

GOVERNMENT OF THE REGENCY OF GRESIK

REGIONAL REGULATION OF THE REGENCY OF GRESIK

NUMBER 26 OF 1992

ON

THE GENERAL SPATIAL PLAN OF THE REGENCY OF GRESIK

BY THE BLESSINGS OF ALMIGHTY GOD

THE REGENT OF GRESIK

Considering: a. That in order to create ease in carrying out development in the region and to improve the balance of spatial utilization, a definite direction regarding spatial utilization is needed;

a. That based on the consideration of sub-paragraph (a) above, it is necessary to issue a Regional Regulation on the General Spatial Plan of the Regency of Gresik.

Considering: 1. Law Number 5 of 1974 on the Principles of Regional Government;

2. Law Number 12 of 1950 on the Formation of Regencies within the Province of East Java juncto Law Number 2 of 1965 on the Amendment of the Boundary of Surabaya Municipality and the Regency of Surabaya;

3. Law Number 5 of 1967 on the Principles of Forestry;

4. Law Number 11 of 1967 on the Basic Provisions of Mining;

5. Law Number 3 of 1972 on Transmigration;
6. Law Number 11 of 1974 on Irrigation;
7. Law Number 5 of 1979 on Village Government;
8. Law Number 13 of 1980 on Roads;
9. Law Number 4 of 1982 on the Basic Provisions for Environmental Management;
10. Law Number 5 of 1984 on Industry;
11. Law Number 5 of 1990 on the Conservation of Natural Resources and Biodiversity;
12. Law Number 9 of 1990 on Tourism;
13. Government Regulation Number 38 of 1974 on the Change of Name of Surabaya Regency to Gresik Regency;
14. Government Regulation Number 22 of 1982 on the Procedure for Water Management;
15. Government Regulation Number 23 of 1982 on Irrigation;
16. Government Regulation Number 26 of 1985 on Roads;
17. Government Regulation Number 28 of 1985 on Forest Protection;
18. Government Regulation Number 29 of 1986 on Environmental Impact Analysis;
19. Government Regulation Number 14 of 1987 on the Transfer of Certain Government Affairs in the

Field of Public Works to the Regions (State Gazette of the Republic of Indonesia of 1987 Number 25, Supplement to the State Gazette of the Republic of Indonesia Number 3352);

20. Government Regulation Number 6 of 1988 on the Coordination of Vertical Agency Activities in Regions;

21. Presidential Decree Number 32 of 1990 on the Management of Protected Areas;

22. Presidential Decree Number 33 of 1991 on Land Use for Industrial Areas;

23. Regulation of the Minister of Home Affairs Number 14 of 1974 on the Form of Regional Regulations;

24. Regulation of the Minister of Home Affairs Number 33 of 1992 on Guidelines for the Preparation of Regional Regulations on the Provincial Spatial Structure Plan and the General Spatial Plan of the Regency;

25. Regional Regulation of the Regency Number 2 of 1989 on the Basic Development Pattern of the Regency of Gresik for the years 1990-1993/1994.

With the Approval of

THE REGIONAL HOUSE OF REPRESENTATIVES OF REGENCY OF GRESIK

RESOLVES

To Enact: REGIONAL REGULATION OF THE REGENCY OF GRESIK ON THE GENERAL SPATIAL PLAN OF THE REGENCY OF GRESIK

CHAPTER I

## GENERAL PROVISIONS

### Article 1

In this Regional Regulation:

- a. Region, means the Regency of Gresik;
- b. Regional Government, means the Head of Region and the Regional House of Representatives of the Regency of Gresik;
- c. Regent, means the Regent of Gresik;
- d. The General Spatial Plan of the Regency (hereinafter referred to as the RUTR Regency), means the policy of the Regional Government of the Regency that determines the locations and areas that must be protected, the location of the development of cultivation areas including production areas and residential areas, the infrastructure network pattern and the areas within the Regency that will be prioritized for development within the planning period;
- e. Protected Area, means an area designated whose main function is to protect the sustainability of the environment encompassing natural resources, man-made resources, and historical and cultural values of the nation for the sake of sustainable development;
- f. Cultivation Area, means an area that is utilized in a planned and directed manner so that it can be effective and efficient for human life and living, consisting of agricultural cultivation areas and non-agricultural cultivation areas;
- g. Space, means a living space that includes land space, as a single territorial unit where humans and other living creatures carry out their activities and maintain their survival;

- h. Spatial Planning, means the structural form and pattern of land use in the Regency, encompassing protected areas and cultivation areas, both planned and unplanned, which shows the hierarchy and interconnectedness of land use;
- i. Spatial Arrangement, means the process of planning, land use, and its control;
- j. Spatial Plan, means the result of spatial planning.

## CHAPTER II

### PRINCIPLES, OBJECTIVES, TARGETS, AND FUNCTIONS

#### Part One

#### Principles

#### Article 2

The General Spatial Plan of the Regency is based on the principles of:

- a. Benefit, namely optimal utilization reflected in the determination of the hierarchy of service functions and network systems.
- b. Balance and Harmony, namely creating a balance and harmony of functions and intensity of land use in an area.
- c. Sustainability, namely creating a harmonious relationship between humans and the environment, reflected in the intensity of land use.

## Part Two

### Objectives

#### Article 3

The General Spatial Plan of the Regency aims to:

- a. Formulate the main policies for land use in the Regency.
- b. Achieve the interconnectedness and balance of development between regions carried out by the Government and the community in the Regency.
- c. Determine the location of investment carried out by the Government and the community in the Regency.
- d. Compile detailed spatial plans in the Regency and the implementation of development in utilizing space for development activities, and serve as the basis for issuing building location permits.

## Part Three

### Targets

#### Article 4

The targets of the General Spatial Plan of the Regency are:

1. The orderly arrangement of protected areas.
2. The orderly arrangement of hierarchical service centers.

3. The orderly arrangement of the transportation system.
4. The orderly arrangement of infrastructure and facilities for social, economic, and other purposes.
5. The orderly arrangement of production centers.
6. The orderly arrangement of urban and rural settlements.

## Part Four

## Functions

### Article 5

The functions of the General Spatial Plan of the Regency are:

- a. To be a elaboration of the Provincial Spatial Structure Plan, applicable development policies, and the Basic Regional Development Pattern of the Regency.
- b. To be the basis for consideration in the preparation of the Five-Year Development Plan of the Regency.
- c. To be the basis for the preparation of detailed spatial plans for areas.

### Article 6

The planning area in the General Spatial Plan of the Regency is the area in the sense of administrative area covering 117,407 hectares.

## Article 7

The time frame of the General Spatial Plan of the Regency is 10 (ten) years.

## CHAPTER III

### SPATIAL STRUCTURE

#### Part One

##### Hierarchy of Service Centers

## Article 8

Regional service centers in the Regency of Gresik are:

- a. Gresik City functions as a trading center.
- b. Gresik City functions as an educational service center.
- c. Gresik City functions as a cooperative service center.

#### Part Two

##### Transportation System

## Article 9

The transportation system is directed to support socio-economic development, trade, tourism, and



national defense and security.

## Article 10

(1) The land transportation network consists of:

- a. Primary arterial roads, connecting Surabaya to Lamongan via Duduksampeyan District.
- b. Collector roads, connecting Gresik to Lamongan via several districts.
- c. Secondary collector roads, connecting Gresik to Surabaya via several districts.
- d. Local roads, connecting to several districts except Duduksampeyan District.
- e. Railway, connecting Surabaya to the West, Bojonegoro, continuing to Jakarta.
- f. River and crossing transportation connecting Gresik to Bawean Island.

(2) Location and function of seaports:

- a. In Gresik, functioning as a general port.
- b. In Sangkapura, functioning as a general port.

## Part Three

### Development of Other Infrastructure and Facilities

## Article 11

The provision and regulation of irrigation infrastructure and facilities are carried out by paying close attention to the maximum efforts for soil and water conservation in agricultural cultivation areas.

## Article 12

(1) The development of electricity is aimed at increasing installed capacity and usable capacity.

(2) The area of high-voltage electricity transmission lines is charged from the building.

## Article 13

The development of telecommunication networks is located in activity centers:

- a. Government.
- b. Trade and services.
- c. Industry.
- d. Residential areas.
- e. Recreation, entertainment, schools, and others.

## CHAPTER IV

### ALLOCATION OF LAND USE

#### Part One

## Protected Areas

### Article 14

Protected areas in the Regency of Gresik consist of:

- a. Areas that provide protection for downstream areas.
- b. Local protection areas.
- c. Nature reserves and wildlife sanctuaries.
- d. Disaster-prone areas.

### Article 15

Areas that provide protection for downstream areas as referred to in section 14 (a) include forest areas and so on. The Protected Forest area located in Sangkapura District.

### Article 16

Local protection areas as referred to in section 14 (b) include:

- a. Coastal buffer zones, encompassing the land along the edge with a width proportional to the shape and physical condition of the coast, a minimum of 100 meters from the highest high tide mark towards the land.
- b. River buffer zones, encompassing an area 100 meters wide on either side of large rivers.
- c. Areas around lakes/reservoirs, encompassing the land along the edge of the lake/reservoir with a

width proportional to the shape and physical condition of the lake/reservoir, between 50-100 meters from the highest high tide mark towards the land.

d. Areas around springs, encompassing an area with a radius of at least 200 meters around the spring.

## Article 17

Nature reserves and wildlife sanctuaries as referred to in section 14 (c) include:

a. Nature reserves include:

1) Nature Reserves

- Bawean Island Nature Reserve located in Sangkapura District.

2) Wildlife Sanctuaries.

- Bird Wildlife Sanctuary located in Ujungpangkah District.

- Bat Wildlife Sanctuary located in Manyar District.

- Bawean Deer Wildlife Sanctuary.

b. Marine and other water nature reserves including:

1) Mayangkara Beach located in Tambak District.

2) Kastoba Lake located in Tambak District.

c. Mangrove forest coastal areas encompassing areas with a distance of at least 130 times the annual average difference between high and low tides towards the land.

## Article 18

Disaster-prone areas as referred to in section 14 (d) are located in: Cerme District.

## Part Two

### Direction for the Development of Cultivation Areas

#### Article 19

Cultivation areas in the Regency of Gresik consist of:

- a. Production forests.
- b. Agricultural areas;
- c. Mining areas;
- d. Industrial areas;
- e. Tourism areas;
- f. Residential areas;
- g. Other areas.

#### Article 20

Production forests as referred to in section 19 (a) consist of:

- a. Limited Production Forests located in Tambak District.
- b. Permanent Production Forests located in Sangkapura District.
- c. Conservation Production Forests located in Panceng District.

#### Article 21

Agricultural areas as referred to in section 19 (b) consist of:

- a. Wet Rice Paddy Agricultural Areas located in Cerme District.
- b. Dry Land Food Crop Areas located in Sangkapura District.
- c. Perennial Crop/Plantation Areas located in Sangkapura District.
- d. Fish farming areas located in Wringinanom District.
- e. Fisheries areas located in Ujungpangkah District, Panceng District, and Manyar District.

#### Article 22

Mining areas as referred to in section 19 (c) consist of:

- a. Phosphate mining located in Panceng District.
- b. Dolomite mining located in Panceng District.

#### Article 23

Industrial areas as referred to in section 19 (d) consist of:

- a. Basic Metal Industrial Area located in Driyorejo District.
- b. Handicraft Industrial Area located in Sangkapura, Tambak, Kedamean, and Menganti Districts.

#### Article 24

Tourism areas as referred to in section 19 (e) consist of:

- a. Sunan Giri Tomb Tourism Area located in Kebomas District.
- b. Sheikh Maulana Malik Ibrahim Tomb Tourism Area located in Gresik District.
- c. Leran Tourism Area located in Manyar District.
- d. Sunan Kalijaga Hermitage in Panceng District.
- e. Ria Beach, waterfalls, hot springs, long tombs located in Sangkapura District.
- f. Bandeng Auction in Gresik District.

#### Article 25

Residential areas as referred to in section 19 (f) consist of:

- a. Urban residential areas located in Gresik District and Kebomas District.

b. Rural residential areas located in Duduksampeyan District and Tambak District.

## Article 26

Other areas as referred to in section 19 (g) consist of:

Tourism industrial areas located in Tambak District and Sangkapura District.

## Part Three

### Priority Area Development

## Article 27

Priority development basically refers to the interests of sectors/sub-sectors or problems that urgently require handling.

## CHAPTER V

### IMPLEMENTATION OF THE GENERAL SPATIAL PLAN OF THE REGENCY

## Article 29

The preparation and implementation of programs and projects in cultivation areas and protected areas, carried out by Government Institutions, the Private Sector, and the community must be based on the main policies as referred to in Chapter IV of this Regional Regulation.

## Article 30



The map of the land use allocation plan, spatial structure, and priority areas with an accuracy scale of 1:125,000 as attached is an inseparable part of this Regional Regulation.

#### Article 31

The General Spatial Plan of the Regency is open to the public and is placed in the Regional Government Office and places that have been seen by the public.

#### Article 32

The community has the right to obtain accurate and easy access to information regarding the General Spatial Plan of the Regency.

### CHAPTER VI

#### CONTROL AND SUPERVISION OF SPATIAL PLAN UTILIZATION

#### Article 33

(1) Control and supervision of the General Spatial Plan of the Regency are carried out in accordance with this Regional Regulation to ensure the achievement of the objectives and targets of the plan as referred to in Articles 3 and 4 of this Regional Regulation by the Regent.

(2) The integrated implementation of the General Spatial Plan of the Regency is coordinated by the Regent.

#### Article 34

(1) Control of physical development in Cultivation Areas is carried out through licensing authority at

the Regional Government Institution of the Regency.

(2) The implementation of law enforcement actions is carried out by the Regency, based on the General Spatial Plan of the Regency.

(3) Monitoring and prevention of all development activities that contradict this Regional Regulation is the authority of the Sub-district Head/Head of the Sub-district, and they must report to the Regent within a maximum of 3 x 24 hours.

## CHAPTER VII

### CHANGES TO THE GENERAL SPATIAL PLAN

#### Article 35

(1) The established Regional General Spatial Plan can be amended to be adapted to the circumstances.

(2) Amendments as referred to in section (1) of this article are enacted by Regional Regulation.

## CHAPTER VIII

### TRANSITIONAL PROVISIONS

#### Article 36

With the enactment of this Regional Regulation:

a. Cultivation activities that have been established and are located in protected areas may be continued as long as they do not interfere with the protective function.

b. In the event of existing cultivation activities that are deemed to interfere with the protective function and/or are forced to convert protected areas, they are regulated in accordance with the applicable provisions in Government Regulation Number 29 of 1986 on Environmental Impact Analysis.

c. Existing cultivation activities in protected areas that are deemed to interfere with their protective function must have their further development immediately prevented.

#### Article 37

Provisions regarding the direction of the utilization of marine and sea space will be further regulated in accordance with applicable laws and regulations.

#### Article 38

The RUTR of the Regency of Gresik is evaluated at least once every 5 (five) years and adjusted to the National Development Plan and the Regional Development Plan of East Java Province, as well as the Regional Development Plan of the Regency of Gresik.

### CHAPTER IX

#### FINAL PROVISIONS

#### Article 39

Matters not regulated in this Regional Regulation, as far as their implementation is concerned, will be further regulated by the Decision of the Head of Region.

#### Article 40

1) All Regional Regulations whose contents contradict this Regional Regulation are declared null and void.

2) This Regional Regulation shall come into effect on the date of its promulgation.

In order that everyone may know this, the promulgation of this Regional Regulation is ordered in the Regional Gazette of the Regency of Gresik.

Gresik, March 19, 1992

THE REGIONAL HOUSE OF REPRESENTATIVES OF THE REGENCY OF GRESIK THE  
REGENT OF GRESIK

Chairman,

[Signature] [Signature]

M. MATAHIR DJUHANSAH

Ratified by the Decision of the Governor of East Java Province dated February 8, 1994, Number 70/P of 1994.

On behalf of the GOVERNOR OF EAST JAVA PROVINCE

Assistant I Regional Secretary/Area (Governmental Affairs)

[Signature]

Drs. MOH. SAFI?I AS?ARI

Senior Principal Officer

NIP. 010 052 819

Promulgated in the Regional Gazette of the Regency of Gresik dated March 11, 1994, Number: 2 of 1994 series C.

On behalf of THE REGENT OF GRESIK

Regional Secretary/Area

[Signature]

SOEHARMANTO, SH.

Principal Officer

NIP. 010 069 894

EXPLANATION

OF THE REGIONAL REGULATION OF REGENCY OF GRESIK

NUMBER 26 OF 1992

ON

# THE GENERAL SPATIAL PLAN OF THE REGENCY OF GRESIK

## I. GENERAL EXPLANATION

As outlined in the Letter of the Minister of Home Affairs dated March 1992, Number 188.3/801/SJ, regarding Guidelines for the Preparation of Regional Regulations on RSREP and RTR Kabupaten/Kota (Regional General Spatial Plan of the Regency of Gresik (RTR Regency of Gresik)), which serves as an elaboration of the Provincial Spatial Structure Plan of East Java Province and is a spatial dimension and the Basic Regional Development Pattern of the Regency of Gresik, used as a basis for consideration in preparing the Five-Year Regional Development Plan of Gresik Regency, including as a basis for preparing detailed spatial plans for areas. Therefore, the General Spatial Plan of the Regency of Gresik needs to be compiled with a Regional Regulation.

## II. EXPLANATION ARTICLE BY ARTICLE

### CHAPTER 1: General Provisions

- Article 1: Sufficiently clear.

### CHAPTER II: Principles, Objectives, Targets, and Functions

- Article 2: Sufficiently clear.

- Article 3: Sufficiently clear.

- Article 4: Sufficiently clear.

- Article 5: Sufficiently clear.

### CHAPTER III: Position, Area, and Time Frame of the Plan

- Article 6: Sufficiently clear.
- Article 7: Filled with the total area of the administrative area.
- Article 8: Sufficiently clear.

#### CHAPTER IV: Spatial Structure

- Article 9: Service centers are determined based on the level of completeness of social and economic service facilities that are regional in nature, including raw water found in each city.
- Article 10: Sufficiently clear, needs to be adjusted to the conditions found in the region.
- Article 11: Sufficiently clear, needs to be adjusted to the conditions found in the region.
- Article 12: Sufficiently clear.
- Article 13: Sufficiently clear.
- Article 14: Sufficiently clear and adjusted to the priorities of the region.

#### CHAPTER V: Allocation of Land Use

- Article 15: Filled with the name of the Regency. Clearly, the area is adjusted to the conditions found in the region. The grouping of area types is in accordance with Presidential Decree Number 32 of 1990 on the Management of Protected Areas.
- Article 16: This is a further explanation of Article 15 (a). Adjusted to the conditions found in the

region and filled with the name of the District. The grouping of area types is in accordance with Presidential Decree Number 32 of 1990 on the Management of Protected Areas.

- Article 17: This is a further explanation of Article 15 (b). Adjusted to the conditions found in the region. The grouping of area types is in accordance with Presidential Decree Number 32 of 1990 on the Management of Protected Areas.

- Article 18: This is a further explanation of Article 15 (c). Filled with the name of the area, the name of the District and adjusted to the type of area found in the region.

- Article 19: This is a further explanation of Article 15 (d). Filled with the name of the District and adjusted to the conditions found in the region.

- Article 20: Filled with the name of the Regency and adjusted to the conditions found in the region.

- Article 21: This is a further elaboration of Article 20 (a). Filled with the name of the District and adjusted to the conditions found in the region.

- Article 22: This is a further elaboration of Article 20 (b). Filled with the name of the District and adjusted to the conditions found in the region.

- Article 23: This is a further elaboration of Article 20 (c). Filled with the name of the type of mining and the name of the District.

- Article 24: This is a further elaboration of Article 20 (d). Filled with the name of the Industrial Area and the name of the District.

- Article 25: This is a further elaboration of Article 20 (e). Filled with the name of the Tourism Area and the name of the area.



- Article 26: This is a further elaboration of Article 20 (f). Filled with the Residential Area and the name of the District.
  
- Article 27: This is a further elaboration of Article 20 (g). What is meant by Other Areas includes, among other things, Military Areas, strategic areas, and so on. Filled with the name of the area and the name of the District.
  
- Article 28: Sufficiently clear.
  
- Article 29: Filled with the name of the Regency and the name of the District for each type of area. The division of areas is adjusted to the conditions found in the region.

#### CHAPTER VI: Implementation of the General Spatial Plan of the Regency

- Article 30: Sufficiently clear.
  
- Article 31: Sufficiently clear, filled with the scale used.
  
- Article 32: Sufficiently clear.
  
- Article 33: Sufficiently clear.

#### CHAPTER VII: Control and Supervision of the Utilization of the General Spatial Plan

- Article 34: Sufficiently clear.
  
- Article 35: Sufficiently clear.

#### CHAPTER VII: Changes to the General Spatial Plan

- Article 36: Sufficiently clear.

CHAPTER IX: Penal Provisions \*(Note: This Chapter seems to be missing from the original Indonesian text)\*

- Article 37: \*(This article number appears to be duplicated or misnumbered in the provided explanation)\*

CHAPTER X: Investigation Provisions \*(Note: This Chapter seems to be missing from the original Indonesian text)\*

- Article 38: \*(This article number appears to be duplicated or misnumbered in the provided explanation)\*

CHAPTER XI: Transitional Provisions \*(Note: This Chapter seems to be missing from the original Indonesian text)\*

- Article 39: \*(This article number appears to be duplicated or misnumbered in the provided explanation)\*

- Article 40: \*(This article number appears to be duplicated or misnumbered in the provided explanation)\*

CHAPTER XII: Final Provisions \*(Note: This Chapter seems to be missing from the original Indonesian text)\*

- Article 41: \*(This article number appears to be duplicated or misnumbered in the provided explanation)\*

- Article 42: Sufficiently clear, and filled with the name of the Regency.

\*(Note: The Indonesian text appears to have inconsistencies in the chapter and article numbering. The English translation reflects the provided Indonesian text as accurately as possible, noting the discrepancies.)\*