

CHAPTER ONE

INTRODUCTION

A. Background of Research

The interesting topic to be discussed on Spatial Plans of Yogyakarta City Year 2010-2029 is that the existence of spatial plans has become a disorder. Green open space was replaced by the rise of hotel buildings, malls, apartments, and other buildings which are caused the environment around those buildings faces the impact of the irregularities of spatial in Yogyakarta Special Region (DIY). The fact is that the groundwater levels in Yogyakarta and Sleman cities decreased up to 4 meters. If in the past, to scale the groundwater only needed about 7 meters of digging but now, it needs more than 11 meters.¹

The development activities in the urban area caused the increase of population intensiveness. This situation makes the rapid of development increase, as an effort to improve the welfare and prosperity of people in urban areas. This is in accordance with the mandate which is stated in Article 33 paragraph (3) of the 1945 Constitution² “the land, the waters and the natural resources within shall be under the powers of the State and shall be used to the greatest benefit of the people”.³ But the rapid

¹ Anonymous, 2016, “Tata Ruang di Yogya Amburadul, Permukaan Air Turun”, available at <http://economy.okezone.com/read/2016/03/06/470/1328939/tata-ruang-di-yogya-amburadul-permukaan-air-turun> accessed on May 26th, 2017, at 10:17 a.m

² The 1945 Constitution of Republic of Indonesia Article 33 paragraph 3

³ Juniarso Ridwan, dan Achmad Sodik, 2013, *Hukum Tata Ruang dalam Konsep Kebijakan Otonomi Daerah*, Penerbit Nuansa Cendikia, p.16

development that occurred in those areas seems to deviate from the proper guidelines.

Because of the issue of spatial plans' deviate is getting wider, the researcher is very interested in discussing it more detail regarding the supervision of the implementation of the regulation on spatial plans of Yogyakarta City.

Dwi Ardianta Kurniawan⁴ stated that the quality of spatial development directions has decreased and left the concept of sustainable development.⁵ Within the existence of this problem, it is necessary to have a Local Regulation which accommodates the needs of the community and not to reduce the environmental quality of the community as well as to pay attention to the sustainable development in the arrangement of spatial. Basically, spatial is a form of space arrangement with the essence on a sustainable development.

In addition, what is meant by sustainable development is a development which incorporates environmental considerations in the development policies. The development does not only solve the problem of welfare in the present but also improve a long-term welfare.⁶

⁴ Dwi Ardianta Kurniawan is the researcher of Center for Transportation and Logistics (Pusat Transportasi dan Logistik/Pustral) Universitas Gajah Mada

⁵ Gusti, 2017, "Kota Yogyakarta Darurat Tata Ruang", available at <https://www.ugm.ac.id/id/berita/13377-kota.yogyakarta.darurat.tata.ruang> accessed on November 1st, 2017 at 10:54 p.m

⁶ Yunus Wahid, 2015, *Pengantar Hukum Tata Ruang*, Jakarta: Kencana Prenada Media Group, p.11

According to the result of the coordination meeting between the Environmental Agencies (*Badan Lingkungan Hidup/BLH*) and Huda Tri Yudiana⁷, Yogyakarta Special Region has less than 20,000 hectares of green open spaces. The fact is the green open space has crushed with the built of hotels, malls, and apartments. The constructions have ignored the environmental capacity that brings impact to the water sources. Moreover, the coordination between local government and regency/city on spatial planning and management is needed.

Furthermore, Lutfi Muta'ali⁸ said urban spatial is indeed apprehensively. It is marked by the appearance of uncontrolled hotels and malls construction, green open spaces, and the traffic jam which is necessarily considered to reformulate the vision and mission of Yogyakarta. The regulation on spatial planning should be reviewed, starting from dismantling the construction of malls, hotels and other buildings in accordance with the applicable of Yogyakarta Local Regulations.⁹

By seeing these facts, there must be a contribution of the executive and the legislative in formulating, implementing, and supervising the spatial plans which can be more suitable with the Legislation. Furthermore, the public space in the city will be much better, create welfare of society, and give positive impact on the environmental quality.

⁷ Huda Tri Yudiana is the Member of Commission C Regional People's Representative Council (DPRD) of Yogyakarta Special Region

⁸ Lutfi Muta'ali is the spatial observer of Gadjah Mada University (UGM)

⁹ Anonymous, *Op.Cit*, p.1

B. Research of Problem

Based on the background above, the researcher formulates the research problem on:

1. How is the implementation of the Local Regulation of Yogyakarta City on Spatial Plans of Yogyakarta City year 2010-2029?
2. What are the obstacles on the implementation of the Local Regulation of Yogyakarta City on Spatial Plans of Yogyakarta City year 2010-2029?

C. Objectives of Research

1. To understand the Local Regulation of Yogyakarta City Number 2 of 2010 on Spatial Plans of Yogyakarta City year 2010-2029.
2. To analyze the implementation of Local Regulation of Yogyakarta City on spatial plans of Yogyakarta City year 2010-2029.
3. To give a better suggestion on the implementation of Local Regulation of Yogyakarta City on spatial plans of Yogyakarta City year 2010-2029.

D. Benefits of Research

1. Theoretical Benefit

This research gives benefit on the understanding of the role of the legislative or local government in the implementation of Local Regulation on spatial plans in Yogyakarta.

2. Practical Benefit

This research provides the implementation of Local Regulation of Yogyakarta City on Spatial Plans of Yogyakarta City, whether the implementation has already been in accordance with the regulation or not.