory and rural territory.

## Paragraph (7)

Spatial planning arrangement for defense and security system because of its unique characteristic requires special arrangement. This unique characteristic related to the need to keep secrecy of information in state defense and security.

Spatial planning arrangement regarding to defense and security function as territory spatial planning sub system contains idea that spatial planning for defense and security area constitute as one undivided part of the whole spatial planning effort.

## Article 18

### Paragraph (1)

substance's assent from the Minister is meant that region regulation on spatial planning arrangement regard to national territory spatial planning arrangement and national policy, meanwhile detailed spatial planning arrangement regard to general spatial planning arrangement. Besides, the assent is meant to guarantee content suitability to regulation or spatial planning guidelines.

### Paragraph (2)

Sufficiently clear

### Paragraph (3)

Sufficiently clear

## Article 19

Sufficiently clear

## Article 20

### Paragraph (1)

Letter a.

The purpose of national spatial planning reflect the inter sectoral, inter region and inter undertaking development integrity.

National territory spatial planning policy and strategy constitutes as basis for national development that utilizes space.

National territory spatial planning policy and strategy formulated by regarding science and technology, the availability of data and information, and its development finances.

National territory spatial planning policy and strategy, for example, meant to increase national competitiveness in facing global challenge, and renders Archipelago Knowledge and National defense.

#### Letter b

National urban system is formed from urban area with hierarchal scale service which covers national scale activity center, territorial scale activity center, and local scale activity center. those activity center is supported and provided with by infrastructure network level region that its service adjusted to activity hierarchy and service needs.

Main infrastructure network constitutes primary system developed to integrate region Republic of Indonesia Unity State besides to service national scale activity that cover transportation network system, energy and electricity network system, telecommunication network system, and water resource network system.

Includes in primary network system that is plotted is transportation network to provide Indonesian Archipelagic Oceanic Path (ALKI) for peace traffic corresponds to international law rule.

#### Letter c

National territory space pattern constitute picture of national territory space utilization, whether for conservatory utilization or national strategic cultivation, sighted from various viewpoint which will more useful utilized and effective in supporting accomplishment of national development.

National conservatory area, for example, is



conservatory area which ecologically constitute as one ecosystem located in more than one provinces, conservatory area which gives protection on its subordinate area located in other province, conservatory area meant to protect national culture heritage, river upstream or basin or dam, and other conservatory area which according to regulation the management lies under government authority.

national conservatory area is an area that the space utilization is limited or bind by the main function to protect environment preservation that covers natural and artificial resources, culture and history heritage, also to reduce the effect of natural disaster.

Cultivate area with national strategic value, for example, are developed area to support defense and national security function, strategic industrial area, strategic natural resources mining area, metropolitan urban area, and other cultivate area which according to the regulation government hold the authority upon permit and management.

Letter d.

Included in national strategic area is area which established by regulation as special area.

Letter e

Main program indication constitute direction filled with main program proposal, therewith its finance estimation and its source, executor institution, and execution time in order to render space utilization that corresponds to spatial planning arrangement. Main program indication constitute as main directive in space utilization program collation which is the key factor to accomplish spatial planning purpose, also sector direction in constructing strategic arrangement with its investment measure. Main program indication runs for 5 years annually for period of 20 years.

Letter f

Sufficiently clear

#### Paragraph (2)

National territory spatial planning arrangement becomes reference for central government and local government also society to direct space location and utilization in constructing development program related to space utilization.

#### Paragraph (3)

Spatial planning arrangement composed for period of 20 years with farther forward vision that constitute spatial's dimension of long term development plan.

If the period of 20 (twenty) ended, in composing the new spatial planning arrangement, rights owned by people with period exceeding the period of spatial planning is still acknowledgeable.

#### Paragraph (4)

Spatial planning re evaluation is an effort to see the suitability between spatial planning arrangement and development needs with regards to strategic environment development and internal dynamics, also the execution of spatial planning.

The results of national territory spatial planning re evaluation contain recommendation as follows:

- a. need for revision because of changes in national policy that influenced space utilization as the outcome of technology development and/or basic character situation; or
- b. revision is not necessary because there is no change in national policy that influences space utilization because of technology development and basic character situation.

#### Paragraph (5)

Basic character situation, for example, is related to big scale natural disaster, economy development, changing of state territorial boundary that set by the rule.

Re evaluation and national spatial planning revision will be carried out not as to eliminate spatial planning deviation.

Paragraph (6)

Sufficiently clear

Article 21

Sufficiently clear

Article 22

Sufficiently clear

Article 23

Paragraph (1)

Letter a

Sufficiently clear

Letter b

Provincial territory space structure arrangement is realization instruction for urban system in province region and provincial's facilitation network which is developed to integrate province region besides to service the province scale activity that cover transportation network system, electricity and energy network system, telecommunication network system, and water resource network system, including all upstream/ basin territory from river stream area.

In provincial territory spatial planning arrangement, urban system is figured in province region and facilitation network territory placement which according to regulation that the development and management of urban system are province government's authority with fully notice of the established space structure in National Territory Spatial planning Arrangement.

Provincial space structure arrangement consists of established space structure arrangement in National Territory Spatial planning Arrangement.

#### Letter c

Provincial territory space pattern is in a form of province territory space utilization, whether for utilization that function as conservatory or cultivate, which is review from various viewpoints will be more useful and effective in supporting the provincial development goal achievement with fully notice of the established space pattern in National Territory Spatial planning Arrangement.

Provincial conservatory area is conservatory areas which ecologically are one ecosystem that lies on more than one regency region/city, conservatory area that gives protection to it's subordinate area that lies on other regency region/city, and other conservatory areas which according to regulation rule that the management of that conservatory areas are provincial government's rights.

Cultivate territory that have province's strategic value are cultivate territory which is viewed very important for province development attainment effort and/or according to permit regulation and/or the management of that territory are provincial government's authority.

Cultivate territory that have province's strategic value can be in the form of residence area, forestry area, agricultural area, mining area, industrial area, and tourism area.

Regency territory spatial planning arrangement consists of established space pattern in National Territory Spatial planning Arrangement.

#### Letter d

Sufficiently clear

#### Letter e

Main program indication is a guideline that contain main program proposal, financing estimation with its source, executor institution, and execution time, in order to render space utilization which met the spatial planning arrangement. Main program indication is a main reference in space utilization program constitution which is a key in spatial

planning goal attainment, also sector reference in constitutes a strategic plan with investment measurement. Five years main program indication is constituted for 20 (twenty) years timeline plan.

Letter f

Sufficiently clear

#### Paragraph (2)

Provincial territory spatial planning arrangement become basis for local government and society institution to directing location and utilizing space in constitute development program that related with space utilization in that region. Besides, that plan becomes foundation in giving space utilization guidance recommendation.

Provincial territory spatial planning arrangement and provincial long term development plan also provincial intermediate term development plan are region policy that mutually points.

#### Paragraph (3)

Spatial planning arrangement constitute for 20 (twenty) years timeline with a farther, forward vision which is a spatial dimension of region long term development plan.

If the duration of 20 (twenty) years spatial planning arrangement has ended, therefore in the new spatial planning arrangement constitution, the rights that one's have already, that its duration exceed space plan arrangement duration, still be admitted.

#### Paragraph (4)

Space plan arrangement reconsideration is an effort to see the suitability among space plan arrangement and development need that notice strategic environmental growth and internal dynamics, also space utilization execution.

The results of provincial territory spatial planning arrangement reconsideration contain follow-up recommendation as follows:

- a. revision need to be done because there's changing policy and national strategy which effect the province

- territory space utilization and/or happen province internal dynamic that affecting the basic province space utilization; or
- b. revision no need to be done because there's no policy change and national strategy and province internal dynamic, which is affecting the basic province space utilization, is not happening.

Province internal dynamic which affecting province space utilization basically are related to huge scale national disaster and province territory expansion and regency/city established with regulation.

Reconsideration and revision in the period of less than 5 (five) years is done if there is national regulation change and strategy which affect the province space utilization and/or province internal dynamic that not change the regulation and national territory space utilization strategy.

Reconsideration and province territory spatial planning arrangement revision are done not to whitening space utilization deviation.

Paragraph (5)

Sufficiently clear

Paragraph (6)

Sufficiently clear

Article 24

Sufficiently clear

Article 25

Paragraph (1)

Sufficiently clear

Paragraph (2)

Letter a

Sufficiently clear

Letter b

Sufficiently clear

Letter c

Sufficiently clear

Letter d

Regency territory's environmental support and accommodation ruled based on regulation which constitution organize by minister that held government issues in environmental area.

Letter e

Sufficiently clear

Letter f

Sufficiently clear

Letter g

Sufficiently clear

## Article 26

### Paragraph (1)

Letter a

Sufficiently clear

Letter b

Regency territory space structure is a figure of regency territory's urban system and facilitation network which is developed to integrate regency region besides to service the regency scale activity that cover transportation network system, electricity and energy network system, telecommunication network system, and water resource network system, including all upstream/ basin territory from river stream area. In regency territory spatial planning arrangement figured main activity system

of regency territory and territory's facilitation network placement which according to regulation, the development and management of it is regency local government authority.

Regency territory space structure arrangement contain space structure which established in National Territory Spatial planning Arrangement and provincial territory spatial planning arrangement that related with the pertinent regency territory.

#### Letter c

Regency territory space pattern is a figure of regency territory space utilization, whether for utilization that functions as conservatory or cultivates which not established in National Territory Spatial planning Arrangement and provincial territory spatial planning arrangement.

Regency territory space pattern developed with completely notice the territory space pattern which established in National Territory Spatial planning Arrangement and provincial territory spatial planning arrangement.

Regency territory space pattern planning contain space pattern that established in National Territory Spatial planning Arrangement and provincial territory spatial planning arrangement which related to the pertinent regency territory.

#### Letter d

Sufficiently clear

#### Letter e

Sufficiently clear

#### Letter f

Sufficiently clear

#### Paragraph (2)

Regency territory spatial planning arrangement become guidance for local government to establish development activity location which related with space utilization in that



area and also become basis in giving recommendation for space utilization guidance, so space utilization in development execution always corresponds to regency territory spatial planning arrangement.

Rural area spatial planning arrangement is a part of regency territory spatial planning arrangement that can be constitute as a space utilization instrument to optimized agricultural activity which can take a form of agropolitan area.

Regency territory spatial planning arrangement and region long term development plan are region policy that mutually points. Regency territory spatial planning arrangement constitution based on regency long term development plan and vice versa.

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Paragraph (5)

Spatial planning arrangement reconsideration is an effort to see suitability among spatial planning arrangement and development need that notice the strategic environmental growth and internal dynamics also space utilization execution.

The results of regency territory/city spatial planning arrangement consist of follow-up recommendation as follows:

1. revision need to be done because there's changing policy and national strategy which effect the regency territory space utilization and/or happen regency internal dynamic that affecting the basic regency space utilization; or
2. revision no needs to be done because there's no policy change and national strategy and regency internal dynamic, which is affecting the basic regency space utilization, is not happening.

Reconsideration and revision in the period of less than 5 (five) years is done if space utilization strategy and space structure of pertinent regency territory demand a basis change as an effect of National Territory Spatial planning Arrangement explanation and/or provincial territory spatial planning arrangement and development dynamics in pertinent regency territory. Reconsideration and regency territory spatial planning arrangement revision are done not to whitening space utilization deviation.

Paragraph (6)

Sufficiently clear

Paragraph (7)

Sufficiently clear

Article 27

Sufficiently clear

Article 28

Application of *mutatis mutandis* is meant that rule about provincial territory spatial planning arrangement is also prevail in city territory spatial planning arrangement.

Article 29

Paragraph (1)

Public open green space is an open green space that owned and managed by city local government which is used for society interest generally. One that included public open green space, for example, are city garden, public funeral garden, and green lane along roads, rivers and beaches. One that included private open green space, for example, is garden or house yard/building belongs to society/private which is cultivated with plants.

Paragraph (2)

30 (thirty) percent proportion constitutes minimum measure to secure city ecosystem balance, whether hydrology's system and microclimate's system balance, and also other ecological system, which will increase the availability of fresh air needed by society, and also increase city esthetic value.

To increase the function and proportion of open green space in the city, government, society and private are urged to grow plants on top of the building.

Paragraph (3)

Proportion of open public green space with minimum wide is 20 (twenty) percent provided by city government is meant that minimum open green space proportion is secured in its accomplishment so enables its utilization widely by society.

Article 30

Sufficiently clear

Article 31

Sufficiently clear

Article 32

Paragraph (1)

Execution of space utilization program constitutes development activity, whether carried out by government or even society to materialized spatial planning arrangement.

Collation space utilization program carried out based on program indication written in spatial planning arrangement with financial estimation.

Paragraph (2)

Vertical space utilization and earth inner space utilization is meant to increase space capabilities to accommodate activity more intensive. Sample of vertical space utilization e.g. building, whether aboveground or in earth. In the meantime, another space utilization in inner earth, for example, for utility network (electric transmission network, telecommunication network, fresh water pipe network, and gas network, etc.) and railway system and also underground road network.

Paragraph (3)

Space utilization program executed by all related undertaking.

Paragraph (4)

Sufficiently clear

Paragraph (5)

Sufficiently clear

Paragraph (6)

Sufficiently clear

Article 33

Paragraph (1)

What is meant by land use, water use, air use, and other natural resources use, for example, are land, water and air, and other natural resources, owning, using, and utilize in the form of land, water, air, and natural resources utilization consolidation through ruling related to land, water, air, and natural resources utilization as one united system for a just society interest.

In water use, it has been developed drainage basin management pattern (DAS) that involves 2 (two) or more provincial administrative region and regency/city and to avoid upstream and downstream inter region conflict.

Paragraph (2)

Composing land use balance activity, water use balance, air use balance, and natural resources balance covers:

1. presentation of changing balance on land, water, air and other natural resources exploitation and utilization, in region spatial planning arrangement;
2. presentation of suitability balance on land, water, air and other natural resources exploitation and utilization, in region spatial planning arrangement; and

3. presentation of the availability of land, water, air and other natural resources exploitation and utilization, in region spatial planning arrangement.

In composing land use balance, water use balance, air use balance and other natural resources balance, one must paid attention factors that influence the availability. This is means in composing water use balance, one must paid attention on meteorology, climatology, geophysics factors and the availability of water resource infrastructure, including drainage network system and flood control.

#### Paragraph (3)

Right for priority first divides Government and local government be meant that in common behalf development performing that corresponds to space manner plan get to be performed by soiled procurement process that easy.

Development for public interest which performed by Government or local government covers:

1. public road and toll road, train railway (at aboveground, at aboveground space, or even at underground space), drinking water channel/fresh water, water discharge channel and sanitation;
2. accumulating basin, weir, irrigation weir, and another watering building;
3. harbor, airport, railway station, and terminal;
4. public safety facilities, e.g. dam tackling lurching flood, lava, and other disaster;
5. dump;
6. preserve and culture pledge; and
7. generator, transmission, and electric power distribution.

#### Paragraph (4)

First priority rights for Government and local government are meant that government can gain control earth on space which functions conservatory to secure that that space still has its conservatory function.

#### Paragraph (5)

Sufficiently clear

## Article 34

### Paragraph (1)

#### Letter a

Sufficiently clear

#### Letter b

Sectoral program in space utilization also include mining territory recovery program after the mining period ends in order to maintain society welfare and environment condition will not decreasing.

#### Letter c

Sufficiently clear

### Paragraph (2)

Controlling the development of cultivate area which is growth restrained, a disincentive mechanism is applied strictly, meanwhile to push an area development which growth is supported, an incentive mechanism is applied.

### Paragraph (3)

Area development cohesively been executed, for example, through ready to build area execution, self supporting ready to build environment, land consolidation, and area revitalization.

### Paragraph (4)

#### Letter a

Sufficiently clear

#### Letter b

One that intended with environment quality standard, for example, are default environmental quality and space utilization rule that related with air pollution minimum boundary, water pollution minimum boundary, and noise level minimum boundary.

In order that space quality standard can be accomplished in space utilization, the cost needed to overcome negative impact from space utilization activity is taken into account as activity execution cost. Thus, activities as natural resource mining can be executed as far as that activity execution cost have calculate the cost to overcome all negative impact that occurred so environmental quality standard still can be maintained.

Environmental quality execution is adjusted with space utilization type, so environmental quality standard in residence area will be different with environmental quality standard in industrial area.

Letter c

Sufficiently clear

#### Article 35

Space utilization control is meant that space utilization done according to spatial planning arrangement.

#### Article 36

##### Paragraph (1)

Zoning regulation constitute rule that manage space utilization and controlling elements which arranged for each allotment zone corresponds to detailed spatial planning arrangement.

Zoning regulation contains rule which shall, may, and may not be executed on space utilization zone which can consists of rule about space envelope (green space basic coefficient, building basic coefficient, building floor coefficient, and building border line), facilitation supply, also other rule needed to render safe, cozy, productive, and sustainable space.

Other rule needed, for example, are space utilization rule which related with aviation safety, communication emitting device development, and high-tension electric network development.

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

## Article 37

Paragraph (1)

One that intended with permit is permit which related to space utilization permit that according to regulation, shall be have before space utilization execution. Intended permit is space location/function permit, space envelope, and space quality.

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Paragraph (5)

Sufficiently clear

Paragraph (6)

Sufficiently clear

Paragraph (7)

Sufficiently clear

Paragraph (8)

Sufficiently clear



## Article 38

### Paragraph (1)

Incentive or disincentive execution separately being done for small/individual scale permit corresponds to zoning regulation, meanwhile incentive and disincentive execution concurrently being given for territory/big scale permit because in territory/big scale permit was enabled to have controlled space utilization and pushed its development concurrently.

### Paragraph (2)

Sufficiently clear

### Paragraph (3)

Disincentive can take a form of higher level taxing which can be given for unsuitable space utilization according to spatial planning arrangement through tax object's selling value establishment (NJOP) and sell point strikes taxes (NJKP) so space utilizer pays higher tax level.

### Paragraph (4)

Sufficiently clear

### Paragraph (5)

Incentive can be given among local government which interrelates in a form of cross subsidy from region that its spatial planning arrangement execution gives impact to prejudiced region, or between governments an private in terms of government give preference to private as a reward in supporting spatial planning arrangement realization.

### Paragraph (6)

Sufficiently clear

## Article 39

Sufficiently clear

## Article 40

Sufficiently clear

## Article 41

### Paragraph (1)

Sufficiently clear

### Paragraph (2)

Small urban area is urban area with serviced population at least 50.000 (fifty thousand) souls and at most 100.000 (a hundred thousand) souls.

Medium urban area is urban area with serviced population more than 100.000 (a hundred thousand) souls and less than 500.000 (five hundred thousand) souls.

Large urban area is urban with serviced population at least 500.000 (five hundred thousand) souls.

Metropolitan area is urban area that comprise of one self supporting urban area or fundamental urban area with other urban area around it and linked each other with functional relevance connected with infrastructure network system integrated with population as a whole for at least 1.000.000 (a million) souls.

Metropolitan area with functional relationship can formed megapolitan area. Thus, megapolitan's area contain molded area from two or more metropolitan area that have functional relationship and forming one system.

### Paragraph (3)

Sufficiently clear

## Article 42

Sufficiently clear

## Article 43

### Paragraph (1)

Inter region comprehension covers also space utilization that passes administrative region so has to be managed with coordination among region that becomes source of effect and region struck by the effect.

Paragraph (2)

Sufficiently clear

#### Article 44

Paragraph (1)

Metropolitan territory spatial planning arrangement meant as coordination media and considered to form not as region spatial planning arrangement but as referred to integral guidance for administrative territory spatial planning arrangement in the area.

Paragraph (2)

Remembering that each administrative region in metropolitan area have authority to compose its territory spatial planning, metropolitan territory spatial planning contain inter region and inter dependent arrangement.

#### Article 45

Paragraph (1)

Sufficiently clear

Paragraph (2)

Inter regency/city space utilization coordination also covers coordination in development staging performance.

#### Article 46

Paragraph (1)

Sufficiently clear

Paragraph (2)

Sufficiently clear

Paragraph (3)

Performance of control by urban territory management institution consist of 2 (two) or more regency/city can be carried out effectively if intended institution granted with

authority by related regency/city government.

Article 47

Sufficiently clear

Article 48

Paragraph (1)

Letter a

Included as rural society empowerment effort, for example, are development of rural economics institution to increase economic activity productivity in rural area, including agricultural activity, fishery activity, horticultural activity, and forestry activity.

Letter b

Sufficiently clear

Letter c

Sufficiently clear

Letter d

Sufficiently clear

Letter e

Sufficiently clear

Letter f

Sufficiently clear

Paragraph (2)

Sufficiently clear

Paragraph (3)

Sufficiently clear

Paragraph (4)

agropolitan's area comprised of one or more activity center

on rural territory as system of agro product and natural resources management that pointed out by functional relevance and unity spatial hierarchy of residence system and agribusiness system.

agropolitan's area development is meant to increase infrastructure service efficiency and agricultural activity support media, whether needed before production process, in production process, and also after production process. That effort is carried out through residential location arrangement, production activity location, service center location and infrastructure network placement.

agropolitan's area constitute as urban area embryo with orientation on agricultural activity development, agricultural support activity, and agricultural product processing activity.

agropolitan's area development constitute approach in rural area development.

This approach is also applicable to activity development, for example, activity based on oceanic, forestry and mining.

Paragraph (5)

Sufficiently clear

Paragraph (6)

Sufficiently clear

Article 49

Sufficiently clear

Article 50

Sufficiently clear

Article 51

Paragraph (1)

Sufficiently clear

Paragraph (2)

Letter a

Sufficiently clear

Letter b

Agropolitan territory space structure is a figure of territory activity main system and facilitation network that developed to integrate territory besides to service agricultural activity in extensive mean, whether food plant, fishery, plantation, and also ranch. Facilitation network that mold agropolitan territory space structure cover transportation network, electricity and energy network system, telecommunication network system, and water resource network system.

Letter c

Agropolitan territory space structure is a figure of territory space utilization, whether for utilization that functions as conservatory or cultivate.

Letter d

One that intended with interdependent among villages is dependent each other/mutually concerning among 1 (one) village and the other villages.

Letter e

Sufficiently clear

Article 52

Sufficiently clear

Article 53

Sufficiently clear

Article 54

Sufficiently clear

Article 55

Paragraph (1)

Observation performed on arrangement performance, guidance, and spatial planning execution is meant to secure executed regulation, implement all parties empowerment effort, and assure spatial planning execution.

Observation activity also included cling supervisory in structural elements on each region level.

Paragraph (2)

Monitoring action, evaluation, and reporting to spatial planning execution constitutes activity to observe carefully, assessing level of plan attainment objectively, and gives evaluation result information openly.

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Paragraph (5)

Sufficiently clear

Article 56

Paragraph (1)

Sufficiently clear

Paragraph (2)

Settlement action is a real action from administrative official, for example, as administrative action to discontinue deviation happening.

Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

## Article 57

Sufficiently clear

## Article 58

### Paragraph (1)

Minimum service standard is right and liability of service receiver and giver which constitute as Government and local government tool to assure society gets equal type and quality of basic service in order of mandatory business execution.

### Paragraph (2)

Sufficiently clear

### Paragraph (3)

Service type in provincial/regency/city territory spatial planning arrangement, for example, are society involvement in provincial/regency/city territory spatial planning arrangement constitution, meanwhile its service quality is stated with society involvement frequency.

### Paragraph (4)

Minimum standard quality for provincial/regency/city spatial planning area was established by Government as a tool to assure type and quality of basic service which is given by provincial/regency/city government to society equally in order to spatial planning execution.

### Paragraph (5)

Sufficiently clear

## Article 59

Sufficiently clear

## Article 60

### Letter a

Society can know spatial planning arrangement through Circular or Local Circular, announcement, and/or dissemination by government.



That announcement or dissemination can be known by society, for example, are from placement of pertinent territory spatial planning arrangement at public places, local government office, and/or office that functionally handle that spatial planning arrangement.

Letter b

Space value-added can be seen from economic, social, culture, and environment quality viewpoints which can take a form of direct impact to society economic, social, culture, and environment quality escalation.

Letter c

One that intended with appropriate redress is that the value or amount of redress does not decrease the person's welfare according to legislation regulation.

Letter d

Sufficiently clear

Letter e

Sufficiently clear

Letter f

Sufficiently clear

## Article 61

Letter a

Abide the established spatial planning arrangement is meant as everyone's liabilities to have space utilization permit from authorized official before the execution of space utilization.

Letter b

Utilizing space according to space utilization permit is meant as everyone's liabilities to execute space utilization corresponds to affixed space function in space utilization permit.

Letter c

Obeying specified rule in space utilization permit is meant as everyone's liabilities for meeting space envelope rule and space quality.

Letter d

Access given is meant to secure that society can accomplish areas which stated in regulation as public property. Liabilities to gives access is done if measures up following:

- a. for the favor of common society; and/or
- b. no other access to the intended area.

One that includes in area that is belongs as public property, for example, is water source and beach coast.

Article 62

Sufficiently clear

Article 63

Letter a

Sufficiently clear

Letter b

Sufficiently clear

Letter c

Temporary breakdown of intended public services are disconnection of electric thread, fresh water channel, waste channel, and etc. which support a space utilization activity that is conflict with spatial planning arrangement.

Letter d

Sufficiently clear

Letter e

Sufficiently clear

Letter f

Sufficiently clear

Letter g

Intended demolition can be done voluntarily by the pertinent one or by authoritative institution.

Letter h

Sufficiently clear

Letter i

Sufficiently clear

Article 64

Sufficiently clear

Article 65

Paragraph (1)

Sufficiently clear

Paragraph (2)

Letter a

Sufficiently clear

Letter b

Society role as the executor of space utilization, whether person by person or corporation, for example includes space utilization activity that corresponds to spatial planning arrangement.

Letter c

Sufficiently clear

Paragraph (3)

Sufficiently clear

## Article 66

### Paragraph (1)

Disadvantages because spatial planning execution also include disadvantage because not having spatial planning arrangement information which is cause by there is no information about spatial planning arrangement provided.

### Paragraph (2)

Sufficiently clear

## Article 67

### Paragraph (1)

One that meant with spatial planning dispute is dispute between different parties which carry different needs in spatial planning execution.

Dispute settlement effort is started with settlement through agreement.

### Paragraph (2)

Dispute settlement outside the court agreed by both parties that have dispute.

Dispute settlement outside the court including settlement through agreement and dispute settlement alternatives, for example, with mediation, reconciliation, and negotiation.

## Article 68

### Paragraph (1)

Civil public servant investigator appointment done by notices the employee's competency such as experience and employee knowledge in spatial planning area and jurisdictional.

### Paragraph (2)

Sufficiently clear

### Paragraph (3)

Sufficiently clear

Paragraph (4)

Sufficiently clear

Paragraph (5)

Sufficiently clear

Paragraph (6)

Sufficiently clear

Article 69

Sufficiently clear

Article 70

Sufficiently clear

Article 71

Sufficiently clear

Article 72

Sufficiently clear

Article 73

Sufficiently clear

Article 74

Sufficiently clear

Article 75

Sufficiently clear

Article 76

Sufficiently clear

## Article 77

### Paragraph (1)

Sufficiently clear

### Paragraph (2)

Transition period up to 3 (three) years is accounted since regulation establishment about spatial planning arrangement is write down in Circular and Local Circular corresponds to spatial planning arrangement hierarchy.

During transition period can not do forcible ordering. Forcible ordering is done if transition period ends and that space utilization are unadapted with the new spatial planning arrangement.

### Paragraph (3)

Sufficiently clear

## Article 78

### Paragraph (1)

Sufficiently clear

### Paragraph (2)

Dateline of presidential regulation completion at least 5 (five) years accounted since the Law established, contains understanding that Government shall shortly begin presidential regulation constitution process that was mandated by this Law so in the period at least 1 (one) years have been specified presidential regulation established. Presidential regulation that is arranged and established also include presidential regulation about national strategic territory spatial planning arrangement establishment.

### Paragraph (3)

Sufficiently clear

### Paragraph (4)

Sufficiently clear

Article 79

Sufficiently clear

Article 80

Sufficiently clear

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