

## LEGAL POLICIES RELATED TO THE PROVISION OF OPEN GREEN SPACES IN TOWN SEMARANG

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### ABSTRACT

*The land use in the city of Semarang from year to year change dramatically, from agricultural to residential and industrial, causing loss of public space, including the green space. The green open space in urban planning is very important factor for the development and characteristics of a city itself. This study aims to analyze the local government legal policy in providing green space and its strategies for the provision of green open space planning. The results of this study indicate that the legal policy of providing open green space in the city of Semarang is based on the demands of the Law for the National Spatial balance between the developments of the city with the environment. The spatial strategy of the Semarang City Government in providing green open space including economic development zone by setting the right, as well as settlements and the use of other spaces are interrelated. Consistency of law enforcement has a significant impact on the sustainability of green open space.*

**Keywords:** *spatial, Green open space, land use strategy, Semarang City*

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### INTRODUCTION

Semarang is the capital city of Central Java Province. Its development is supported by other neighborhoods such as Ungaran city, Demak regency, Salatiga city, and Kendal regency. As the city is growing, the land use in Semarang city annually changes from agricultural use to non-agricultural one. In 2011, the data indicates that the proportion of the land use in Semarang city is mostly occupied by the housing reaching 33,12%. This means that domestic service function is found to be dominant. Meanwhile, the demand for housing increases as the number of population is growing. It is certain that the land in Semarang will be changed into residence areas completed with other facilities or infrastructures. Having said this, an “exploration” of the land utilization will be unavoidable. This leads to another problem such as the limited public spaces due to the decrease of the green space environment.

Currently, the housing establishment and the growth of industrial sector trigger the decrease of the public areas including the open green space in Semarang. This leads to curiosity of the writer to study the open green space (in Indonesia it is called *Ruang Terbuka Hijau-RTH*). The title of the research is Open Green Space Plan Strategies in Semarang. The research problems are (1) how is the plan of the open green space in Semarang city?, and (2) what is the plan regulation for open green space provision in Semarang city?. The research aims to gather the profile of the existence of the open green space in Semarang city. Further, this research is expected to provide solutions for strategic planning for open green space (RTH) provision in Semarang city.

### DISCUSSION

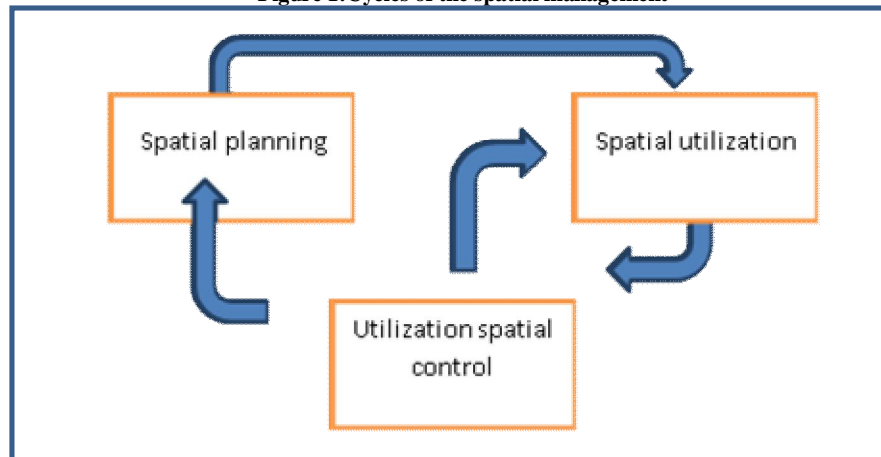
#### Planning of Open Green Space

Open Green Space is:

“Open green space is an area of a lengthwise or lane and/or cluster where the plant is grown naturally and is intentionally planted and its utilization is open” (Article 29 UU year 2007 related to Spatial Management)

The Open Green Space is mostly used to grow any kind of plant naturally or to cultivate plant such as farming, horticulture, gardens, etc (Instruction of Ministry of Home Affairs No.14, 1988). The existence of the RTH is well written in the city planning holistically as seen in Figure 1:

Figure 1: Cycles of the spatial management



In the spatial planning, there are three important cycles. They are planning, utilization, and controlling. Planning is the most important phase in the cycles as well as in the open green space stage in a city. The RTH is categorized into two kinds:

a. *Public green open space*

It is an area owned and managed by local government. This space is provided for public needs such as city park, public cemetery, green lane along the road, river, and beach.

b. *Private green open space*

The Private green open space includes park/front-house yard, public/private building where the plant is grown. Article 29 states that the proportion of the city at least reaching 30% of the whole width of the area. Meanwhile, the open green space for public is at least 20% out of the whole city area. This 30% is regarded as a minimum number to balance the available ecosystem in the city either the hydrology, microclimate system, or other ecological system. This will provide people clean air and aesthetic value of the city. On the other hand, the 20% proportion area provided by the local government is intended to benefit wider society.

As 30% areas out of the whole city's width should be provided by the local government, Semarang city provides this open green space. The regulation is written in Local Policy Number 7 in 2010 mentioning about the Open Green Space Arrangement. This RTH is very seminal to meet the needs of the city which is also in line with the principle of "sustainable". This sustainable principle means that comfortable environment in open green space is not only required by current generation, but also for the next one. Meanwhile, creating comfortable environment including the Open green space for public is the state's responsibility. To confirm, one of Stockholm principles-the 21 principle states:

*"state have, in accordance with the charter of the United Nation and the principles of International law, the sovereign rights to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other state or of areas beyond the limits of national jurisdiction"*.

There are many functions of the open green space. They are to protect the existing ecosystem, to create cleanness, health, environmental harmony and life system, recreational area, to prevent water and air pollution, to enable research and education learning process, to provide guidance for society for creating environmental awareness, and to make the microclimate better, and arrange the water system.

**Regulation for Open green space planning**

As mentioned above, the open green space planning is included in the spatial plan holistically. To achieve 30% out of the whole area needs regulation and policy enforcement.

Planning phase is the basis for the utilization and the controlling phase. It is noted that the law system of Lawrence Friedman mentions three points on the law:

- a) *Substance*
- b) *Legal Culture*
- c) *Structure*

Hence, we could see the open green space regulation from the three perspectives. First is the substance of the open green space provision which is undoubtedly required in a city as a public space having certain functions and purposes. Second is the culture of people in the city. The culture of the society in the city is heterogeneous as they come from different background of education, job, and diverse culture. As Semarang is the capital of Central Java province, there is a need to manage the city for accommodating the needs of the people and compromising heterogeneous demands from society.

Having said that, the regulation and policy established by the local government is aimed to accommodate demands and goals as well as the function of the Open Green Space in Local regulation-Perda No.7 2010. This RTH is also included in the spatial city planning.

The policy of the government for open green space provision can be described as follow:

1. Determining the region zoning based on the ecological factor and the potency of natural resources from the region, landscape, economy, social and cultural aspect.
2. Dividing the open green space to become the protected areas and cultivation.

## CONCLUSION

To sum up, it is noted that the existence of open green space in Semarang city is insufficient especially in the centre of the city. However, the local government keeps trying to provide the open green space.

This study has several recommendations. It is expected that to accelerate the provision of open green space, the synergism of the Dinas or related institutions should consistently have common commitment and purposes in the spatial planning, and its utilization in the city. This is done by having the open green space planned in the spatial city planning in local regulation (Perda).

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