

Yogyakarta Spatial Planning: Review from the Special Regulation of Yogyakarta

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Abstract

In making spatial planning rules in the Special Region of Yogyakarta, the Regional Regulation (perdais) on Spatial Planning refers to Law No. 26 of 2007 on national spatial planning and DIY Provincial Regulation No. 2 of 2010 concerning the RTRW of DIY Province 2009-2029. The establishment of special rules regarding Spatial Planning of Sultanate Land and Duchy Lands is regulated in Special Regional Regulation No. 2 of 2017 concerning Spatial Planning of Sultanate Land and Duchy Land. This rule governs privileges in spatial planning, especially spatial planning related to Sultanate land and Duchy lands found throughout the DIY region. In addition, this regulation also regulates the spatial functions of the Sultanate and Duchy lands aimed at the maximum for the development of culture, social interests, and public welfare. The concept of spatial planning developed in the Perdais on Spatial Planning of the Sultanate and Duchy Lands is cultural, spatial planning, which is not the same as the spatial concept in western literature, which has been the reference for spatial planning. In Law number 13 of 2012, it is explicitly stated that spatial planning in the Perdais is directly related to the land of the Sultanate and Duchy. But in the concept of thinking, the idea's substance covers the spatial planning of the DIY region comprehensively. It is directed to not conflict with the national spatial layout and the essence of DIY privilege.

Keywords: Spatial Planning; Special Regulation; Yogyakarta.

1. Introduction

As an Indonesian state regulation, the administration of the government of the Republic of Indonesia must be based on law. In simple terms, the rule of law (*rechtsstaat*) is understood that the state in carrying out its power is based on law. In a state regulation, the government must be subject to the law, not the law subject to the government. According to this point, all state activities must always be based on law, including in designing spatial plans, both nationally and at the provincial level [10]. Setting the Spatial Plan in the Special Region of Yogyakarta (DIY) into a special local regulation (Perdais) is one of the consequences of the enactment of the law in a state regulation as well as an implementation to realize one of the authorities in the Special Region of Yogyakarta as stipulated in Law Number 13 of 2012 concerning the Special Region of Yogyakarta Privileges [1].

Law Number 13 of 2012 concerning the Privileges of the Special Region of Yogyakarta Article 7 paragraph 4 provides a mandate that the authority in Privileged affairs includes: (a) procedures for filling out the positions, positions, duties, and authorities of the Governor and Deputy Governor, (b) Regional Government institutions DIY, (c) culture, (d) land, and

(e) spatial planning, must be regulated by a Special Regional Regulation (Perdais) [2]. The Special Regulations of DIY aim to realize good and democratic governance, peace and welfare of the people, guarantee diversity in diversity, and institutionalize the roles and responsibilities of the Sultanate and Duchy in maintaining and developing the culture of Yogyakarta, which is the nation's cultural heritage. The regulation is based on the principles of recognition of the rights of origin, populist, democracy, diversity in diversity, government effectiveness, national interest, and the utilization of local wisdom. The arrangement of the DIY privileges in the regional regulations must be within the corridors of the unitary state of the Republic of Indonesia.

According to the provisions of Article 34 paragraph (1) of Law No. 13 of 2012 concerning the Privileges of the Special Region of Yogyakarta, the arrangement of spatial plans in a Perdais, by law, is limited only to the management and utilization of Sultanate land and Duchy land which according to Article 32 paragraph (5) Law No. 13 of 2012, the management and utilization of Sultanate land and Duchy land is aimed at the maximum development of culture, social interests, and community welfare. Thus, the spatial control of the land of the Sultanate and Duchy must be in line with the authority to manage and use the land, namely for the development of culture, social interests, and community welfare [1].

Spatial planning carried out in Indonesia is often carried out to meet development growth to achieve economic growth targets and meet the unavoidable development needs of a particular area. However, limited space and a growing public understanding of the importance of spatial planning are indispensable for implementing transparent, effective, and participatory spatial management to create a safe, comfortable, productive, and sustainable space [3].

The implementation of spatial planning is emphasized in Article 6 paragraph (1) of the UUPR that spatial planning is carried out by taking into account the special potential of natural resources, human resources, and artificial resources as well as economic, social, cultural, political, legal, defense and security conditions, the environment and science and technology as a unit. It regulates the utilization of the space area in the cultivation area, such as mining exploitation, forestry cultivation, agricultural cultivation, and activities for the development of settlements, industry, tourism, and other similar activities to achieve the spatial planning of the cultivation area. The formation of spatial planning or spatial structure structures must have harmony between living and non-biological natural resources to balance spatial functions. If space is unstructured, unplanned, not utilized, and not maintained, it creates a negative image in the surrounding environment [4].

Utilization of the space of the Special Region of Yogyakarta, both for development activities and other activities, needs to be carried out wisely, taking into account and considering the principles of being integrated, orderly, harmonious, balanced, and sustainable. Thus, both spaces as a place of life and livelihood and resources need to be protected to maintain human life's carrying capacity and capacity.

According to Law number 13 of 2013 concerning the privileges of Yogyakarta, it states "There are five divisions that can be regulated autonomously by DIY, the five domains are regulated in the regional regulation" [7]. This can be made into spatial planning as one of the substantive points of privilege, DIY spatial planning has the opportunity to be strengthened according to local characters, while the purpose of spatial planning is to restore, repair, develop and make the value and use of DIY space. The preparation of the draft regional regulation refers to Law no. 26 of 2007 concerning spatial planning. Thus, the spatial plan (RTR) preparation will follow the levels as stated in the law [5].

Sultanate land and Pakalaman land used as strategic areas in the DIY spatial planning, which will later become Building and Environmental Planning (RTBL) and Detailed Spatial Plan (RDTR) regarding the strategic area of the sultanate land and the strategic area of the sultanate land and area, among the areas that will be designated for strategic areas, are the Kraton area, Tamansari, and Magersari areas. The realm of implementation on the special features of DIY spatial planning will show the general framework of spatial policies on Sultanate Ground (SG) and Pakualaman Ground (PAG), directives for managing and using non SG and non-PAG land.

Spatial planning is a manifestation of spatial structure and spatial pattern. In contrast, the spatial arrangement is a residential center and a network of infrastructure and facilities that function as a supporter of the socio-economic activities of the community. Spatial planning is a plan to reorganize the abandoned or flawed spatial planning system to be good, excellent and useful for the people living in the area. Meanwhile, according to Eko Budiharjo, 1997 in the book Adon Nasrullah, 2015 spatial planning explains that "The linkage and harmony of land use, water, air and resource allocation through coordination and efforts to resolve conflicts between different interests" [6].

In addition, there are some specialties in specific fields because there are three substances owned by DIY, so that it gives birth to several areas that have things and do not exist in other regions. The specialty in spatial planning is that the sultan has the authority and the duchy in spatial planning for the management and utilization of sultanate land and duchy land.

2. The Relation of Specialty Law of DIY and Regulation on Spatial Planning of Sultanate Land (SG) and Duchy Land (PAG)

The Regional Regulation on Spatial Planning must refer to Law Number 13 of 2012 concerning the privileges of the Special Region of Yogyakarta. The establishment of special rules regarding Spatial Planning of Sultanate Land and Duchy Land was then legalized in Special Regional Regulation No. 2 of 2017 concerning Spatial Planning of Sultanate Land and Duchy Land. The legal provisions that form the important basis for the substance of the Spatial Regulations are shown in the following table:

Table 1 Relation of Law Number 13 of 2012 to the Regional Regulation on Spatial Planning

Article	The substance of Law number 13 of 2012	Regional Regulation on Spatial Planning of Sultanate Land (SG) and Duchy Land (PAG)
Article 32 paragraph 4	Sultanate land (SG) and Duchy land (PAG) as referred to in paragraphs (2) and (3) include <i>keprabon</i> land and non- <i>keprabon</i> land found in all regencies/cities within the DIY territory.	Studies in academic texts are limited to <i>keprabon</i> lands and <i>non-keprabon</i> lands found in all regencies/cities within the DIY region.
Article 32 paragraph 5	The Sultanate and Duchy are authorized to manage and utilize the Sultanate and the Duchy land for the maximum purpose of developing culture, social interests, and community welfare.	The purpose of utilizing and managing the land of the Sultanate and the Duchy is for the most significant possible development of culture, social interests, and the welfare of the community.
Article 34 paragraph 1	Sultanate and Duchy's authority in spatial planning as referred to in Article 7 paragraph (2) letter e is limited to the management and utilization of the land of the Sultanate and the land of the Duchy.	The academic paper of the Perdais on Spatial Planning of the Sultanate and Duchy of Lands must be guided by that the Perdais on Spatial Planning of the Sultanate and Duchy Lands is only limited to regulating the management and utilization of the Sultanate and Duchy lands.
Article 34 paragraph 2	In the exercise of the authority as referred to in paragraph (1), the Sultanate and the Duchy shall stipulate the general framework for the spatial policy of the Sultanate and Duchy lands following the Specialties of DIY.	According to the specialties of DIY, the Perdais on Spatial Planning for the Sultanate and Duchy Lands refers to the general framework of spatial policies for the Sultanate and Duchy lands. Therefore, the general framework for the sultanate and duchy's spatial policy is drawn up and issued by the Sultanate and the Duchy.
Article 34 paragraph 3	The general policy framework for the land use of the Sultanate and the Duchy, as referred to in paragraph (2), is stipulated by considering the national spatial	The Regulation on Spatial Planning of the Sultanate and Duchy Lands pays attention to the national spatial layout and the DIY spatial planning.

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Source: [12]

Table 1 describes some of the key provisions that must be included in the Spatial Perdais as follows:

1. The Spatial Planning Regulation regulates privileges in spatial planning, especially spatial planning related to Sultanate land and Duchy lands found throughout the DIY region.
2. The regulation of spatial functions on the Sultanate and the Duchy land is aimed as much as possible to develop culture, social interests, and community welfare.
3. To be in line with national and provincial spatial planning, the Regional Regulation on Spatial Planning refers to Law No. 26 of 2007 concerning National Spatial Planning and Provincial Regulation of DIY No. 2 of 2010 concerning the RTRW of DIY Province 2009-2029.

3. The Concept of Cultural Space and Spatial Planning in the Special Region of Yogyakarta (DIY)

The concept of spatial planning developed in the Perdais on Spatial Planning of the Sultanate and Duchy Lands is cultural, spatial planning, which is not the same as the spatial concept in western literature, which has been the reference for spatial planning. The concept is that the spatial layout of the Sultanate Land and Duchy Land are spatial units with the contents of cultural units with specific characteristics. These spatial units (= cultural space units) form a spatial unit of DIY. This means that the spatial division of DIY, which contains the specialties of DIY is a woven fabric formed by spatial units containing the contents of specific cultural units with certain characteristics. The diversity of cultural content, which consists of past, present, and future cultural units, is the hallmark of DIY spatial planning [8].

Cultural space is a space with the contents of cultural units that form a spatial unit of DIY, which accommodates community units with the diversity of cultures they possess. The uniqueness of cultural space units is characterized by cultural identity; some are implicit (example: spatial units based on horticultural agriculture culture in Cangkringan, karst area), some are explicit and well-known (example: Kotagede and Malioboro), both must continue strengthened and preserved. In-Law number 13 of 2012, it is explicitly stated that spatial planning in the Perdais is directly related to the land of the Sultanate and Duchy. Still, in the concept of thinking, the idea's substance covers the spatial planning of the DIY region comprehensively. It is directed to not conflict with the national spatial layout and the essence of DIY privilege [9].

To formulate the special spatial of DIY through the Regional Regulations, it is emphasized that the cultural paradigm is used as the basis for thinking the cultural values become the basis and core for the spatial units and units of DIY. From the realities of the field, it is clear that the existence of old cultural spaces, which contain the spirit of culture, is an essential part of the capital in the special spatial layout of DIY regulated in the Regional Regulations. Cultural space units containing old culture, especially in the lands of the

Sultanate and Duchy, become the "capital and model" for the development of other spatial units in the woven spatial planning unit in DIY that expresses the values and special spirit of DIY.

In addition, following the times, the spatial unit of DIY will also be equipped with new or contemporary cultural units or modern cultural spaces that continue to grow. This means that the spatial division of DIY will be vibrant with cultural-based spatial units with diverse cultural spirits and each with certain characteristics. These cultural space units with specific characteristics are then integrated into the spatial unit as a woven fabric that forms the overall DIY layout. Yogya has similarities with Kyoto, which highly values cultures that are characteristic of certain people. DIY is rich in culture and traditions, so past practices are important "capitals and models" that are read with a forward perspective and not trapped in a romantic past. The past will become an integral part of the present and an inspiration for the future to be better.

DIY has an extraordinary location, located between Mount Merapi and the Indonesian Ocean, which has specific characteristics and is blessed with a disaster situation that can always be guaranteed to exist. Hence, tension condition due to the uniqueness of the location gives birth to creativity and spirituality with specific characteristics. There is an active volcano; on the south side, there is a turbulent ocean with the base of the earth's plate rising 7 cm per year. Therefore, sooner or later, a big earthquake will occur in Yogyakarta. The location uniqueness has been proven to give birth to constant tension and become a trigger and context for the growth of creativity and the birth of a specific distinctive culture in DIY [11].

The city of Yogyakarta, as the core part of the spatial unity of DIY is located between six symmetrically flanking rivers, namely the Code and Winanga rivers in the first ring, the Gajahwong and Bedog rivers in the second ring, and the Opak and Progo rivers in the third ring. There is Mount Merapi, which is still active to the north, and to the south, there is the South Sea, which is always turbulent. The configuration of these location components has a very high historical and philosophical value and is a consideration for Prince Mangkubumi to place the core area of his kingdom. This uniqueness is one of the features of DIY spatial planning that needs to be maintained and utilized and managed to support and strengthen the special of DIY.

The special spatial layout of DIY is the arrangement of the Sultanate land space unit or the Kadipaten land space unit and other spatial units that form an area that has cultural preservation values, social interests, public welfare, and environmental sustainability. The area is an area that has the primary function of protection or cultivation. Protected areas are designated areas with the primary role of protecting environmental sustainability and the identity of the Special Region of DIY, which includes natural resources, artificial resources, and cultural resources. At the same time, the cultivation area is an area that is determined with the primary function to be cultivated based on the conditions and potential of natural resources, human resources, and artificial resources [11].

Each special area has a core zone and a buffer zone. Core Zones are defined for the direct protection of privilege functions. Buffer Zone has influence, security, and immediate impact on the core zone, which is determined to support the core zone's role, value, and character. DIY spatial planning contains aspects of justice, welfare, and sustainability, essential elements in spatial planning regulation. Utilization and development activities within the privileged area must support the values and spirit of the special DIY. Thus, any spatial use and development implementation in the Special Region of Yogyakarta in spatial units within the designated cultural heritage area and cultural heritage site may not damage, eliminate, and result in the destruction of cultural heritage characterizes the image of the protected cultural area and cultural heritage sites.

Concerning new developments, additions, shifts, changes, and demolition, including infrastructure, must also be following the functions and forms, layouts, materials, structures, and ornaments adapted to environmental harmony in the cultural space units set as a reference. The use of space that maintains the connection of functions and cultural values must obtain permission from the provincial/district/city government and the Sultanate and Duchy.

4. Conclusion

The Special Regulations of DIY aim to realize good and democratic governance, peace and welfare of the people, guarantee diversity in diversity, and institutionalize the roles and responsibilities of the Sultanate and Duchy in maintaining and developing the culture of Yogyakarta, which is the nation's cultural heritage. The regulation is based on the principles of recognition of the rights of origin, populist, democracy, diversity in diversity, government effectiveness, national interest, and the utilization of local wisdom. The arrangement of the DIY privileges in the regional regulations must be within the corridors of the unitary state of the Republic of Indonesia. Sultanate land and Pakalaman land used as strategic areas in the DIY spatial planning, which will later become Building and Environmental Planning (RTBL) and Detailed Spatial Plan (RDTR) regarding the strategic area of the sultanate land and the strategic area of the sultanate land and area, among the areas that will be designated for strategic areas, are the Kraton area, Tamansari, and Magersari areas. The realm of implementation on the special features of DIY spatial planning will show the general framework of spatial policies on Sultanate Ground (SG) and Pakualaman Ground (PAG), directives for managing and using non SG and non-PAG land.

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Acknowledgements and Reference headings should be left justified, bold, with the first letter capitalized but have no numbers. Text below continues as normal.

References

- [1] Illiyani, M. (2020). Polemik Pertanahan Di Daerah Istimewa Yogyakarta: (Paska terbitnya Undang-Undang No 13 Tahun 2012 Tentang Keistimewaan Daerah Istimewa Yogyakarta). *Jurnal Masyarakat dan Budaya*, 22(3)
- [2] Tanjung, L. N., Mutiarin, D., & Purnomo, E. P. (2018). Monitoring dan Evaluasi Pemanfaatan Dana Keistimewaan Daerah Istimewa Yogyakarta Tahun 2013-2017. *Jurnal Agregasi: Aksi Reformasi Government dalam Demokrasi*, 6(1).
- [3] Prihatin, R. B. (2015). Alih Fungsi Lahan di Perkotaan (Studi Kasus di Kota Bandung dan Yogyakarta). *Aspirasi: Jurnal Masalah-masalah Sosial*, 6(2), 105-118.
- [4] Iqbal, M., & Pratiwi, V. P. (2020). Land Management in Yogyakarta Special Region. *JOURNAL OF GOVERNMENT (Kajian Manajemen Pemerintahan dan Otonomi Daerah)*, 5(2), 89-105.
- [5] Pratiwi, R. D., Fatimah, I. S., & Munandar, A. (2018, August). Spatial planning for green infrastructure in Yogyakarta City based on land surface temperature. In *IOP Conference Series: Earth and Environmental Science* (Vol. 179, No. 1, p. 012004). IOP Publishing.
- [6] Pujotomo, M. S., & Sudibyakto, H. A. (2009, February). Coastal changes assessment using multi spatio-temporal data for coastal spatial planning Parangtritis beach Yogyakarta Indonesia. *ITC*.
- [7] Hasim, R. A. (2016). Politik hukum pengaturan sultan ground dalam undang-undang no. 13 tahun 2013 tentang keistimewaan Yogyakarta dan hukum tanah nasional. *Arena Hukum*, 9(2), 207-224.
- [8] Dwiyanany, S., & Wardhani, L. T. A. L. (2019). Sistem Pertanahan Keraton Yogyakarta Sebagai Daerah Otonomi Khusus. *Jurnal Pembangunan Hukum Indonesia*, 1(2), 226-236
- [9] Wardhana, D. S. B., & Indradjati, P. N. (2019). Rekontekstualisasi Hasil Integrasi Nilai Budaya Dalam Perencanaan Kota Yogyakarta. *TATALOKA*, 21(1), 100-114.
- [10] Divigalpitiya, P., & Handayani, K. N. (2015). Measuring the Urban Expansion Process of Yogyakarta City in Indonesia Urban expansion process and spatial and temporal characteristics of growing cities. *International Review for Spatial Planning and Sustainable Development*, 3(4), 18-32.
- [11] Handayani, S. W., Sujadi, S., & Sumantri, A. S. (2020). A critical review of the discrepancy between the spatial planning map and the spatial planning regulation of agricultural lands in Indonesia: Kulon Progo Regency case study. *World Review of Science, Technology and Sustainable Development*, 16(4), 343-360.
- [12] Naskah Akademik Peraturan Daerah Istimewa tentang Tata Ruang Tanah Kasultanan dan Tanah Kadipaten