

REGULATION OF THE GOVERNMENT OF THE REPUBLIC OF INDONESIA

NUMBER 21 OF 2021

ON

IMPLEMENTATION OF SPATIAL PLANNING

BY THE BLESSINGS OF GOD ALMIGHTY

PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering : that in order to implement the provisions of Article 17 point 3, point 4, point 7, point 9, point 10, point 20, point 21, Article 18 point 3, point 21, Article 19 point 4, point 6, point 10, and Article 185 point b of Law Number 11 of 2020 on Job Creation, it is necessary to issue a Government Regulation on Implementation of Spatial Planning;

Observing : 1. Article 5 section (2) of the Constitution of the Republic of Indonesia;

2. Law Number 26 of 2007 on Spatial Planning (State Gazette of the Republic of Indonesia of 2007 Number 68, Supplement to the State Gazette of the Republic of Indonesia Number 4725);

3. Law Number 27 of 2007 on Management of Coastal Zone and Small Islands (State Gazette of the Republic of Indonesia of 2007 Number 84, Supplement to the State Gazette of the Republic of Indonesia Number 4739), as amended with Law Number 1 of 2014 on Amendment to Law Number 27 of 2007 on Management of Coastal Zone and Small Islands (State Gazette of the Republic of

Indonesia of 2014 Number 2, Supplement to the Gazette of the Republic of Indonesia Number 5490);

4. Law Number 32 of 2014 on Marine Affairs (State Gazette of the Republic of Indonesia of 2014 Number 294, Supplement to the State Gazette of the Republic of Indonesia Number 5603);
5. Law Number 11 of 2020 on Job Creation (State Gazette of the Republic of Indonesia of 2020 Number 245, Supplement to the State Gazette to the Republic of Indonesia Number 6573);

HAS DECIDED:

To issue : GOVERNMENT REGULATION ON IMPLEMENTATION OF SPATIAL PLANNING.

## CHAPTER I

### GENERAL PROVISIONS

#### Article 1

In this Government Regulation:

1. Space means a site that includes land space, sea space and airspace including space inside the Earth as a unified territory, the place where human and other creatures live, do activities and maintenance of life.
2. Spatial means a form of Spatial Structure and Spatial Pattern.
3. Spatial Structure means the arrangement of residential centers and facilities and infrastructure network systems that function as supporters of the society's socio-economic activity and which hierarchically have a functional relation.
4. Spatial Pattern means the distribution of spatial designation in an area which includes the allotment of space for the function of protection and allotment of space for cultivation function.
5. Spatial Plan, hereinafter referred to as SP means the result of spatial planning.

6. Detailed Spatial Plan, hereinafter referred to DSP means a detailed plan regarding the spaces of the regency/city that is equipped with regency/municipal zoning regulations.
7. Cross-Border Regions Detailed Spatial Plan, hereinafter referred to CBR DSP means the detailed plan of the regional spatial plans located in the inner side along Indonesia's boundaries with other countries.
8. Spatial Management means the system of Spatial Planning, Space Utilization, and Space Utilization Control processes.
9. Implementation of Spatial Planning means the activity which includes the regulation, development, implementation, and supervision of Spatial Planning.
10. Spatial Arrangement means the effort to establish a legal basis for the Central Government, local governments, and the Society in Spatial Planning.
11. Spatial Planning Guidance means the effort to improve the performance of Spatial Planning conducted by Central Government, Local Government, and the Society.
12. Implementation of Spatial Planning means an effort to achieve Spatial Planning goals through implementation of Spatial Planning, Space Utilization, and Space Utilization Control.
13. Spatial Planning means the process to determine the Spatial Structure and Spatial Patterns including preparation and determination of SP.
14. Space Utilization means the effort to achieve appropriate Spatial Structure and Space Pattern with SP through the preparation and implementation program and financing.
15. Spatial Utilization Control means the effort to achieve the order of Spatial Plan
16. Supervision of Spatial Planning means the effort to achieve an Implementation of Spatial Planning in accordance with the provisions of the legislation.
17. Suitability of Space Utilization Activities means the appropriate utilization of the planned spatial activities with the SP.

18. Confirmation of Suitability of Space Utilization Activities means a document that certifies the appropriateness between Space Utilization activity plan and DSP.
19. Approval of the Suitability of Space Utilization Activities means a document that certifies the appropriateness between the Space Utilization activity plan and the SP aside from DSP.
20. Recommendations for the Suitability of Space Utilization Activities means a document that certifies suitability of plan for spatial utilization activities based on national policies that are strategic and has not been regulated in the SP with considering principles and goals of Implementation of Spatial Planning.
21. Territory means space that is a geographical unit and all related elements that limits, and the system is determined based on the administrative aspects and/or functional aspects.
22. Region means an area that has a main function of protection or cultivation.
23. Protected Area means the area with the main function of protecting the sustainability of environment that includes natural resources and artificial resources
24. Cultivation Area means an area with the main function to be empowered on assess the condition and potential of natural resources, human resources, and artificial resources.
25. Rural Area means an area with main activities in agriculture, including the management of natural resources with the arrangement of regional functions as a place for rural settlements, government services, social services, and economic activities.
26. Urban Area means an area that has main activities in non-agricultural with the composition of function of the area as a place of settlement urban areas, centralization and distribution of government services, social services, and economy activities.

27. National Strategic Area, hereinafter referred to NSA means an area which the space is prioritized because it has very important influence nationally on national sovereignty, defense and national security, economy, social, cultural, and/or environment, including the areas that have been designated as world heritage.
28. Provincial Strategic Area means the area in which the spatial planning is prioritized because it has very important influence in the scope of the province to the economy, social, cultural, and/or environment and is an inseparable part of the provincial spatial plan.
29. Regency/City Strategic Area means the area which the spatial plan is prioritized because have a very important influence in the sphere of regency/city on the economic, social, cultural, and/or the environment and is an inseparable part of the regency/municipal spatial plan.
30. Stakeholders mean Persons or parties who have an interest in the Implementation of Spatial Planning, which includes the Central Government, Provincial Government, Regency/Municipal government, and Society.
31. Persons mean individuals and/or corporations.
32. Central Government means the President of the Republic of Indonesia who holds the executive power of state governance of the Republic of Indonesia assisted by the Vice President and ministers as referred to in the 1945 Constitution of the Republic of Indonesia.
33. Local Government means the regional head as elements that administrate the local government and leads the implementation of government affairs as the authority in the autonomous region.
34. Society means individual persons, group of People including indigenous peoples, corporations, and/or other non-government Stakeholders in the Implementation of Spatial Planning.
35. Minister means the minister administering government affairs in the field of spatial planning.

36. Spatial Planning Forum means a forum at the central land regional level whose task is to assist Central and Local Governments with consideration in the Implementation of Spatial planning.
37. Public Consultation means the active participation of the society to obtain input, feedback, or suggestion for improvement in the preparation of the SP.
38. Land Bank Authority, hereinafter referred to as Land Bank means a special body (*sui generis*) which is an Indonesian legal entity that is formed by the Central Government which given special authority for land management.
39. Business Actor means an individual or entity that carries out business and/or activities in certain fields.
40. Micro and Small Enterprises hereinafter referred to MSE mean micro and small businesses as referred to in the Law on Micro, Small and Medium Enterprises.
41. Forest means a certain area which appointed and/or determined by the Central Government to maintain its existence as a permanent forest.
42. Regional Boundaries mean regional boundaries between provinces and/or regencies/cities.
43. Sea means waters area on the surface of the earth which connects a land with other lands and other natural forms as a geographical and ecological unity and all related elements, and of which boundaries and systems are specified by legislation and international laws.
44. Marine Spatial Planning means a process for produce a Marine Spatial Plan and/or Zoning Plan to determine Marine Spatial Structure and Marine Spatial Patterns.
45. Marine Spatial Plan, hereinafter abbreviated to MSP, means the result of the Governance Planning process of the Marine Spatial Planning.
46. Marine Spatial Structures means the central arrangement of marine growth and network systems of marine infrastructure and facilities that serve to support socio-economic activities of the society which hierarchically have functional relations.

47. Marine Spatial Pattern means the distribution of Marine space allocation within the marine and jurisdiction areas.
48. Zoning Plan, hereinafter referred to ZP, means the plan that determines the directive of use of the resources of each planning unit are accompanied by determination the Spatial Structure and Spatial Pattern in the planning area that contains do and don't activities that can only be done after obtain the Approval for Suitability of Marine Space Utilization Activity, confirmation of suitability of marine space, and Business License for utilization in Marine space.
49. Cross-Border Region means a marine area which involves two or more provinces which can be in the form of bays, straits and Seas.
50. Specific National Strategic Area, hereinafter referred to SNSA, means an area that is related to state sovereignty, controlling environment, and/or world heritage sites, whose development is prioritized for national interest.
51. Zoning Plan for National Strategic Area, hereinafter referred to ZP NSA means a plan that is compiled to determine the directive of Marine Space Utilization in National Strategic Area.
52. Zoning Plan for Specific National Strategic Area, hereinafter referred to ZP SNSA means a plan that is compiled to determine the directive of Marine Space Utilization in Specific National Strategic Areas.
53. Zoning Plan for Cross-Border Regions, hereinafter referred to ZP CBR means a plan that is compiled to determine the directive of Marine Space Utilization in Cross-Border Regions.
54. Zoning Plan for Coastal Zone and Small Islands, hereinafter referred to as ZP CSIZ means a plan that determines the directive of resource utilization accompanied by the determination of spatial allocation in the planning areas that lists permitted and prohibited activities, and which can only be conducted after obtaining permission.

55. Coastal Waters mean sea bordering on land covering waters as far as 12 (twelve) nautical miles measured from the coastline, waters linking coasts and islands, estuary, bay, shallow waters, salt marshes, and lagoon.
56. Outermost Small Islands, hereinafter referred to OSI mean small islands that have basic points of geographical coordinates that connect archipelagic Sea boundary line in accordance with the national and international law.
57. Public Utilization Area means part of the Sea which has been designated for various purposes and activity sectors.
58. Conservation Area means an area which has certain characteristics and considered as a unity of protected, conserved, and utilized ecosystem, conducted in a sustainable manner.
59. Sea Lanes mean waters that are utilized, for example as shipping lanes, pipelines and/or cables under the sea, and for the migration of marine life.
60. Local Community means a group of People who carries out daily life based on habits and generally accepted values, but does not completely depend on certain coastal resources and small islands.
61. Traditional Communities mean traditional fisheries Communities whose rights are still recognized in carrying out fishing activities or other legal activities in certain areas of archipelagic waters in accordance with international Marine laws.
62. Institutions managing and organizing Online Single Submissions, hereinafter referred to as OSS Institutions means a non-ministerial government institute that carries out government affairs in the field of investment
63. Business License means a legality which is given to Business Actors to start and run their business and/or activities.
64. Electronically Integrated Business Licenses or Online Single Submission, hereinafter referred to as OSS, means a Business License which published by OSS institution for and on behalf of ministers, heads of institutions,

governors, or regents/mayors to Business Actors through the integrated electronics system.

65. Day means a work day.

#### Article 2

Spatial Arrangements are implemented to:

- a. create order in the Implementation of Spatial Planning;
- b. provide legal certainty for all Stakeholders in carrying out their duties and responsibilities as well as rights and obligations in the Implementation of Spatial Planning; and
- c. create justice for all Stakeholders in Implementing Spatial Planning.

#### Article 3

Spatial Planning Arrangement is carried out through the preparation and determination of guidelines that contain norms, standards, procedures, and criteria for Spatial Planning.

#### Article 4

This Government Regulation regulates the Implementation of Spatial Planning which includes:

- a. Spatial Planning;
- b. Space Utilization;
- c. Space Utilization Control;
- d. Spatial Planning Supervision;
- e. Spatial Planning Guidance; and
- f. Spatial Planning institutions.

### CHAPTER II

### SPATIAL PLANNING

#### Part One

#### General

#### Article 5

- (1) Spatial Planning is carried out to produce:

- a. general spatial plan; and
  - b. detailed spatial plan.
- (2) The general spatial plan as referred to in section (1) point a hierarchically consists of:
- a. National Spatial Plan;
  - b. provincial spatial plan;
  - c. regency spatial plan; and
  - d. city spatial plan.
- (3) Detailed spatial plan as referred to in section (1) point b consists of:
- a. Island/archipelago SP, Spatial Plan for National Strategic Area, Zoning Plan for National Strategic Area, Zoning Plan for Cross-Border Region, Detailed Spatial Plan for State Border Areas, and detailed plans of the National Spatial Plan;
  - b. DSP of the regency as a detailed plan of the regency spatial plan; and
  - c. DSP of the city as a detailed plan of the city spatial plan.

#### Article 6

- (1) Spatial Planning includes the preparation and determination of SP in accordance with the provisions of the legislation.
- (2) Preparation of the SP as referred to in section (1) consists of:
  - a. general spatial planning; and
  - b. detailed spatial planning.
- (3) Determination of SP as referred to in section (1) consists of:
  - a. determination of the general spatial plan; and
  - b. determination of the detailed spatial plan.
- (4) Central Government and Local Governments are obligated to develop and provide SP that has been set in digital form according to standard determined by Central Government.

- (5) Provision of SP that has been stipulated in digital form as referred to in section section(4) is intended to be easily accessible by the Public to obtain information about suitability of the activity and/or business location plan with the SP.

#### Article 7

- (1) Preparation of SP as referred to in Article 6 section (2) is carried out through the following stages:
  - a. preparation of SP creation;
  - b. data collection;
  - c. data analysis and processing;
  - d. formulation of the SP concept; and
  - e. preparation of preparation regulations on SP.
- (2) Preparation of SP as referred to in section (1) generates the following documents of:
  - a. SP concept, ZP SNSA concept, and ZP CBR concept; and
  - b. preparation regulations on SP, preparation regulations on ZP SNSA, and preparation regulations regarding ZP CBR.
- (3) Preparation of SP as referred to in section (1) involves the Public's role and other Stakeholders through a Public Consultation.
- (4) Preparation of the SP as referred to in section (1) may use technological innovation.
- (5) Further provisions regarding procedures on the preparation of SP as referred to in section (2) are regulated by a Ministerial Regulation.
- (6) Further provisions regarding procedures for the preparation of ZP NSA and ZP CBR as referred to in section (2) are regulated by a regulation of the minister administering government affairs in the maritime sector.

#### Article 8

- (1) SP as a result of Spatial Planning as referred to in Article 5 section (1) is a reference for:

- a. the publication of Suitability of Space Utilization Activities;
  - b. Space Utilization for all sectoral development activities as well as Regions and Areas development that require Space; and
  - c. the issuance of related Business License utilization on Seas and the granting of land rights and management rights.
- (2) The granting of land rights and management rights as mentioned in section (1) point c is based on the allocation of space according to the SP.
  - (3) The granting of land rights as referred to in section (1) point c in the above ground space is based on the building's basic coefficient, the building's floor coefficient, as well as other Space Utilization coefficients which are part of the SP.
  - (4) The granting of land rights as referred to in section (1) point c in underground spaces takes into account the provisions on underground Space Utilization are regulated in the SP.

## Part Two

### Preparation of General Spatial Plan

#### Paragraph 1

#### General

#### Article 9

- (1) The preparation of the general spatial plan includes:
  - a. National Spatial Plan;
  - b. provincial spatial plan;
  - c. regency spatial planning; and
  - d. city spatial planning.
- (2) The period of preparation and determination of the general spatial planning as referred to in section (1) is a maximum of 18 (eighteen) months starting from the implementation of the general spatial planning.

Paragraph 2  
Preparation of National Spatial Plan

Article 10

- (1) Preparation of National Spatial Plan as referred to in Article 9 section (1) point a is carried out by the Minister.
- (2) The National Spatial Plan includes land space, air space, and sea space which covers the waters and jurisdictions.
- (3) Sea space coverage as referred to in section (2) is formulated based on the technical material prepared by the minister administering government affairs in the maritime sector.

Article 11

- (1) The National Spatial Plan takes into account:
  - a. long-term national development plans;
  - b. medium-term national development plan;
  - c. archipelagic wisdoms and national defense;
  - d. international Maritime law provisions;
  - e. international agreements;
  - f. the development of regional and global problems as well as the assessment results of the implications of national spatial planning;
  - g. efforts to equalize the development of economic growth and stability;
  - h. harmony of national and regional development aspirations;
  - i. environmental capacity and carrying capacity;
  - j. the condition and social potential of the Society;
  - k. the utilization of land space, sea space, and air space, including the underground space;
  - l. strategic national development policies; and
  - m. provincial spatial plan, regency spatial plans, and/or city spatial planning.
- (2) National Spatial Plan at least contains:
  - a. objectives, policies and strategies of National Spatial Planning;

- b. National Spatial Structure Planning includes plans for the settlement center system and infrastructure network system plan;
  - c. national Spatial Pattern planning that includes Protected Areas that have a national strategic value, including Conservation Areas in the Sea, and Cultivation Areas that have national strategic value, including Public Utilization Areas;
  - d. marine biota migration flow;
  - e. determination of NSA locations;
  - f. determination of NSA locations;
  - g. determination of the location of Cross-Border Region;
  - h. Space Utilization directives, containing indications of five-year medium-term main program;
  - i. NSA development policy strategy;
  - j. island/archipelago development policy strategy;
  - k. NSA development policy strategy;
  - l. Cross-Border Region development policy strategy;
  - m. directives for national Space Utilization Control, containing indications of directive national system zoning, Suitability of Space Utilization Activities, incentive and disincentives directives, as well as directives for sanctions; and
  - n. policy directives on space allocation for coastal borders, rivers, lakes, ponds, reservoirs, and springs.
- (3) The National Spatial Plan serves as a reference for:
- a. preparation of the island/archipelago SP;
  - b. preparation of the ZP NSA;
  - c. preparation of ZP SNSA;
  - d. preparation of ZP CBR;
  - e. preparation of the CBR DSP;
  - f. preparation of provincial spatial plan;
  - g. regency spatial plans and city spatial plannings;
  - h. long-term national development planning;
  - i. medium-term national development planning;
  - j. Space Utilization and Space Utilization Control in the national territory; and

- k. embodiment of cohesiveness, interconnectedness, and development balance between provinces and the compatibility between sectors.
- (4) National Spatial Plans are stated into maps with a scale of 1:1.000.000 accuracy.

#### Article 12

- (1) Preparation of National Spatial Plan as referred to in Article 9 section (1) point a includes:
- a. the process of National Spatial Plan preparation;
  - b. the Public's role involvement at the national level in the preparation of the National Spatial Plan; and
  - c. discussion of the preparation of National Spatial Plan by Stakeholders in National level.
- (2) The process of preparing the Spatial Plan National as referred to in section (1) point a is carried out through the following stages:
- a. planning includes:
    - 1. preparation of working terms reference; and
    - 2. determination of the methodology used.
  - b. data collection of at least:
    - 1. administrative area data;
    - 2. population data and information;
    - 3. data and information on land sector;
    - 4. disaster data and information;
    - 5. marine data and information; and
    - 6. base maps and thematic maps that are needed.
  - c. data processing and analysis of at least:
    - 1. analysis of regional and global potentials and problems; and
    - 2. analysis of environmental capacity and carrying capacity integrated with strategic environmental studies.
  - d. formulation of the concept of National Spatial Plan; and
  - e. preparation of Government Regulation preparation on the National Spatial Plan.

- (3) The base map as referred to in section (2) point b point 6 is a topographical map of Indonesia and/or other base maps.
- (4) Topographical map of Indonesia as referred to in section (3) is the latest map and has been determined by the head of the institution administering government affairs in the field of geospatial information.
- (5) Further provisions regarding procedures for implementation of the integration of strategic environmental studies in National Spatial Plan as referred to in section (2) point c point 2 are regulated in a Ministerial Regulation.

### Paragraph 3

#### Preparation of Provincial Spatial Plan

#### Article 13

- (1) Preparation of provincial spatial plan as referred to in Article 9 section (1) point b is implemented by the provincial Government.
- (2) The provincial spatial plan as referred to in section (1) includes charges of regulation Coastal Water Management.
- (3) Charges for regulation of Coastal Waters as referred to in section (2) are formulated based on technical material compiled by provincial apparatus in charge of government in the maritime sector.
- (4) Preparation of provincial spatial plan as referred to in section (1) is implemented in accordance with norms, standards, procedures, and criteria regulated by Ministerial Regulation.

#### Article 14

- (1) Technical materials for Coastal Waters as referred to in Article 13 section (3) must obtain technical approval from the minister administering government affairs in the marine sector.

- (2) Further provisions regarding preparation procedures of technical materials and technical approval procedures as referred to in section (1) are regulated by a regulation of the minister administering government affairs in the marine sector.

Article 15

- (1) Provincial spatial plan refers to:
  - a. National Spatial Plan;
  - b. island/archipelago SP;
  - c. ZP NSA;
  - d. ZP CBR; and
  - e. ZP SNSA.
- (2) The provincial spatial plan takes into account:
  - a. the national long-term development plan;
  - b. the national medium-term development plan;
  - c. provincial long-term development plan;
  - d. medium term provincial development plan;
  - e. provincial spatial plan, regency spatial planning, and/or spatial planning of the bordering city area;
  - f. archipelagic wisdom and national defense;
  - g. development of regional and global problems as well as the results of the study of national spatial planning implications;
  - h. development equalization efforts and growth and economic stability;
  - i. the alignment of national and regional development aspiration;
  - j. environmental capacity and carrying capacity;
  - k. the condition and social potential of the Society;
  - l. utilization of land space, sea space, and air space, including underground space; and
  - m. specific national development policies.
- (3) The provincial spatial plan at least contains:
  - a. objectives, policies and strategies of provincial Spatial Planning;

- b. provincial Spatial Structure planning, which includes plans for the settlement center system and infrastructure network system plan;
  - c. provincial Spatial Pattern planning, including Protected Areas that have a value of national strategic including Conservation Area in the Sea, and Cultivation Areas that have national strategic value including Public Utilization Areas;
  - d. marine biota migration flow;
  - e. directives for provincial Space Utilization which contains an indication of middle-term main program within a five-year period;
  - f. directives for national Space Utilization Control containing indications of national system zoning directives, Suitability of Space Utilization Activities, incentives and disincentives, as well as the directives for sanctions; and
  - g. development policy of Provincial Strategic Areas;
  - h. regional development policy directives for the regency/city; and
  - i. policy directives on space allocation for coastal borders, rivers, lakes, ponds, reservoir, and springs.
- (4) The provincial spatial plan becomes a reference for:
- a. spatial planning for regency areas;
  - b. city spatial planning;
  - c. long-term provincial development planning;
  - d. medium-term provincial development planning;
  - e. provincial Space Utilization and Space Utilization Control;
  - f. embodiment of cohesiveness, interconnectedness, and development balance between provinces as well as the compatibility between sectors; and
  - g. location determination, and space function for investment.
- (5) Provincial spatial plans are stated into on a map with a scale of 1:250.000 accuracy.

Article 16

- (1) Provincial spatial plan as referred to in Article 9 section (1) point b includes:
  - a. the process of provincial spatial plan;
  - b. Public involvement in provincial spatial plan; and
  - c. discussion of the provincial spatial plan by the Stakeholders in the province.
- (2) The process for provincial spatial plan as referred to in section (1) point a is carried out through the stages of:
  - a. preparation which includes:
    1. preparation of working terms reference; and
    2. determination of the methodology used.
  - b. data collection of at least:
    1. administrative area data;
    2. population data and information;
    3. data and information on land sector;
    4. disaster data and information;
    5. marine data and information; and
    6. base maps and thematic maps that are needed.
  - c. data processing and analysis of at least:
    1. analysis of regional and global potentials and problems; and
    2. analysis of capacity and carrying capacity integrated environment with strategic environmental studies.
  - d. formulation of provincial spatial plan concept; and
  - e. regulation preparation regarding provincial spatial plan carried out in accordance with the provisions of legislation.
- (3) Base map as referred to in section (2) point b point 6 is a topographical map of Indonesia and/or other base maps.
- (4) Topographical maps of Indonesia as referred to in section (3) are the latest map and have been determined as such by the head of the institution that carries out government affairs in the field of geospatial information.
- (5) Further provisions regarding procedures of implementation of the integration of strategic

environmental studies in the preparation of provincial spatial plans as referred to in section (2) point c point 2 are regulated by a Ministerial Regulation.

Paragraph 4

Regency Spatial Planning

Article 17

- (1) Regency spatial planning as referred to in Article 9 section (1) point c is carried out by the Regency Government.
- (2) Regency spatial planning as referred to in section (1) is implemented in accordance with norms, standards, procedures, and criteria regulated in a Ministerial Regulation.

Article 18

- (1) Regency spatial plan at least refers to:
  - a. the National Spatial Plan;
  - b. island/archipelago SP;
  - c. ZP NSA; and
  - d. provincial spatial plan.
- (2) Regency spatial plan considers:
  - a. long-term provincial development plan;
  - b. medium-term provincial development plan;
  - c. long-term regency development plan;
  - d. regional mid-term regency development plan;
  - e. the development of regional and global problems as well as the results of the study of regency spatial planning;
  - f. efforts to equalize development and economic growth and stability;
  - g. the alignment of national and regional development aspirations;
  - h. environmental capacity and carrying capacity;
  - i. the condition and social potential of the Society;
  - j. land use balance and balance sheet stewardship of water resources;

- k. utilization of land space, sea space, and air space, including underground space; and
  - l. strategic national development policies.
- (3) Regency spatial plan at least contains:
- a. objectives, policies and strategies of National Spatial Planning;
  - b. Regency Spatial Structure Planning includes plans for the settlement center system and infrastructure network system plan;
  - c. Regency Spatial Pattern Planning including Protected Areas that have a national strategic value, including Marine Conservation Areas, and Cultivation Areas that have national strategic value including Public Utilization Areas;
  - d. directives for Regency Space Utilization which contains an indication of the medium term five-year main program;
  - e. provisions for Space Utilization Control for regency areas which contains general provisions of zoning, provisions of suitability of Space Utilization activities, incentive and disincentive directives, as well as sanctions directives;
  - f. regency strategic area development policy;
  - g. regency area development policy; and
  - h. allotment of space on the coastal borders, rivers, lakes, ponds, reservoirs, and springs.
- (4) The regency spatial plan becomes a reference for:
- a. regency DSP;
  - b. long-term development plan for regency area;
  - c. middle term development plan for regency area;
  - d. Space Utilization and Spatial Utilization Control in regency area;
  - e. embodiment of cohesiveness, interconnectedness, and balance between sectors; and
  - f. determination of the location and function of the space for investment.

- (5) The regency spatial plan is stated into on a map with a scale of 1:50.000 accuracy.

#### Article 19

- (1) Regency spatial plan as referred to in Article 9 section (1) point c includes:
  - a. the preparation process of the regency spatial plan;
  - b. the Public's role involvement in the regency in the preparation of the regency spatial plan; and
  - c. the discussion of the preparation of spatial plan by regency stakeholders.
- (2) The process of preparing the regency spatial layout plan as referred to in section (1) point a is carried out through the following stages:
  - a. preparation which includes:
    1. preparation of working terms of reference; and
    2. determination of the methodology used.
  - b. data collection of at least:
    1. administrative area data;
    2. population data and information;
    3. data and information on land sector;
    4. disaster data and information; and
    5. required base maps and thematic maps.
  - c. data processing and analysis of at least:
    1. analysis of regional and global potentials and problems; and
    2. analysis of the capacity and carrying capacity of the environment integrated with strategic environmental studies.
  - d. formulation of regency spatial plan concept; and
  - e. preparation of the regulations on the regency spatial plan is carried out in accordance with the provisions of legislation.
- (3) The base map as referred to in section (2) point b point 5 is a topographical map of Indonesia and/or other base maps.

- (4) Topographical maps of Indonesia as referred to in section (3) are the latest map and has been determined by the head of the institution which carries out government affairs in the field of geospatial information.
- (5) Further provisions regarding procedures of implementation of the integration of strategic environmental studies in National Spatial Planning as referred to in section (2) point c point 2 are regulated by a Ministerial Regulation.

Paragraph 5  
City Spatial Planning

Article 20

- (1) Preparation of the city spatial plan as referred to in Article 9 section (1) point d is implemented by the Municipal Government.
- (2) Preparation of the city spatial plan as referred to in section (1) is implemented in accordance with norms, standards, procedures, and criteria regulated by a Ministerial Regulation.

Article 21

- (1) The city spatial plan refers to:
  - a. National Spatial Plan;
  - b. island/archipelago SP;
  - c. ZP NSA; and
  - d. provincial spatial plan
- (2) The city spatial plan takes into account:
  - a. long-term provincial development plan;
  - b. middle-term provincial development plan;
  - c. long-term city development plan;
  - d. regional mid-term regency development plan;
  - e. development of regional and global problems as well as the results of the study of regency spatial planning;

- f. efforts to equalize development and economic growth and stability;
  - g. alignment of national and regional development aspirations;
  - h. environmental capacity and carrying capacity;
  - i. the condition and social potential of the Society;
  - j. land use balance and stewardship balance sheet of water resources;
  - k. utilization of land space, sea space, and space air, including underground space; and
  - l. strategic national development policies.
- (3) The city spatial plan at least contains:
- a. Spatial Planning objectives, policies and strategies for the city;
  - b. the spatial structure plan of the city area including the service center system plans and infrastructure network system plans;
  - c. city area spatial pattern plan which includes Protected Areas and Cultivation Areas, including plans for the provision of open green space;
  - d. directive of Space Utilization for the city, which contains indications of medium-term main programs for a period of five years;
  - e. provisions for Space Utilization Control in the city that contains general provision zoning, Space Utilization activity suitability provisions, incentive provisions and disincentives, as well as sanctions directives;
  - f. city strategic area development policies;
  - g. city area development policies;
  - h. allotment of space on the coastal borders, rivers, lakes, ponds, reservoirs, and springs; and
  - i. the supply and utilization plan of:
    - 1. public green open space and its distribution;
    - 2. private green open space;
    - 3. non-green open space;

4. pedestrian network infrastructure and facilities, public transportation, informal sector activities; and
  5. disaster evacuation space.
- (4) The city spatial plan is a reference for:
- a. city Detailed Spatial Plan;
  - b. long-term development planning for the city;
  - c. medium-term development planning for the city;
  - d. Space Utilization and Space Utilization Control for the city area;
  - e. embodiment of integration, linkage, and balance between sectors; and
  - f. determination of the location and functions of space for investment.
- (5) The city spatial plan is stated into a map with a scale of 1:25.000 accuracy.

#### Article 22

- (1) Green open space as referred to in Article 21 section (3) point c is regulated with the following provisions:
- a. planning for the provision and utilization of public green open space in the city spatial plan of at least 20% (twenty percent) of the city area;
  - b. planning for the provision and utilization of private green open space in the city spatial plan of at least 10% (ten percent) of the city's area; and
  - c. if the area of green open space as referred to in point a and b has a total area greater than 30% (thirty percent), such proportion must be maintained.
- (2) Further provisions regarding the provision and utilization of green open space are regulated by a Ministerial Regulation.

#### Article 23

- (1) City spatial planning as referred to in Article 9 section (1) point d includes:

- a. the city spatial planning process;
  - b. Public's involvement in preparation of the city spatial plan; and
  - c. discussion of the city spatial plan by Stakeholders in city.
- (2) The process of preparing a city spatial plan as referred to in section (1) point a is carried out through the stages of:
- a. preparation which includes:
    1. preparation of working terms of reference; and
    2. determination of the methodology used.
  - b. data collection of at least:
    1. administrative area data;
    2. population data and information;
    3. data and information on land sector;
    4. disaster data and information; and
    5. required base maps and thematic maps.
  - c. data processing and analysis of at least:
    1. analysis of regional and global potentials and problems; and
    2. analysis of capacity and carrying capacity integrated environment with strategic environmental studies.
  - d. formulation of the city spatial plan concept; and
  - e. preparing regulations regarding the city spatial plan to be implemented in accordance with the provisions of the legislation.
- (4) The base map as referred to in section (2) point b point 5 is a topographical map of Indonesia and/or other base maps.
- (5) Topographical maps of Indonesia as referred to in section (3) are the latest map and has been determined by the head of the institution that carries out government affairs in the field of geospatial information.
- (6) Further provisions regarding procedures of implementation of the integration of strategic environmental studies in National Spatial Planning as referred to in section (2) point c point 2 are regulated by a Ministerial Regulation.

Part Three  
Detailed Spatial Planning

Paragraph 1  
General

Article 24

- (1) The detailed spatial planning includes:
  - a. preparation of the island/archipelago SP;
  - b. preparation of the ZP NSA;
  - c. preparation of ZP CBR;
  - d. preparation of ZP SNSA;
  - e. preparation of the Cross-Border Region Detailed Spatial Planning;
  - f. spatial planning for regency/city areas.
- (2) The period of preparation and determination of island/archipelago Spatial Plan as referred to in section (1) point a, Spatial Plan for National Strategic Area as referred to in section (1) point b, Zoning Plan for Cross-Border Regions as referred to in section (1) point c, ZP SNSA as referred to in section (1) point d, and the CBR DSP as referred to in section (1) point e, is not later than 24 (twenty-four) months from the start of the preparation of the island/archipelago Spatial Plan, Spatial Plan for National Strategic Area, Zoning Plan for Cross-Border Regions, Spatial Plan for Specific National Strategic Area, or Cross-Border Region Detailed Spatial Planning.
- (3) The period for the preparation and determination of the regency/city DSP as referred to in section (1) point f is within 12 (twelve) months since the start of the implementation of the regency/city DSP.

Paragraph 2  
Island/Archipelago Spatial Planning

Article 25

- (1) Island/archipelago Spatial Planning as referred to in Article 24 section (1) point a is implemented by the Minister.

- (2) Island/archipelago as referred to in section (1) covers large islands and group of islands that have a unified ecosystem.
- (3) Large islands as referred to in section (2) covers the Sumatera Island, Java-Bali Island, Kalimantan Island, Sulawesi Island, and Papua Island.
- (4) Group of archipelago cluster as referred to in section (2) covers Maluku Islands group and the Nusa Tenggara Archipelago.
- (5) The island/archipelago Spatial Planning is carried out in accordance with norms, standards, procedures, and criteria regulated by a Ministerial Regulation.

#### Article 26

- (1) Island/archipelago SP refers to the National Spatial Plan.
- (2) Island/archipelago SP takes into account:
  - a. the national long-term development plan;
  - b. the national medium-term development plan;
  - c. provincial long-term development plan for the part of the island/archipelago;
  - d. provincial medium term development plan for the part of the island/archipelago;
  - e. archipelagic wisdom and national defense;
  - f. development of regional and global issues as well as the results of the study of the implications of spatial planning national;
  - g. efforts to equalize development and economic growth and stability;
  - h. alignment of national development aspirations and regional development;
  - i. optimizing the utilization of land space, sea space, and air spaces, including spaces inside the Earth;
  - j. ZP NSA;
  - k. ZP SNSA;
  - l. ZP CBR; and
  - m. provincial spatial plan for the part of the island/archipelago.

- (3) Island/archipelago SP at least contains:
  - a. objectives, policies and strategies of National Spatial Planning;
  - b. national Spatial Structure planning, which includes plans for the settlement center system and infrastructure network system plan;
  - c. national Spatial Pattern planning, which includes Protected Areas that have a value of national strategic including Conservation Area in the Sea, and Cultivation Areas that have national strategic value including Public Utilization Area;
  - d. directives for provincial Space Utilization which contains an indication of middle-term main program for a five-year period;
  - e. provision for island/archipelago development strategies;
  - f. directives for national Space Utilization Control containing indications of directive national system zoning, Suitability of Space Utilization Activities, incentives and disincentives directives, as well as the directive of penalty;
  - g. policy directives on space allocation on coastal borders, rivers, lakes, ponds, reservoir, and springs; and
  - h. determination of the adequacy of Forest Areas and forest cover in each watershed on the islands/archipelago in the context of environmental conservation in accordance with bio-geo-physics, climate, population, and socio-economic conditions of the island/archipelago area.
- (4) Island/archipelago SP becomes a reference for:
  - a. Spatial Planning for National Strategic Area;
  - b. provincial spatial plan;
  - c. regency spatial planning;
  - d. city spatial planning;
  - e. long-term development plan for regency area;
  - f. middle term development plan for regency area;

- g. Space Utilization and Spatial Utilization Control in regency area;
  - h. concretizing the cohesiveness, interconnectedness, and development balance between provinces as well as compatibility between sectors; and
  - i. determination of the location and function of the space for investment.
- (5) Island/archipelago Spatial Plan are stated into the map with a scale of 1:500.000 accuracy.

Article 27

- (1) Island/archipelago Spatial Planning as referred to in Article 24 section (1) point a includes:
- a. Island/archipelago Spatial Planning;
  - b. Island/archipelago's Public involvement in the island/archipelago Spatial Planning; and
  - c. discussion of the island/archipelago Spatial Plan preparation by Stakeholders at island /archipelago regional level.
- (2) The process of compiling the island/island SP as referred to in section (1) point a is carried out through the stages of:
- a. preparation which includes:
    - 1. preparation of working terms of reference; and
    - 2. determination of the methodology used.
  - b. data collection of at least:
    - 1. administrative area data;
    - 2. population data and information;
    - 3. data and information on land sector;
    - 4. disaster data and information; and
    - 5. base maps and thematic maps that are needed.
  - c. data processing and analysis of at least:
    - 1. analysis of regional and global potentials and problems; and
    - 2. analysis of capacity and carrying capacity integrated environment with strategic environmental studies.

- d. formulation of the concept of island/archipelago SP;  
and
  - e. preparation of the presidential regulations on the  
creation of the island/archipelago SP.
- (3) Base map as referred to in section (2) point b point 6 is a  
topographical map of Indonesia and/or other base maps.
  - (4) Topographical maps of Indonesia as referred to in section  
(3) are the latest map and has been determined by the  
head of the institution which carries out government  
affairs in the field of geospatial information.
  - (5) Further provisions regarding procedures of  
implementation of the integration of strategic  
environmental studies in island/archipelago Spatial  
Planning as referred to in section (2) point c point 2 are  
regulated by a Ministerial Regulation.

Paragraph 3  
Spatial Planning  
National Strategic Area

Article 28

- (1) The preparation of the National Strategic Area Spatial  
Plan as referred to in Article 24 section (1) point b is  
implemented by the Minister.
- (2) NSA SP can cover water space up to certain area limits as  
needed and/or points of interest.
- (3) The substance of the National Strategic Area SP in the  
water space as referred to in section (2) is formulated  
based on technical material prepared by the Minister who  
carries out government affairs in the marine field
- (4) Further provisions regarding the procedure preparation of  
technical materials for waters space as referred to in  
section (3) are regulated by a Ministerial Regulation that  
organizes government affair in the maritime sector.
- (5) The preparation of the NSA SP is carried out in  
accordance with the norms, standards, procedures, and  
regulated criteria by a Ministerial Regulation.

- (6) Preparation of the NSA SP as referred to in section (1) is implemented to develop, preserve, protect and/or integrate the development and management of area which has national strategy value in supporting national spatial planning national.

#### Article 29

- (1) Spatial Planning for National Strategic Area as referred to in Article 24 section (1) point b is implemented in the Area which has national strategic value.
- (2) Areas that have national strategic value as referred to in section (1) includes:
  - a. strategic areas from defense and security point of view;
  - b. strategic areas from economic growth point of view;
  - c. strategic areas from the point of view of social interest and culture;
  - d. strategic areas from the utilization of natural resources and/or high technology point of view; and/or
  - e. strategic areas from the point of view of functional and environmental carrying capacity.

#### Article 30

NSA from the point of view of defense and security interests as referred to in Article 29 section (2) point point a is determined by the criteria of:

- a. an area that is designated for maintenance of national defense and security based on national geostrategy;
- b. an area that is designated for military bases or knighthood, military training area, installation military, military equipment and weapons test areas, explosive other hazardous storage areas, ammunition disposal areas and other dangerous defense equipment, strategic national vital objects, air defense interest, defense industrial area, and other defense assets; and/or

- c. territorial sovereignty and national jurisdiction including border areas and surrounding Outermost Small Islands waters which directly adjacent to the country neighbors and/or the high seas.

#### Article 31

NSA from the point of view of economic growth interests as referred to in Article 29 section (2) point b is determined by the criteria of:

- a. areas that have leading sectors that can drive national economic growth;
- b. areas that have fast growth of economic potential and make a significant contribution to the national economy;
- c. areas that have export potential;
- d. areas with large/metropolitan urban characteristics that serves as a node logistics, trade and services, culture, education, research, and/or technology development;
- e. areas with high economic activity which utilizes high technology;
- f. areas that play an important role in realizing national food security; and/or
- g. areas that play an important role in realizing national energy security.

#### Article 32

NSA from the point of view of social and cultural interests as referred to in Article 29 section (2) point c is determined by the criteria of:

- a. area for customs or culture preservation and development;
- b. priority areas in improving social quality and culture;
- c. cultural assets protection and preservation areas;
- d. cultural heritage protection area;
- e. areas that provide protection for cultural diversity; and/or
- f. areas that have the potential to be vulnerable to social conflict.

Article 33

NSA from the point of view of natural resource and/or high technology utilization as referred to in Article 29 section (2) point d is stipulated by the criteria of:

- a. areas that have the function of developing knowledge and technology;
- b. areas that have strategic natural resources;
- c. areas that have a function as a utilization center and development of technology and aerospace/marine industry;
- d. areas that have a function as a control center of atomic and nuclear power; and/or
- e. areas that have a function as the geographic location and position for the use of aerospace/marine technology and other strategic high technology.

Article 34

NSA from the point of view of the importance of environmental function and carrying capacity as referred to in Article 29 section (2) point e is determined with the following criteria:

- a. biodiversity protection area;
- b. protected area designated for ecosystem, flora, fauna, and/or marine biota that almost extinct or is expected to become extinct protection which must be protected and/or preserved;
- c. area that provides balance protection of water use which every year potentially to cause harm;
- d. area that provides protection for macro-climate balance;
- e. area that demands high priority improvement environmental quality;
- f. natural disaster-prone area;
- g. an area in the form of an geopark; and/or
- h. a very decisive area in natural environmental change and has a broad impact on the survival of life.

Article 35

- (1) NSA SP refers to:

- a. National Spatial Plan;
  - b. Island/archipelago SP; and
  - c. ZP CBR.
- (2) NSA SP considers:
- a. national long-term development plan;
  - b. national medium term development plan;
  - c. archipelagic wisdom and national defense;
  - d. regional and global development problems as well as the results of the study of national spatial planning implications;
  - e. efforts to equalize development and economic growth and stability;
  - f. alignment of national and regional development aspirations;
  - g. the condition and social potential of the Society;
  - h. land use balance and balance sheet stewardship of water resources;
  - i. optimizing the utilization of land, marine space, and air spaces, including spaces inside the Earth; and
  - j. provincial spatial plan, regency spatial plan, and/or related city spatial plan.
- (3) The NSA SP contains at least:
- a. objectives, policies and strategies of NSA SP;
  - b. national Spatial Structure planning, which includes plans for the settlement center system and infrastructure network system plan;
  - c. national Spatial Pattern planning, which includes Protected Areas that have a value of national strategic including Conservation Area in the Sea, and Cultivation Areas that have national strategic value including Public Utilization Area;
  - d. marine biota migration flow;
  - e. Space Utilization directive, containing indications of the medium-term five-year main program;
  - f. NSA development policy strategy;
  - g. Directives for Space Utilization of NSA containing indications of directive national system zoning,

Suitability of Space Utilization Activities, incentive and disincentives directives, as well as the directive of penalty; and

- h. policy directives on space allocation on coastal borders, rivers, lakes, ponds, reservoir, and springs.
- (4) The NSA SP becomes a reference for:
- a. provincial spatial plan;
  - b. regency spatial plan;
  - c. city spatial planning;
  - d. national long-term development planning;
  - e. national medium term development planning;
  - f. Space Utilization and Space Utilization Control in the national territory;
  - g. embodiment of cohesiveness, interconnectedness, and balance of development between regions province, and/or inter-sector compatibility; and
  - h. determination of the location and function of the space for investment.
- (5) The NSA SP is stated into a map with 1:50.000 scale accuracy.
- (6) In the event that NSA is a city area that is mandated by applicable legislation, then the SP is stated into the map with a scale of 1:25.000 accuracy.

#### Article 36

- (1) Preparation of the NSA SP as referred to in Article 24 section (1) point b includes:
- a. the process of National Strategic Area Spatial Planning;
  - b. Public's role involvement in National Strategic Area Spatial Planning; and
  - c. discussion of the National Strategic Area Spatial Planning preparation by Stakeholders.
- (2) The process of preparing the NSA SP as referred to in section (1) point a is carried out through the following stages:

- a. preparation for the draft includes:
    - 1. preparation of the terms of reference; and
    - 2. determination of the methodology used.
  - b. data collection of at least:
    - 1. administrative area data;
    - 2. population data and information;
    - 3. data and information on land sector;
    - 4. disaster data and information;
    - 5. marine data and information; and
    - 6. base maps and thematic maps that are needed.
  - c. data processing and analysis of at least:
    - 1. analysis of regional potentials and problems and globally; and
    - 2. analysis of capacity and carrying capacity integrated environment with strategic environmental studies.
  - d. formulation of the concept of NSA SP; and
  - e. Preparing the Presidential Regulation of the NSA SP
- (3) Base map as referred to in section (2) point b point 6 is a topographical map of Indonesia and/or other base maps.
- (4) Topographical maps of Indonesia as referred to in section (3) are the latest map and has been determined by the head of the institution which carries out government affairs in the field of geospatial information.
- (5) Base map as referred to in section (3) includes a coastline consisting of:
- a. coastline which is determined by the agency that carries out government affairs in geospatial information field; and
  - b. coastline according to the needs of the existing SP depicted with special symbols and/or colors.
- (6) Further provisions regarding implementation of the integration of environmental studies strategic in the preparation of the NSA SP as referred to in section (2) point c point 2 are regulated by a Ministerial Regulation.

Paragraph 4  
Zoning Planning for Cross-Border Region

Article 37

- (1) The preparation of the Zoning Plan for Cross-Border Region as referred to in Article 24 section (1) point c is implemented by the Minister who organizes government affairs in marine sector.
- (2) ZP CBR includes:
  - a. bay zoning plan;
  - b. strait zoning plan; and
  - c. sea zoning plan.
- (3) Bays, straits and seas as referred to in section (2) are an area that are in inland waters in the form of inland seas, archipelagic waters, and/or territorial seas located in a cross-provincial area.
- (4) The naming and geographical location of bays, straits and seas as referred to in section (3) in accordance with provisions that have been set on the Sea map Indonesia and/or topographical maps of Indonesia.
- (5) Topographical maps of Indonesia as referred to in section (4) are the latest map and has been determined by the head of the institution which carries out government affairs in the field of geospatial information.
- (6) Zoning Planning in Cross-Border Region covers the unity of bay, strait, or sea area.

Article 38

- (1) The preparation of the Zoning Plan for Cross-Border Region refers to the National Spatial Plan.
- (2) The preparation of the Zoning Plan for Cross-Border Region at least considers:
  - a. national long-term development plan;
  - b. national medium term development plan;
  - c. island/archipelago SP;
  - d. NSA SP;
  - e. SNSA SP;

- f. provincial spatial plan;
  - g. areas, zones, and/or Sea Lanes that have been determined in accordance with the provisions of legislation;
  - h. the livelihood and access of small fishermen, traditional fishermen, and small fish cultivators in accordance with the provisions of the legislation;
  - i. customary law society areas;
  - j. disaster data and information; and
  - k. applicable international laws of the sea.
- (3) The Zoning Plan for Cross-Border Region at least contains:
- a. objectives, policies and strategies sea of Spatial Plan;
  - b. the Marine Spatial Structure plan;
  - c. the Marine Spatial Pattern plan;
  - d. Space Utilization directives containing indications of the five-year medium-term main program;
  - e. the policy strategy for Area development; and
  - f. directives for Marine Spatial Utilization Control.
- (4) Zoning Plan for Cross-Border Region becomes a reference for:
- a. Zoning Planning for National Strategic Area;
  - b. preparation of provincial spatial plan;
  - c. preparation of long-term development plan national length;
  - d. formulation of long-term development plan national medium;
  - e. Space Utilization and Control Utilization of Space in Cross-Border Regions;
  - f. embodiment of cohesiveness, interconnectedness, and balance of development between regions province, and/or inter-sector compatibility; and
  - g. determination of the location and function of marine space for investment.
- (5) Zoning Plan for Cross-Border Region is stated into a map with minimum scale of 1:500.000 accuracy.

Article 39

- (1) ZP CBR is prepared in the following stages:
  - a. data collection and processing;
  - b. preparation of the initial document of ZP CBR;
  - c. first Public Consultation;
  - d. preparation of the intermediary document of ZP CBR;
  - e. second Public Consultation; and
  - f. preparation of the final document of ZP CBR.
- (2) Data collection and processing as referred to in section (1) point a are in the form of secondary data consisting of at least:
  - a. the base map, which contains at least the following elements:
    1. coastline;
    2. hypsography; and
    3. territorial boundaries.
  - b. thematic data, in the form of:
    1. Marine infrastructure or Marine utility network system;
    2. building and installation in the sea;
    3. oceanography;
    4. coastal and small islands ecosystems;
    5. marine defense area;
    6. fisheries resources;
    7. existing utilization Coastal and/or Marine Space and plans for the utilization of Coastal and/or Marine Space; and
    8. disaster data and information.
- (3) The base map as referred to in section (2) point b point 6 is a topographical map of Indonesia and/or other base maps.
- (4) Topographical maps of Indonesia as referred to in section (3) are the latest map and has been determined by the head of the institution which carries out government affairs in the field of geospatial information.
- (5) Preparation of initial ZP CBR documents as referred to in section (1) point b is implemented through stages of

secondary data analysis and/or field survey result data that produces thematic maps and potential description, and marine resource utilization activity in Cross-Border Region.

- (6) The first Public Consultation as referred to in section (1) point c is implemented to obtain revision input, feedback, or suggestions to the initial document of ZP CBR.
- (7) Documents between ZP CBR as referred to in section (1) point d are the result of initial document revision of ZP CBR based on input, feedback, and suggestions for improvement obtained in the first Public Consultation.
- (8) The second Public Consultation as referred to in section (1) point e is implemented to obtain input, feedback or suggestions for document revision between ZP CBR.
- (9) The final ZP CBR document as referred to in section (1) point f is the result of document revision between based on input, feedback, or suggestions second Public Consultation improvement.
- (10) The final document of ZP CBR as referred to in section (9) is the material for of preparing the presidential regulation on ZP CBR.

#### Article 40

In the event that the secondary data as referred to in Article 39 section (2) has not met the quality standards and quantity which is equipped with metadata, the Minister who carries out government affairs in the field of marine sector can conduct primary data collection through field surveys.

#### Article 41

- (1) In the process of preparing the intermediary document for ZP CBR as referred to in Article 39 section (1) point d there is conducted, at minimum, an overlap analysis composed of maps and an analysis of water suitability to produce a proposed Marine Spatial Structure plan and the Marine Spatial Pattern plan.

- (2) Based on the proposed Marine Spatial Structure plan and the Marine Spatial Pattern plan as referred to in section (1), there is a preparation of the ZP CBR intermediary document which contains the results of the Public Utilization Area determination as described in zones, Marine Protected Areas and/or Sea Lanes.
- (3) The intermediary documents of ZP CBR at least consist of:
  - a. the background of composing the Zoning Plan for Cross-Border Regions which contains the legal basis, regional profile, issues strategic plan, and map of the planning area;
  - b. description of potential resources and activities utilization of resources in the Cross-Border Region;
  - c. Marine Spatial Structure plan and Marine Spatial Pattern plan;
  - d. Marine Spatial Utilization plan;
  - e. resource management plan;
  - f. Marine Spatial Utilization Control;
  - g. attachment of thematic maps, Marine Space Structural plan maps and Marine Spatial Pattern plans; and
  - h. preparation of the presidential regulation on ZP CBR.

#### Article 42

Provisions regarding the process of preparing the ZP CBR follow the stages as referred to in Article 39 section (1) and are further regulated in a regulation of the minister which carries out government affairs in the marine field.

#### Paragraph 5

#### Preparation of Zoning Plan for Specific National Strategic Areas

#### Article 43

- (1) Preparation of ZP SNSA as referred to in Article 24 section (1) point d is implemented by the Minister who organizes government affairs in marine field.

- (2) Preparation of the ZP SNSA is on:
  - a. the waters around the natural world heritage site in Sea; and/or
  - b. waters around the environment control area.
- (3) ZP SNSA in the waters around the natural world heritage site in the Sea as referred to in section (2) point a is determined with the following criteria:
  - a. have physical features and biological formations or the combination of the two which is of outstanding universal value in the Sea from the point of view of beauty or science;
  - b. have geological features and physiographical formations in specific areas as rare Marine biota habitat in the Sea with outstanding universal value from the point of view of science and conservation; and/or
  - c. in the form of natural sites or certain areas of the sea which have outstanding universal value from the point of view of science, conservation, and natural beauty.
- (4) ZP SNSA in the waters around the environment control area as referred to in section (2) point b is determined by criteria:
  - a. an area that is a blue carbon reserve area; and/or
  - b. ecologically and biologically significant areas.

#### Article 44

- (1) The preparation of the ZP SNSA refers to the National Spatial Plan.
- (2) The preparation of ZP SNSA at least considers:
  - a. the island/archipelago Spatial Plan;
  - b. NSA SP;
  - c. provincial spatial plan;
  - d. regency spatial plan;
  - e. city spatial plan;
  - f. national long-term development plans;
  - g. medium term development plan national;

- h. the relationship between terrestrial ecosystems and marine ecosystems in one ecological landscape (bio-eco-region);
  - i. sea areas, zones, and/or lanes that have been determined in accordance with the provisions of legislation;
  - j. livelihood space and access for small fishermen, traditional fishermen, and small fish cultivators in accordance with the provisions of the legislation;
  - k. customary law society area;
  - l. disaster data and information; and
  - m. international law of the sea.
- (3) The ZP SNSA at least contains:
- a. The background of the formation of the ZP SNSA containing the legal basis, regional profiles, issues strategic plan, and map of the planning area;
  - b. description of potential resources and activities utilization of resources in National Strategic Area;
  - c. regional strategic issues;
  - d. Marine Spatial Structure plan and Ocean Space Pattern plan;
  - e. Spatial Utilization plan;
  - f. Spatial Utilization Control;
  - g. resource management plan;
  - h. attachment of thematic maps and zoning plan maps; and
  - i. the concept of the preparation Presidential Regulation on ZP SNSA.
- (4) ZP SNSA becomes a reference for provincial spatial plan.
- (5) ZP SNSA is stated into the map with a 1:50.000 scale accuracy.

#### Article 45

- (1) The preparation of the ZP SNSA is carried out in stages of:
- a. data collection and processing;
  - b. preparation of the initial ZP SNSA document;
  - c. first Public Consultation;

- d. preparation of the intermediary ZP SNSA document;
  - e. second Public Consultation; and
  - f. preparation of the final ZP SNSA document.
- (2) Collecting and processing data as referred to in section (1) point a in the form of secondary data at least consist of:
- a. base map, which contains at least the following elements:
    - 1. coastline;
    - 2. hypsography; and
    - 3. territorial boundaries.
  - b. thematic data, in the form of:
    - 1. Marine infrastructure network system or Marine utility
    - 2. buildings and installations in the Sea;
    - 3. oceanography;
    - 4. coastal ecosystems and small islands;
    - 5. marine defense areas;
    - 6. fisheries resources; and
    - 7. existing utilization of Coastal and/or Marine Space and planned utilization of Coastal and/or Marine Space.
- (3) The base map as referred to in section (2) point a is a Topographical Map of Indonesia and/or other base maps.
- (4) The topographical Map of Indonesia as referred to in section (3) is the latest map and has been determined by head of the institution which carries out the government affairs in the field of geospatial information.
- (5) Preparation of initial ZP SNSA documents as referred to in section (1) point b is implemented through stages of secondary data and/or data analysis results of field surveys that produce maps thematic and potential descriptions, and utilization activities of SNSA marine resources.
- (6) The first Public Consultation as intended in section (1) point c is implemented for obtain input, feedback, or suggestions to the initial ZP SNSA document.

- (7) The intermediary document of ZP SNSA as referred to in section (1) point d is the result of initial ZP SNSA document revision based on input, feedback, and suggestions for revision obtained in the first Public Consultation.
- (8) The second Public Consultation as referred to in section (1) point e is implemented to obtain input, feedback or revision suggestions on the intermediary document of ZP SNSA.
- (9) The ZP SNSA final document as referred to in section (1) point f is the result of document revision between based on input, feedback or suggestions on the second Public Consultation revision.
- (10) The final ZP SNSA document as referred to in section (9) is the material for the preparation Presidential Regulation on ZP SNSA.

#### Article 46

In the event that secondary data as referred to in Article 45 section (2) has not met the quality and quantity standards equipped with metadata, the Minister who carries out government affairs in the field of marine can conduct primary data collection through field surveys.

#### Article 47

- (1) In the preparation of intermediary documents between ZP SNSA as referred to in article 45 section (1) point d there is conducted, at minimum, an overlap analysis of composite maps and an analysis on the suitability of the waters for produce a proposed Marine Spatial Structure plan and Marine Spatial Pattern plan.
- (2) Based on the proposed Marine Spatial Structure plan and the Marine Spatial Pattern plan as referred to in section (1), further preparation is carried out in the intermediary document of ZP SNSA containing the determination results of Public Utilization Areas as stated in zones, the Marine Conservation Areas and/or Sea Lanes.

- (3) The intermediary document of ZP SNSA is stated in a document that systematically consists of at least:
  - a. the preparation background of the ZP SNSA which contains legal basis, regional profile, strategic issues, and map of the planning area;
  - b. description of potential resources and resource utilization activities in the National Strategic Area;
  - c. regional strategic issues;
  - d. Marine Spatial Structure plan and Marine Spatial Pattern plan;
  - e. Marine Spatial Utilization plan;
  - f. Marine Spatial Utilization Control;
  - g. resource management plan;
  - h. attachment of thematic maps and zoning plan maps; and
  - i. the conception of the Presidential Regulation preparation on ZP SNSA.

#### Article 48

Provisions on the process of preparing ZP SNSA follow the stages as referred to in Article 45 section (1) which are further regulated in a regulation of the Minister which carries out government affairs in the marine field.

#### Paragraph 6

#### Detailed Spatial Planning for Cross-Border Regions

#### Article 49

- (1) Preparation of the DSP CBR as intended in Article 24 section (1) point e is implemented by Minister.
- (2) The preparation of the DSP CBR is carried out in accordance with the norms, standards, procedures, and regulated criteria by the Ministerial Regulation.

#### Article 50

- (1) The preparation of the DSP CBR includes areas with urban characteristics and rural characteristics in the national border area.

- (2) Areas with urban characteristics as referred to in section (1) are areas that have the main function of economic, environmental, social and cultural activities with urban characteristics.
- (3) Areas with rural characteristics as referred to in section (1) are areas that have the main function of economic, environment, social and cultural activity with rural characteristics.

#### Article 51

- (1) DSP CBR refers to ZP NSA.
- (2) The formulation of the DSP CBR takes into account:
  - a. national long-term development plan;
  - b. national medium term development plan;
  - c. development of regional problems and results assessment of the implications of regional spatial planning on national borders;
  - d. optimization of land space, sea space, and air space utilization, including underground spaces;
  - e. criteria of small islands utilization according to the provisions of legislation; and
  - f. regency spatial plan and/or related city spatial plan.
- (3) The DSP CBR at least contains:
  - a. the purpose of structuring the planning area;
  - b. the Spatial Structure plan;
  - c. the Spatial Pattern plan;
  - d. provisions for Space Utilization; and
  - e. zoning regulations.
- (4) DSP CBR becomes a reference for:
  - a. the preparation of long-term development plans for related provincial areas and regencies/cities;
  - b. the preparation of medium-term development plans for related provincial area and regencies/cities;
  - c. Space Utilization and Space Utilization Control;
  - d. embodiment of cohesiveness, interconnectedness, and balance between sectors; and
  - e. determination of the location and function of spaces for investment.

- (5) DSP CBR is stated into a map with a 1:5000 scale accuracy.

Article 52

- (1) Preparation of DSP CBR as referred to in Article 24 section (1) point e includes:
  - a. the process of preparation of DSP CBR;
  - b. Public's role involvement at regency/city level in preparation DSP CBR; and
  - c. discussion of preparation DSP CBR by Stakeholders.
- (2) The preparation process of DSP CBR as referred to in section (1) point a is carried out through stages of:
  - a. preparation planning which includes:
    - 1. preparation of the terms of reference;
    - 2. determination of the methodology; and
    - 3. determination of the planning area for DSP CBR.
  - b. data collection of at least:
    - 1. administrative area data;
    - 2. population data and information;
    - 3. data and information on land sectors;
    - 4. disaster data and information; and
    - 5. base maps and thematic maps as needed.
  - c. data processing and analysis of at least:
    - 1. analysis of environmental capacity and carrying capacity; and
    - 2. analysis that covers social, economic, culture, defense and security aspects.
  - d. the formulation of the DSP CBR concept; and
  - e. preparation for the Presidential Regulation regarding the DSP CBR.
- (3) Base map as referred to in section (2) point b point 5 is a topographical map of Indonesia and/or other base maps.
- (4) Topographical Map of Indonesia as referred to in section (3) is the latest map and has been determined by head of the institution which carries out government affairs in the field of geospatial information.

Article 53

Ministers and head of governments administering the government affairs in the field of investment integrate the DSP CBR in the digital form to in the OSS system.

Paragraph 7

Preparation for the Regency/City Detailed Spatial Plan

Article 54

- (1) Preparation for the regency/city DSP as referred to in Article 24 section (1) point f is implemented by the regency/municipal Government.
- (2) Preparation of the Regency/city DSP is carried out in accordance with norms, standards, procedures, and criteria regulated by a Ministerial Regulation.

Article 55

- (1) Preparation of the regency/city DSP may include areas with urban characteristics, rural characteristics, as well as cross-regency/city areas.
- (2) Areas with urban characteristics as referred to in section (1) are areas which have the main function of economic, environmental, social and cultural activity with urban characteristics.
- (3) Areas with rural characteristics as referred to in section (1) are areas which have the main function of economic, environment, social and culture activity with rural characteristics.
- (4) For cross-regency/city areas as referred to in section (1) that are functionally located in more than 1 (one) bordering regency/city areas, preparation of the DSP is implemented in an integrated manner by the Government Regency area of related regencies/cities.
- (5) DSP as referred to in section (4) is determined by the Regent/Mayor regulations according to their administrative areas.

Article 56

- (1) Regency/city DSP refers to the spatial planning of regency/city areas.
- (2) Regency/city DSP considers:
  - a. long-term development plan for the regency/city;
  - b. medium-term development plan for the regency/city;
  - c. development of regional problems as well as the assessment results of regency/city spatial planning implications;
  - d. optimization of land space, sea space, air space utilization, including underground space; and
  - e. criteria for small islands utilization according to the provisions of legislation.
- (3) The regency/city DSP at least contains:
  - a. the purpose of structuring the planning area;
  - b. Spatial Structure plan;
  - c. Spatial Pattern plan;
  - d. provisions for Space Utilization; and
  - e. zoning regulations.
- (4) The regency/city DSP will be a reference for:
  - a. preparation of long-term development plans of the regency/city;
  - b. preparation of medium-term development plans of the regency/city;
  - c. Space Utilization and Control Space Utilization;
  - d. the embodiment of cohesiveness, interconnectedness, and balance between sectors; and
  - e. the determination of the location and function of spaces for investment.
- (5) Regency/city DSP is stated into a map with a 1:5.000 scale accuracy.

Article 57

- (1) Preparation of the regency/city DSP as referred to in Article 24 section (1) point f includes:

- a. preparation of the regency/city DSP process;
  - b. Public role involvement the at regency/city level in the preparation of regency/city DSP; and
  - c. discussion of regency/city DSP preparation by Stakeholders at the regency/city level.
- (2) Regency/city DSP preparation process as referred to in section (1) point a is carried out through the stages of:
- a. preparation planning which includes:
    1. preparation of the terms of reference;
    2. determination of the methodology used; and
    3. determination of DSP planning area.
  - b. data collection of at least:
    1. administrative area data;
    2. population data and information;
    3. data and information on the land sector;
    4. disaster data and information; and
    5. base maps and thematic maps as needed.
  - c. data processing and analysis of at least:
    1. analysis of environmental capacity and carrying capacity;
    2. analysis of interregional regency/city linkages; and
    3. analysis of linkages between regency/city space components;
  - d. formulation of the regency/city DSP concept; and
  - e. the preparation of regulations regarding regency/city DSP are carried out in accordance with the provisions of the legislation.
- (3) Base map as referred to in section (2) point b number 5 is a topographical map of Indonesia and/or other base maps.
- (4) Topographical Map of Indonesia as referred to in section (3) is the latest map and has been determined by head of the institution administering government affairs in the field of geospatial information.

Article 58

- (1) Especially for Special Capital Region of Jakarta administrative area, the preparation of DSP is carried out by the Provincial Government.
- (2) The preparation of DSP as referred to in section (1) refers to the provincial spatial plan.
- (3) Provisions regarding the preparation of the regency/city DSP as referred to in Article 56 and Article 57 apply *mutatis mutandis* on the process of preparing DSP as referred to in section (1).
- (4) Preparation of DSP as referred to in section (1) is carried out in accordance with norms, standards, procedures, and criteria established by a Ministerial Regulation.

Article 59

Ministers and heads of institutions that carries out government affairs in the field of investment integrate regency/city DSP in the digital form into the OSS system.

Part Four

Stipulation of the General Spatial Plan

Paragraph 1

General

Article 60

Stipulation of the general spatial plan includes:

- a. stipulation of the National Spatial Plan;
- b. stipulation of the provincial spatial plan;
- c. stipulation of the regency spatial plan; and
- d. stipulation on the city spatial plan.

Paragraph 2

Stipulation of National Spatial Plan

Article 61

Stipulation procedure for National Spatial Plan as referred to in Article 60 point a is carried out in accordance with the provisions of legislation.

Paragraph 3  
Stipulation of Provincial Spatial Plan

Article 62

- (1) Stipulation procedure for the provincial spatial plan as referred to in Article 60 point b includes:
  - a. submission of the draft provincial regulation on provincial spatial plan, which contains the regulation of coastal waters from the Governor to the Provincial People's Representatives Council and equipped with:
    1. validation of strategic environmental assessment documents from the Minister administering government affairs in environmental sector; and
    2. base map recommendations from the relevant institution administering government affairs in the geospatial information field.
  - b. discussion of draft regional regulations regarding the provincial spatial plan in Provincial People's Representative Council to agree on the substance which will be delivered to the Minister;
  - c. submission of the draft provincial regulation on the provincial spatial plan from the Governor to the Minister to obtain substance approval;
  - d. cross-sectoral discussion for the issuance of substance approval by the Minister with ministries/institutions, Provincial Government, Provincial People's Representative Council, and all related Stakeholders;
  - e. issuance of substance approval by the Minister based on the results of cross-sectoral discussions as referred to in point d;
  - f. implementation of the mutual agreement between the Governor with the Provincial House of Representatives based on substance approval as referred to in point e;

- g. evaluation implementation of provincial regulation draft on provincial spatial plan by the Minister administering government's domestic affairs;
  - h. stipulation of provincial regulations on the provincial spatial plan by the Governor.
- (2) Validation and recommendations as referred to in section (1) point a are issued within a maximum of 10 (ten) Days since it was submitted by the Provincial Government.
  - (3) In terms of validation of environmental study documents strategic and base map recommendations yet issued until the time limit as referred to in section (2) then the documents submitted by the Provincial Government are deemed has been approved.
  - (4) Substantive agreement between the Governor and Provincial People's Representative Council as referred to in section (1) point b is issued within 10 (ten) Days at most since the submission of the draft provincial regulation regarding provincial spatial plans as referred to in section (1) point a.
  - (5) The process of establishing provincial regulations regarding the provincial spatial plan as referred to in section (1) point e to the point h is implemented within 2 (two) months at most.

#### Article 63

The cross-sectoral discussion as referred to in Article 62 section (1) point d is implemented to integrate sector programs/activities, national strategic activities, Regional Boundaries, coastlines, and Forest Areas.

#### Article 64

Regional Boundary Integration as referred to in Article 63 uses Regional Boundaries that have been determined by the Minister administering government's domestic affairs.

#### Article 65

- (1) The integration of the coastline as referred to in Article 63 uses the coastline element contained in the latest

topographical map of Indonesia and has been determined by the institution administering government affairs in the field of geospatial information.

- (2) In the event that there is a difference between the coastline as referred to in section (1) with the need for spatial planning, and/or interest in land rights, substance approval by the Minister includes:
  - a. the coastline as referred to in section (1); and
  - b. the coastline according to the needs of the spatial plan that is represented by special symbols and/or colors.

#### Article 66

Forest Area Integration as referred to in Article 63 uses the latest Forest Area delineation stipulated by the Minister administering government affairs in the field of forestry or the Forest Area delineation which is agreed upon within 10 (ten) Days at most from the cross-sectoral discussion as referred to in Article 62 section (1) point d.

#### Article 67

- (1) The cross-sectoral discussion as referred to in Article 62 section (1) point d is settled within 20 (twenty) Days at most with the approval of the substance by the Minister.
- (2) Procedures for implementing cross-sectoral discussions and the process of issuing approval of substance on provincial spatial plan are further regulated in a Ministerial Regulation.

#### Article 68

- (1) In the event that the draft of the provincial regulation regarding the provincial spatial plan as referred to in Article 62 section (5) has not been stipulated, the Governor stipulates the draft regional regulation on provincial spatial plan within a maximum of 3 (three) months starting from the date of obtaining the approval of substance from the Minister.

- (2) In the event that the draft provincial regulation on provincial spatial plan has not been stipulated by the Governor as referred to in section (1), then within a maximum of 4 (four) months from the date of obtaining approval of substance from the Minister, the draft regional regulations is stipulated by Central Government
- (3) Stipulation of the draft regional regulations by the Central Government as referred to in section (2) is carried out by the Minister after obtaining the President's approval.
- (4) Draft regional regulation as referred to in section (3) is stipulated by a Ministerial Regulation.
- (5) The Minister submits the Ministerial Regulation as referred to in section (4) to the Governor.
- (6) The Governor is obligated to stipulate regional regulations to implement the Ministerial Regulation as referred to in section (5) in their area within a period of 15 (fifteen) days at the most since the Ministerial Regulation is stipulated.
- (7) Provisions regarding the maximum period of time 15 (fifteen) Days as referred to in section (6) include the procurement of regional regulation in the regional gazette by the provincial regional secretary.
- (8) In the event that the Governor and the secretary of the province do not carry out the provisions as referred to in section (6) and section (7), they will be given administrative sanction in accordance with the provisions of legislation.

#### Paragraph 4

#### Stipulation of the Regency Spatial Plan

#### Article 69

- (1) Stipulation procedure of the regency spatial plan as referred to in Article 60 point c includes:
  - a. submission of draft regional regulations on regency spatial plan from the Regent to the Regency Regional House of Representatives and are equipped with:

1. minutes of discussion from the Provincial Government regarding draft regional regulations in regency area on regency spatial plan
  2. validation of strategic environmental assessment document from the provincial area apparatus in charge of environmental affairs; and
  3. recommendation of a base map from the relevant institution administering government affairs in geospatial information field.
- b. discussion of draft regional regulations on regency spatial plan in Regency Regional House Representatives to agree on the substance that will be submitted to the Minister;
  - c. submission of the draft regency regulations on the regency spatial plan from the Regent to the Minister to obtain substance approval;
  - d. cross-sectoral discussion in order to issue the substance approval by the Minister with ministries/institutions, Provincial Government, Regency Government, Regency Regional House of Representatives, and all related Stakeholders;
  - e. issuance of substance approval by the Minister based on the results of cross-sectoral discussions as referred to in point d;
  - f. implementation of mutual agreement between regents with the Regency Regional House of Representatives based on substance approval as referred to in point e;
  - g. implementation of regency regional regulation evaluation on regency spatial plan by the Governor to ensure that the draft regional regulations have been in accordance with the substance approval by Minister; and
  - h. stipulation of regency regulations on the regency spatial plan by the Regent.

- (2) Validation and recommendations as referred to in section (1) point a number 2 and number 3 are issued no later than 10 (ten) Days since submitted by the regency Local Government.
- (3) In terms of validation of strategic environmental study documents and base map recommendations issued until the time limit as referred to in section (2), then the document submitted by the regency Government is deemed to have been approved.
- (4) Substantive agreement between the Regent and the Regency Regional House of Representatives of the regency as referred to in section (1) point b is issued within 10 (ten) Days at most since the submission of draft regency regulations on the regency spatial plan as referred to in section (1) point a.
- (5) The process for determining regency regulations regarding regency spatial planning as referred to in section (1) point e to point h is implemented within 2 (two) months at most.

#### Article 70

The cross-sectoral discussion as referred to in Article 69 section (1) point d is implemented to integrate sector programs/activities, national strategic activities, Regional Boundaries, coastlines, and/or Forest Areas.

#### Article 71

Integration of Regional Boundaries as referred to in Article 70 uses Regional Boundaries that have been stipulated by the Minister administering the government's domestic affairs.

#### Article 72

- (1) The integration of the coastline as referred to in Article 70 uses the shoreline element contained in the up-to-date topographical map of Indonesia and has been determined by the agency administering government affairs in the field of geospatial information.

- (2) In the event that there is a difference between the coastline as referred to in section (1) with the need for spatial planning, and/or interest in land rights, substance approval by the Minister includes:
  - a. the coastline as referred to in section (1); and
  - b. the coastline as required by spatial plan layout represented by special symbols and/or colors.

#### Article 73

Forest Area Integration as referred to in Article 70 uses the latest Forest Area delineation that stipulated by the Minister administering government affairs in the field of forestry or a forest area delineation which is agreed within 10 (ten) Days at most since the cross-sectoral discussion as referred to in Article 69 section (1) point d.

#### Article 74

- (1) The cross-sectoral discussion as referred in to Article 69 section (1) point d is completed within 20 (twenty) Days at most.
- (2) Procedures for implementing cross-sectoral discussions and the process of issuing approval for the substance of the regency SP are further regulated in a Ministerial Regulation.

#### Article 75

- (1) In the event that the regency regulations regarding regency spatial planning as referred to in Article 69 section (5) has not been determined, the Regent prepares regulations on regency spatial plans regency not later than 3 (three) months since obtaining substance approval from the Minister.
- (2) In the event that the regency regulation regarding regency spatial planning has not been stipulated by the Regent as referred to in section (1) then within a maximum of 4 (four) months from the date of substance approval from the Minister, the draft regional regulation is stipulated by the Central Government.

- (3) Stipulation of draft regional regulations by Central Government as referred to in section (2) is implemented by the Minister after obtaining the President's approval.
- (4) The draft regional regulation as referred to in in section (3) is stipulated by a Ministerial Regulation.
- (5) The Minister submits the Ministerial Regulation as referred to in section (4) to the Regent.
- (6) The Regent stipulates regional regulations to implement the Ministerial Regulation as referred to in section (5) in their area within a period of not later than 15 (fifteen) Days since the Ministerial Regulation is stipulated.
- (7) Provisions regarding the maximum period of time 15 (fifteen) Days as referred to in section (6) includes the promulgation of regional regulations in the regional gazette by the regional secretary of the regency.
- (8) In the event that the Regent and the regency secretary does not carry out the provisions as referred to in section (6) and section (7), administrative sanction is given in accordance with the provisions of legislation.

#### Paragraph 5

#### Stipulation of the City Spatial Plan

#### Article 76

- (1) The stipulation procedure of the city spatial plan as referred to in Article 60 point d includes:
  - a. submission of draft municipal regulations on spatial plan of the city area of Mayor to the People's Representative Council City area and equipped with:
    1. Minutes of discussion from the Provincial Government area regarding the draft municipal regulations on city spatial plan;
    2. validation of environmental study documents strategic from the provincial apparatus administering environmental affairs; and
    3. recommendation of a base map from the institution administering government affairs in the geospatial information field.

- b. discussion of draft regional regulations about the spatial plan of the city area in Municipal House for Representatives to agree on the substance to be delivered to the Minister;
  - c. submission of draft municipal regulation on spatial plan of the city from the Mayor to the Minister to obtain substance approval;
  - d. cross-sectoral discussion in order to issue substance approval by the Minister with ministries/agencies, Provincial Government, municipal Government, Municipal House of Representatives, and the related Stakeholders;
  - e. issuance of substance approval by the Minister based on the results of cross-sectoral discussions as referred to in point d;
  - f. implementation of the mutual agreement between the guardian city with Regional House of Representatives city based on substance approval as referred to in point e;
  - g. implementation of regulatory draft evaluation of the city area regarding the regional plan city by the Governor to ensure that the draft regional regulation is in accordance with the approval of the substance by the Minister; and
  - h. stipulation of regional regulation regarding the city spatial plan by the Mayor.
- (2) Validation and recommendations as referred to in section (1) point a number 2 and number 3 are issued no later than 10 (ten) Days since submitted by the Municipal Government.
- (3) If the validation of environmental study documents strategic and base map recommendations is not yet issued until the time limit as referred to in section (2), then the documents submitted by municipal Government are deemed to have been approved.
- (4) Substance agreement between the Mayor and the Municipal People's Representative Council as referred to

in section (1) point b is issued no later than 10 (ten) Days since the submission of draft municipal regulation on city area spatial planning as referred to in section (1) point a.

- (5) The process of establishing a municipal regulation on city spatial plan as referred to in section (1) point e to point h is carried out within 2 (two) months at most.

#### Article 77

The cross-sectoral discussion as referred to in Article 76 section (1) point d is implemented to integrate sector programs/activities, national strategic activity, Regional Boundaries, coastlines, and/or Forest Areas.

#### Article 78

Regional Boundary Integration as referred to in Article 77 uses regional boundaries that have been determined by the Minister administering the government's domestic affairs.

#### Article 79

- (1) The integration of the coastline as referred to in Article 77 using the coastline element contained in the latest topographical map of Indonesia and has been determined by the institution that carries out government affairs in the field of geospatial information.
- (2) In the event of a difference between the coastline as referred to in section (1) with the need for SP, and/or the interest in land, approval of substance by the Minister includes:
  - a. the coastline as referred to in section (1); and
  - b. the coastline as needed for spatial planning as represented by special symbols and/or colors.

#### Article 80

Forest Area Integration as referred to in Article 77 uses the latest forest area delineation set by the Minister administering government affairs in the field of forestry area or the forest area delineation which is agreed within 10 (ten) Days at most

since the cross-sectoral discussion as referred to in Article 76 section (1) point d.

#### Article 81

- (1) Cross-sectoral discussion as referred to in Article 76 section (1) point d is settled within of 20 (twenty) Days at most.
- (2) Procedures for implementing cross-sectoral discussions and the process of issuing city spatial plan substance approval are further regulated in a Ministerial Regulation.

#### Article 82

- (1) In the event that draft regulation for city spatial plan as referred to in Article 76 section (5) has not been stipulated, the Mayor stipulates the draft regional regulation on city spatial plan at a period of 3 (three) months maximum since the date of obtaining substance approval from the Minister.
- (2) In the event that draft municipal regulations on city spatial plan has not yet been determined by Mayor as stated in section (1) then within 4 (four) months at most since obtaining substance approval from Minister, the draft regional regulation is stipulated by the Central Government.
- (3) Stipulation of draft regional regulation by the government as referred to in section (2) is implemented by the Minister after obtaining the President's approval.
- (4) The draft regional regulation as referred to in section (3) is stipulated by a Ministerial Regulation.
- (5) The Minister submits the Ministerial Regulation as referred to in section (4) to the Regent.
- (6) The Mayor is obligated to stipulate regional regulation to implement the Ministerial Regulation as referred to in section (5) in their area in the long term within 15 (fifteen) Days at most since the Ministerial Regulation is stipulated.

- (7) Provisions regarding the maximum period of 15 (fifteen) Days as referred to in section (6) includes the stipulation of regional regulations in the regional gazette by the city secretary.
- (8) In the event of Mayor and city secretary does not carry out the provisions as referred to in section (6) and section (7) will be given administrative sanction in accordance with the provisions of legislation.

#### Part Five

#### Stipulation of Detailed Spatial Plan

#### Paragraph 1

#### General

#### Article 83

- (1) Stipulation of the detailed spatial plan includes:
  - a. stipulation of detailed spatial plans and marine zoning plan which is the authority Central government; and
  - b. stipulation of regency/city DSP.
- (2) Detailed spatial plan and spatial zoning plan sea which are under the authority of the Central Government as referred to in section (1) point a include:
  - a. Island/archipelago SP;
  - b. ZP NSA;
  - c. ZP CBR;
  - d. ZP SNSA; and
  - e. DSP CBR
- (3) Stipulation date of the detailed spatial plan as referred to in section (1) does not exceed the expiration date of the detailed spatial plan that is in force.

Paragraph 2  
Stipulation of Detailed Plan  
under the Authority of Central Government

Article 84

Stipulation of a detailed spatial plan under authority of the Central Government as referred to in Article 83 section (1) point a is carried out with the provisions of legislation.

Paragraph 3  
Stipulation of Regency/City Detailed Spatial Plan

Article 85

- (1) Stipulation procedure of regency/city DSP as referred to in section (1) of Article 83 section (1) point b includes:
  - a. Public Consultation of the draft of the head regency/municipal regulation on the regency/city DSP with the Society including the Regional House of Representatives of regency/city;
  - b. submission of the draft head of regency/municipal regulation on regency/city DSP to the Minister to obtain the substance approval:
  - c. cross-sectoral discussion in order to grant the substance approval by the Minister with the ministry/institution, provincial Government, regency/municipal Government, regency/municipal House of Representatives and all related Stakeholders; and
  - d. stipulation of the draft regional regulation of the Regent/Mayor regarding regency/city DSP by the Regent/Mayor in accordance with the substance approval by the Minister.
- (2) The granting of approval for the substance as referred to in section (1) point c to the draft regional regulation of Regent/Mayor regarding the regency/city DSP can be delegated to Governor.

Article 86

The cross-sectoral discussion as referred to in Article 85 point c is implemented to integrate sector programs/activities, national strategic activities, regional boundaries, coastlines, and forest areas.

Article 87

Regional Boundary Integration as referred in Article 86 uses Regional Boundaries that have been stipulated by the Minister administering the government's domestic affairs.

Article 88

- (1) The integration of the coastline as intended in Article 86 uses the coastline element contained in the latest topographical map of Indonesia and has been stipulated by the institution administering government affairs in the field of geospatial information.
- (2) In the event of that there is a difference between the coastline as referred to in section (1) with the needs of the spatial plan, and/or needs of land use, the substance approval by the Minister includes:
  - a. the coastline as referred to in section (1);
  - b. the coastline according to the needs of the existing SP which is represented with special symbols or colors.

Article 89

Forest Area Integration as referred to in Article 86 uses the delineation of the latest Forest Area stipulated by the Minister administering government affairs in the field of forestry or the forest area delineation agreed within 10 (ten) Days at most since the beginning of the cross-sectoral discussion as referred to in Article 85 point c.

Article 90

- (1) The cross-sectoral discussion as referred in Article 85 point c is completed within a period of maximum period of 20 (twenty) Days.

- (2) Procedures for implementing cross-sectoral discussions and regency/city DSP substance approval issuance process are further regulated in a Minister Regulation.

#### Article 91

- (1) Stipulation of regional regulation of Regent/Mayor on regency/city DSP as referred to in Article 85 point d must be implemented within a maximum period of 1 (one) month as of the date of obtaining substance approval from the Minister.
- (2) In the event that the draft regional regulation of Regent/Mayor on regency/city DSP has not been determined by the Regent/Mayor as referred to in section (1) then within 2 (two) months at most from of the date of obtaining the substance approval from the Minister, the draft regional regulation of Regent/Mayor is stipulated by Central Government.
- (3) Stipulation of draft regional regulation of the Regent/Mayor by the Central Government as referred to in section (2) is implemented by the Minister after obtaining the President's approval.
- (4) Draft regional regulation of Regent/Mayor as referred to in section (3) is stipulated by a Ministerial Regulation.
- (5) The Minister submits the Ministerial Regulation as referred to in section (4) to the Regent/Mayor.
- (6) The Regent/Mayor is obligated to stipulate a regional regulation of Regent/Mayor to implement the Ministerial Regulation as referred to in section (5) in their area within a maximum period of 15 (fifteen) Days since the Ministerial Regulation is enacted.
- (7) Provisions regarding the maximum period of 15 (fifteen) Days as referred to in section (6) includes the stipulation of regional head regulations in the regional gazette by the secretary of the regency/city.
- (8) In the event that the Regent/Mayor and regional secretary of regency/city do not implement provisions as referred to in section (6) and section (7), they will be given

administrative sanction in accordance with the provisions of legislation.

## Part Six

### Spatial Plan Review and Revision

#### Article 92

SP review includes the general spatial plan review and detailed spatial plan review.

#### Article 93

- (1) The review of the SP is carried out 1 (one) time in a month for every 5 (five) year period.
- (2) SP review can be done more than 1 (one) time in a 5 (five) year period if there are changes in the strategic environment in the form of:
  - a. large-scale natural disasters that are stipulated with legislation;
  - b. changes of the country's territorial boundary determined by the law;
  - c. changes of the defined Regional Boundary by law; or
  - d. changes in national policy that are strategic.
- (3) Review of the regional regulation of Regent/Mayor on DSP due to strategic national policy changes as referred to in section (2) point d may be recommended by Spatial Planning Forum based on criteria determined by the Minister.

#### Article 94

- (1) In the event of carrying out the SP review whose preparation is the authority of Local Government, Local Government submit a request for reconsideration of SP to the Minister.
- (2) Regarding the request for reconsideration as referred to in section (1), the Minister provides recommendations within a maximum period of 1 (one) month in the form of:

- a. The existing SP may remain in effect in accordance with the validity period; or
  - b. The existing SP needs to be revised.
- (3) In the event of a discrepancy between:
- a. SP with Regional Boundaries;
  - b. SP with Forest Areas; and/or
  - c. provincial spatial plan with regency/city spatial planning,
- which has been stipulated in accordance with the provisions of the legislation, then the minister administering government affairs in the field of economic coordination can recommend to the Minister to review and revise the provincial and/or regency/city spatial plans.

#### Article 95

- (1) Revision of the SP as a follow-up to the review as referred to in Article 94 section (2) point b uses the preparation and stipulation procedure of SP.
- (2) Revision of SP as referred to in section (1) is implemented while respecting the rights of the people in accordance with the provisions of legislation.
- (3) In the event that the SP revision changes the function of the space, the space function changes do not instantaneously result in a change of ownership and land tenure.
- (4) Changes in land ownership and control as referred to in section (3) are implemented in accordance with the provisions of legislations in the land sector.

#### Article 96

Further provisions regarding the implementation procedure of SP review and revision are regulated in a Ministerial Regulation.

CHAPTER III  
SPACE UTILIZATION

Part One  
General

Article 97

Implementation of Space Utilization is carried out through:

- a. implementation of the Suitability of Space Utilization Activity; and
- b. implementation of Space Utilization program synchronization.

Part Two

Implementation of the Suitability of Space Utilization Activity

Paragraph 1  
General

Article 98

- (1) Implementation of conformity of Space Utilization Activities as referred to in Article 97 point a consists of:
  - a. Suitability of Space Utilization Activity for business activity;
  - b. Suitability of Space Utilization Activity for non-business activity; and
  - c. Suitability of Space Utilization Activity for national strategic activity.
- (2) Suitability of Space Utilization Activity as referred to in section (1) is issued by the Minister.
- (3) Suitability of Space Utilization Activity as referred to in section (1) in the Coastal Waters, water areas, and jurisdictions, are issued by the Minister administering government affairs in the maritime sector.
- (4) Suitability of Space Utilization Activities as referred to in section (1) are valid for 3 (three) years start from the date of issuance by the Minister.

- (5) Suitability of Space Utilization Activities as referred in section (1) in the Coastal Waters, territorial waters and jurisdictions are valid until the expiry of the Business License and other non-business Licenses.
- (6) In event that the Business License and non-business Licenses as referred to in section (5) has not been published, then the Suitability of Activities Utilization of Space in Coastal Waters, waters region, and jurisdictions are effective for a period of 2 (two) years from the date of issue by the Minister administering government affairs in the maritime sector
- (7) Suitability of Space Utilization Activity as referred to in section (2) and section (3), can be decided as:
  - a. approved; or
  - b. rejected, providing the reasons for the refusal.
- (8) Suitability of Spatial Utilization Activity is considered in implementing the SP revision.

#### Article 99

- (1) The Minister and ministers administering government affairs in the maritime sector conduct the recording, administration, and updating the Suitability of Space Utilization Activities location data according to their authority.
- (2) Further provisions regarding recording, administration, and updating of data as referred to in section (1) are regulated by Ministerial Regulation and Regulation of the Minister administering government affairs in the field of maritime sector in accordance with their authority.

#### Paragraph 2

#### Suitability of Space Utilization Activity for Business Activities

#### Article 100

- (1) Implementation of the Suitability of Space Utilization Activity for business activities as referred to in Article 98 section (1) point a is obtained through OSS.

- (2) After obtaining Suitability of Space Utilization Activity as referred to in section (1), Business Actors may submit Business License application in accordance with the provisions of the legislation.
- (3) Business Actor may carry out Space Utilization Activities after obtaining Business License.

#### Article 101

- (1) Suitability of Space Utilization Activity as referred to in Article 100 section (1) includes:
  - a. business activity for non-Regional Minimum Wage;  
and
  - b. business activity for Regional Minimum Wage
- (2) Implementation of the Suitability of Space Utilization Activity for non-Regional Minimum Wage business activity as referred to in section (1) point a is carried out through:
  - a. Confirming the Suitability of Space Utilization Activity; or
  - b. Approval of the Suitability of Space Utilization Activity.
- (3) Implementation of the Suitability of Space Utilization Activity for business activities as referred to in Article 100 section (1) in the Coastal Waters, territorial waters, and jurisdictional areas, is carried out through an Approval of the Suitability of Marine Space Utilization Activity.

#### Article 102

Confirmation of the Suitability of Space Utilization Activities as referred to in Article 101 section (2) point a are given based on the suitability of Space Utilization activity location with the DSP.

#### Article 103

Confirming the Suitability of Space Utilization Activities for business activities carried out through OSS in the stages of:

- a. registration;
- b. evaluation of the proposed Space Utilization activity document to DSP; and;
- c. issuance of Confirmation of Suitability of Space Utilization Activities.

#### Article 104

- (1) Registration as referred to in Article 103 point a is at least equipped with:
  - a. location coordinates;
  - b. needed land area for the Space Utilization activity;
  - c. land tenure information;
  - d. information on the type of business;
  - e. plan for the number of floors of the building; and
  - f. plan of the building area.
- (2) Confirming the Suitability of Space Utilization Activities as referred to in Article 103 point c at least contains:
  - a. activity location;
  - b. type of Space Utilization activity;
  - c. building coverage ratio;
  - d. building floor coefficient;
  - e. building management provisions; and
  - f. requirements for implementing Space Utilization activity.

#### Article 105

Confirmation of Suitability of Space Utilization Activity issuance period for business activities as referred to in Article 103 point c is at least 1 (one) Day since the non-tax revenue registration or payment.

#### Article 106

- (1) Agreement on the Suitability of Space Utilization Activities for business activities as intended in Article 101 section (2) point b is given in the event that DSP is not yet available at the planned activity location of the Space Utilization.

- (2) Approval of the Suitability of Space Utilization Activities Sea for business activities as referred to in Article 101 section (3) is given for Marine Space Utilization activities permanently in Indonesia Coastal Waters, territorial waters, and territories jurisdiction.

#### Article 107

- (1) Approval of the Suitability of Space Utilization Activity for business activities as referred to in Article 106 section (1) is implemented through OSS with the stages of:
  - a. registration;
  - b. evaluation of the proposed Space Utilization for SP, ZP SNSA, and ZP CBR activity document; and
  - c. issuance of Suitability of Space Utilization Activity Approval.
- (2) Approval of the Suitability of Space Utilization Activity for business activities are given without going through stages of evaluating the proposed document of Space Utilization for applications that are located at:
  - a. industrial areas and tourism areas that already has a Business License in accordance with the provisions of legislation; and
  - b. special economic zones in accordance with the provisions of legislation.

#### Article 108

- (1) The registration as referred to in Article 107 section (1) point a at least contains:
  - a. location coordinates;
  - b. needed land area for space utilization activity;
  - c. land tenure information;
  - d. business type information;
  - e. plan for number of floors of the building;
  - f. floor plans of the building; and
  - g. building technical plans and/or regional master plan.

- (2) Approval of the Suitability of Space Utilization Activities for business activities as intended in Article 107 section (1) is given after it is done study using the tiered principle and complementary based on:
  - a. spatial plan for regency/city area;
  - b. provincial spatial plan;
  - c. spatial plan for national strategic area;
  - d. zoning plan for Specific National Special Area;
  - e. zoning plan for Cross-Border Region;
  - f. Island/archipelagic Spatial Planning; and/or
  - g. National Spatial Plan.
- (3) Approval of the Suitability of Space Utilization Activities for business activities as referred to in section (2) is given with due regard to land technical considerations.
- (4) Land technical considerations as referred to in referred to in section (3) are related to the location of the business carried out by the land office.
- (5) The land office submits considerations land engineering as referred to in section (4) not later than 10 (ten) Days from the registration or payment of non-tax state revenue.
- (6) In the event that the land office does not submit technical considerations in time as referred to in section (5), the office of the said land is deemed to have given technical considerations.
- (7) Based on the study as referred to in section (2) and technical considerations of the land as referred to in section (3), the Minister issues an Approval of the Suitability of Space Utilization Activities.
- (8) Approval of the Suitability of Space Utilization activities as referred to in section (7), at least contains:
  - a. activity location;
  - b. type of Space Utilization designation;
  - c. building coverage ratio;
  - d. building floor coefficient;
  - e. indication of Space Utilization program; and
  - f. requirements for implementing Space Utilization activities.

Article 109

- (1) Changes in the designation and function as well as the use of Forest Areas for development purposes outside of forestry apply to the provisions of legislation in the forestry sector.
- (2) Utilization of Space which is located in a Forest Area that has changed its designation and function and has not been included in the detailed spatial plan, then the Space Utilization activity is carried out after obtaining Approval of Suitability of Space Utilization Activities for business activities.
- (3) Approval for the Suitability of Space Utilization activities as referred to in section (2) is given according to the stages and conditions as referred to in Article 107 and Article 108.

Article 110

Approval of the Suitability of Activities for Utilization of Marine Space for business activities as referred to in Article 101 section (3) is carried out through OSS in stages of:

- a. registration;
- b. assessment of the proposed document for the use of Marine Space for spatial plan, zoning plan for Specific National Special Area, and zoning plan for Cross-Border Region; and
- c. issuance of Approval for the Suitability of Marine Space Utilization Activities.

Article 111

- (1) The registration as referred to in Article 110 point a is at least accompanied by:
  - a. location coordinates;
  - b. plans for buildings and installations at sea;
  - c. the need for the area of Space Utilization in the Sea;
  - d. information on surrounding Space Utilization and
  - e. location depth.

- (2) Approval of the suitability of Marine Space Utilization Activities for business activities as referred to in Article 110 is given after a study has been carried out using tiered and complementary principles based on:
  - a. provincial area plan;
  - b. spatial plan for national strategic area;
  - c. zoning plan for Specific National Special Area;
  - d. zoning plan for Cross-Border Region;
  - e. Island/archipelagic spatial plan; and/or
  - f. National Spatial Plan.
- (3) Approval for the Suitability of Marine Space Utilization Activities cannot be granted in the core zone of the Marine Conservation Area.
- (4) Approval of the Suitability of Marine Space Utilization Activities may be granted in the territory of the customary law society after obtaining the approval of the customary law society.
- (5) Approval for the suitability of Marine Space Utilization in Marine Conservation Areas is not granted inside or outside the core zone as referred to in section (3), for activities of:
  - a. open pit mining;
  - b. dumping (disposal); and
  - c. reclamation.
- (6) In the event that the activities as referred to in section (5) are technically not possible to be moved from the Marine Conservation Area, Approval for the Suitability of Marine Space Utilization Activities in the Marine Conservation Area can only be granted for:
  - a. activities of a national strategic nature determined by legislation; and/or
  - b. interests in the management of Marine Protected Areas.
- (7) Approval of the description of Sea Utilization Activities as referred to in section (2), takes into account:
  - a. type of activity and scale of business;
  - b. carrying capacity and capacity/availability of Marine Space;

- c. the need for space to support the interests of the activity;
  - d. Utilization of the existing Marine Space;
  - e. the technology used; and
  - f. potential environmental impacts.
- (8) Approval of the Suitability of Marine Space Utilization Activities as referred to in Article 110 point c least contains:
- a. activity location;
  - b. types of activities for Utilization of Marine Space; and
  - c. rights and obligations for the implementation of Marine Space Utilization activities.

#### Article 112

The period for the issuance of the Approval of the Suitability of Space Utilization Activities as referred to in Article 107 section (1) point c and the Approval of the Suitability of Marine Space Utilization Activities as referred to in Article 110 point c is no later than 20 (twenty) Days calculated from the registration or payment of non-tax state revenue.

#### Article 113

- (1) Issuance of Approval of Suitability of Space Utilization Activities for business activities as referred to in Article 107 section (1) point c can be delegated authority to governors, regents, or mayors without reducing the authority of the Minister.
- (2) Issuance of Approval on the Suitability of Marine Space Utilization Activities for business activities as referred to in Article 110 point c in Coastal Waters, the authority can be delegated to the Governor without reducing the authority of the Minister administering government affairs in the marine sector.
- (3) Approval of the Suitability of Space Utilization activities for business activities as referred to in section (1) may be granted with consideration of the Spatial Planning Forum.

Article 114

- (1) In the event that the Minister, Governor, Regent or Mayor in accordance with their respective authority do not issue an Approval of Suitability of Space Utilization Activities for business activities within the period as referred to in Article 112, Approval of Suitability of Space Utilization Activities is issued by the OSS Institution.
- (2) In the event that the Minister administering government affairs in the marine sector does not issue an Approval for the Suitability of Marine Space Utilization Activities for Business Licensing at Sea within the period as referred to in Article 112, the Approval for the Suitability of Marine Space Utilization Activities will be issued by the OSS Institution.
- (3) Further provisions regarding the delegation of authority as referred to in Article 113 section (1) are regulated by a Ministerial Regulation.
- (4) Further provisions regarding the delegation of authority as referred to in Article 113 section (2) are regulated by a Ministerial Regulation that administers government affairs in the marine sector.

Article 115

- (1) Space Utilization Activities carried out by Business Actors included in the regency/city minimum wage group as referred to in Article 101 section (1) point b, do not go through the issuance process of the Suitability of Space Utilization Activities.
- (2) The regency/city minimum wage actors as referred to in section (1) make an independent statement that their business activities are in accordance with the spatial plan.
- (3) In the event that the independent statement as referred to in section (2) is proven to be incorrect, the Space Utilization activities are carried out by the ministry/institution and/or regional apparatus.

Paragraph 3  
Suitability of Space Utilization Activities  
for Non-Business Activities

Article 116

- (1) Implementation of the suitability of spatial use water activities for non-business activities as referred to in Article 98 section (1) point b is obtained through an electronic system organized by the Minister and the Minister administering government affairs in the marine sector in accordance with their respective authority.
- (2) After obtaining the Suitability of Space Utilization Activities for non-business activities, the applicant undertakes Space Utilization activities after fulfilling the requirements in accordance with the provisions of the legislation.

Article 117

- (1) Implementation of the Suitability of Space Utilization activities for non-business activities as referred to in Article 116 section (1) is carried out through:
  - a. confirmation of Suitability of Space Utilization Activities; or
  - b. approval of the Suitability of Space Utilization Activities.
- (2) Implementation of the Suitability of Space Utilization Activities for non-business activities as referred to in Article 116 section (1) in Coastal Waters, territorial waters, and jurisdictional areas, is carried out through:
  - a. confirmation of marine space suitability; or
  - b. approval of the Suitability of Marine Space Utilization Activities.

Article 118

Confirmation of Suitability of Space Utilization Activities for non-business activities as referred to in Article 117 section (1) point a is given based on the suitability of the location plan for Space Utilization activities with Detailed Spatial Plan.

Article 119

Confirmation of Suitability of Space Utilization Activities for non-business activities as referred to in Article 117 section (1) point a is carried out through an electronic system organized by the Minister in the stages of:

- a. registration;
- b. Document assessment of the proposed Space Utilization activity on the Detailed Spatial Plan; and
- c. issuance of Confirmation of Suitability of Space Utilization Activities.

Article 120

- (1) Registration as referred to in Article 119 point a is at least accompanied by:
  - a. location coordinates;
  - b. needed land area for Space Utilization activities;
  - c. land tenure information;
  - d. information on the type of activity;
  - e. plan for the number of floors of the building; and
  - f. floor plan of the building.
- (2) Confirmation of the suitability of Space Utilization activities as referred to in Article 119 point c, at least contains:
  - a. activity location;
  - b. types of Space Utilization activities;
  - c. building coverage ratio;
  - d. building floor coefficient;
  - e. building management provisions; and
  - f. requirements for implementing Space Utilization activities.

Article 121

The period of issuance of the Convergence of Suitability for Space Utilization Activities for non-business activities as referred to in Article 119 point c is no later than 1 (one) Day since the registration or payment of non-permanent state revenues.

Article 122

- (1) Approval of the suitability of Space Utilization Activities for non-business activities as referred to in Article 117 section (1) point b is granted in the event that Detailed Spatial Plan is not yet available at the location of the planned Space Utilization activity.
- (2) Approval of the suitability of Marine Space Utilization Activities for non-business activities as referred to in Article 117 section (2) point b is granted for permanent use of Marine Space in Coastal Waters, territorial waters, and jurisdictional areas.

Article 123

Approval of the Suitability of Space Utilization activities for non-business activities as referred to in Article 122 section (1) is carried out through an electronic system organized by the Minister in the following stages:

- a. registration;
- b. assessment of the proposed documents for spatial use activities against the Spatial Plan, Zoning Plan for Specific National Special Area, and Zoning Plan for Cross-Border Regions; and
- c. issuance of Approval of Suitability of Space Utilization Activities.

Article 124

- (1) The registration as referred to in Article 123 point a is at least accompanied by:
  - a. location coordinates;
  - b. the needed land area for Space Utilization activities;
  - c. land tenure information;
  - d. information on the type of activity;
  - e. plan for the number of floors of the building;
  - f. floor area plans of the building; and
  - g. building technical plans and regional master plans.
- (2) Approval of the Suitability of Space Utilization activities for non-business activities as referred to in Article 123 is

given after a study has been carried out using tiered and complementary principles based on:

- a. spatial planning for regency/city area;
  - b. provincial spatial plan;
  - c. Spatial Plan for National Strategic Area;
  - d. Zoning Plan for Specific National Special Area;
  - e. Zoning Plan for Cross-Border Region;
  - f. Island/archipelagic Spatial Plan; and/or
  - g. National Spatial Plan.
- (3) Approval of the Suitability of Space Utilization activities for non-business activities as referred to in section (2) is granted by taking into account technical considerations of the land.
  - (4) The technical considerations on land as referred to in section (3) are related to the location of activities carried out by the land office.
  - (5) The land office submits technical considerations on land as referred to in section (4) no later than 10 (ten) Days as of the registration or payment of non-tax state revenue.
  - (6) In the event that the land office does not submit technical considerations within the period as referred to in section (5), the land office in question is deemed to have provided land technical considerations.
  - (7) Based on the study as referred to in section (2) and technical considerations on land as referred to in section (3), the Minister issues an Approval for the Suitability of Space Utilization Activities.
  - (8) Approval of the suitability of spatial use activities as referred to in section (7) at least contains:
    - a. activity location;
    - b. type of Space Utilization designation;
    - c. building coverage ratio;
    - d. building floor coefficient;
    - e. indication of Space Utilization program; and
    - f. requirements for implementing Space Utilization activities.

Article 125

- (1) Changes in the designation and function as well as the use of Forest Areas for development purposes outside of forestry apply the provisions of legislation in the forestry sector.
- (2) Space Utilization of which location is in a Forest Area that has changed its designation and function and has not yet been included in the Detailed Spatial Plan, then the Space Utilization activities are carried out after obtaining Approval of Suitability of Space Utilization Activities for non-business activities.
- (3) Approval for the Suitability of Space Utilization activities as referred to in section (2) is granted according to the stages and provisions as referred to in Article 123 and Article 124.

Article 126

Approval of the Suitability of Marine Space Utilization Activities for non-business activities as referred to in Article 122 section (2) is carried out through an electronic system by the Minister who carries out government affairs in the marine sector with the following stages:

- a. registration;
- b. assessment of the proposed document for the use of Marine Space for Spatial Plan, Zoning Plan for Specific National Special Area, and Zoning Plan for Cross-Border Region; and
- c. issuance of Approval for the Suitability of Marine Space Utilization Activities.

Article 127

- (1) The registration as referred to in Article 126 letter 4 is at least accompanied by:
  - a. location coordinates;
  - b. plans for buildings and installations at sea;
  - c. the need for the area of Space Utilization in the Sea;

- d. information on the utilization of the surrounding space; and
  - e. location depth.
- (2) Approval of the suitability of Marine Space Utilization Activities for non-business activities as referred to in Article 126 is given after a study has been conducted using tiered and complementary principles based on:
- a. spatial planning for regency/city area;
  - b. provincial spatial plan;
  - c. Spatial Plan for National Strategic Area;
  - d. Zoning Plan for Specific National Special Area;
  - e. Zoning Plan for Cross-Border Region;
  - f. Island/archipelagic Spatial Plan; and/or
  - g. National Spatial Plan.
- (3) Approval for the Suitability of Marine Space Utilization Activities cannot be granted in the core zone of the Marine Conservation Area.
- (4) Approval of the Suitability of Marine Space Utilization Activities may be granted in the territory of the customary law society after obtaining the approval of the customary law society.
- (5) Approval for the suitability of activities for the use of marine space in the marine conservation area is not granted inside or outside the core zone as referred to in section (3), for activities of:
- a. open pit mining;
  - b. dumping (disposal); and
  - c. reclamation.
- (6) In the event that the activities as referred to in section (5) are technically not possible to be moved from the Marine Conservation Area, Approval for the Suitability of Marine Space Utilization Activities in the Marine Conservation Area can only be granted for:
- a. activities of a national strategic nature determined by legislation; and/or
  - b. interests in the management of Marine Protected Areas.

- (7) Approval of the Adaptation of Marine Space Utilization Activities as referred to in section (2), takes into account:
  - a. type of activity and scale of activity;
  - b. carrying capacity and capacity/availability of Marine Space;
  - c. the need for space to support the interests of the activity;
  - d. Utilization of the existing Marine Space;
  - e. the technology used; and
  - f. potential environmental impacts.
- (8) Approval of the Suitability of Marine Space Utilization Activities as referred to in Article 126 point c, at least contains:
  - a. activity location;
  - b. types of activities for Utilization of Marine Space; and
  - c. rights and obligations for the implementation of Marine Space Utilization activities

#### Article 128

The period of issuance of the Approval of Suitability of Space Utilization Activities as referred to in Article 123 point c and Approval of the Suitability of Marine Space Utilization Activities as referred to in Article 126 point c are no later than 20 (twenty) Days calculated from the registration or payment of non-tax state revenue.

#### Article 129

- (1) Issuance of Approval of Suitability of Space Utilization Activities for non-business activities as referred to in Article 123 point c can be delegated authority to governors, regents, or mayors without reducing the authority of the Minister.
- (2) Issuance of Approval on the Suitability of Marine Space Utilization Activities for non-business activities as referred to in Article 126 point c in Coastal Waters, the authority can be delegated to the Governor without reducing the authority of the Minister administering government affairs in the marine sector.

- (3) Approval of the Suitability of Space Utilization activities for non-business activities as referred to in section (1) may be given with consideration of the Spatial Planning Forum.

#### Article 130

- (1) In the event that the Minister, governors, regents or mayors in accordance with their respective authority do not issue Approval for Suitability of Space Utilization Activities for non-business activities within the period as referred to in Article 128, Approval of Suitability. Space Utilization Activities are issued by an electronic system organized by the Minister.
- (2) In the event that the Minister administering government affairs in the marine sector does not issue an Approval for the Suitability of Marine Space Utilization Activities for non-business activities at Sea within the period as referred to in Article 128, the Approval for the Suitability of Marine Space Utilization Activities is issued by an electronic system administered by the Minister administering government affairs in the maritime sector.
- (3) Further provisions regarding the delegation of authority as referred to in Article 129 section (1) are regulated in a Ministerial Regulation.
- (4) Further provisions regarding the delegation of authority as referred to in Article 129 section (2) are regulated in a Ministerial Regulation that administers government affairs in the marine sector.

#### Article 131

- (1) Confirmation of Suitability as referred to in Article 117 section (2) point a may be given for Marine Space Utilization activities which are not included in the national strategic policy and are implemented by the Central Government agencies and/or provincial Governments.

- (2) Marine Space Utilization activities by Central Government agencies and/or provincial Governments as referred to in section (1) are activities financed by the state budget and/or regional budget.

#### Article 132

Confirmation of the Suitability of the Marine Space as referred to in Article 131 section (1) is carried out through an electronic system organized by the Minister administering government affairs in the marine sector with the following stages:

- a. registration;
- b. assessment of the proposed document for the use of Marine Space for Spatial Plan, Zoning Plan for Specific National Special Area, and Zoning Plan for Cross-Border Region; and
- c. issuance of confirmation of marine space suitability.

#### Article 133

- (1) Registration as referred to in Article 132 point a is at least accompanied by:
  - a. location coordinates;
  - b. the need for the area of Marine Space Utilization activities;
  - c. location depth; and
  - d. existing data/map of Marine Space Utilization.
- (2) Confirmation of the suitability of the marine space as referred to in Article 132 is given after a study has been carried out using the tiered and complementary principle based on:
  - a. spatial planning for regency/city area;
  - b. provincial spatial plan;
  - c. Spatial Plan for National Strategic Area;
  - d. Zoning Plan for Specific National Special Area;
  - e. Zoning Plan for Cross-Border Region;
  - f. Island/archipelagic Spatial Plan; and/or
  - g. National Spatial Plan.

- (3) Confirmation of the Suitability of the Marine Space as referred to in Article 132 considers:
  - a. type of activity and scale of activity;
  - b. carrying capacity and capacity/availability of Marine Space;
  - c. the need for space to support the interests of the activity;
  - d. Utilization of the existing Marine Space;
  - e. the technology used; and
  - f. potential environmental impacts.
- (4) Confirmation of the suitability of the Marine Space as referred to in Article 132 point c, at least contains:
  - a. activity location;
  - b. types of activities for Utilization of Marine Space; and
  - c. rights and obligations for the implementation of Marine Space Utilization activities.

#### Article 134

The period of issuance of confirmation of marine space suitability as referred to in Article 132 point c is no later than 14 (fourteen) Days calculated from the date of registration.

#### Article 135

- (1) Issuance of confirmation of marine space suitability as referred to in Article 132 point c can be delegated in its authority to the Governor without reducing the authority of the Minister administering government affairs in the marine sector.
- (2) In the event that the Minister administering government affairs in the marine sector or the Governor in accordance with his or her competence does not give approval or rejection within the period as referred to in Article 134, the Minister administering government affairs in the marine sector or the Governor is deemed to have confirmed the Suitability of the marine space.
- (3) Further provisions regarding the delegation of authority as referred to in section (1) are regulated by a Regulation

of the Minister administering government affairs in the marine sector.

Paragraph 4

Suitability of Space Utilization Activities  
for National Strategic Activities

Article 135

- (1) Implementation of the Suitability of Space Utilization Activities for activities of a national strategic nature as referred to in Article 98 section (1) point c, is given for:
  - a. the Space Utilization activity plan contained in the Spatial Plan, Zoning Plan for Cross-Border Region, or Zoning Plan for Specific National Special Area; and
  - b. Plans for Space Utilization that have not been written down in the Spatial Plan, Zoning Plan for Cross-Border Region, and Zoning Plan for Specific National Special Area.
- (2) Activities of a national strategic nature as referred to in section (1) are stipulated by legislation.
- (3) The suitability of Space Utilization Activities as referred to in section (1) is issued by the Minister and the Minister administering government affairs in the marine sector in accordance with their respective authority.
- (4) The suitability of Space Utilization Activities as referred to in section (1) is requested by the Minister, head of institution, Governor, Regent, or Mayor.

Article 137

- (1) The suitability of Space Utilization Activities for the Space Utilization activity plan contained in the Spatial Plan, Zoning Plan for Cross-Border Region, and Zoning Plan for Specific National Special Area as referred to in Article 136 section (1) point a, is carried out through:
  - a. Confirmation of the Suitability of Space Utilization Activities; and
  - b. Approval of the Suitability of Space Utilization Activities.

- (2) The suitability of Space Utilization Activities for the planned Spatial Use activities contained in the Spatial Plan, Zoning Plan for Cross-Border Region, and Zoning Plan for Specific National Special Area, as referred to in Article 136 section (1) point a in Coastal Waters, territorial waters, and jurisdictional areas is carried out through the approval of the Suitability of Activities Utilization of Marine Space.
- (3) Confirmation of the Suitability of Space Utilization activities as referred to in section (1) point a is provided with the stages and provisions as referred to in Article 118, Article 119, Article 120, and Article 121.
- (4) Approval for the suitability of spatial use activities as referred to in section (1) point b is granted with the stages and provisions as referred to in Article 122, Article 123, Article 124, and Article 128.
- (5) Approval of the Suitability of Marine Space Utilization Activities as referred to in section (2) is granted with the stages and provisions as referred to in Article 122, Article 126, Article 127, and Article 128.

#### Article 138

- (1) The suitability of Space Utilization Activities for the Space Utilization activity plan that has not been contained in the Spatial Plan, Zoning Plan for Cross-Border Region, and Zoning Plan for Specific National Special Area as referred to in Article 136 section (1) point b, is carried out through the Recommendation for the Suitability of Space Utilization Activities.
- (2) The Space Utilization activity plan as referred to in section (1) may also be in the form of:
  - a. plan for Space Utilization activities on the land of the Land Bank; and/or
  - b. plan for spatial use in the area or on land to which management rights will be granted for activities of a national strategic nature.

- (3) Space Utilization activities above the management rights as referred to in section (2) refer to the regional master plan.
- (4) The suitability of Space Utilization Activities for Planned Space Utilization activities that have not been contained in Spatial Plan, Zoning Plan for Cross-Border Region, and Zoning Plan for Specific National Special Areas as referred to in Article 136 section (1) point b in Coastal Waters, territorial waters, and jurisdictional areas, is carried out through Approval of Suitability of Marine Space Utilization Activities.

#### Article 139

Recommendations for the Suitability of Space Utilization Activities for activities of a national strategic nature as referred to in Article 138 section (1) are implemented in stages of:

- a. registration;
- b. assessment of the proposed documents for Space Utilization of Spatial Plan, Zoning Plan for Cross-Border Region, and Zoning Plan for Specific National Special Area; and
- c. issuance of Recommendation on the Suitability of Space Utilization Activities.

#### Article 140

- (1) Registration as referred to in Article 139 point a is at least accompanied with:
  - a. location coordinates;
  - b. the need for land area for Space Utilization activities;
  - c. land tenure information;
  - d. information on the type of activity;
  - e. plan for the number of floors of the building;
  - f. floor area plan of the building;
  - g. pre-feasibility study document for Space Utilization activities; and
  - h. technical plan of the building from/or the master plan of the area.

- (2) Recommendations for the suitability of Space Utilization Activities for activities of a national strategic nature as referred to in section (1) are given by taking into account the objectives of the Implementation of Spatial Planning to create safe, comfortable, productive, and sustainable spaces.
- (3) Recommendations for the suitability of Space Utilization Activities for activities of a national strategic nature as referred to in section (1) are given by taking into account the technical considerations of land.
- (4) The technical considerations on land as referred to in section (3) related to the location of activities are carried out by the land office.
- (5) The land office submits technical considerations on land as referred to in section (4) no later than 10 (ten) Days as of the registration or payment of non-tax state revenue.
- (6) In the event that the land office does not submit technical considerations within the period as referred to in section (5) the said land office is deemed to have provided technical considerations on land.
- (7) Based on the study as referred to in section (2) and technical considerations on land as referred to in section (3), the Minister issues a Recommendation for the Suitability of Space Utilization Activities.
- (8) Recommendations for the Suitability of Space Utilization Activities as referred to in section (7) at least contain:
  - a. activity location;
  - b. type of Space Utilization designation;
  - c. building coverage ratio;
  - d. building floor coefficient;
  - e. information on indications of related Space Utilization programs; and
  - f. requirements for the implementation of Space Utilization activities.

#### Article 141

- (1) The period of issuance of the Recommendation on the Suitability of Space Utilization Activities as referred to in

Article 139 point c is no later than 20 (twenty) Days calculated from the registration or payment of non-tax state revenue.

- (2) In the event that the Minister does not give approval or rejection within the period as referred to in section (1), the Minister is deemed to have given a Recommendation for the Suitability of Space Utilization Activities.

#### Article 142

- (1) After obtaining a Recommendation on the Suitability of Space Utilization Activities for activities of a national strategic nature as referred to in Article 141 section (1), the applicant may carry out Space Utilization activities.
- (2) Space Utilization Activities as referred to in section (1) are carried out in accordance with the provisions of the legislation concerning risk-based Business Licensing.

#### Article 143

- (1) Changes in the designation and function as well as the use of Forest Areas for development purposes outside of forestry apply the provisions of legislation in the forestry sector.
- (2) Space Utilization which is located in a Forest Area that has changed its designation and function and has not been included in the spatial plan, then the Space Utilization activity is carried out after obtaining the Recommendation for the Suitability of Space Utilization Activities.
- (3) Recommendations for the Suitability of Space Utilization Activities as referred to in section (2) are given according to the stages and provisions as referred to in Article 139 and Article 140.

Part Three  
Implementation of the Synchronization  
of Space Utilization Programs

Article 144

- (1) The implementation of the synchronization of the Space Utilization program as referred to in Article 97 point b is carried out by the Central Government and Local Governments.
- (2) The implementation of the synchronization of the Space Utilization program carried out by the Central Government as referred to in section (1) is carried out upon:
  - a. National Spatial Plan;
  - b. Island/archipelagic spatial plan;
  - c. spatial plan for national strategic area;
  - d. zoning plan for Cross-Border Region; and
  - e. zoning plan for Specific National Special Area.
- (3) The implementation of the synchronization of the Space Utilization program carried out by the Local Government as referred to in section (1) is carried out upon:
  - a. provincial spatial plan;
  - b. regency spatial plan; and/or
  - c. city spatial plan.
- (4) The implementation of the synchronization of the Space Utilization program is carried out based on the indications of the main program contained in the spatial plan as referred to in section (2) point a, point b, and point c, as well as section (3).
- (5) The implementation of the synchronization of the Space Utilization program is carried out by aligning the indications of the main program with sectoral and regional programs in the integrated development plan document.

Article 145

- (1) Synchronization of the Space Utilization program produces documents as follows:
  - a. synchronization of the 5 (five) year medium-term Space Utilization program; and
  - b. synchronization of the short-term I (one) annual Spatial Management program.
- (2) The document for the synchronization of the Space Utilization program as referred to in section (1) serves as input for the preparation of the development plan and the implementation of the review in the context of the revision of the Spatial Plan.

Article 146

- (1) Further provisions regarding the implementation of the Suitability of Space Utilization Activities and/or the implementation of the synchronization of the Space Utilization program are regulated by a Ministerial Regulation.
- (2) Further provisions regarding the implementation of the Suitability of Marine Space Utilization Activities are regulated by a Regulation of the Minister administering government affairs in the marine sector.

CHAPTER IV

SPACE UTILIZATION CONTROL

Part One

General

Article 147

- (1) Control of Space Utilization is implemented to encourage the realization of Spatial Planning in accordance with spatial plan.
- (2) Space Utilization Control as referred to in section (1) is implemented to encourage everyone to:

- a. comply with the spatial plan that has been determined;
- b. utilize the space in accordance with the spatial plan; and
- c. comply with the provisions set out in requirements for the Suitability of Space Utilization activities.

#### Article 148

Control of Space Utilization as referred to in Article 147 is carried out through:

- a. assessment of the implementation of the Suitability of Space Utilization Activities and independent statements of regency/city minimum wage actors;
- b. assessment of the embodiment of spatial plan;
- c. providing incentives and disincentives;
- d. imposition of sanctions; and
- e. settlement of spatial planning disputes.

#### Part Two

#### Assessment of Implementation of Suitability of Spatial Activities

#### Article 149

- (1) Assessment of the suitability of the implementation of Space Utilization Activities is carried out to ensure:
  - a. compliance with the implementation of the provisions on the Suitability of Space Utilization Activities; and
  - b. fulfilment of procedures for obtaining the Suitability of Space Utilization Activities.
- (2) Assessment of independent statements made by regency/city minimum wage actors is carried out to ensure the truth of independent statements made by regency/city minimum wage actors.

Article 150

- (1) Assessment of compliance with the implementation of the provisions on the Suitability of Space Utilization Activities as referred to in Article 149 section (1) point a is carried out in the period:
  - a. during development; and
  - b. post development.
- (2) Assessment during the period of development as referred to in section (1) point a is carried out to ensure compliance with implementation in meeting the provisions of the suitability of spatial use activities.
- (3) Assessment during the development period as referred to in section (1) point a is carried out no later than 2 (two) years after the issuance of the suitability of spatial use activities.
- (4) Assessment in the post-development period as. referred to in section (1) point b is carried out to ensure compliance with the development results with the provisions of the Suitability of Space Utilization Activities. document.
- (5) In the event that the results of the assessment as referred to in section (3) are found to be non-compliance with the provisions contained in the document of the suitability of the Space Utilization Activities, the perpetrators of the Space Utilization activities are required to make adjustments.
- (6) In the event that the results of the independent statement assessment as referred to in: Article 149 section (2) are found to be inconsistent with the independent statement made by regency/city minimum wage actors, guidance is carried out by the ministry/institution and/or regional apparatus.
- (7) In the event that the results of the assessment as referred to in section (4) are found to be non-compliance with the provisions contained in the Suitability document for Space Utilization Activities, sanctions are imposed in accordance with the provisions of the legislation

Article 151

The results of the assessment of the implementation of the provisions in the document of the Suitability of Space Utilization Activities in the period during construction and post-development as referred to in Article 150 are stated in textual and spatial form.

Article 152

- (1) Assessment of the implementation of the provisions in the document of Suitability of Space Utilization Activities are carried out by the Minister.
- (2) The evaluation of the implementation of the provisions in the Suitability of Space Utilization Activities. document as referred to in section (1) can be delegated to the Governor, Regent or Mayor in accordance with their respective authority.
- (3) Further provisions regarding the delegation of authority as referred to in section (2) are regulated by a Ministerial Regulation.

Article 153

- (1) Assessment of the fulfilment of the procedure for obtaining the suitability of space utilization activities as referred to in Article 149 section (1) point b is carried out to ensure the compliance of the applicant development actors with the stages and requirements for obtaining the suitability of space utilization activities in accordance with the provisions of legislation.
- (2) The suitability of the Space Utilization Activities as referred to in section (1) which is issued and/or obtained without going through the correct procedure, is null and void by law.
- (3) The suitability of Space Utilization Activities as referred to in section (1) which is no longer suitable due to changes in the spatial plan can be cancelled by the government institution issuing the Suitability of Space Utilization Activities.

- (4) For the loss caused by the cancellation as referred to in section (3), appropriate compensation can be requested from the government agency that issues the Suitability of Space Utilization Activities.
- (5) Further provisions regarding the procedure for providing appropriate compensation as referred to in section (4) are regulated by a Presidential Regulation.

#### Article 154

Further provisions regarding the procedure and determination of the results of the assessment of the implementation of the Suitability of Space Utilization Activities and the independent statement of UMK actors as referred to in Article 149 to Article 153 are regulated by a Ministerial Regulation.

#### Part Three

#### Assessment of the Realization of Spatial Plan

#### Article 155

The evaluation of the embodiment of the spatial plan as referred to in Article 148 point b is carried out by evaluating the embodiment of the Spatial Structure plan and the Spatial Pattern plan.

#### Article 156

- (1) The evaluation of the realization of the Spatial Structure plan and Spatial Pattern plan as referred to in Article 155 is carried out by:
  - a. assessments of the level of realization of the Spatial Structure plan; and
  - b. assessments of the level of realization of the Spatial Pattern plan.
- (2) The evaluation of the realization of the Spatial Structure plan and Spatial Pattern plan as referred to in section (1) is carried out on:
  - a. program suitability;
  - b. location suitability; and

- c. suitability of the implementation of Space Utilization activities.
- (3) The evaluation of the level of realization of the Spatial Structure plan as referred to in section (1) point a is carried out by comparing the implementation of the development program of settlement centers and the infrastructure network system to the Spatial Structure plan.
- (4) Assessment of the level of realization of the Spatial Pattern plan as referred to in section (1) point b is carried out by pairing the implementation of environmental management programs, development based on Business Licensing, and land rights to the Spatial Pattern plan.

Article 157

- (1) The results of the evaluation of the level of realization of the Spatial Structure plan as referred to in Article 156 section (3) contain:
  - a. the content of the realized Spatial Structure plan;
  - b. the content of the Spatial Structure plan that has not been realized; and
  - c. implementation of development programs that are not in accordance with the contents of the Spatial Structure plan.
- (2) The results of the evaluation of the level of realization of the Spatial Pattern plan as referred to in Article 156 section (4) contain:
  - a. the materialized plan of the Spatial Pattern;
  - b. the content of the Spatial Pattern plan that has not been realized; and
  - c. implementation of development programs that are not in accordance with the contents of the Spatial Pattern plan.
- (3) The level of realization of the Spatial Structure plan as referred to in section (1) and the level of realization of the Spatial Pattern plan as referred to in section (2) is set forth in textual and spatial form.

Article 158

- (1) Regarding the results of the assessment of the implementation of the Suitability of Space Utilization Activities as referred to in Article 151 and the results of the assessment of the embodiment of the spatial plan as referred to in Article 155, control of the regional implications is carried out for the realization of the balance of regional development as stated in the spatial plan.
- (2) The exclusion of territorial implications as referred to in section (1) is carried out by limiting:
  - a. concentration of certain Space Utilization in certain areas that are not in accordance with the scenario of the embodiment of spatial plan; and
  - b. domination of certain Space Utilization activities.
- (3) Control of regional implications as referred to in section (2) is carried out on:
  - a. the control zone; or
  - b. the encouraged zone.
- (4) The control zone as referred to in section (3) point a is a zone with a high concentration of Space Utilization activities and/or the dominance of certain Space Utilization activities and has the potential to exceed the carrying capacity and capacity.
- (5) The zone that is encouraged as referred to in section (3) point b is a zone with a very low concentration of Space Utilization activities and/or determination of certain Space Utilization activities that need to be improved in accordance with the spatial plan.

Article 159

For control zones and zones that are encouraged as referred to in Article 158 section (3), Space Utilization Control devices can be arranged.

Article 160

- (1) Assessment of the embodiment of the spatial plan is carried out periodically and continuously.

- (2) The evaluation of the embodiment of the spatial plan as referred to in section (1) is carried out 1 (one) time in 5 (five) years and carried out 1 (one) year prior to the spatial plan review.
- (3) The evaluation of the embodiment of the spatial plan can be carried out more than 1 (one) time in 5 (five) years in the event that there are changes to policies of a national strategic nature stipulated by legislation.

#### Article 161

The evaluation of the realization of the spatial plan is carried out by the Central Government and Local Governments in accordance with their respective authority.

#### Article 162

Further provisions regarding the procedure for evaluating the embodiment of the spatial plan as referred to in Article 155 to Article 161 are regulated by a Ministerial Regulation.

#### Part Four

#### Provision of Incentives and Disincentives

#### Paragraph 1

#### General

#### Article 163

The provision of incentives and disincentives as referred to in Article 148 point c is carried out to:

- a. increase efforts to control the use of space in the context of realizing the spatial layout in accordance with the spatial plan;
- b. facilitate Space Utilization activities to be in line with spatial plan; and
- c. improve the partnership of all stakeholders in the context of Space Utilization in line with the spatial plan.

Article 164

- (1) Incentives and disincentives can be given to the actors of Space Utilization activities to support the realization of spatial plan.
- (2) The provision of incentives and disincentives as referred to in section (1) is carried out to:
  - a. follow up on controlling regional implications in the control zone or zone that are encouraged; or
  - b. follow up on the implications of national policies or strategic plans.

Paragraph 2

Forms and Procedures for Giving Incentives

Article 165

- (1) Incentives are tools to motivate, encourage, attract, and/or accelerate Space Utilization activities that have added value in zones that need to be encouraged for their development.
- (2) The incentives as referred to in section (1) may be in the form of:
  - a. fiscal incentives; and/or
  - b. non-fiscal incentives.

Article 166

- (1) Fiscal incentives as referred to in Article 165 section (2) point a may be in the form of granting tax relief, retribution, and/or non-tax state revenue.
- (2) The provision of fiscal incentives as referred to in section (1) is carried out in accordance with the provisions of the legislation.

Article 167

Non-fiscal incentives as referred to in Article 165 section (2) point b can be in the form of:

- a. compensation;
- b. subsidy;

- c. remuneration;
- d. space rent;
- e. crowdfunding;
- f. facilitation of Approval of Suitability of Space Utilization Activities;
- g. provision of infrastructure and facilities;
- h. award; and/or
- i. publication or promotion.

Article 168

- (1) Incentives can be provided by:
  - a. Central Government to Local Government;
  - b. Local Government to other Local Governments; and
  - c. Central Government and/or Local Government to the Public.
- (2) Incentives from the Central Government to Local Governments as referred to in section (1) point a may be in the form of:
  - a. subsidy;
  - b. provision of infrastructure and facilities in the regions;
  - c. compensation;
  - d. award; and/or
  - e. regional publications or promotions.
- (3) Incentives from Local Governments to other Local Governments as referred to in section (1) point b can be in the form of:
  - a. compensation;
  - b. provision of infrastructure and facilities;
  - c. award; and/or
  - d. regional publications or promotions.
- (4) Incentives from the Central Government and/or Local Governments to the Public as referred to in section (1) point c can be in the form of:
  - a. granting tax and/or levy relief;
  - b. subsidy;
  - c. compensation;

- d. rewards;
- e. space rent;
- f. crowdfunding;
- g. facilitation of Approval of Suitability of Space Utilization Activities;
- h. provision of infrastructure and facilities;
- i. award; and/or
- j. publication or promotion.

#### Article 169

The type, amount, and mechanism for granting tax relief, levies, and/or non-tax state revenues as referred to in Article 166 section (1) at least consider:

- a. types of Space Utilization activities;
- b. the level of vulnerability or sustainability of the area or building; and
- c. added value to the area.

#### Article 170

- (1) The provision of compensation as referred to in Article 167 point a is a tool for remuneration to the Public for the provision of certain infrastructure, public facilities, and/or public open spaces that exceed the minimum required conditions.
- (2) The form, amount and mechanism of compensation at least consider:
  - a. types of Space Utilization activities;
  - b. the value of the services provided; and
  - c. compensation needs.

#### Article 171

- (1) The subsidy as referred to in Article 167 point b is financial and/or non-financial assistance for support for the realization of certain prioritized spatial components or for the rehabilitation of post-natural disaster areas.
- (2) The form, amount and mechanism of the subsidy at least consider:

- a. scale of importance;
- b. impact of priority development programs;
- c. institutional capacity; and
- d. the needs of the recipient of the subsidy.

#### Article 172

- (1) The remuneration as referred to in Article 167 point c is a remuneration tool for Space Utilization activities that provide added value to environmental services.
- (2) The amount and mechanism of the remuneration at least consider:
  - a. types of Space Utilization activities;
  - b. the needs of the beneficiary;
  - c. added value to environmental services; and
  - d. the cost of environmental conservation efforts.

#### Article 173

- (1) The space lease as referred to in Article 167 point d is the rental of land and/or space owned by the state and/or region to the public at a rate below the normal price within a certain period of time.
- (2) The amount and mechanism of space rental at least consider:
  - a. increasing the value of space utilization;
  - b. costs and benefits;
  - c. availability of resources;
  - d. institutional capacity; and
  - e. recipient needs.

#### Article 174

- (1) The crowdfunding as referred to in Article 167 point e is an investment in shares by the central government and/or local government for the development of space utilization activities in certain locations.
- (2) The amount and mechanism of crowdfunding at least consider:

- a. the value of the strategic activity of Space Utilization on regional and regional development;
- b. asset value and development opportunities;
- c. costs and benefits;
- d. institutional capacity; and
- e. recipient needs.

Article 175

- (1) The facilitation of Approval for the Suitability of Space Utilization Activities as referred to in Article 167 point f in Coastal Waters, territorial waters, and jurisdictional areas is granted by the Central Government to Traditional Communities and Local Communities who use Marine Space to fulfil their daily needs.
- (2) Traditional Communities and Local Communities as referred to in section (1) must meet the following criteria:
  - a. main livelihood as fisherman with static fishing gear, fish cultivator or salt farmer; and/or
  - b. produce or have an income of no more than the average provincial minimum wage.
- (3) In addition to meeting the criteria as referred to in section (2), fish cultivators and salt farmers must be domiciled in coastal areas and/or small islands for a minimum of 5 (five) consecutive years or a minimum of 10 (ten) non-consecutive years.
- (4) Traditional Communities and Local Communities that obtain facilitation of Approval for the Suitability of Sea Space Utilization Activities as referred to in section (1) are proposed by the Regent/Mayor.
- (5) The proposal as referred to in section (4) is made based on the results of the identification of Traditional Communities and Local Communities submitted by the village head through the sub-regency head.
- (6) Facilitation of Approval of the Suitability of Sea Space Utilization Activities for Traditional Communities and Local Communities as referred to in section (1) is carried out for activities of:

- a. capturing fisheries with static fishing gear;
  - b. permanent aquaculture;
  - c. salt farming;
  - d. Marine tourism; and/or
  - e. settlements on the water.
- (7) Facilitation of Suitability Approval Activities for the use of Marine Space carried out in Marine Conservation Areas is carried out in accordance with the provisions of legislation.

#### Article 176

- (1) The provision of infrastructure and facilities as referred to in Article 167 point g constitutes assistance for the development of infrastructure and facilities to encourage regional and regional development in accordance with the spatial plan.
- (2) The form and mechanism of facilities and infrastructure at least consider:
  - a. the need for types of infrastructure and facilities;
  - b. availability of resources; and
  - c. partnership

#### Article 177

- (1) The awarding of the award as referred to in Article 167 point h is an acknowledgment of the performance of the implementation of quality Spatial Planning and/or public participation in the realization of the spatial plan.
- (2) The form of the award at least considers:
  - a. recipient needs; and
  - b. benefit of value.

#### Article 178

- (1) Publication or promotion as referred to in Article 167 point i is the dissemination of information related to priority activities or areas through print media, electronic media, or other media.

- (2) The form of publication or promotion at least considers:
  - a. types of Space Utilization activities;
  - b. the activity location; and
  - c. its usability and success.

### Paragraph 3

#### Forms and Procedures for Giving Disincentives

#### Article 179

- (1) Disincentives are devices to prevent and/or impose limits on Space Utilization activities that are in line with spatial plan in terms of the potential to exceed the carrying capacity and capacity of the environment.
- (2) The disincentives as referred to in section (1) can be in the form of:
  - a. fiscal disincentives; and/or
  - b. non-fiscal disincentives.

#### Article 180

- (1) Fiscal disincentives as referred to in Article 179 section (2) point a may be in the form of imposition of high taxes and/or levies.
- (2) The provision of fiscal disincentives as referred to in section (1) is carried out in accordance with the provisions of legislation.

#### Article 181

The non-fiscal disincentives as referred to in Article 179 section (2) point b can be in the form of:

- a. obligation to provide compensation or compensation;
- b. restrictions on the provision of infrastructure and facilities; and/or
- c. granting certain statuses.

#### Article 182

- (1) Disincentives can be given by:

- a. Central Government to Local Government;
  - b. Local Government to other Local Governments; and
  - c. Central Government and/or Local Government to the Public.
- (2) Disincentives from the Government to the Local Government as referred to in section (1) point a may be given in the form of:
- a. restrictions on the provision of infrastructure and facilities in the regions; and/or
  - b. granting certain statuses.
- (3) Disincentives from the Local Government to other Local Governments as referred to in section (1) point b may be in the form of restrictions on the provision of infrastructure and facilities.
- (4) Disincentives from the Central Government and/or Local Government to the Public as referred to in section (1) point c can be in the form of:
- a. imposition of high taxes and/or fees;
  - b. obligation to provide compensation or compensation; and/or
  - c. restrictions on the provision of infrastructure and facilities.

#### Article 183

- (1) The imposition of high taxes and/or retributions as referred to in Article 182 section (4) point a may be given to the perpetrators of Space Utilization activities in areas that have high economic value which almost or has exceeded the carrying capacity and carrying capacity of the environment.
- (2) The type, amount, and mechanism of imposition of high taxes and/or levies as referred to in section (1) at least consider:
  - a. activity actors;
  - b. types of Space Utilization activities;
  - c. the level of vulnerability or sustainability of the area or building; and

- d. the effectiveness of the impact of the imposition of high taxes and/or levies.

Article 184

- (1) The obligation to provide compensation or compensation as referred to in Article 182 section (4) point b is an obligation to provide compensation to parties who are harmed due to the negative impact of Space Utilization.
- (2) The form, amount and mechanism of the obligation to provide compensation or compensation as referred to in section (1) at least consider:
  - a. impact; and
  - b. the needs of the recipient of compensation or remunerations.

Article 185

- (1) Restrictions on the provision of infrastructure and facilities as referred to in Article 182 section (4) point c constitute restrictions on the provision of transportation networks and their supporting facilities and/or other infrastructure and facilities in certain Areas.
- (2) The form and mechanism for limiting the provision of infrastructure and facilities as referred to in section (1) at least consider:
  - a. the effectiveness and effectiveness of the limitation on the provision of infrastructure and facilities; and
  - b. Service standard.

Article 186

- (1) The granting of certain statuses as referred to in Article 182 section (2) point b is the attachment of certain predicates or information in disaster-prone areas and/or Local Governments that have low performance in the Implementation of Spatial Planning.
- (2) The granting of certain statuses as referred to in section (1) may be made based on:

- a. results of studies and/or disaster events; and/or
- b. the results of the performance assessment of the Implementation of Spatial Planning.

#### Article 187

- (1) Further provisions on non-fiscal incentives as referred to in Article 167 and non-fiscal disincentives as referred to in Article 182 are regulated by a Ministerial Regulation and a Regulation of the Minister administering government affairs in the marine sector in accordance with their respective authority.
- (2) The provision of non-fiscal incentives and non-fiscal disincentives as referred to in section (1) is carried out by the Minister/head of the institution administering government affairs in the fields related to the incentives and disincentives provided.

#### Part Five

#### Imposition of Sanctions

#### Paragraph 1

#### General

#### Article 188

The imposition of sanctions as referred to in Article 148 point d is carried out through administrative sanctions.

#### Article 189

- (1) Administrative sanctions as referred to in Article 188 are imposed on any Person who does not comply with the spatial plan that has been determined which results in a change in the function of the space.
- (2) Inspection of changes in the function of space as referred to in section (1) is carried out through an audit of Spatial Planning.
- (3) In the event that there is a change in the function of the Sea, the inspection of the function of the Sea space is

carried out by the Minister administering government affairs in the marine sector.

- (4) The Spatial Planning Audit as referred to in section (2) is carried out by the Central Government, Provincial Governments, and Regency/Municipal Governments in accordance with their respective authority.
- (5) The results of the Spatial Layout audit as referred to in section (2) are determined by:
  - a. the decision of the Minister for the results of the Spatial Planning audit conducted by the central government;
  - b. Governor's decision for the results of the Spatial Planning audit conducted by the provincial Government; or
  - c. the decision of the Regent/Mayor for the results of the Spatial Planning audit conducted by the regency/municipal Government.
- (6) In carrying out the Spatial Planning audit, the Spatial Planning audit team may be assisted by civil servant investigators on spatial planning and other experts as needed.
- (7) Further provisions regarding the Spatial Planning audit as referred to in section (2) are regulated by a Ministerial Regulation and a Regulation of the minister administering government affairs in the marine sector in accordance with their respective authority.

#### Article 190

- (1) The administrative sanctions as referred to in Article 188 are also imposed on Persons who do not comply with the provisions on Space Utilization in the spatial plan.
- (2) The administrative sanctions as referred to in section (1) can be immediately relieved without going through the Spatial Planning audit process.

Article 191

Disobeying the spatial plan that has been determined which results in changes to the function of the space as referred to in Article 189 section (1) and not complying with the provisions on Space Utilization in the spatial plan as referred to in Article 190 section (1) include:

- a. Utilization of Space that does not have the Suitability of Space Utilization activities; and/or
- b. Utilization of Space that does not: comply with the provisions in the contents of the Suitability of Space Utilization Activities.

Article 192

- (1) In addition to the acts as referred to in Article 191, administrative sanctions may be imposed on any Person blocking access to Areas which are declared by the provisions of legislation as public property.
- (2) The act of blocking access as referred to in section (1) may be in the form of temporary or permanent closure of access.
- (3) In terms of the use of marine space, administrative sanctions are imposed on:
  - a. the use of the document of Approval for the Suitability of Sea Space Utilization Activities or confirmation of the Suitability of sea people is not valid;
  - b. the act of not reporting the establishment and/or placement of buildings and installations at sea to the Minister administering government affairs in the marine sector;
  - c. the act of not submitting a written report on a regular basis once every 1 (one) year to the Minister administering government affairs in the marine sector;
  - d. implementation of Approval of Suitability of Marine Space Utilization Activities that are not in accordance with spatial plan, Zoning Plan for Cross-

Border Region, and/or Zoning Plan for Specific National Special Area; and/or

- e. implementation of Approval on the Suitability of Sea Space Utilization Activities that interfere with the livelihood space and access of small fishermen, traditional fishermen, and small fish cultivators.

#### Article 193

The imposition of administrative sanctions is based on:

- a. the results of the assessment of the implementation of the provisions on the suitability of spatial use activities;
- b. result of Spatial Planning Arrangement;
- c. results of the Spatial Planning audit; and/or
- d. complaints of violations of Space Utilization.

#### Article 194

- (1) Administrative sanctions are imposed by the Central Government and Local Governments in accordance with their respective authority.
- (2) In the event that the Regent/Mayor does not implement the imposition of administrative sanctions as referred to in section (1) within a period of 2 (two) months after the stipulation of the imposition of administrative sanctions, the Governor takes over the imposition of administrative sanctions which are not implemented by the Regent/Mayor.
- (3) In the event that the Governor does not implement the imposition of administrative sanctions as referred to in section (2) within a period of 4 (four) months after the Regent/Mayor has determined the imposition of administrative sanctions, the Minister takes over the imposition of administrative sanctions which are not implemented by the Governor.

Paragraph 2

Criteria and Procedures for Imposing Administrative Sanctions

Article 195

- (1) The administrative sanctions as referred to in Article 188 are in the form of:
  - a. written warning;
  - b. administrative fines;
  - c. temporary suspension of activities;
  - d. temporary suspension of public services;
  - e. site closure;
  - f. revocation of Suitability of Space Utilization Activities;
  - g. cancellation of the Suitability of Space Utilization Activities;
  - h. demolition of buildings; and/or
  - i. restoration of space function.
- (2) The imposition of administrative sanctions as referred to in section (1) is accompanied by a notification sign of the violation of Space Utilization.
- (3) The administrative sanctions as referred to in section (1) may be accompanied by coercive measures by the Central Government and/or Local Governments.
- (4) The imposition of administrative sanctions can be carried out through coordination with ministries/institutions and/or regional apparatuses in accordance with their respective authority.

Article 196

Administrative sanctions for violations of Space Utilization are imposed based on the following criteria:

- a. the size of the impact caused by the violation of Space Utilization:
- b. the value of the benefits of the imposition of sanctions given to the use of space; and/or
- c. public losses caused by violations of Space Utilization

Article 197

The imposition of administrative sanctions as referred to in Article 195 is carried out through the following stages:

- a. implementation of case inventory;
- b. collection and deepening of material, data, and information;
- c. preparation of technical studies and legal studies;
- d. determination of sanction measures;
- e. organizing socialization forums; and
- f. imposition of administrative sanctions.

Article 198

- (1) The written warning as referred to in Article 195 section (1) point a is carried out through the issuance of a written warning point from the authorized official.
- (2) The written warning point as referred to in section (1) contains:
  - a. details of violations in Spatial Planning;
  - b. the obligation to adjust Space Utilization activities with spatial plan and technical provisions on Space Utilization; and
  - c. sanctions that will be given if they do not carry out the obligations as referred to in point b
- (3) The written warning as referred to in section (1) is issued at most 3 (three) times.
- (4) In the event that the written warning point as referred to in section (3) is ignored, the authorized official takes action in the form of imposition of sanctions as referred to in Article 195 section (1) point b to point i in accordance with his or her authority.

Article 199

- (1) The administrative fine as referred to in Article 195 section (1) point b may be imposed separately or together with the imposition of other administrative sanctions.
- (2) The calculation of administrative fines as referred to in section (1) is carried out by considering:

- a. the selling value of the tax object;
  - b. land area and building area;
  - c. area index; and/or
  - d. how big or small the impact will be.
- (3) Administrative fines can be in the form of progressive fines that are required until the violators meet the provisions of other administrative sanctions.
  - (4) The form and method of calculating administrative fines as referred to in section (2) are further regulated in a regional head regulation.

#### Article 200

The revocation of the suitability of space utilization activities as referred to in Article 195 section (1) point f is carried out in the event that the implementation of space utilization activities is not in accordance with the suitability of space utilization activities.

#### Article 201

The cancellation of the suitability of space utilization activities as referred to in Article 195 section (1) point g is carried out in the event that the suitability of space utilization activities are not obtained with the correct procedure.

#### Article 202

- (1) The restoration of the function of the space as referred to in Article 195 section (1) point i is an effort to rehabilitate the space so that it can return to the function specified in the spatial plan.
- (2) The restoration of the function of space as referred to in section (1) must be carried out if it is proven that there is a change in the function of space caused by the use of space that is not in accordance with the spatial plan.
- (3) The restoration of the function of the space as referred to in section (4) is the responsibility of the infringing party.
- (4) The cost of restoring the function of space as referred to in section (3) may originate from administrative fines.

- (5) In the event that the infringing party is deemed unable to finance the spatial function restoration activities as referred to in section (3), the Central Government or Local Government may submit a court order so that the recovery is carried out by the Central Government or Local Government with the imposition of disincentives on the violating party.

#### Article 203

- (1) The Central Government, provincial Governments, and Regency/Municipal Governments provide databases for the imposition of administrative sanctions as part of developing digital databases and information in the field of Spatial Planning.
- (2) The digital database and information on Spatial Planning as referred to in section (1) are used as one of the references in the process of reviewing and/or revising the spatial plan.

#### Article 204

- (1) The revision of the spatial plan as referred to in Article 94 section (2) point b is not intended for relief.
- (2) Relief as referred to in section (1) is an act to accommodate violations of Space Utilization in the revision of the spatial plan without first imposing sanctions on perpetrators of violations of Space Utilization.
- (3) In the event that the Local Government is proven to have carried out the relief as referred to in section (1), the special allocation fund will be reduced.

#### Article 205

Further provisions on the procedure for imposing administrative sanctions in the field of Spatial Planning are regulated by a Ministerial Regulation and a Regulation of the Minister administering government affairs in the maritime sector, in accordance with their respective authority.

Part Six  
Spatial Planning Disputes

Article 206

- (1) Spatial Planning Disputes are disputes between stakeholders in the Implementation of Spatial Planning.
- (2) The inter-stakeholders as referred to in section (1) are between individuals, between the Central Government and Local Governments, between Local Governments, between the Central Government and/or Local Governments and the Public.
- (3) Settlement of the Spatial Planning dispute as referred to in section (1) in the first stage is attempted based on the principle of deliberation to reach consensus.

Article 207

- (1) In the event that the dispute resolution as referred to in Article 206 section (3) does not reach an agreement, the parties may take efforts to resolve the dispute through a court or out of court in accordance with the provisions of the legislation.
- (2) Settlement of Spatial Planning disputes outside the court as referred to in section (1) is carried out through negotiation, mediation, and/or conciliation.
- (3) The negotiation as referred to in section (2) is an effort to settle a dispute between the two disputing parties.
- (4) Mediation as referred to in section (2) is an effort to settle a dispute involving a third party as a mediator who coordinates the disputing parties.
- (5) Conciliation as referred to in section (2) is an effort to settle a dispute involving a third party to offer a solution to be agreed upon by the disputing parties.
- (6) Further provisions regarding the settlement of Spatial Planning disputes are regulated by a Ministerial Regulation.

Article 208

In the event that the Spatial Planning dispute occurs due to differences in regulatory policies between levels of government, the Stakeholders may submit a settlement facilitation to the Spatial Planning Forum.

CHAPTER V  
SUPERVISION OF SPATIAL PLANNING

Part One

General

Article 209

Supervision of Spatial Planning is held to:

- a. ensure the achievement of the objectives of the Implementation of Spatial Planning;
- b. ensure the implementation of law enforcement in the field of Spatial Planning; and
- c. improve the quality of the implementation of spatial planning.

Article 210

- (1) Spatial Alignment Supervision consists of monitoring, evaluation, and reporting activities.
- (2) Monitoring as referred to in section (1) is an observation activity on the Implementation of Spatial Planning directly, indirectly, and/or based on information from the Public.
- (3) The evaluation as referred to in section (1) is an activity of assessing the level of achievement of the Implementation of Spatial Planning in a measurable and objective manner.
- (4) Reporting as referred to in section (1) is an activity to submit evaluation results.

Article 211

Supervision of Spatial Planning as referred to in Article 210 is carried out periodically every 2 (two) years since the spatial plan is stipulated.

Part Two

Scope of Spatial Planning

Article 212

- (1) Supervision of Spatial Planning is carried out on the performance of:
  - a. Spatial Planning, Spatial Planning Guidance, and Spatial Planning Implementation;
  - b. functions and benefits of the Implementation of Spatial Planning; and
  - c. fulfilment of service standards in the field of Spatial Planning and technical standards for Regional Spatial Planning.
- (2) Supervision of Marine Spatial Planning is carried out on Marine Space Utilization.

Article 213

- (1) The standard of service in the field of Spatial Planning as referred to in Article 212 section (1) point c covers the following aspects:
  - a. Spatial Planning;
  - b. Space Utilization; and
  - c. Space Utilization Control.
- (2) Service standards in the field of Spatial Planning in the aspect of Spatial Planning as referred to in section (1) point a at least include Public Consultation in the preparation of the spatial plan and the substance approval process.
- (3) Service standards in the field of Spatial Planning in the aspect of Space Utilization, as referred to in section (1) point b at least include:

- a. provision and dissemination of spatial plan information;
  - b. Suitability of Space Utilization Activities; and
  - c. fulfilment of public green open space.
- (4) The standard of service in the field of Spatial Planning in the aspect of Space Utilization Control as referred to in section (1) point c at least includes a complaint about a violation of Spatial Use.

#### Article 214

- (1) The standard of Spatial Planning service as referred to in Article 212 section (1) point c covers the standard of service in the field of Provincial Spatial Planning and the standard of service in the field of Regency/City Spatial Planning.
- (2) Further provisions regarding service standards in the field of Spatial Planning are regulated by a Ministerial Regulation.

#### Article 215

- (1) The technical standard for Spatial Planning as referred to in Article 212 section (1) point c is a technical provision that shows the realization of the performance of the function of an Area that is in accordance with its designation.
- (2) The technical standard for Spatial Planning as referred to in section (1) is a spatial provision in the development of sector activities in an area.
- (3) The performance of the function of an area as referred to in section (1) is a desired or intended condition in the development of an area.
- (4) The technical standard for Spatial Planning as referred to in section (1) is set forth in the form of a checklist.
- (5) Further provisions regarding technical standards for Spatial Planning are stipulated in a Ministerial Regulation.

Article 216

- (1) The Minister, minister administering government affairs in the maritime sector, governors, and regents/mayors supervise Spatial Planning in accordance with their respective authority.
- (2) The Minister and minister administering administrative affairs in the marine sector in accordance with their authority carry out Supervision of Spatial Planning of the performance as referred to in Article 212 which is carried out by the Governor.
- (3) The Governor supervises the Spatial Planning of the performance as referred to in Article 212 which is carried out by the Regent/Mayor.
- (4) In the event that the Governor does not carry out Supervision of Spatial Planning as referred to in section (3), the Minister and minister administering government affairs in the marine sector in accordance with their authority can take over Supervision of Spatial Planning which is not carried out by the Governor.
- (5) For governors who do not carry out Supervision of Spatial Planning as referred to in section (4), the Minister and minister administering government affairs in the marine sector may impose sanctions in accordance with the provisions of legislation.

Article 217

- (1) In carrying out Supervision of Spatial Planning, the Minister, governors, or regents/mayors may establish development inspectors in accordance with their respective authority.
- (2) The development inspectors as referred to in section (1) consist of state civil servants and non-state civil servants.
- (3) In carrying out the Supervision of Marine Spatial Planning, the Minister administering government affairs in the marine sector may establish a marine supervisor.
- (4) The development inspector as referred to in section (1) and the marine supervisor as referred to in section (3) are authorized to:

- a. conduct monitoring and evaluation of Space Utilization or Marine Space Utilization;
  - b. ask for information;
  - c. make copies of documents and/or make necessary notes;
  - d. enter a certain place or location;
  - e. take pictures;
  - f. make audio-visual recordings;
  - g. inspect the building and its supporting infrastructure and facilities;
  - h. stop certain violations; and
  - i. take other necessary actions.
- (5) In carrying out their duties, the development inspector as referred to in section (1) and the marine supervisor as referred to in section (3) may coordinate with civil servant investigators.
- (6) Further provisions regarding development inspectors as referred to in section (2) are regulated by a Ministerial Regulation.
- (7) Further provisions regarding marine supervisors as referred to in section (3) are regulated by a Regulation of the minister administering government affairs in the marine sector.

#### Article 218

The implementation of Supervision of Spatial Planning in the coastal area as a transitional area between land and sea is carried out in an integrated manner by the Minister, the Minister administering government affairs in the marine sector, and the Minister or head of the institution administering other related government affairs.

#### Article 219

- (1) The Public can assist the central government or local governments in conducting supervision of spatial planning.

- (2) In order to increase the effectiveness of Supervision of Spatial Planning carried out by the Public, the Central Government or Local Government provides a means of submitting reports and/or complaints.

### Part Three

#### Special Supervision Procedures for Spatial Planning

##### Article 220

- (1) In the event that there are special conditions resulting from the results of Supervision of Spatial Planning and/or reports or complaints from the public that are urgent to be followed up, special supervision of Spatial Planning will be carried out.
- (2) The special supervision as referred to in section (1) includes the following activities:
  - a. reconstruct the occurrence of special conditions;
  - b. analyzing impacts and predictions; and
  - c. formulate alternative solutions for special conditions.

##### Article 221

- (1) Supervision of Spatial Planning produces a report containing:
  - a. the performance of the Spatial Planning Implementation is of good value;
  - b. the performance of the Implementation of Spatial Planning is of moderate value; and
  - c. the performance of the Spatial Planning Implementation is of poor value.
- (2) For the performance of the Spatial Planning Implementation of good value as referred to in section (1) point a, an award may be given.
- (3) For the performance of the Implementation of Spatial Planning which is of moderate and poor value as referred to in section (1) point b and point c, support for improving the performance of the Implementation of Spatial Planning and Spatial Planning Guidance can be given.

Article 222

- (1) Further provisions regarding the procedure for Supervision of Spatial Planning are regulated by a Ministerial Regulation.
- (2) Further provisions on procedures for Supervision of Marine Spatial Planning are regulated by a Regulation of the Minister administering government affairs in the marine sector.

CHAPTER VI  
SPATIAL PLANNING GUIDANCE

Part One  
General

Article 223

Spatial Planning Guidance is carried out through:

- a. improving the quality and effectiveness of the Implementation of Spatial Planning; and
- b. increasing the role of the Public in the Implementation of Spatial Planning.

Article 224

- (1) The Central Government carries out Spatial Planning Guidance for the Provincial Government, Regency/Municipal Government, and the Public.
- (2) The Central Government provides technical guidance in the activities of Spatial Planning, Space Utilization, Space Utilization Control and/or Supervision of Spatial Planning to Local Governments.
- (3) The Central Government provides technical assistance in Spatial Planning, Space Utilization, Space Utilization Control and/or Supervision of Spatial Planning activities to Local Governments.
- (4) The Provincial Government provides guidance to the Regency/Municipal Government and the Public.

- (5) Regency/Municipal Governments provide guidance to the Public.
- (6) The Public plays an active role in the implementation of Spatial Planning Guidance to achieve the objectives of Spatial Planning Guidance.

#### Article 225

- (1) Spatial Planning Guidance is carried out in a synergistic manner by the Central Government, Local Governments, and the Public.
- (2) Spatial Planning Guidance can be carried out in cooperation between:
  - a. Central Government and Local Government; and
  - b. Central Government and/or Local Government and Public.

#### Part Two

##### Forms and Procedures for Spatial Planning Guidance

#### Article 226

- (1) Forms of Spatial Planning Guidance include:
  - a. coordination of Spatial Planning Implementation;
  - b. dissemination of legislation and guidelines in the field of Spatial Planning;
  - c. providing guidance, supervision, and consultation on the Implementation of Spatial Planning;
  - d. education and training;
  - e. research, study, and development;
  - f. development of information and communication systems for Spatial Planning;
  - g. disseminating information on Spatial Planning to the public;
  - h. increased understanding and responsibility of the Public; and/or
  - i. Spatial planner professional development.
- (2) Implementation of Spatial Planning Guidance as referred to in section (1) point a to point h is carried out

synergistically by the Minister, the Minister administering government affairs in the marine sector, governors, regents, mayors in accordance with their respective authority, and the Public.

- (3) The implementation of the professional development of Spatial Planning as referred to in section (1) point i is carried out by the Minister.

#### Article 227

- (1) Coordination of Spatial Planning as referred to in Article 226 section (1) point a is an effort to increase cooperation between stakeholders in the Implementation of Spatial Planning.
- (2) Coordination of Spatial Planning Implementation is carried out through coordination within one administrative area, coordination between regions, and coordination between levels of government.
- (3) The coordination as referred to in section (2) is carried out through the coordination function in the Implementation of Spatial Planning.
- (4) Further provisions regarding the procedure for implementing the coordinating function in the Implementation of Spatial Planning as referred to in section (3) are regulated by a Ministerial Regulation and a Regulation of the minister administering government affairs in the marine sector in accordance with the statement.

#### Article 228

- (1) The dissemination of legislation and guidelines for the field of Spatial Planning as referred to in Article 226 section (1) point b is an effort to interactively convey the substance of the legislation and guidelines for the field of Spatial Planning.
- (2) Dissemination of legislation and guidelines for Spatial Planning as referred to in section (1) is carried out through face-to-face, electronic media, print media, and other media.

Article 229

The provision of guidance, supervision, and consultation on the Implementation of Spatial Planning as referred to in Article 226 section (1) point c is an effort to assist, supervise, and provide explanations to Stakeholders in Spatial Planning, Space Utilization, and Space Utilization Control.

Article 230

- (1) Education and training as referred to in Article 226 section (1) point d are an effort to improve the capacity of human resources in the Implementation of Spatial Planning.
- (2) The education and training as referred to in section (1) are carried out through:
  - a. preparation of education and training programs in the field of Spatial Planning in accordance with the needs of the Stakeholders who are the target of coaching;
  - b. organizing and facilitating cooperation in education and training in the field of Spatial Planning;
  - c. implementation of the certification system in the implementation and facilitation of education and training in the field of Spatial Planning; and
  - d. evaluation of the results of education and training in Spatial Planning.
- (3) Provisions regarding education and training as referred to in section (2) are further regulated in a Ministerial Regulation and a Regulation of the minister administering government affairs in the marine sector in accordance with their respective authority.

Article 231

- (1) Research, study and development as referred to in Article 226 section (1) point e are an effort to develop science and technology to produce innovations or new discoveries in the field of Spatial Planning.

- (2) The results of research, study, and development as referred to in section (1) are utilized in the formulation of policies and strategies, norms, standards, procedures, and criteria for the field of Spatial Planning, as well as other relevant uses.

#### Article 232

- (1) Development of information and communication system for Spatial Planning as referred to in Article 226 section (1) point f is an effort to develop a quality, up-to-date, efficient, and integrated information and communication system for Spatial Planning.
- (2) Development of information and communication systems for Spatial Planning as referred to in section (1) is implemented through the provision of databases and information on Spatial Planning by developing an electronic system network.

#### Article 233

- (1) Dissemination of Spatial Planning information to the public as referred to in Article 226 section (1) point g is an effort to publicize various aspects of Spatial Planning.
- (2) Dissemination of Spatial Planning information as referred to in section (1) is carried out through electronic media and print media that are easily accessible by the Public.

#### Article 234

- (1) Increasing the understanding and responsibility of the Public as referred to in Article 226 section (1) point h is an effort to grow and increase the understanding and responsibility of the Public in the Implementation of Spatial Planning.
- (2) Increasing the understanding and responsibility of the Public as referred to in section (1) is carried out through:
  - a. counselling in the field of Spatial Planning;
  - b. giving lectures, general discussions, competitions, and public debates;

- c. the formation of society groups concerned with Spatial Planning;
- d. provision of a complaint unit; and
- e. provision of information media.

### Part Three

#### Spatial Planner Professional Development

##### Article 235

- (1) Spatial Planner professional development as referred to in Article 226 section (1) point i is carried out to support improving the quality and electivity of Spatial Planning Implementation as well as increasing the role of the Society in Spatial Planner professional development.
- (2) Professional development of Spatial Planning as referred to in section (1) is carried out by the Minister through:
  - a. fostering functional positions in the field of Spatial Planning for state civil servants; and
  - b. development of professional Spatial Planners.

##### Article 236

- (1) The development of functional positions as referred to in Article 235 section (2) point a is carried out in accordance with the provisions of the legislation.
- (2) The development of professional Spatial Planning planners as referred to in Article 235 section (2) point b is carried out through:
  - a. professional education;
  - b. sustainable professional development;
  - c. certification of competence of experts in the field of Spatial Planning; and
  - d. granting a Spatial Planner license.
- (3) Professional education as referred to in section (2) point a is administered by higher education institutions in accordance with the provisions of legislation.
- (4) The sustainable professional development as referred to in section (2) point b is carried out by professional organizations of regional and city planners.

- (5) Certification of competence of experts in the field of Spatial Planning as referred to in section (2) point c is held based on competency standards and procedures in accordance with the provisions of legislation.
- (6) The granting of a Spatial Planning planner license as referred to in section (2) point d is carried out by the Minister.
- (7) Further provisions regarding the procedure for granting a Spatial Planner license as referred to in section (6) are regulated by a Ministerial Regulation.

## CHAPTER VII SPATIAL PLANNING INSTITUTIONS

### Article 237

- (1) In the implementation of participatory Spatial Planning, the Minister may form a Spatial Planning Forum.
- (2) The Spatial Planning Forum as referred to in section (1) is tasked with providing input and considerations in the Implementation of Spatial Planning.
- (3) The Minister may delegate the establishment of Spatial Planning Forums in the regions to governors, regents, and/or mayors.

### Article 238

- (1) Members of the Spatial Planning Forum as referred to in Article 237 section (1) at the center consist of representatives from ministries/institutions related to Spatial Planning, professional associations, academic associations, and society leaders.
- (2) Members of the Spatial Planning Forum as referred to in Article 237 section (1) in the regions consist of regional apparatus, professional associations, academic associations, and society leaders.
- (3) Membership of forums at the central and regional levels consisting of professional associations, academic associations, and society leaders as referred to in section

(1) and section (2) are regulated in a Ministerial Regulation.

#### Article 239

Further provisions regarding the formation, composition of membership, duties, functions, and working procedures of the Spatial Planning Forum are regulated by a Ministerial Regulation.

### CHAPTER VIII

#### MISCELLANEOUS PROVISIONS

#### Article 240

(1) The Minister and minister administering government affairs in the marine sector manage location data for the suitability of spatial use activities in accordance with their respective authority.

(2) Further provisions regarding the management of location data for the suitability of spatial use activities as referred to in section (1) are regulated by a Ministerial Regulation and a Regulation of the minister administering government affairs in the marine sector in accordance with their respective authority.

#### Article 241

(1) Against, the issuance of the Suitability of Space Utilization Activities is subject to non-tax state revenue.

(2) Provisions regarding the types, rates and criteria for imposition of non-tax state revenues are regulated by a Government Regulation.

#### Article 242

(1) Regency/municipal Governments may submit proposals for Space Utilization activities whose development is restricted to the Minister, accompanied by his or her considerations.

- (2) Space Utilization Activities whose development is restricted as referred to in section (1) are determined with the following criteria:
  - a. may result in environmental damage; and/or
  - b. can cause social unrest.
- (3) Based on the proposed activities that are restricted in their development as referred to in section (1) and section (2), the Minister may stipulate that the space utilization activities are restricted in their development in the regency/city area.
- (4) The Minister conveys the stipulation of restricted Space Utilization activities as referred to in section (3) to the institution administering government affairs in the investment sector.
- (5) The Minister may revise the list of activities whose development is restricted as referred to in section (3) with the consideration of the Regency/Municipal Government.

#### Article 243

- (1) In the event that the implementation of Space Utilization activities causes environmental damage and/or creates social vulnerability, the Minister may cancel the Suitability of Space Utilization Activities and/or regulate Space Utilization activities.
- (2) Governors, regents, and mayors in accordance with their respective authority may cancel the suitability of Space Utilization Activities and/or regulate Space Utilization activities with the approval of the Minister.

#### Article 244

In the event that this Government Regulation provides a choice of not regulating, incomplete, or unclear, and/or there is stagnation of government, the Minister may exercise discretion to overcome concrete problems in the administration of government affairs in the field of Spatial Planning.

CHAPTER IX  
TRANSITIONAL PROVISIONS

Article 245

The integration of the Marine Spatial Planning document into the spatial plan is carried out with the following provisions:

- a. The Marine Spatial Plan is integrated into the National Spatial Plan;
- b. Zoning Plan for Coastal Areas and Small Islands is integrated into the provincial spatial plan;
- c. Zoning Plan for National Strategic Area is integrated into Spatial Plan for National Strategic Area; and
- d. The Zoning Plan for Specific National Special Area in the form of Outermost Small Islands is integrated into the Spatial Plan for National Strategic Area from the point of view of defense and security interests in the national border area.

Article 246

- (1) As this Government Regulation comes into force:
  - a. the provincial strategic area spatial plan which has been stipulated by a regional regulation, is integrated into the provincial spatial plan;
  - b. Spatial planning for Regency/City Strategic Areas that have been stipulated by regional regulations, are integrated into the Regency/City Spatial Plans and/or Regency/City Detailed Spatial Plan;
  - c. the preparation or stipulation of the provincial spatial plan, the regency's spatial plan, and the city spatial plan that are in process, are carried out in accordance with the provisions of this Government Regulation;
  - d. the preparation or stipulation of the regency/City Detailed Spatial Plan which is in the process, is carried out in accordance with the provisions of this Government Regulation;

- e. the regency/city Detailed Spatial Plan which has been stipulated in the form of a regency/municipal regulation after the enactment of Law Number 11 of 2020 on Job Creation and before this Government Regulation is stipulated, is declared to remain in effect;
  - f. approval of the substance of the preparation regional regulation on regency/city Detailed Spatial Plan issued before the issuance of this Government Regulation remains in effect and is followed up with the stipulation of a regional head regulation on regency/city Detailed Spatial Plan;
  - g. the preparation or stipulation of the National Strategic Area Spatial Plan which is in the process of stipulation, is carried out in accordance with the provisions of this Government Regulation;
  - h. the activity permit to utilize Sea space permanently in the territorial waters and jurisdiction area that was issued prior to the enactment of this Government Regulation remains in effect until the expiration of the permit validity period and is considered as an Approval for the Suitability of Marine Space Utilization Activities; and
  - i. the regional spatial planning coordination team formed by the Governor/Regent/Mayor will continue to carry out its duties, functions, and authority until the membership of the regional spatial planning forum is established and determined in accordance with the provisions of this Government Regulation.
- (2) Regency/City Detailed Spatial Plan which has received substance approval from the Minister but within a maximum period of 1 (one) month as from the entry into force of this Government Regulation, and has not been determined to be a Regent/Mayor regulation, is stipulated by a Ministerial Regulation in accordance with the provisions of this Government Regulation.

- (3) Regency/city spatial planning plans that have obtained substance approval from the Minister, but within a period of no later than 2 (two) months from the date this Government Regulation comes into force, and has not yet become a regency/municipal regulation and 3 (three) months as from the time this Government Regulation comes into force, and has not been stipulated as a regional regulation by the Regent/Mayor, is stipulated by a Ministerial Regulation in accordance with the provisions of this Government Regulation.
- (4) The Zoning Plan for National Strategic Area preparation that has been completed or is in the process of harmonization is integrated into the Spatial Plan for National Strategic Area no later than 2 (two) years as of this Government Regulation coming into force.
- (6) Zoning Plan for National Strategic Area in the form of Outermost Small Islands that has been determined and/or which has won the initiative will be integrated into the Spatial Plan for National Strategic Area from the point of view of defense and security interests in the national border area no later than 2 (two) years from the date this Government Regulation comes into force.
- (7) Zoning Plan for Coastal Areas and Small Islands which is in the process of stipulation, are integrated into the revision of the provincial spatial plan no later than 18 (eighteen) months as from the issuance of this Government Regulation.

#### Article 247

- (1) At the time this Government Regulation comes into force, the substance approval of the preparation regional regulation on the provincial spatial plan issued prior to the issuance of this Government Regulation is followed up with the integration of the preparation regional regulation on the provincial spatial plan with the regional regulation or the preparation regional regulation on Zoning Plan for Coastal Areas and Small Islands.

- (2) The provincial regulation on the provincial spatial plan as referred to in section (1) is stipulated within a maximum period of 2 (two) months as of the completion of the integration process as referred to in section (1).
- (3) In the event that the preparation provincial regulation on the provincial spatial plan as referred to in section (2) has not been stipulated, the Governor stipulates a preparation regional regulation on the provincial spatial layout plan no later than 3 (three) months as of the completion of the integration process as intended in section (1).
- (4) In the event that the provincial regulation preparation on the provincial spatial plan has not been determined by the Governor as referred to in section (3), then within a period of 4 (four) months as of the completion of the integration process as referred to in section (1), determined by a Ministerial Regulation in accordance with the provisions of this Government Regulation.

#### Article 248

- (1) At the time the Government Regulation comes into force, the issuance of the Suitability of Marine Space Utilization Activities is given based on the Marine Spatial Plan, Zoning Plan for Specific National Special Area in Outermost Small Islands, and/or Zoning Plan for Coastal Areas and Small Islands as long as it has not been integrated with Spatial Plan.
- (2) In the event that there is a discrepancy between the area of the Marine Conservation Area contained in the Marine Spatial Plan, Zoning Plan Cross-Border Region, Zoning Plan for Specific National Special Area, and/or Zoning Plan for Coastal Areas and Small Islands as referred to in section (1) and the area determined by the Minister in charge of government affairs in the marine sector, what applies is what is determined by the Minister administering government affairs in the marine sector.

Article 249

- (1) In the event that the OSS Institution has not been able to carry out the issuance service of the Suitability of Space Utilization Activities through the OSS system as referred to in this Government Regulation, the issuance service of the Suitability of Space Utilization Activities for Business Licensing is carried out non-electronically by the Minister and the Minister administering government affairs in maritime affairs according to their authority.
- (2) The issuance service of Suitability of Space Utilization Activities for Business Licensing as referred to in section (1), is carried out until the transfer of management of the issuance of Suitability of Space Utilization Activities to the OSS Institution is determined based on the Ministerial Decision and the decree of the Minister administering government affairs in the marine sector according to their authority within a maximum period of 12 (twelve) months after the issuance of this Government Regulation.
- (3) In the event that the electronic system operated by the Minister and the Minister administering government affairs in the marine sector has not been able to carry out the issuance service of the Suitability of Space Utilization Activities for non-business activities as referred to in this Government Regulation, the issuance service of the Suitability of Space Utilization Activities for non-business activities are carried out non-electronically by the Minister and minister administering government affairs in the marine sector in accordance with their respective powers within a maximum period of 24 (twenty four) months after the issuance of this Government Regulation.

Article 250

At the time this Government Regulation comes into force, activities and/or provisions for Spatial Planning, Space Utilization, and Space Utilization Control, as well as controlling for Space Utilization that are still in the technical process and/or legalization process are followed up in accordance with the provisions of this Government Regulation.

CHAPTER X  
CLOSING PROVISIONS

Article 251

At the time this Government Regulation comes into force, all existing implementing regulations of Government Regulation Number 15 of 2010 on Implementation of Spatial Planning remain in effect as long as they do not conflict with this Government Regulation.

Article 252

At the time this Government Regulation comes into force:

- a. Government Regulation Number 15 of 2010 on Implementation of Spatial Planning (State Gazette of the Republic of Indonesia of 2010 Number 21, Supplement to the State Gazette of the Republic of Indonesia Number 5103);
  - b. Article 4 Government Regulation Number 62 of 2010 on Utilization of the Outermost Small Islands (State Gazette of the Republic of Indonesia of 2010 Number 101, Supplement to the State Gazette of the Republic of Indonesia Number 5151); and
  - c. Government Regulation Number 8 of 2013 on Accuracy of Spatial Planning Maps (State Gazette of the Republic of Indonesia of 2013 Number 8, Supplement to the State Gazette of the Republic of Indonesia Number 5393),
- are repealed and declared ineffective.

Article 253

At the time this Government Regulation comes into force, the Marine Spatial Plan prepared based on Government Regulation Number 32 of 199 on Marine Spatial Plan is integrated into the National Spatial Plan at the time of revision of Government Regulation Number 26 of 2008 on National Spatial Planning as amended by Government Regulation Number 13 of 2017 on Amendment to Government Regulation Number 26 of 2008 on National Spatial Planning.

Article 254

At the time this Government Regulation comes into force:

1. Government Regulation Number 26 of 2008 on National Spatial Plan (State Gazette of the Republic of Indonesia of 2008 Number 48, Supplement to the State Gazette of the Republic of Indonesia Number 4833) as amended by Government Regulation Number 13 of 2017 on Amendment to Government Regulation Number 26 of 2008 on National Spatial Planning (State Gazette of the Republic of Indonesia of 2017 Number 77, Supplement to State Gazette of the Republic of Indonesia Number 6042);  
and
2. Government Regulation Number 32 of 2019 on Marine Spatial Planning (State Gazette of the Republic of Indonesia of 2019 Number 89, Supplement to the State Gazette of the Republic of Indonesia Number 6345),  
are declared remain in effect.

Article 255

This Government Regulation comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Government Regulation by its placement in the State Gazette of the Republic of Indonesia.

Issued in Jakarta  
on 2 February 2021

PRESIDENT OF THE REPUBLIC OF INDONESIA,

signed

JOKO WIDODO

Promulgated in Jakarta  
on 2 February 2021

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

signed

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2021 NUMBER 31

Jakarta, 22 March 2022

Has been translated as an Official Translation  
on behalf of Minister of Law and Human Rights  
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,



ELUCIDATION OF  
REGULATION OF GOVERNMENT OF THE REPUBLIC OF INDONESIA  
NUMBER 21 OF 2021  
ON  
IMPLEMENTATION OF SPATIAL PLANNING

I. GENERAL

Law Number 11 of 2020 on Job Creation which partially changes the contents of Law Number 26 of 2007 on Spatial Planning, Law Number 27 of 2007 on Management of Coastal Areas and Small Islands as amended by Law Number 1 of 2014 on Amendment to Law Number 27 of 2007 on Management of Coastal Areas and Small Islands, as well as Law Number 32 of 2014 on Marine Affairs, are the legal basis for implementing spatial planning nationally, which needs to be synergized through the establishment of implementing regulations as operational basis in implementing the provisions of the Law. The implementing regulations referred to include aspects in the Implementation of Spatial Planning that need to be regulated in the form of a government regulation.

The implementation of Spatial Planning is intended to integrate various cross-sectoral, cross-regional, and cross-stakeholder interests which are manifested in the preparation of Spatial Plans, harmonizing between Spatial Structures and Spatial Patterns, harmonization between human life and the environment, embodiment of a balance of growth and development between regions, and creation of conditions of legislation in the field of Spatial Planning that support the investment climate and convenience in doing business.

Regulations on the Implementation of Spatial Planning are based on considerations of the conditions of geographical diversity, socio-culture,

natural resource potentials, and development opportunities in the territory of the Republic of Indonesia in facing various challenges and problems which, among others, are influenced by:

- a. the location of the Republic of Indonesia is in a rapidly developing area (Pacific Ocean Rim and Indian Ocean Rim) which demands the need to encourage economic competitiveness in the global economic order;
- b. the location of the Republic of Indonesia is at the confluence of 3 (three) tectonic plates which makes it prone to geological disasters, thus requiring consideration of disaster mitigation aspects;
- c. the intensity of Space Utilization activities related to the exploitation of natural resources is increasing and has the potential to threaten environmental sustainability, including increasing global warming; and
- d. a decline in the quality of settlements and the environment, an increase in uncontrolled land use change, and an increase in disparities between and within regions.

This Government Regulation regulates various provisions related to Spatial Planning, Space Utilization, Space Utilization Control, Supervision of Spatial Planning, Spatial Planning Development, and Spatial Planning Institutions. Therefore, in order to realize a regulation regarding the Implementation of Spatial Planning that is more comprehensive and can be applied effectively and efficiently, this Government Regulation contains:

- a. Spatial Planning which regulates provisions regarding the preparation and determination of general spatial plans and detailed spatial plans;
- b. Utilization of Space which regulates the provisions of the Suitability of Space Utilization Activities and Synchronization of Space Utilization programs;
- c. Space Utilization Control, which regulates the assessment of the implementation of the Suitability of Space Utilization Activities, assessment of the implementation of spatial plan, provision of incentives and disincentives, imposition of sanctions, and settlement of Spatial Planning disputes;
- d. Supervision of Spatial Planning, which includes monitoring, evaluation, and reporting, which is an effort to maintain the suitability of the Implementation of Spatial Planning with the provisions of legislation, which is carried out by the Central

- Government, Local Governments, and the Society;
- e. Spatial Planning Guidance which regulates the forms and procedures for Spatial Planning Development which is carried out in a synergistic manner by the Central Government, Local Government, and Spatial Planning Community, including regulations regarding the professional development of spatial planning to support improving the quality and effectiveness of Spatial Planning Implementation; and
  - f. Spatial Planning Institution that regulates the form, duties, membership, of the work procedure of the Spatial Planning Forum.

## II. ARTICLE BY ARTICLE

### Article 1

Sufficiently clear.

### Article 2

#### Point a

Sufficiently clear.

#### Point b

The term "legal certainty" in the Implementation of Spatial Planning is the implementation of regulation, guidance, implementation, and supervision of Spatial Planning carried out based on the provisions of legislation and applicable legal rules.

#### Point c

The term "justice" in the Implementation of Spatial Planning is the implementation of regulation, guidance, implementation, and supervision of Spatial Planning carried out in accordance with the provisions of legislation by taking into account the sense of community justice, as well as protecting the rights and obligations of all parties.

### Article 3

Sufficiently clear.

### Article 4

Sufficiently clear.

Article 5

Sufficiently clear.

Article 6

Section (1)

Spatial Planning basically includes stages consisting of the stage of preparing the spatial plan material based on technical studies and academic studies, the stage of involving the role of the Society in the preparation of the spatial plan as an effort to accommodate the needs of the Society in the Implementation of Spatial Planning, and the stage of determining the spatial plan.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 7

Sufficiently clear

Article 8

Section (1)

Point a

Sufficiently clear.

Point b

Space Utilization consists of the implementation of the Suitability of Space Utilization Activities and the implementation of the synchronization of the Space Utilization program. The use of space is stated in the form of an indication of the main program.

The periodization of the five-year medium-term main program indication in the Spatial Plan is adjusted to the period of the medium-term development plan.

Point c

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Section (1)

Sufficiently clear.

Section (2)

The jurisdictional area includes an additional zone, an exclusive economic zone and the continental shelf.

Section (3)

Sufficiently clear.

Article 11

Sufficiently clear.

Article 12

Section (1)

Point a

Sufficiently clear.

Point b

Involvement of the role of the community at the national level in the preparation of the National Spatial Plan, among others, is carried out through public opinion screening, discussion forums, and public consultations covering or representing the condition of the entire territory of the Unitary State of the Republic of Indonesia.

Point c

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Other data that can be collected include physiographic data, economic and financial data, data on the availability of basic infrastructure and facilities, land use data, spatial designation data, and data related to the carrying capacity and capacity of the environment.

Point 1

Sufficiently clear.

Point 2

Sufficiently clear.

Point 3

Data from land sector information needed in the process of preparing the National Spatial Plan in the form of, among others, data and information on land tenure, land ownership, land use, land use, and land issues that can affect the effectiveness of the realization of the National Spatial Plan.

Point 4

Disaster data and information needed in the process of preparing the National Spatial Plan includes data and information related to disaster hazards and risks, among others, maps of earthquake-prone areas, maps of disaster-prone areas between active maps of tsunami-prone areas, maps of volcanic eruption-prone areas, and maps of flood-prone areas, as well as maps of liquefaction susceptibility and maps of vulnerability to landslides, including landslides.

Point 5

Sufficiently clear.

Point 6

Sufficiently clear.

Point c

Point 1

Sufficiently clear.

Point 2

In the analysis of environmental carrying capacity and carrying capacity which is integrated with strategic environmental studies, it is possible to analyze aspects of environmental impacts and risks, ecosystem services, utilization of natural resources, level of vulnerability to climate change, and/or biodiversity.

The study of these aspects is adjusted to the scope and characteristics of the planning area, the objectives of the Spatial Planning, and the planning focus.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (3)

Responding to the condition in which topographical maps of Indonesia are not yet available, the preparation of the spatial plan base map is carried out using other map sources in accordance with cartographic standards by using the similarity of the geospatial reference system.

Another base map is a map that is available at the required scale.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 13

Sufficiently clear.

Article 14

Sufficiently clear.

Article 15

Sufficiently clear.

Article 16

Section (1)

Point a

Sufficiently clear.

Point b

The involvement of the role of the community in the province in the preparation of the spatial plan for the province is carried out, among others, through public opinion screening, discussion forums, and public consultations covering or representing the condition of the entire province.

Point c

The implementation of the discussion of the preparation regional regulation on the provincial spatial plan is an effort to communicate the content of the provincial spatial plan to the Provincial House of Representatives, as well as in parallel as a form of communication to all Stakeholders.

The frequency of discussion is adjusted to the needs, so that Stakeholders have the opportunity to know the concept of spatial plan and provide input and suggestions.

Stakeholders who are involved in the discussion of the preparation regional regulation on the spatial plan for the province include the Regency/Municipal Governments in their territory and the Provincial Governments bordering on them.

Section (2)

Point a

Sufficiently clear.

Point b

Other data that can be collected include physiographic data, economic and financial data, data on the availability of basic infrastructure and facilities, data on land use, data on space requirements, and data related to the carrying capacity and carrying capacity of the environment.

Point 1

Sufficiently clear.

Point 2

Sufficiently clear.

Point 3

The data and information on the land sector needed in the process of preparing the provincial spatial plan in the form of, among others, data and information on land tenure, land ownership, land use, land use, and land issues that can affect the effectiveness of the realization of the provincial spatial plan.

Point 4

Disaster data and information needed in the process of preparing provincial spatial plans include data and information related to disaster hazards and risks, among others, maps of earthquake-prone areas, maps of active faults-prone areas, maps of tsunami-prone areas, maps of volcanic eruption-prone areas, and maps of flood-prone areas, as well as maps of liquefaction vulnerability and maps of vulnerability to ground movements, including landslides.

Point 5

Sufficiently clear.

Point 6

Sufficiently clear.

Point c

Point 1

Sufficiently clear.

Point 2

In the study of environmental carrying capacity and carrying capacity that is integrated with strategic environmental studies, an analysis of aspects of environmental impacts and risks, ecosystem services, utilization of natural resources, level of vulnerability to climate change and/or biodiversity can be carried out. The study of these aspects is adjusted to the scope and characteristics of the planning area, the objectives of the Spatial Planning, and the planning focus.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (3)

Responding to the condition in which the Indonesian Topographical Map is not yet available, the preparation of the Spatial Plan base map is carried out using other map sources in accordance with cartographic standards by using the similarity of the geospatial reference system.

Another base map is a map that is available at the required scale.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 17

Sufficiently clear.

Article 18

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

Sufficiently clear.

Point i

Sufficiently clear.

Point j

Land and water are the vital resources in the implementation of development. Spatial Planning needs to consider the availability of these two resources to further ensure the realization of the Spatial Plan.

The availability of the land and water resources is considered in the spatial planning by using the data and information available during the spatial planning, such as the land use balance and water resources management balance.

If the data is not available, other data and information are used.

Point k

Sufficiently clear.

Point l

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 19

Section (1)

Point a

Sufficiently clear.

Point b

The involvement of public's role in the regency on the regency spatial planning is done through public opinion screening, discussion forums, and public consultations that cover or represent the condition of the entire regency.

Point c

The implementation of the regional regulation preparation discussion on the regency spatial plan is an effort to communicate the content of the spatial plan for regency to the Regency House of People's Representatives, as well as in parallel as a form of communication to all stakeholders.

The frequency of discussion is adjusted to the needs, so that Stakeholders have the opportunity to know the spatial plan concept and provide suggestions.

Stakeholders involved in the regional regulation preparation discussion on the regency spatial plan as well as the regional government of bordering regencies/cities.

## Section (2)

### Point a

Sufficiently clear.

### Point b

Other data that can be collected include physiographic data, economic and financial data, data on the availability of basic infrastructure and facilities, land use data, spatial designation data, and data related to environmental capacity and carrying capacity.

#### Point 1

Sufficiently clear.

#### Point 2

Sufficiently clear.

#### Point 3

The data and information on the land sector needed in the process of regency spatial plan such as data and information on land tenure, land ownership, land use, land utilization, land use balance sheet, and land issues that may affect the effectiveness of the realization of the spatial plan for regency.

#### Point 4

Disaster data and information needed in the process of regency spatial plan include data and information related to hazards and disaster risks, such as maps of earthquake-prone areas, maps of

areas prone to active faults, maps of tsunami-prone areas, maps of areas prone to volcanic eruptions, and maps of flood-prone areas, as well as maps of liquefaction vulnerability and vulnerability map of land movement including landslides.

Point 5

Sufficiently clear.

Point c

Number 1

Sufficiently clear.

Number 2

In the study of environmental capacity and carrying capacity integrated with the study of strategic environmental, an analysis of aspects of environmental impacts and risks, ecosystem services, utilization of natural resources, level of vulnerability to climate change, and/or biodiversity can be conducted.

The study of these aspects is adjusted to the scope and characteristics of the planning area, the objectives of the Spatial Planning, and the planning focus.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (3)

Responding to the condition in which the Topographic Map of Indonesia is not yet available, the preparing of spatial plan base map is done by using other map sources in accordance with cartographic standards by using the similarity of the geospatial reference system.

The other base map is a map that is available at the required scale.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 20

Sufficiently clear.

Article 21

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

Sufficiently clear.

Point i

Sufficiently clear.

Point j

Land and water are the vital resources in the implementation of development.

Spatial Planning needs to consider the availability of these two resources to further ensure the realization of the Spatial Plan.

The availability of the land and water resources is considered in the spatial planning by using the data and information available during the spatial planning, such as the land use balance and water resources management balance.

If the data is not available, other data and information are used.

Point k

Sufficiently clear.

Point l

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 22

Sufficiently clear.

Article 23

Section (1)

Point a

Sufficiently clear.

Point b

The involvement of public's role in the city on the city spatial planning is done through public opinion screening, discussion forums, and public consultations that cover or represent the condition of the entire city area.

Point c

The implementation of the regional regulation preparation discussion on the city spatial plan is an effort to communicate the content of the city spatial plan to the Municipal House of People's Representatives, as well as in parallel as a form of communication to all stakeholders.

The frequency of discussion is adjusted to the needs, so that Stakeholders have the opportunity to know the spatial plan concept and provide suggestions

Stakeholders involved in the regional regulation preparation discussion on the city spatial plan as well as the regional government of bordering regencies/cities.

Section (2)

Point a

Sufficiently clear.

Point b

Other data that can be collected include physiographic data, economic and financial data, data on the availability of basic infrastructure and facilities, land use data, spatial designation data, and data related to environmental capacity and carrying capacity.

Point 1

Sufficiently clear.

Point 2

Sufficiently clear.

Point 3

The data and information on the land sector needed in the process of city spatial planning, such as data and information on land tenure, land ownership, land use, land utilization, land use balance sheet, and land issues that may affect the effectiveness of the realization of the city spatial plan.

Point 4

Disaster data and information needed in the process of city spatial planning include data and information related to hazards and disaster risks, such as maps of earthquake-prone areas, maps of areas prone to active faults, maps of tsunami-prone areas, maps of areas prone to volcanic eruptions, and maps of flood-prone areas, as well as maps of liquefaction vulnerability and vulnerability map of land movement including landslides.

Point 5

Sufficiently clear.

Point c

Point 1

Sufficiently clear.

Point 2

In the study of environmental capacity and carrying capacity integrated with the study of strategic environmental, an analysis of aspects of environmental impacts and risks, ecosystem services, utilization of natural resources, level of vulnerability to climate change, and/or biodiversity can be conducted.

The study of these aspects is adjusted to the scope and characteristics of the planning area, the objectives of the Spatial Planning, and the planning focus.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (3)

Responding to the condition in which the Topographic Map of Indonesia is not yet available, the preparing of spatial plan base map is done by using other map sources in accordance with cartographic standards by using the similarity of the geospatial reference system.

The other base map is a map that is available at the required scale.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 24

Sufficiently clear.

Article 25

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Section (1)

Point a

Sufficiently clear.

Point b

The involvement of public's role in the island/archipelago on the spatial planning for island/archipelago is done through public opinion screening, discussion forums, and public consultations that cover or represent the condition of the entire island/archipelago.

Point c

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Other data that can be collected include physiographic data, economic and financial data, data on the availability of basic infrastructure and facilities, land use data, spatial designation data, and data related to environmental capacity and carrying capacity.

Point 1

Sufficiently clear.

Point 2

Sufficiently clear.

Point 3

The data and information on the land sector needed in the process of spatial planning for island/archipelago area, such as data and information on land tenure, land ownership, land use, land utilization, land use balance sheet, and land issues that may affect the effectiveness of the realization of the spatial plan for the island/archipelago area.

Point 4

Disaster data and information needed in the process of spatial planning for island/archipelago area include data and information related to

hazards and disaster risks, such as maps of earthquake-prone areas, maps of areas prone to active faults, maps of tsunami-prone areas, maps of areas prone to volcanic eruptions, and maps of flood-prone areas, as well as maps of liquefaction vulnerability and vulnerability map of land movement including landslides.

Point 5

Sufficiently clear.

Point c

Point 1

Sufficiently clear.

Point 2

In the study of environmental capacity and carrying capacity integrated with the study of strategic environmental, an analysis of aspects of environmental impacts and risks, ecosystem services, utilization of natural resources, level of vulnerability to climate change, and/or biodiversity can be conducted.

The study of these aspects is adjusted to the scope and characteristics of the planning area, the objectives of the Spatial Planning, and the planning focus.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (3)

Responding to the condition in which the Topographic Map of Indonesia is not yet available, the preparing of spatial plan base map is done by using other map sources in accordance with cartographic standards by using the similarity of the geospatial reference system.

The other base map is a map that is available at the required scale.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 28

Sufficiently clear.

Article 29

Sufficiently clear.

Article 30

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

The waters around the outermost small islands are determined by the following criteria:

- a. up to a maximum of 12 (twelve) nautical miles measured from the coastline;
- b. up to the boundary of Indonesia territorial sea, in the territorial waters of the Zoning Plan for Specific National Strategic Area it is more than 12 (twelve) nautical miles and is located within the boundary of Indonesia territorial sea; and/or
- c. territorial waters bordering other islands and/or coastal areas within a distance of up to 24 (twenty-four) nautical miles divided equally by distance or measured by the median line principle.

Article 31

Sufficiently clear.

Article 32

Sufficiently clear.

Article 33

Sufficiently clear.

Article 34

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

The term “geopark” means a unified area as regulated in the legislation.

Point h

Sufficiently clear.

## Article 35

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

Land and water are the vital resources in the implementation of development.

Spatial Planning needs to consider the availability of these two resources to further ensure the realization of the Spatial Plan.

The availability of the land and water resources is considered in the spatial planning by using the data and information available during the spatial planning, such as the land use balance and water resources management balance.

If the data is not available, other data and information are used.

Point i

Sufficiently clear.

Point j

Sufficiently clear.

Section (3)

Point a

Sufficiently clear.

Point b

In the national strategic area, which has a smaller planning area coverage and is a center for urban settlements, the Spatial Structure plan contains a service center system for urban activities.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Article 36

Section (1)

Point a

Sufficiently clear.

Point b

The term “the involvement of the public's role in the spatial planning for national strategic area” means the implementation of public opinion screening, discussion forums, and Public Consultation covering or representing the condition of the entire national strategic area.

Point c

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Other data that can be collected include physiographic data, economic and financial data, data on the availability of basic infrastructure and facilities, land use data, spatial designation data, and data related to carrying capacity and environmental capacity.

Point 1

Sufficiently clear.

Point 2

Sufficiently clear.

Point 3

The data and information on the land sector needed in the process of spatial planning for national strategic area, such as data and information on land tenure, land ownership, land use, land utilization, land use balance sheet, and

land issues that may affect the effectiveness of the realization of the spatial plan for national strategic area.

Point 4

Disaster data and information needed in the process of spatial planning for national strategic area include data and information related to hazards and disaster risks, such as maps of earthquake-prone areas, maps of areas prone to active faults, maps of tsunami-prone areas, maps of areas prone to volcanic eruptions, and maps of flood-prone areas, as well as maps of liquefaction vulnerability and vulnerability map of land movement including landslides.

Point 5

Sufficiently clear.

Point 6

Sufficiently clear.

Point c

Point 1

Sufficiently clear.

Point 2

In the study of environmental capacity and carrying capacity integrated with the study of strategic environmental, an analysis of aspects of environmental impacts and risks, ecosystem services, utilization of natural resources, level of vulnerability to climate change, and/or biodiversity can be conducted.

The study of these aspects is adjusted to the scope and characteristics of the planning area, the objectives of the Spatial Planning, and the planning focus.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (3)

Responding to the condition in which the Topographic Map of

Indonesia is not yet available, the preparing of spatial plan base map is done by using other map sources in accordance with cartographic standards by using the similarity of the geospatial reference system.

The term “other base map” means a map that is available at the required scale.

Section (4)

Sufficiently clear.

Section (5)

Point a

Sufficiently clear.

Point b

The term “coastline according to the need for spatial planning” means the need to accommodate, such as development plans, land rights, and permits that have been issued in accordance with the legislation, including concessions.

The land rights interests that are accommodated, for example, are the land rights to be granted to naturally emerging land and land resulting from reclamation.

Section (6)

Sufficiently clear.

Article 37

Sufficiently clear.

Article 38

Sufficiently clear.

Article 39

Section (1)

Sufficiently clear.

Section (2)

Point a

Point 1

Sufficiently clear.

Point 2

The term “hypsography” means an imaginary line to describe all points that have the same height on the earth's surface or the same depth on the seabed.

Hypsography in marine space is described by depth points, bathymetry and/or depth contour lines for the sea area.

Point 3

Territorial boundaries include maritime boundaries which are regulated in the form of:

- a. international agreements, both bilateral/trilateral with neighboring countries; and
- b. unilateral maritime boundaries,
- c. in accordance with the legislation and the international law.

Point b

Sufficiently clear.

Section (3)

Responding to the condition in which the Topographic Map of Indonesia is not yet available, the preparing of the base map is done by using other map sources in accordance with cartographic standards by using the similarity of the geospatial reference system.

The term “other base map” means a map that is available at the required scale.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Section (8)

Sufficiently clear.

Section (9)

Sufficiently clear.

Section (10)

Sufficiently clear.

Article 40

Sufficiently clear.

Article 41

Sufficiently clear.

Article 42

Sufficiently clear.

Article 43

Sufficiently clear.

Article 44

Sufficiently clear.

Article 45

Section (1)

Sufficiently clear.

Section (2)

Point a

Point 1

Sufficiently clear.

Point 2

The term “hypsography” means an imaginary line to describe all points that have the same height on the earth's surface or the same depth on the seabed.

Hypsography in marine space is described by depth points, bathymetry and/or depth contour lines for the sea area.

Point 3

Territorial boundaries including maritime boundaries are in accordance with the legislation and the international law, which are regulated in the form of:

- a. international agreements, both bilateral/trilateral with neighboring countries; and

b. unilateral maritime boundaries,

Point b

Sufficiently clear.

Section (3)

Responding to the condition in which the Topographic Map of Indonesia is not yet available, the preparing of the base map is done by using other map sources in accordance with cartographic standards by using the similarity of the geospatial reference system.

The term “other base map” means a map that is available at the required scale.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Section (8)

Sufficiently clear.

Section (9)

Sufficiently clear.

Section (10)

Sufficiently clear.

Article 46

Sufficiently clear.

Article 47

Sufficiently clear.

Article 48

Sufficiently clear.

Article 49

Sufficiently clear.

Article 50

Sufficiently clear.

Article 51

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Optimization of Land Space Utilization is intended to optimize the social and economic benefits of land space while taking into account the sustainability aspect.

For this reason, the Space Utilization plan for various needs must take into account the availability of land and water which are two vital resources to support human life.

The availability of land and water resources, among other things, can be seen from the data on the land use balance and the water resources management balance available at the time of preparing the detailed spatial plan.

In terms of the land use balance and water resources management balance data are not available, other data can be used.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 52

Section (1)

Point a

Sufficiently clear.

Point b

The term “the involvement of the public's role at the regency/city level in the preparing of the detailed spatial plan for state border area” means the implementation of public opinion screening, discussion forums, and Public Consultation covering or representing the condition of the entire state border area.

Point c

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Other data that can be collected include physiographic data, economic and financial data, data on the availability of basic infrastructure and facilities, land use data, spatial designation data, and data related environmental capacity and carrying capacity.

Point 1

Sufficiently clear.

Point 2

Sufficiently clear.

Point 3

The data and information on the land sector needed in the process of detailed spatial planning for state border area such as data and information on land tenure, land ownership, land use, land utilization, land use balance sheet, and land issues that may affect the effectiveness of the realization of the detailed spatial planning for state border area.

Point 4

Disaster data and information needed in the process of detailed spatial planning for state border area include data and information related to hazards and disaster risks, such as maps of earthquake-prone areas, maps of areas prone to active faults, maps of tsunami-prone areas, maps of areas prone to volcanic eruptions, and maps of flood-prone areas, as well as maps of liquefaction vulnerability and vulnerability map of land movement including landslides.

Point 5

Sufficiently clear.

Point c

Point 1

In the study of environmental capacity and carrying capacity integrated with the study of strategic environmental, an analysis of aspects of environmental impacts and risks, ecosystem services, utilization of natural resources, level of vulnerability to climate change, and/or biodiversity can be conducted.

The study of these aspects is adjusted to the scope and characteristics of the planning area, the objectives of the Spatial Planning, and the planning focus.

Point 2

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (3)

Responding to the condition in which the Topographic Map of Indonesia is not yet available, the preparing of spatial plan base map is done by using other map sources in accordance with cartographic standards by using the similarity of the geospatial reference system.

The term “other base map” means a map that is available at the

required scale.

Section (4)

Sufficiently clear.

Article 53

Sufficiently clear.

Article 54

Sufficiently clear.

Article 55

Sufficiently clear.

Article 56

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Optimization of Land Space Utilization is intended to optimize the social and economic benefits of land space while taking into account the sustainability aspect.

For this reason, the Space Utilization plan for various needs must take into account the availability of land and water which are two vital resources to support human life.

The availability of land and water resources, among other things, can be seen from the data on the land use balance and the water resources utilization balance available at the time of preparing the detailed spatial plan.

In terms of the land use balance and water resources management balance data are not available, other data can be used.

Point e

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

## Article 57

Section (1)

Point a

Sufficiently clear.

Point b

The term “the involvement of the public's role in the regency/city in the preparing of the detailed spatial plan for regency/city area” means the implementation of public opinion screening, discussion forums, and Public Consultation covering or representing the condition of the entire national strategic area.

Point c

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Other data that can be collected include physiographic data, economic and financial data, data on the availability of basic infrastructure and facilities, land use data, spatial designation data, and data related to environmental capacity and carrying capacity.

Point 1

Sufficiently clear.

Point 2

Sufficiently clear.

Point 3

The data and information on the land sector needed in the process of detailed spatial planning for regency/city area such as data and information

on land tenure, land ownership, land use, land utilization, land use balance sheet, and land issues that may affect the effectiveness of the realization of the detailed spatial plan for regency/city areas.

Point 4

Disaster data and information needed in the detailed spatial planning for regency/city area include data and information related to hazards and disaster risks, such as maps of earthquake-prone areas, maps of areas prone to active faults, maps of tsunami-prone areas, maps of areas prone to volcanic eruptions, and maps of flood-prone areas, as well as maps of liquefaction vulnerability and vulnerability map of land movement including landslides.

Point 5

Sufficiently clear.

Point c

Point 1

In the study of environmental capacity and carrying capacity integrated with the study of strategic environmental, an analysis of aspects of environmental impacts and risks, ecosystem services, utilization of natural resources, level of vulnerability to climate change, and/or biodiversity can be conducted.

The study of these aspects is adjusted to the scope and characteristics of the planning area, the objectives of the Spatial Planning, and the planning focus.

Point 2

Sufficiently clear.

Point 3

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (3)

Responding to the condition in which the Topographic Map of Indonesia is not yet available, the preparing of spatial plan base map is done by using other map sources in accordance with cartographic standards by using the similarity of the geospatial reference system.

The term “other base map” means a map that is available at the required scale.

Section (4)

Sufficiently clear.

Article 58

Sufficiently clear.

Article 59

Provision of a detailed spatial plan for regency or city that has been determined, including in the form of 3 (three) dimensions and its development.

Article 60

Sufficiently clear.

Article 61

Sufficiently clear.

Article 62

Section (1)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

The cross-sectoral discussion is intended to ensure that the regional regulation preparation on the provincial spatial plan does not conflict and is in line with the Central

Government policies.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 63

Sufficiently clear.

Article 64

Sufficiently clear.

Article 65

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

The term “coastline according to the need for spatial planning” means the need to accommodate, such as development plans, land rights, and permits that have been issued in accordance with the legislation, including concessions.

The land rights interests that are accommodated, for

example, the land rights to be granted to naturally emerging land and land resulting from reclamation.

Article 66

Sufficiently clear.

Article 67

Section (1)

The period of 20 (twenty) Days is calculated from the date of the implementation of the cross-sectoral discussion as stated in the invitation to the discussion meeting.

Section (2)

Sufficiently clear.

Article 69

Section (1)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Submission of the regional regulation preparation on the regency spatial plan to the Minister is copied to the Governor.

Point d

The cross-sectoral discussion is intended to ensure that the regency regulations preparation on regency spatial plan does not conflict and is in line with the Central Government policies.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 70

Sufficiently clear.

Article 71

Sufficiently clear.

Article 72

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

The term “coastline according to the need for spatial planning” means the need to accommodate, such as development plans, land rights, and permits that have been issued in accordance with the legislation, including concessions.

The land rights interests that are accommodated, for example, the land rights to be granted to naturally emerging land and land resulting from reclamation.

Article 73

Sufficiently clear.

Article 74

Section (1)

The period of 20 (twenty) Days is calculated from the date of the

implementation of the cross-sectoral discussion as stated in the invitation to the discussion meeting.

Section (2)

Sufficiently clear.

Article 75

Sufficiently clear.

Article 76

Section (1)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Submission of the municipal regulation preparation on the city spatial plan to the Minister is copied to the Governor.

Point d

The cross-sectoral discussion is intended to ensure that the municipal regulation preparation on city spatial planning does not conflict and is in line with the Central Government policies.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 77

Sufficiently clear.

Article 78

Sufficiently clear.

Article 79

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

The term “coastline according to the need for spatial planning” means the need to accommodate, such as development plans, land rights, and permits that have been issued in accordance with the legislation, including concessions.

The land rights interests that are accommodated, for example, the land rights to be granted to naturally emerging land and land resulting from reclamation.

Article 80

Sufficiently clear.

Article 81

Section (1)

The period of 20 (twenty) Days is calculated from the date of the implementation of the cross-sectoral discussion as stated in the invitation to the discussion meeting.

Section (2)

Sufficiently clear.

Article 82

Sufficiently clear.

Article 83

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

In order to prevent the occurrence of a legal vacuum in the implementation of Spatial Planning and provide legal protection, and legal certainty in the Implementation of Spatial Planning which affects the implementation of development activities, business activities, as well as various aspects of social life in the society, the stipulation of a detailed spatial plan may not exceed the validity period of the same type of detailed spatial plan that already exists in the area and is currently in effect.

Article 84

Sufficiently clear.

Article 85

Sufficiently clear.

Article 86

Sufficiently clear.

Article 87

Sufficiently clear.

Article 88

Section (1)

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

The term “coastline according to the need for spatial planning” means the need to accommodate, such as

development plans, land rights, and permits that have been issued in accordance with the legislation, including concessions.

The land rights interests that are accommodated, for example, the land rights to be granted to naturally emerging land and land resulting from reclamation.

Article 89

Sufficiently clear.

Article 90

Section (1)

The period of 20 (twenty) Days is calculated from the date of the implementation of the cross-sectoral discussion as stated in the invitation to the discussion meeting.

Section (2)

Sufficiently clear.

Article 91

Sufficiently clear.

Article 92

Sufficiently clear.

Article 93

Sufficiently clear.

Article 94

Sufficiently clear.

Article 95

Sufficiently clear.

Article 96

Sufficiently clear.

Article 97

Sufficiently clear.

Article 98

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Point a

The term “approved” means that it can be fully approved or partially approved.

Point b

Sufficiently clear.

Section (8)

Sufficiently clear.

Article 99

Sufficiently clear.

Article 100

Sufficiently clear.

Article 101

Sufficiently clear.

Article 102

Sufficiently clear.

Article 103

Sufficiently clear.

Article 104

Section (1)

Point a

The coordinate location is described in the polygon shape that can provide area and shape information.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

The provisions regarding “number of the building floors” is included if in the implementation of the Space Utilization plan there will be building construction.

Point f

The provisions regarding “floor area of the building” is included if in the implementation of the Space Utilization plan there will be building construction.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

The building layout provisions include the coefficient of the built-up area, the green area coefficient, and the building setback.

Point f

Sufficiently clear.

Article 105

Sufficiently clear.

Article 106

Section (1)

Sufficiently clear.

Section (2)

The term 'permanently' means for 30 (thirty) Days.

Article 107

Section (1)

Sufficiently clear.

Section (2)

Point a

The term “industrial estate” means an area where industrial activities are centralized, complete with supporting facilities and infrastructure which are developed and managed by industrial estate companies.

Point b

The term “special economic zone” means an area with certain boundaries within the legal territory of the Unitary State of the Republic of Indonesia designated to carry out the economic functions and is granted certain facilitation.

Article 108

Section (1)

Point a

The coordinate location is described in the polygon shape that can provide area and shape information.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

The completeness regarding “number of the building floors”

is included if in the implementation of the Space Utilization plan there will be building construction.

Point f

The completeness regarding “floor area of the building” is included if in the implementation of the Space Utilization plan there will be building construction.

Section (2)

Approval of the Suitability of Space Utilization Activities for business activities must be given by considering the objectives of the implementation of spatial planning, one of which is sustainable space utilization.

Sustainable space utilization is achieved by prioritizing the safeguarding concept in the space utilization, for example, considering:

- a. aspects of security/safety/disaster risk reduction;
- b. aspects of national food security;
- c. aspects of environmental sustainability;
- d. aspects of job creation and local/regional/national economic development;
- e. aspects of social vulnerability; and
- f. aspects of defense and security.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Section (8)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

The content of Approval of the Suitability of Space Utilization Activities related to the basic coefficient of the building is formulated if there is a building construction plan in the proposed Space Utilization activity plan.

Point d

The content of Approval of the Suitability of Space Utilization Activities related to the floor area of the building is formulated if there is a building construction plan in the proposed Space Utilization activity plan.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Article 109

Sufficiently clear.

Article 110

Sufficiently clear.

Article 111

Section (1)

Point a

The coordinate location is described in the polygon shape that can provide area and shape information.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (2)

Approval of the Suitability of Marine Space Utilization Activities for business activities must be given by considering the objectives of the implementation of spatial planning, one of which

is sustainable space utilization.

Sustainable space utilization is achieved by prioritizing the safeguarding concept in the space utilization, for example, considering:

- a. aspects of security/ safety/ disaster risk reduction;
- b. aspects of national food security;
- c. aspects of environmental sustainability;
- d. aspects of job creation and local/regional/national economic development;
- e. aspects of social vulnerability; and
- f. aspects of defense and security.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Point a

The legislation referred to are Government Regulations, Presidential Regulations, and/or Ministerial Regulations mandated by Government Regulations and/or Presidential Regulations that stipulate activities of national strategic value.

Point b

Sufficiently clear.

Section (7)

Sufficiently clear.

Section (8)

Sufficiently clear.

Article 112

Sufficiently clear.

Article 113

Sufficiently clear.

Article 114

Section (1)

Decision of the Minister, Governor, Regent, or Mayor on granting of Approval of the Suitability of Space Utilization Activities can be in the form of a decision to grant or not grant Approval of Suitability of Space Utilization Activities.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 115

Sufficiently clear.

Article 116

Sufficiently clear.

Article 117

Sufficiently clear.

Article 118

Sufficiently clear.

Article 119

Sufficiently clear.

Article 120

Section (1)

Point a

The coordinate location is described in the polygon shape that can provide area and shape information.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

The completeness regarding “number of the building floors” is included if in the implementation of the Space Utilization plan there will be building construction.

Point f

The completeness regarding “floor area of the building” is included if in the implementation of the Space Utilization plan there will be building construction.

Section (2)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

The building layout provisions include the coefficient of the built-up area, the green area coefficient, and the building setback.

Point f

Sufficiently clear.

Article 121

Sufficiently clear.

Article 122

Section (1)

Sufficiently clear.

Section (2)

The term 'permanently' means for 30 (thirty) Days.

Article 123

Sufficiently clear.

Article 124

Section (1)

Point a

The coordinate location is described in the polygon shape that can provide area and shape information.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

The provision regarding “number of the building floors” is included if in the implementation of the Space Utilization plan there will be building construction.

Point f

The provision regarding “floor area of the building” is included if in the implementation of the Space Utilization plan there will be building construction.

Point g

Sufficiently clear.

Section (2)

Approval of the Suitability of Space Utilization Activities for non-business activities must be given by considering the objectives of the implementation of spatial planning, one of which is sustainable space utilization.

Sustainable space utilization is achieved by prioritizing the safeguarding concept in the space utilization, for example, considering:

- a. aspects of security/safety/disaster risk reduction;
- b. aspects of national food security;
- c. aspects of environmental sustainability;
- d. aspects of job creation and local/regional/national economic development;
- e. aspects of social vulnerability; and
- f. aspects of defense and security.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Section (8)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

The content of Approval of the Suitability of Space Utilization Activities related to the basic coefficient of the building is formulated if there is a building construction plan in the proposed Space Utilization activity plan.

Point d

The content of Approval of the Suitability of Space Utilization Activities related to the floor area of the building is formulated if there is a building construction plan in the proposed Space Utilization activity plan.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Article 125

Sufficiently clear.

Article 126

Sufficiently clear.

Article 127

Section (1)

Point a

The coordinate location is described in the polygonal shape that can provide area and shape information.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (2)

Approval of the Suitability of Marine Space Utilization Activities for non-business activities must be given by considering the objectives of the implementation of spatial planning, one of which is sustainable space utilization.

Sustainable space utilization is achieved by prioritizing the safeguarding concept in the space utilization, for example, considering:

- a. aspects of security/ safety/ disaster risk reduction;
- b. aspects of national food security;
- c. aspects of environmental sustainability;
- d. aspects of job creation and local/regional/national economic development;
- e. aspects of social vulnerability; and
- f. aspects of defense and security.

Point a

The issuance of the Approval of the Suitability of Marine Space Utilization Activities must pay attention to functional connection of Spatial Planning on land and sea within the scope of the regency/city spatial plan.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Point a

The legislation referred to are Government Regulations, Presidential Regulations, and/or Ministerial Regulations mandated by Government Regulations and/or Presidential Regulations that stipulate activities of national strategic value.

Point b

Sufficiently clear.

Section (7)

Sufficiently clear.

Section (8)

Sufficiently clear.

Article 128

Sufficiently clear.

Article 129

Sufficiently clear.

Article 130

Section (1)

Decision of the Minister, Governor, Regent, or Mayor on granting of Approval of the Suitability of Space Utilization Activities can be

in the form of a decision to grant or not grant Approval of Suitability of Space Utilization Activities.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 131

Sufficiently clear.

Article 132

Sufficiently clear.

Article 133

Section (1)

Point a

The coordinate location is described in the polygon shape that can provide area and shape information.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Section (2)

Confirmation of the suitability of marine space is given by considering the objectives of the implementation of spatial planning, one of which is sustainable space utilization.

Sustainable space utilization is achieved by prioritizing the safeguarding concept in the space utilization, for example, considering:

- a. aspects of security/ safety/ disaster risk reduction;
- b. aspects of national food security;
- c. aspects of environmental sustainability;
- d. aspects of job creation and local/regional/national economic

development;

- e. aspects of social vulnerability; and
- f. aspects of defense and security.

Point a

The issuance of the confirmation of the sustainable marine space must pay attention to functional connection of Spatial Planning on land and sea within the scope of the regency/city spatial plan.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 134

Sufficiently clear.

Article 135

Sufficiently clear.

Article 136

Sufficiently clear.

Article 137

Sufficiently clear.

Article 138

Sufficiently clear.

Article 139

Sufficiently clear.

Article 140

Section (1)

Point a

The coordinate location is described in a polygon shape that can provide area and shape information.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

The provisions regarding “number of the building floors” is included if in the implementation of the Space Utilization plan there will be building construction.

Point f

The provisions regarding “floor area of the building” is included if in the implementation of the Space Utilization plan there will be building construction.

Point g

Sufficiently clear.

Point h

Sufficiently clear.

Section (2)

Recommendation of the Suitability of Space Utilization Activities for a national strategic activity is given by considering the objectives of the implementation of spatial planning, one of which is sustainable space utilization.

Sustainable space utilization is achieved by prioritizing the safeguarding concept in the space utilization, for example, considering:

- a. aspects of security/ safety/ disaster risk reduction;
- b. aspects of national food security;
- c. aspects of environmental sustainability;
- d. aspects of job creation and local/regional/national economic development;
- e. aspects of social vulnerability; and
- f. aspects of defense and security.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Section (8)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

The content of Confirmation of the suitability of Space Utilization Activities related to the basic coefficient of the building is formulated if there is a building construction plan in the proposed Space Utilization activity plan.

Point d

The content of Confirmation of the suitability of Space Utilization Activities related to the floor area coefficient of the building is formulated if there is a building construction plan in the proposed Space Utilization activity plan.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Article 141

Section (1)

Sufficiently clear.

Section (2)

Ministerial decision on granting of Recommendation of the Suitability of Space Utilization Activities can be in the form of a decision to grant or not grant Recommendation of the Suitability of Space Utilization Activities.

Article 142

Sufficiently clear.

Article 143

Sufficiently clear.

Article 144

Sufficiently clear.

Article 145

Sufficiently clear.

Article 146

Sufficiently clear.

Article 147

Section (1)

Spatial Utilization Control can be implemented by involving community groups, spatial planning forums, professional associations, and others.

The implementation of Space Utilization Control can be carried out by using the development of technological innovations, for example in form of online complaints, information technology systems, and others.

Section (2)

Sufficiently clear.

Article 148

Sufficiently clear.

Article 149

Section (1)

Point a

The term “compliance with the implementation of the provisions on the suitability of space utilization activity” means the compliance with the spatial utilization activity plan to the provisions in the suitability of space utilization activities.

Point b

The term “fulfillment of the procedure for obtaining the suitability of space utilization activities” means compliance with the stages of obtaining the suitability of space utilization activities in accordance with the legislation.

Section (2)

Sufficiently clear.

Article 150

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Spatial Utilization Activities are deemed to be non-compliant with the Suitability of Spatial Utilization Activities in terms of there is at least 1 (one) provision in the Suitability of Spatial Utilization Activities is not fulfilled.

Recommendations for adjustments are made to readjust the Spatial Utilization activities to the Suitability of Spatial Utilization Activities.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Article 151

The term “the results of the assessment in textual form” means the assessment result in the form of narrative and/or tabular.

The term “the results of the assessment in spatial form” means the assessment result in the form of a map.

Article 152

Sufficiently clear.

Article 153

Sufficiently clear.

Article 154

Sufficiently clear.

Article 155

Sufficiently clear.

Article 156

Sufficiently clear.

Article 157

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

The term “the results of the assessment in textual form” means the assessment result in the form of narrative and/or tabular.

The term “the results of the assessment in spatial form” means the assessment result in the form of a map.

Article 158

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

In order to prevent the concentration of Spatial Utilization activities and/or the dominance of certain Spatial Utilization activities being too high, to the control zone, an analysis of capacity and carrying capacity; balance sheet of land use, water, air, and other natural resources; and regional economic analysis is carried out.

Section (5)

In order to prevent the very low concentration of Spatial Utilization activities and/or the dominance of certain Spatial Utilization activities, on the driven zone to conduct an economic feasibility analysis and/or risk analysis and added value of similar spatial use.

Article 159

The Spatial Utilization Control Tool is needed in the spatial plan that cannot settle the dynamics of development, which includes:

- a. delineation of control area;
- b. provisions for Spatial Utilization Control;
- c. provision of incentives and disincentives;
- d. provisions for imposition of sanctions; and
- e. development supervision, coaching, coordination and cooperation, as well as the role of community.

Article 160

Section (1)

Sufficiently clear.

Section (2)

Assessment of the spatial plan realization is carried out 1 (one) year prior to the SP spatial plan, and the results are then integrated into the spatial plan

Section (3)

Sufficiently clear.

Article 161

Sufficiently clear.

Article 162

Sufficiently clear.

Article 163

Incentives and disincentives are given while respecting people rights and paying attention to the principles of justice and transparency in accordance with the legislation.

Article 164

Section (1)

The term “the perpetrators of Space Utilization activities” can include Person, Community, or Regional Governments.

Section (2)

Incentives and disincentives can be contained in the spatial plan product or in a separate regional head regulation.

Article 165

Sufficiently clear.

Article 166

Sufficiently clear.

Article 167

Sufficiently clear.

Article 168

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Point a

Compensation can be granted by the beneficiary regional government to the beneficiary region for the benefits received by the beneficiary region in the form of programs and/or money.

For the provision of incentives as the inter-regional compensation in the form of fiscal must obtain the approval of the Minister administering government affairs in the financial sector.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Section (4)

Sufficiently clear.

#### Article 169

The granting of tax relief, levies, and/or non-tax state revenues aims to provide fiscal attractiveness and reduce the tax burden or levies on owners and/or users of land and buildings that have unique values, vulnerability values, and/or added value as well as support acceleration of the spatial plan realization.

Tax relief, levies, and/or non-tax state revenues may be granted to Spatial Utilization activities perpetrators that support the development of areas that meet the following criteria:

- a. is a new development;
- b. can have a positive impact on regional economic development or public interest;
- c. is protected or preserved; or
- d. is vulnerable to changes in Space Utilization.

#### Article 170

The provision of compensation aims to encourage the public's role in providing infrastructure, certain public facilities, and/or public open spaces that exceed the minimum required provisions, and to increase the partnership between the government and the public in

accelerating the realization of the spatial plan.

Compensation can be given to the Spatial Utilization activities preparators that support the development of areas that meet the following criteria:

- a. have an integrated intermodal transportation;
- b. protected or preserved; and/or
- c. has sufficient carrying capacity and capacity.

The form of compensation can be in the form of additional and/or transfer of the intensity of Space Utilization, provision of necessary goods, provision of infrastructure and facilities, and/or money.

The type of compensation should at least consider the Space Utilization activity type, the needs of the recipient of compensation, and the effectiveness of the form of compensation.

#### Article 171

Subsidies are given as a form of assistance to support the acceleration of development and the realization of priority space utilization activities at certain locations and as assistance in accelerating the realization of space after natural disasters.

Subsidies can be given to local governments that support the development of areas that meet the following criteria:

- a. developed to realize priority development programs;
- b. developed to realize priority development programs;
- c. rehabilitation area after natural disaster.

Subsidies as financial support can be in the form of money and/or other forms that can be valued in money.

Subsidies as non-financial support can be in the form of regional development programs.

#### Article 172

Remunerations are given to the Space Utilization preparators who provide environmental services in certain locations as a form of compensation for environmental services for ensuring the quality of environmental functions.

Remunerations are given to provide an attraction for Space Utilization activities that support the realization of protected area functions in certain locations as well as encourage and enhance partnerships

between the government and the public in realizing and preserving the carrying capacity and capacity of the environment in environmentally critical areas.

Remunerations can be in the form of transfer of rights to build, provision of infrastructure and supporting facilities for environmental conservation, money and/or other forms that can be valued with money.

Remunerations can be given to the Spatial Utilization preparators that support the development of areas that meet the following criteria:

- a. protected or preserved;
- b. provide environmental services; or
- c. is an environmental critical area.

The form of compensation should at least consider:

- a. types of Space Utilization activities;
- b. recipient needs; and
- c. the effectiveness of the form of compensation in realizing the spatial plan.

Types of Spatial Utilization activities in areas that meet the criteria are Spatial Utilization activities that maintain and/or manage the environment to maintain and/or improve the quality of environmental services in the form of:

- a. environmental restoration;
- b. conservation
- c. water management protection;
- d. carbon sequestration and storage;
- e. preservation of natural beauty; and
- f. other activities in accordance with the development and needs of the provision of environmental services.

#### Article 173

Space leases are given to optimize the use of state property and/or regional property in encouraging the realization of spatial plan, providing convenience and attractiveness for the development of new areas that are difficult to develop, where many assets are controlled by the government.

Types of state property and/or regional property can be in the form of land and/or buildings.

The types of state property and/or regional property consider the availability of government assets and the types of assets required for the implementation of Space Utilization activities.

Space leases can be given to the Spatial Utilization preparators that support the development of areas that meet the following criteria:

- a. newly developed and/or difficult to develop where many assets are owned by the government;
- b. can have a positive impact on regional economic development or public interest; and/or
- c. can accelerate regional development in accordance with spatial plan development priorities.

#### Article 174

The crowdfunding is carried out to strengthen or increase the capital and/or shares of Spatial Utilization that need to be realized, increase the public's role and create a sense of public ownership of certain land uses, and prevent the conversion of land functions in certain areas caused by limited resources.

Crowdfunding can be given to the Spatial Utilization preparators that support the development of areas that meet the following criteria:

- a. less developed; and/or
- b. have the opportunity to develop and be able to encourage the realization of the surrounding area.

#### Article 175

Facilitation of Approval of the Suitability of Space Utilization Activities is granted for the space utilization, both for space utilization on land and for the marine space utilization.

Facilitation of Approval of the Suitability of Space Utilization Activities is carried out as needed.

#### Article 176

The provision of infrastructure and facilities is carried out to provide attractiveness in the form of complete infrastructure and facilities to accelerate the realization of the area, strengthen the Spatial Structure in encouraging the realization of the area in accordance with the spatial plan, and provide a multiplier effect on the acceleration of

regional development.

Types of infrastructure and facilities can be in the form of:

- a. infrastructure network system;
- b. public facilities; and/or
- c. social facilities.

Types of infrastructure and facilities at least consider:

- a. type of activity
- b. type of infrastructure or facilities needed;
- c. usability and effectiveness; and
- d. resource availability.

The provision of infrastructure and facilities can be provided to stakeholders in Space Utilization activities that support the development of areas that meet the following criteria:

- a. less developed due to limited infrastructure and facilities;
- b. newly developed; and
- c. become a national or regional development priority.

#### Article 177

##### Section (1)

Awarding is intended to:

- a. motivate Local Governments to have good and quality of Spatial Planning Implementation performance;
- b. provide financial and/or non-financial assistance in maintaining and/or improving the spatial planning performance; and
- c. encourage the public in the realization of the spatial plan.

The award can be in the form of a charter and/or other forms of appreciation.

The award may be accompanied by a gift in the form of money and/or goods.

The awards can be given to:

- a. Local Governments who have good and quality of Spatial Planning Implementation performance;
- b. Community actors of Space Utilization activities that have added value in the realization of the spatial plan

##### Section (2)

Point a

Sufficiently clear.

Point b

The value of the benefits considered in the awarding is the value of the benefits for both the appreciator and the award recipient.

Article 178

The publication promotion is intended to:

- a. introduce or promote an area; and
- b. encourage the realization of regional priority areas and activities.

Types of Space Utilization activities that can be given publication or promotion meet the following criteria:

- a. is a priority development program; and/or
- b. provide a positive impact in social, economic, and/or environmental aspects.

Publication and promotion can be given to the Spatial Utilization preparators that support the development of areas that meet the following criteria:

- a. newly developed; and
- b. become a national or regional development priority; or
- c. preserve the environmental sustainability.

Article 179

Sufficiently clear.

Article 180

Sufficiently clear.

Article 181

Sufficiently clear.

Article 182

Sufficiently clear.

Article 183

Section (1)

Taxes can be in the form of central taxes and/or local taxes.

The imposition of high taxes and/or levies aims to:

- a. reduce the attractiveness and competitiveness of Space Utilization activities in certain locations which have almost exceeded their carrying capacity and capacity;
- b. directing and controlling the increase in the intensity of Space Utilization activities in areas that are already too crowded; and
- c. anticipating the impacts caused by Space Utilization activities.

#### Section (2)

The imposition of high taxes and/or levies on areas that have high economic value that almost or has exceeded the environmental capacity and carrying is carried out in the context of internalizing the negative impacts that may be caused (externalities).

#### Article 184

The obligation to provide compensation or remuneration aims to:

- a. anticipating damage and/or environmental degradation as well as other negative impacts from the Space Utilization; and
- b. prevent losses caused by Space Utilization.

The obligation to provide compensation or remuneration can be given to the perpetrators of Spatial Utilization activities in areas that meet the following criteria:

- a. has the potential to cause damage and/or environmental degradation as well as other negative externalities from Spatial Utilization to the surrounding area; and/or
- b. receive environmental services.

The compensation or remunerations can be in the form of:

- a. money; and/or
- b. other forms that can be valued in money.

The other form that can be valued in money can be in the form of providing public facilities.

#### Article 185

Restrictions on the provision of infrastructure and facilities aim to:

- a. reduce the attractiveness and competitiveness of certain regions;

- b. prevent, limit, and/or reduce development in areas whose development is restricted in accordance with the spatial plan; and
- c. direct the development.

Restrictions on the provision of infrastructure and facilities can be provided to stakeholders in Space Utilization activities that support the development of areas that meet the following criteria:

- a. potentially exceed the carrying capacity and carrying capacity of the environment;
- b. protected or preserved; or
- c. vulnerable to the development of certain activities.

Types of space utilization activities that can be given the Restrictions on the provision of infrastructure and facilities meet the following criteria:

- a. potentially interfere with regional performance;
- b. potentially interfere with the characteristics of protected and/or preserved areas; or
- c. potentially cause negative impacts of social, economic and/or environmental aspects.

Types of infrastructure and facilities can be in the form of:

- a. transportation network and its supporting infrastructure; and/or
- b. other infrastructure and facilities.

#### Article 186

Granting a specific status aims to:

- a. reduce the attractiveness of Space Utilization activities in disaster-prone areas;
- b. prevent, limit, and/or reduce space utilization activities in disaster-prone areas; and
- c. improve the Spatial Planning performance.

Granting a specific status can be in the form of:

- a. determination and dissemination of disaster-prone area information; and/or
- b. dissemination of the information of spatial planning performance.

Certain forms of status in disaster-prone areas can be in the form of a disaster-prone warning board.

Granting of certain status to areas with low space utilization performance can be done through the publication of performance assessment results of Spatial Planning.

Article 187

The Ministerial Regulation on incentives and disincentives contains criteria and procedures for providing incentives provided by sectoral agencies.

Article 188

Sufficiently clear.

Article 189

Sufficiently clear.

Article 190

Sufficiently clear.

Article 191

Point a

Space Utilization that does not have the Suitability of Space Utilization Activities can be in the form of Space Utilization carried out without having the suitability of Space Utilization activities either in the appropriate location for its purpose or not in accordance with its provisions.

Point b

Space Utilization that does not comply with the provisions in the content of the Suitability of Space Utilization Activities, such as Space Utilization conducted by not complying with the provisions contained in the content of Suitability of Space Utilization Activities, for example:

activity location, type of Space Utilization activity, basic coefficient of the building or coefficient of built area, floor area coefficient of the building, building system provisions, requirements for implementation of Space Utilization activities, and/or building setback provisions.

Article 192

Section (1)

The term “blocking access” means the closing of public access to reach the area stated in the legislation as public property.

The areas which are declared as public property, for example, coasts, river, lake, situ, and/or natural resources as well as public infrastructure, water resources, parks and/or green open spaces, pedestrian facilities, locations and/or disaster evacuation routes, and/or public roads without the permission of authorized officials.

The blocking of this access can result in the evacuation process of the community in a disaster state becomes disrupted.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 193

The basis for the imposition of administrative sanctions is saved and processed in the form of a database and digital information in the Spatial Planning field, so that it becomes a database that can be taken into consideration in Spatial Planning.

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

The results of the Spatial Planning audit contain information on discrepancies between Space Utilization and the spatial plan, both after the stipulation of regulations on spatial plan and before the stipulation of regulations on spatial plan.

Point d

Complaints of space utilization violations can be made through all media, including online.

Article 194

Sufficiently clear.

## Article 195

### Section (1)

Administrative sanctions are imposed to give a deterrent effect to violators of the Space Utilization, so that the offender experiences a condition that gives results to not repeat the action.

#### Point a

Sufficiently clear.

#### Point b

Sufficiently clear.

#### Point c

Temporary suspension of Space Utilization activities can be done by force taking into account public order.

The Central government and/or Local Government conducts surveillance to ensure that the suspended activities do not continue the operations until the fulfilment of the obligations as stated in the notice of temporary suspension of activities.

#### Point d

The temporary suspension of public services is done by force by considering aspects of justice for the Public, so that its implementation is not allowed resulting the Public not being able to meet its basic needs.

In order to done properly, the temporary suspension of public services is carried out by working with a public service agency to perform a temporary suspension of services.

#### Point e

The Central Government and/or Local Government block the location with the help of the regulatory authorities to conduct a forced closing of the location.

The Central Government and/or Local Government conduct surveillance to ensure that closed location is not reopened until the person who commits the violation fulfils the obligations as stated the notice of temporary suspension of the location.

Point f

Revocation of the Suitability of Space Utilization Activities is carried out if the content of Suitability of Space Utilization Activities is not fulfilled by the holder of Suitability of Space Utilization Activities.

Included in the Suitability of Space Utilization Activities are Space Utilization Permits issued prior to Law Number 11 of 2020 on Job Creation.

The Central Government and/or the Local Government notify the party who violates the status of the suitability of Space Utilization Activities that have been revoked as well as carry out the termination of the Space Utilization activities whose Suitability of Space Utilization Activities has been revoked.

Point g

The cancellation of the suitability of space utilization activities is carried out if it is proven that there is a procedural and administrative error in obtaining the suitability of space utilization activities, for example, the applicant's data is incorrect and/or the requested location is different.

Included in the Suitability of Space Utilization Activities are Space Utilization Permits issued prior to Law Number 11 of 2020 on Job Creation.

The Central Government and/or the Regional Government notify the party who violates the status of the suitability of the Space Utilization Activity that has been cancelled and at the same time carry out the termination of the Space Utilization activity whose Suitability of Spatial Utilization Activity has been cancelled.

Point h

Demolition of the building can be carried out on the whole building or part of the building.

Demolition of buildings is carried out with due regard to aspects of building safety, public safety, and public interest.

Point i

Sufficiently clear.

Section (2)

Notification signs of violations in the Spatial Planning field can be in the form of stickers, boards, and/or notifications via electronic media.

The violation notification sign sticker contains information on the violation in the Spatial Planning field that is affixed or attached to the object of the violation.

Violation notice boards and banners contain information on violations in the Spatial Planning field that are permanent and installed in a predetermined place so that they are easily visible to the public.

The board that is used as a sign of notification of violations in the Spatial Planning field is usually used in parcel or regional locations.

Electronic media that can be used as information notification of violations in the field of Spatial Planning for example video screens, television, radio, and others.

Section (3)

Forced efforts by the Central Government and/or Regional Governments can be in the form of temporary transfer of part or all of the equipment and/or facilities for activities or businesses, clearing of land and buildings for activities or businesses, and/or other actions aimed at immediately stopping violations in order to maintain safety, security and public order.

Section (4)

Sufficiently clear.

Article 196

Point a

The size of the impact of the violation is considered, for example by taking into account the number of people affected and/or the radius of the area affected by the violation.

Point b

The value of the benefits of imposing sanctions is considered by taking into account the effectiveness and efficiency of imposing sanctions on a violation.

Point c

Public losses incurred are considered by taking into account the economic value of an area and the income of the surrounding community as a result of the violation.

#### Article 197

If necessary, the imposition of administrative sanctions can also be carried out in the implementation of case selection, assistance in the implementation of spatial utilization control, and evaluation of the imposition of administrative sanctions.

##### Point a

Sufficiently clear.

##### Point b

The collection and in-depth study of material, data, and information is an activity of collecting and in-depth supporting evidence and information from related parties, which includes collecting supporting documents, field surveys, and interviews with related parties to request information.

##### Point c

Sufficiently clear.

##### Point d

In determining the action of sanctions, it can be through the consideration of the Spatial Planning Forum in accordance with its authority.

##### Point e

The organization of the socialization forum is carried out by conducting outreach to parties suspected of being involved and committing violations in the Spatial Planning field.

The dissemination forum is held at least 1 (one) time.

##### Point f

The imposition of administrative sanctions begins with the delivery of a written warning.

The imposition of sanctions is stated in the minutes.

#### Article 198

##### Section (1)

The term “authorized official” means an official who is given the task and authority by the Minister, Governor, or Regent/Mayor

to carry out the duties and functions to impose administrative sanctions in the Spatial Planning field.

Section (2)

Sufficiently clear.

Section (3)

Issuance of written warning letters 3 (three) times, each of which is issued within a certain period of time in accordance with the legislation.

Section (4)

The imposition of administrative sanctions can be imposed in a direct, gradual, and/or cumulative manner.

The term “direct” imposition of sanctions means the imposition of sanctions that designate one or several sanctions directly after a written warning.

The term “gradual” imposition of sanctions means the imposition of sanctions that are given in stages from light sanctions to severe sanctions.

The term “cumulative” imposition sanctions mean the imposition of sanctions that are given with more than one type of sanction intended to prevent the violator from repeating his actions.

Article 199

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Progressive fines are fines imposed on each violation by increasing the amount of the fine until the violator meets the requirements contained in the administrative sanctions.

Section (4)

Sufficiently clear.

Article 200

Sufficiently clear.

Article 201

Sufficiently clear.

#### Article 202

Restoration of the function of the Space is carried out within a certain period of time to ensure that the Space can return to function according to the spatial plan.

Central Government and/or Local Government supervise the implementation of Space function restoration activities.

Restoration of space functions can involve relevant sectoral agencies, for example the involvement of agencies in charge of water resources in violations of space utilization located on river setback.

#### Article 203

##### Section (1)

All processes or stages of imposing sanctions are stored in a database and digital information in the field of Spatial Planning.

The sanction imposition database contains a chronology of the imposition of sanctions, stages of imposition of sanctions, minutes of imposition of sanctions, minutes of actions for implementing sanctions, types of sanctions imposed, monitoring and evaluation of the imposition of sanctions, assessment of the effectiveness of the imposition of sanctions, and others.

##### Section (2)

Sufficiently clear.

#### Article 204

Sufficiently clear.

#### Article 205

Sufficiently clear.

#### Article 206

Sufficiently clear.

#### Article 207

##### Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

The mediator is required to be neutral and not to make decisions or conclusions for the disputing parties.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Article 208

Sufficiently clear.

Article 209

Sufficiently clear.

Article 210

Section (1)

Sufficiently clear.

Section (2)

Monitoring is carried out in order to observe the performance of the Central Government or Local Government in the Implementation of Spatial Planning and/or identify problems that arise due to irregularities in the Implementation of Spatial Planning.

Section (3)

Evaluation is carried out in order to:

- a. analyze the causes of Spatial Planning problems that arise;
- b. estimate the magnitude of the impact due to the problems that occur;
- c. analyze the necessary actions to eliminate and/or reduce deviations and impacts that have arisen and will occur; and
- d. formulate the necessary follow-up steps.

Section (4)

Sufficiently clear.

Article 211

Sufficiently clear.

Article 212

Section (1)

Point a

The performance of Spatial Planning includes the availability of legal norms, standards, procedures, and criteria for the Spatial Planning field. If legal products are not yet available, an assessment is carried out on the process of preparing and/or legalizing norms, standards, procedures, and criteria for the Spatial Planning field

The performance of Spatial Planning Development includes the implementation and/or preparation of forms of Spatial Planning Development.

The performance of Spatial Planning Implementation includes:

- a. Spatial Planning includes the preparation process until the issuance of substance approval (complete content and procedures);
- b. Space Utilization includes land and space utilization embodiment programs (according to program indications); and
- c. Space Utilization control includes the preparation and/or application of the provisions on the Suitability of Space Utilization Activities, incentives and disincentives, and the imposition of sanctions.

Point b

The function of effective spatial planning implementation includes:

- a. Spatial plan is effective if the substance of the spatial plan is available, has been legalized, and has been developed;
- b. Space Utilization is effective if the suitability of space utilization activities and/or synchronization of space utilization programs is available, has been legalized,

and has been developed; or

- c. Space Utilization Control is effective if the provisions for Spatial Utilization Control are available, legalized and coaching has been carried out.

The benefits of implementing Spatial Planning are considered effective and efficient if there is an effective integration between the functions of Spatial Planning, with an effective Space Utilization function and with an effective Space Utilization Control function.

Point c

Sufficiently clear.

Section (2)

Sufficiently clear.

Article 213

Sufficiently clear.

Article 214

Sufficiently clear.

Article 215

The term "technical standard for Spatial Planning" means a sector standard which in its application pays attention to regional/territorial aspects.

For example:

- a. the lake setback that is determined by sector standards with a distance of 50 (fifty) meters, it is necessary to consider the regional/territorial aspects, for example the location of the border on a sloping or steep plain;
- b. In industrial estates there are provisions for the industrial sector, the environmental sector, the clean water sector, the road sector, etc.

Article 216

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sanctions imposed on provincial governments that do not carry out Spatial Planning Supervision are among others in the form of a warning.

Article 217

Section (1)

The implementation of Spatial Planning Supervision can be more effective and optimal with the presence of a development inspector as a special officer who has the task/authority to carry out Spatial Planning Supervision.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Article 218

Sufficiently clear.

Article 219

Section (1)

Sufficiently clear.

Section (2)

The means of submitting reports and/or complaints include, for

example post boxes, websites, short message services, electronic mail, social media, and others.

Article 220

Section (1)

Special conditions are problems that arise from the results of the performance assessment of the Implementation of Spatial Planning which are extreme from the average results and/or become a priority to be followed up immediately.

Section (2)

Sufficiently clear.

Article 221

Sufficiently clear.

Article 222

Sufficiently clear.

Article 223

Sufficiently clear.

Article 224

Sufficiently clear.

Article 225

Sufficiently clear.

Article 226

Sufficiently clear.

Article 227

Section (1)

Coordination of Spatial Planning is aimed at realizing good integration in the Implementation of Spatial Planning at all levels of government as well as between levels of government.

Integration in the Implementation of Spatial Planning is integration in planning, synchronization in programming, and

coordination in implementation.

Section (2)

Coordination in one administrative area is coordination between agencies within each administrative area.

Inter-regional coordination is coordination carried out by more than one province or regency/city.

Coordination between levels of government is coordination between the Central Government and Local Governments as well as between the Provincial Government and Regency/Municipal Governments.

Section (3)

The function of coordinating the implementation of spatial planning is to resolve various problems in the implementation of spatial planning, such as conflicts in space utilization, conflicts of authority, and handling of national-scale disasters that have implications for the spatial planning process.

The function of coordinating the implementation of spatial planning is carried out through various forums and coordination meetings.

Section (4)

Sufficiently clear.

Article 228

Section (1)

The dissemination of legislation and guidelines in the Spatial Planning field aim to provide an understanding to the Stakeholders regarding the substance of the regulation in the Spatial Planning field.

Section (2)

Dissemination through face-to-face are for example dialogues, seminars, workshops, and/or discussions.

Dissemination through electronic media for example broadcasting on radio and/or television media, question and answer rubrics through internet media, video, audio, multimedia, online content, and so on.

Article 229

Guidance, supervision, and consultation on the Implementation of Spatial Planning are carried out in the framework of the approval process for the substance of the preparation regional regulation on spatial plan.

#### Article 230

##### Section (1)

Education and training aim to improve the knowledge, skills, and behavioral attitudes of human resources in the Implementation of Spatial Planning.

Education and training can be implemented through the E-Learning method. E-Learning is a teaching and learning process that uses information and communication technology which can be accessed anytime, anywhere, and by anyone according to the target group.

##### Section (2)

###### Point a

Sufficiently clear.

###### Point b

Sufficiently clear.

###### Point c

Sufficiently clear.

###### Point d

The evaluation results are used to improve the performance of education and training in the Spatial Planning field.

##### Section (3)

Sufficiently clear.

#### Article 231

##### Section (1)

Research, study, and development are conducted by research institutes and the community.

Research, study, and development aim to find solutions and anticipate the need for the development of science and technology in the spatial planning field.

Research, study, and development are conducted for example through experiments, case studies, and technological studies in

the Spatial Planning field.

Section (2)

Sufficiently clear.

Article 232

Section (1)

Sufficiently clear.

Section (2)

The provision of databases and information is carried out through the collection, storage, analysis, processing, and presentation of data and information in the Spatial Planning field.

Article 233

Section (1)

Dissemination of Spatial Planning information to the public is an implementation of the principle of information disclosure.

Section (2)

Sufficiently clear.

Article 234

Sufficiently clear.

Article 235

Sufficiently clear.

Article 236

Sufficiently clear.

Article 237

Sufficiently clear.

Article 238

Sufficiently clear.

Article 239

Sufficiently clear.

Article 240

Sufficiently clear.

Article 241

Sufficiently clear.

Article 242

Section (1)

The considerations submitted by the Local Government to the Minister contain information related to the types of business activities that are restricted, the location of the business activities in question, as well as technical and social considerations that form the basis for the Local Government's considerations.

Section (2)

Point a

Sufficiently clear.

Point b

Social vulnerabilities can be in the form of, among other things, security disturbances and threats to the continuity of economic activity.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Article 243

Sufficiently clear.

Article 244

Sufficiently clear.

Article 245

Sufficiently clear.

Article 246

Sufficiently clear.

Article 247

Sufficiently clear.

Article 248

Sufficiently clear.

Article 249

Sufficiently clear.

Article 250

What is meant by activities and/or provisions for Space Utilization Control that are still in the technical process and/or legalization process is, for example controlling the area around the situ, lake, reservoir, reservoir, and other water sources, and the area around the national strategic project.

Activities and/or Space Utilization Control provisions that are still in the technical process and/or legalization process are followed up in accordance with the provisions for the preparation and determination of the detailed spatial plan.

What is meant by activities and/or stipulations for controlling Space Utilization that are still in the technical process and/or legalization process are, for example, spatial planning audits, the use of administrative sanctions, supervision of inspection research observations (*wasmalitrik*), and investigations.

Activities and/or provisions for controlling Space Utilization that are still in the technical process and/or legalization process are followed up in accordance with the provisions for imposing sanctions.

Article 251

Sufficiently clear.

Article 252

Sufficiently clear.

Article 253

Sufficiently clear.

Article 254

Sufficiently clear.

Article 255

Sufficiently clear.

SUPPLEMENT TO THE STATE GAZETTE OF THE REPUBLIC OF INDONESIA  
NUMBER 6633