

CAN ZONING REGULATION SIMPLIFY BUSINESS LICENSING IN INDONESIA?

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ABSTRACT

Law No. 6 of 2023 concerning Job Creation Law (JCL), has little attention, specifically on the impact of zoning to business licensing in Indonesia. This study applies a normative legal method with a comparative approach to assess zoning in Indonesia and East-Timor. Despite differences in the extent of areas, both countries have undertaken spatial planning integration. Zoning is part of spatial planning made by local governments to determine land allotment. Prior to the JCL, spatial planning was not integrated. The results show that zoning integration provides transparency which can simplify business licensing. However, locating zoning at the local level creates disparity. Public participation is vital to ensure that zoning accommodates development needs without neglecting environmental and safety considerations. Local governments must implement zoning properly by encouraging compliance, improving violation detection, and imposing administrative/ criminal sanctions.

Keyword: Business Licensing; Online-Single Submission; Zoning Regulation; Indonesia.

INTRODUCTION

The Law No. 11 of 2020 concerning Job Creation Law (JCL) was enacted to encourage employment by improving the investment climate and harmonizing laws related to business licensing (Donald, 2021). Seventy-eight Acts in Indonesia were simultaneously amended by the JCL, including Law No. 26 of 2007 concerning

Spatial Planning (Spatial Planning Law or SPL). In November 2021, the JCL was deemed conditionally unconstitutional due to a violation of law's formation rule and public involvement paucity (Widiatedja & Suyatna, 2022). The constitutional court decided that it shall be applicable temporarily until the government to revise it within 2 year (Constitutional Court, 2021). As a response towards this decision, the government enacted Government Regulation in Lieu of Law in December 2022. The JCL is than re-enacted with the Law No. 6 of 2023.

Prior to JCL, the spatial planning was not integrated. There were overlapping regulations, lack of transparency and difficult administration process for business licensing. Article 17 of JCL amended 37 provisions of SPL. Pursuant to Article 14 (2) of JCL, every local authority must enact detailed spatial planning (*Rencana Detail Tata Ruang* or "DSP") supplemented with zoning regulation. However, only 116 out of 2000 local authorities have enacted DSP and zoning regulations (Agustyarsyah, Mulyadi, & Kariyono, 2022).

The DSP and zoning are integrated into the online single submission (OSS) system (Article 14 (4) of JCL). The main goal of the integration is to simplify business licensing (Harahap, Sihombing, & Hamid, 2020). Ease of doing business (EoDB) is one of the indicators to attract foreign investments. Currently, Indonesia's EoDB index is 73 out of 189 countries (The World Bank, 2019). Business licensing system must be simplified to attract foreign investors and facilitate domestic investors, particularly small and medium enterprises (SMEs). The question is can zoning regulation contribute to simplify business licensing in Indonesia?

There are several studies concerning zoning however, no research analyse further regarding the impact of zoning towards business licensing in Indonesia. According to (Matey, 2016) zoning disrupts market property by confining dwelling availability which affects land value. (Korlena, Djunaedi, Probosubanu, & Ismail, 2010) compared the discretionary system in Singapore with zoning implementation in the United States. In Indonesia, previous research emphasize mostly on general spatial planning and rarely discussed specifically on zoning. Widiatedja conducted two legal research pertaining Indonesia spatial planning. The first research highlighted Indonesia's fragmented spatial planning system due to regulatory and

authority overlapping (Widiatedja, 2021). The second research emphasize the environmental impact of failure in Bali's spatial planning regulation (Widiatedja, 2022). This research analyse the impact of zoning towards business licensing after massive law and licensing reform in Indonesia. Besides hampering business licensing, arbitrary zoning also can impede enjoyment of land rights, threaten sustainability and public safety. Therefore, it is important to raise public awareness of zoning.

Zoning divides area into zones and prescribe the allotment for each zone(Yiu & Cheung, 2021). However, it is vary from place to place. The first section compare zoning in Indonesia and East-Timor. East-Timor is the youngest country in the world which recently passed Spatial Planning Law (Santos & Virtudes, 2020a). Both countries undertake spatial planning integration. The comparison is conducted to outline similarities and differences between zoning in both countries.

The second section focus on the importance of zoning regulation for business licensing in Indonesia. Furthermore, this section examines criteria for making an excellent zoning regulation and challenges in the implementation of zoning regulation. The analysis also discuss the role of administrative and criminal sanction in ensuring compliance to zoning regulation.

RESEARCH METHOD

This research uses a normative legal research method. The statutory approach is used to examine regulations, legislations and case law related to spatial planning, zoning, and business licensing In addition, comparative analysis which focuses on the integration and modernization is conducted to assess zoning regulation in Indonesia and East-Timor. The materials in this study are derived from primary legal materials, namely laws and regulations. Meanwhile secondary legal materials are retrieved from journals, books, and official websites of governmental agencies, including the Indonesia Land Agency's official website. The data collection technique used in this research is the literature study. The evaluation and legal reasoning technique is used to analyse the reliability of zoning regulations.

RESEARCH FINDINGS AND DISCUSSION

1) Zoning Regulation in Indonesia and East-Timor

Zoning regulation is a tool used by local government to divide areas into zones and determine permissible use for each zone (Yiu & Cheung, 2021). Common land-use in zoning are housing, business, manufacturing, and farming (Matey, 2016). Some zoning also prescribe requirements concerning building setting such as maximum built area, height limit, and minimum setbacks (Fischel, 2000).

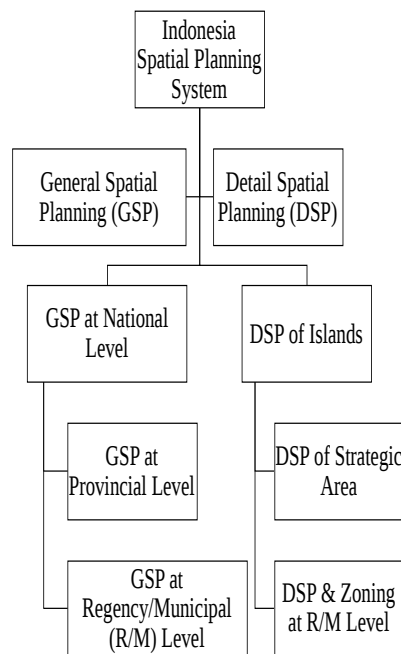
New York is regarded as the pioneer for exhaustive city zoning (Lewyn, 2006). Zoning can minimize negative externalities by separating land uses. Without it, factories or farms can create spill-overs such as pollution or noise. In addition, it also can create positive externalities, such as environmental amenities to the neighbourhood (Liu & Lynch, 2011). Zoning develops beyond its origin nature as a land-use instrument. Some zonings also cover environment, social and economic consideration. Comprehensive zoning require multidisciplinary collaboration from planners, engineers, lawyers and other related expertise (Widiatedja, 2021). Nowadays, zoning is omnipresent. Every state has different regulation on zoning. The following section focuses on zoning in Indonesia and East-Timor.

Indonesia has potential natural resources which must be used for common benefit of the people (Republic of Indonesia Constitution 1945, Article 33 (3). Spatial planning is vital to ensure optimum land-use for the growing population in Indonesia. The main source for spatial planning in Indonesia is SPL No. 26 of 2007 which recently amended by the JCL. Government Regulation No. 21 of 2021 is the newest implementing rules on spatial planning after the enactment of JCL. There are two other regulations concerning spatial planning, namely Regulation of Ministry of Land and Spatial Planning No. 16 of 2018 and No. 11 of 2021. The former provides a comprehensive manual on DSP in regency or municipal level. Meanwhile the later focuses on procedures for preparation, review, revision, and issuance of substantial approval of general and detail spatial plan at provincial, regency and municipal level.

Zoning in Indonesia is not purely decentralized. Indonesia is a unitary state which grants local government authority to manage its own region. However, there

are certain aspects which fall under the authority of central government (Republic of Indonesia Constitution 1945 Article 18 (2) and (5)). The spatial planning system in Indonesia is comprised of general spatial planning (GSP) and detailed spatial planning (DSP) (Indonesian Government Regulation No. 21 of 2021 Article 5 (1)). The central government has the authority to enact GSP, national level, DSP of islands and strategic area. Meanwhile the local governments have the authority to enact GSP and DSP for their respective area. Due to the hierarchical order, the GSP and DSP at the local level must in accordance with spatial planning regulations at central level (Law of the Republic of Indonesia Number 26 of 2007 Concerning Spatial Planning Law Article 6 (3)). The spatial planning regulations should be complementary and avoid overlapping.

Figure 1 Spatial Planning System in Indonesia



Source: Article 14 of the Indonesia's SPL

The multifaceted system and numerous different regulations create confusion regarding spatial planning. It is difficult for general public to understand and distinguish various spatial planning regulation. Generally, spatial planning regulations in Indonesia have common contents *inter alia*: a) objective, policy and strategy for spatial planning in each level; b) spatial structure planning; c) spatial pattern planning; d) directives on the spatial use in each level containing indications

of the main program in the medium term of five years. Both general and detail spatial planning at any level contain spatial structure and spatial pattern. The spatial structure is the arrangement of residential areas, infrastructure network system, and facilities that supports the socio-economic activities of the community (Law of the Republic of Indonesia Number 26 of 2007 Concerning Spatial Planning Article 1 (3)). The spatial pattern consists of the conservation zone and cultivation zone.¹

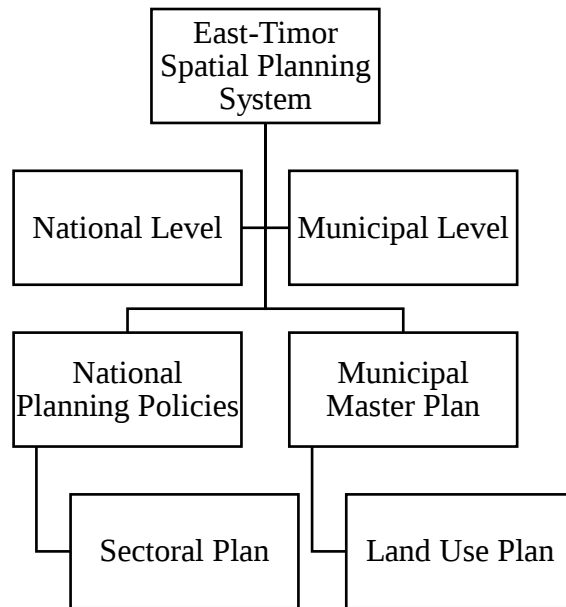
The main differences between spatial planning instruments in Indonesia is the extent of areas and scale. DSP is the most detail spatial plan with the scale of 1: 5000. Moreover, DSP at regency or municipality level must comprise of zoning regulation. Every regency or municipality can only have 1 GSP, but they can have more than DSP depends on the extent of the area and the scale (Ministry of Land and Spatial Planning Regulation, 2021 Article 21). Both GSP and DSP in every levels are valid within the period of 20 years under periodical review of 5 years (Law of the Republic of Indonesia Number 26 of 2007 Concerning Spatial Planning Law Article 20 (3) and (4), Article 23 (3) and (4), Article 26 (3) and (4)).

East-Timor is the youngest country in the world (Santos & Virtudes, 2020a). Prior its independence in 2002, East-Timor was part of Indonesia. Both countries grants authority towards the local government as the basis for decentralisation. The decentralization is regulated under Article 5 of the Constitution of the Democratic Republic of East-Timor. Meanwhile the division of territorial areas is regulated under Law No. 6 of 2017. Pursuant to Article 95 (b) of the Law No. 6 of 2017, the parliament has the authority to enact laws on the boundaries of territorial waters, the exclusive economic zone of East-Timor rights over the surrounding area and the continental shelf. The manual is stipulated further in Law No. 35 of 2021 (*Instrumentos de Planeamento Teritorial*) concerning Territorial planning instruments in the ministry of Regional Development Planning (*Ministerio Planeamento Ordenamento Teritorial*).

¹ Article 1 (3) and (4) Spatial Planning Law; Article 28 (2) and (3) Ministry of ATRBPN Regulation No. 11 of 2021 Concerning Procedures for the Preparation, Review, Revision, and Issuance of Substantial Approval of Spatial Planning Regulations.

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Figure 2 Spatial Planning System in East-Timor



Source: (Santos & Virtudes, 2020b, p. 7)

As can be seen in Figure 2, the spatial planning system in East-Timor is much simpler than that of Indonesia. Indonesian Law No. 26 of 2007 which recently amended by JCL provides comprehensive spatial planning regime at national, provincial, regency and municipal level. Meanwhile Basic Spatial Law of East-Timor No. 6 of 2017 only regulates spatial planning at national and municipal level Ana Santos & Virtudes, 2020. Indonesia is bigger in terms of areas because it consist of 38 provinces, 416 districts and 98 municipalities. Meanwhile East-Timor consists of 14 municipalities. Multilevel spatial planning is implemented to ensure the integration of local spatial planning throughout Indonesia.

Despite differences in spatial planning level, Indonesia and East-Timor share common features in spatial planning plan. Both countries allocate special spatial planning for certain area. For instance Indonesia apply special spatial planing for strategic areas such as Jabodetabek. East-Timor also applies special spatial planning for the Oecusse district area (Oecusse District/Municipu Oecusse) which is called the Social Market Special Economic Zone (*Zona Ekonomia Espesial Mercado Sosial/ ZEEMS*).

Another similarities between Indonesia and East-Timor is in terms of zoning decentralisation. Both countries grant authority to the local government at district

or municipal level to enact zoning regulation. In Indonesia, zoning is a part of district or municipal DSP. East-Timor law does not use the term zoning *per se*, but the land use is covered in municipality spatial plan. Nevertheless, locating zoning at local level create disparities among districts or municipalities. Big cities, such as Dili, have sufficient resources to create proper zoning while other remote districts may not (Soares, Rustiadi, & Sri Multasih, 2017). Similarly, resource discrepancy also occur in Indonesia. Resource discrepancy in Indonesia will be discussed further in the following sections. Overall, both Indonesia and East-Timor are currently working on modernisation and integration of spatial planning.

2) The Importance of Zoning Regulation for Business Licensing in Indonesia

Business is one of the indicators to determine economic development of a country (Digdowiseiso, Sugiyanto, & Setiawan, 2020). Entrepreneurs and business entities are the main actors in business while government play a role as regulatory maker. Business need to be regulated to avoid negative impacts. Business licensing is a part of business law. It is one of the factors considered in determining country's Ease of Doing Business (EoDB) index (Indrajit et al., 2020). The easier business licensing process, the better the EoDB index. Indonesia's EoDB index is 73 out of 189 countries(The World Bank, 2019). To improve the index, Indonesia introduce the Online Single Submission (OSS) (Digdowiseiso et al., 2020).

The spatial plan is a benchmark for approving business licensing. A company must be located in the appropriate zone to obtain permit. For instance, a factory must be located in an industrial area. Prior to JCL, the spatial planning instruments were stored in the repository of local governments. The license application must be filed directly at local government offices. The lack of transparency and authority overlapping are the main hurdles that impede business license applications (Widiatedja & Suyatna, 2022). The newly enacted JCL aims to alleviate this shortcoming. Article 14 (4) JCL requires local authorities to integrate DSP and zoning regulations into the OSS. Conformity of business activity with the zoning is the first requirement for business license application via OSS (Law of the Republic of Indonesia Number 11 of 2020 Concerning Job Creation, 2020, Article 13 (a) and Article 14 (5)). The OSS system will automatically reject business license

applications which are incompatible with the zoning. Furthermore, all spatial planning instruments, including zoning regulations, can be accessed through the official website of the Ministry of Land and Spatial Planning. It can be accessed anywhere at anytime so that public can perform due diligence before applying business licenses.

The integration of zoning regulation can promote a greater legal certainty with regards to business license application. However, locating zoning at local level creates discrepancy. Every district/municipality has a different characteristic and priority. The differences can affect the quality of zoning regulation produced by the local government. Not every local government can afford high cost to produce high quality zoning regulation. In fact, only 116 out of 2000 local authorities in Indonesia have enacted DSP and zoning regulations (Agustyarsyah et al., 2022).

To ensure the quality of zoning, the central government has provided a comprehensive manual regarding zoning drafting. Pursuant to Ministerial Regulation No. 16 of 2018, spatial planning-making should undergo 5 phases namely preparation; information and data collection; data analysis; drafting; and authentication. The spatial plan making must involve professionals such as architect, geologist, environmentalist and legal expert. However, zoning is a political product made by regent/ mayor together with local house of representative. Consequently, zoning-making process is prone to conflict of interest including political party or local leader private interest.

Zoning must balance three main interests namely public safety, environment and economic interests. Arbitrary zoning regulations can undermine the enjoyment of land rights and decreasing land price. Based on Article 16 of Indonesian Basic Agrarian Law (BAL), rights over land comprise of right to ownership (freehold title), right to use, right to build, and right to lease. Right to ownership is the strongest and the fullest right over land. Nevertheless all land rights are subject to particular limitations (Law of the Republic of Indonesia Number 5 of 1960 Basic Agrarian Law, 1960, Article 20). The use of land rights must not adversely affecting the society (Law of the Republic of Indonesia Number 5 of 1960 on Basic Agrarian Law, 1960, Article 6 and 20). The government has power to regulate land-use

through zoning. The right holders must use the land in accordance the allotment stipulated in the zoning.

Traditional zoning only allow particular activity for each zone (Gonzalez & Gray, 2023). Small business owners usually use their home as place of business. The business owner cannot apply for business licensing because according the land use must in accordance to zoning. In other word, small business owners must buy or rent premise which is located in industrial or commercial zone. Thus, zoning can hamper home based-business development. Zoning in Indonesia must accommodate current development needs. Bandung city has adopted this approach by allowing mix-land use such as residentials and small scale business. Other disticts/municipalities also need to consider this approach.

Zoning also can affect land prices(Rathnayaka & Prasada, 2020). Agricultural land can only be used for farming and cannot be built in. Thus, it will be difficult to market argucultural land. Zoning can also decrease building valuation in the case of a mortgage. Banks usually give higher valuation for land with building permits. Considering the restriction created by zoning, land owners have 2 options: use the land in accordance with the stipulated allotment or appeal the zoning. The first option is not always beneficial. For instance, some land owners in Pecatu Village, Kuta Selatan District, Badung Regency, Bali Province, Indonesia, cannot use agricultural land because it is not suitable for farming. The allotment in the zoning fails to consider the characteristic of the land (Putri, 2023). The second option on the other hand is not affordable. Zoning which has been enacted will be applicable for 20 years under periodical review every 5 years. The periodical review can only be initiated uder exceptional circumstances such as large-scale natural disasters defined by laws, changes to the defined territorial boundaries at the national or provincial level by law, or changes in national strategic policy .² Zoning can also be appealed through judicial review. However, the appeal will only be admitted if there's contradiction between the zoning and the laws. Moreover, litigation cost a lot of money and the process takes a long time. Therefore, public involvement is very crucial in the zoning-making process(Widiatedja, Satyawati, & Shah, 2022).

² Article 31 and 32 Ministry Regulation No 11 of 2021

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It is vital to involve in zoning making-process before it is enacted. Nevertheless, there is very little attention directed toward zoning.

After zoning is enacted, there is no much option for the land owners. Some land owners choose to ignore the zoning and build on agricultural land. Moreover, accommodation and restaurants are in high demand in tourism or commercial area. Therefore, enforcement play an essential role in zoning implementation. Article 163 to 187 Government Regulation No. 21 of 2021 provides incentives and disincentives to encourage compliance. Incentive is a bonus or subsidy given by government such as tax reduction, compensation, or business license facilitation to induce adherence toward zoning (Sahrom, Tan, & Yahya, 2016). Conversely, local governments also can use disincentive to minimize zoning violation by imposing higher tax rate or requiring compensation. Besides imposing incentives and disincentives, the government also must educate public regarding spatial planning, particularly zoning. Non-compliance can occurs due to ignorance toward zoning (Matey, 2016). Hence, it is important to raise public awareness about zoning via social or mainstream media.

Local government must undertake regular patrol to detect and correct zoning violation. In addition, local government must provide whistle-blower system so public can report alleged violation. The whistle-blower system must be able to protect any party who report alleged violation from unjustified treatment (Nidhi & TV, 2020, p. 128). The local government must upheld zoning by investigating the report imparcially and immediately. In case of violation proven, local government must impose administrative and criminal sanctions. According to Article 62 of SPL, there are several sanctions for zoning violation *inter alia* warrant, permit revocation, compensation, penalties, and dismatling. Criminal sanction can give deterrent effect to avoid future violations (Ali, Wahanisa, Barkhuizen, & Teeraphan, 2022).

CONCLUSION

The enactment of JCL brings a significant change in terms of the integration of spatial planning in Indonesia. Similarly, East-Timor also undertake spatial planning integration. One of the most important spatial planning instrument is

zoning regulation. Zoning is part of spatial planning made by local governments to determine land allotment. The integration of zoning regulation can promote a greater legal certainty with regards to business license application. Previously, the license application must undergo manual land allotment checking. The integration of zoning into the OSS can simplify business licensing because the zoning is available online within the system. However, locating zoning at local level creates disparity. Although comprehensive guidelines for zoning has been provided, the final result is in the hands of local governments. Unless every local government enact zoning regulation in timely manner, bureaucracy hurdles will continue to impede business licensing in Indonesia. Public participation is vital to ensure that zoning accommodates development needs without neglecting environmental and safety considerations. Local governments must implement zoning properly by encouraging compliance, improving violation detection, and imposing administrative/ criminal sanctions.

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REFERENCE

Journal Article

- Ali, M., Wahanisa, R., Barkhuizen, J., & Teeraphan, P. (2022). Protecting Environment through Criminal Sanction Aggravation. *Journal of Indonesian Legal Studies*, 7(1), 191–228. <https://doi.org/https://doi.org/10.15294/jils.v7i1.54819>
- Digdowniseiso, K., Sugiyanto, E., & Setiawan, H. D. (2020). Business Licensing And The Indonesia's Master Plan 2011–2025. *International Journal of Scientific & Technology Research*, 9(1), 287–291. Retrieved from <http://repository.unas.ac.id/id/eprint/552>
- Donald, H. L. T. (2021). Problems of Harmonization on The Post-Establishment of Omnibus Law on Job Creation. *Jurnal Penelitian Hukum De Jure*, 21(4), 459–472. <https://doi.org/https://doi.org/10.30641/dejure.2021.V21.459-472>

- Harahap, H., Sihombing, B. F., & Hamid, A. (2020). Impact of the Omnibus Law/Job Creation Act in Indonesia. *International Journal of Scientific Research and Management*, 8(10), 266–281. <https://doi.org/https://doi.org/10.18535/ijssrm/v8i10.11a01>
- Korlena, Djunaedi, A., Probosubanu, L., & Ismail, N. (2010). Zoning Regulation as Land Use Control Instrument: Lesson Learned from United States of America and Singapore. *Forum Teknik*, 33(3), 131–139. Retrieved from <https://jurnal.ugm.ac.id/mft/article/view/646>
- Lewyn, M. (2006). New Urbanist Zoning for Dummies. *SSRN Electronic Journal*, 1–64. <https://doi.org/10.2139/ssrn.873903>
- Liu, X., & Lynch, L. (2011). Do Zoning Regulations Rob Rural Landowners' Equity? *American Journal of Agricultural Economics*, 93(1), 1–25. <https://doi.org/10.1093/ajae/aaq164>
- Nidhi, A., & TV, N. K. (2020). Right to Information and Whistle Blower: A Journey from Theory to Practice. *Shanlax International Journal of Arts, Science and Humanities*, 8(1). <https://doi.org/10.34293/sijash.v8i1.2435>
- Putri, L. P. Y. K. (2023). Implication of Zoning Regulation on Environmental Protection and Land Rights After Enactment of Job Creation Law. *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)*, 12(1), 12–29. <https://doi.org/10.24843/JMHU.2023.v12.i01.p02>.
- Rathnayaka, R. M. H., & Prasada, D. V. P. (2020). Impact of Zoning and Archaeological Legislation on Land Values in Kandy Municipal Council Area: A Hedonic-type Analysis. *Tropical Agricultural Research*, 31(3), 48–59. <https://doi.org/https://doi.org/10.4038/tar.v31i3.8396>
- Sahrom, N. S., Tan, C. L., & Yahya, S. (2016). Regulation, incentives and government policy: How does it stimulate R&D engineers' innovative behaviours in malaysian biotechnology SMEs? . *Asian Academy of Management Journal*, 21(1), 49–73. <https://doi.org/https://doi.org/10.21315/aamj2016.21.suppl.1.3>
- Soares, L., Rustiadi, E., & Sri Multasih, D. (2017). Analysis of the Disparity and Spatial Interaction in Timor-Leste. *Journal of Regional and Rural Development Planning*, 1(1), 74–86. <https://doi.org/10.29244/jp2wd.2017.1.1.74-86>
- Widiatedja, I. G. N. P. (2021). Fragmented Approach to Spatial Management in Indonesia: When it Will Be Ended? *Kertha Patrika*, 43(2), 145. <https://doi.org/10.24843/KP.2021.v43.i02.p03>

- Widiatedja, I. G. N. P. (2022). The regulatory failure of spatial planning and its environmental impact: a case study of hotel projects in Bali, Indonesia. *Journal of Property, Planning and Environmental Law*, 14(1), 25–44. <https://doi.org/10.1108/JPEL-10-2021-0048>
- Widiatedja, I. G. N. P., Satyawati, N. G. A. D., & Shah, M. Q. (2022). Can the Job Creation Law Solve the Lack of Public Participation in Indonesia's Spatial Planning? *Lentera Hukum*, 9(2), 237–262. <https://doi.org/10.19184/ejlh.v9i2.30635>
- Widiatedja, I. G. N. P., & Suyatna, I. N. (2022). Job Creation Law and Foreign Direct Investment in Tourism in Indonesia: Is It Better than Before? *Udayana Journal of Law and Culture*, 6(1), 62–82. <https://doi.org/https://doi.org/10.24843/UJLC.2022.v06.i01.p04>
- Yiu, C.-Y., & Cheung, K.-S. (2021). Urban Zoning for Sustainable Tourism: A Continuum of Accommodation to Enhance City Resilience. *Sustainability*, 13(13), 7317. <https://doi.org/10.3390/su13137317>

Book

- Fischel, W. A. (2000). *Zoning and Land Use Regulation*. Encyclopedia of Law and Economics.

Thesis

- Matey, E. (2016). *Exploring the Effects of Zoning Regulation on Land Rights of Use Right Holders in the Context of Customary Land Tenure System in Ashiye, Ghana*. Twente University, Enschede.

Conference Proceeding

- Agustyarsyah, Mulyadi, & Kariyono. (2022). Blended Learning Method to Accelerate Human Resource Capacity Development Program for Spatial Planning in Indonesia: Challenge and Opportunity. *FIG Congress: Volunteering for the Future - Geospatial Excellence for a Better Living*, 1–14.
- Indrajit, A., Jaya, V. E., Loenen, B. Van, Lemmen, C., Oosterom, P. Van, Ploger, H., & Theodore, R. (2020). The Role of the Revised Land Administration Domain Model and Spatial Data Infrastructure in Improving Ease of Doing Business in Indonesia. *Proceeding of the 2020 World Bank Conference On Land And Poverty*, 1–27. Washington DC: Institutions For Equity and Resilience. Retrieved from https://www.researchgate.net/publication/342735328_THE_ROLE_OF_THE_REVISIED_LAND_ADMINISTRATION_DOMAIN_MODEL_AND_SPATIAL_DATA_INFRASTRUCTURE_IN_IMPROVING_EASE_OF_DOING_BUSINESS_IN_INDONESIA

Santos, A., & Virtudes, A. (2020a). Spatial Planning System: A Comparative Analysis East-Timor/Portugal. *IOP Conference Series: Earth and Environmental Science*, 609(1), 012097. <https://doi.org/10.1088/1755-1315/609/1/012097>

Research Report

Gonzalez, O., & Gray, N. (2023). *Zoning for Opportunity: A Survey of Home-Based-Business Regulations.* *The Center for Growth and Opportunity*. Retrieved from <https://www.thecgo.org/research/zoning-for-opportunity-a-survey-of-home-based-business-regulations/>

Internet Resource

The World Bank. (2019). *Ease of Doing Business Rank*. The World Bank . Retrieved from https://data.worldbank.org/indicator/IC.BUS.EASE.XQ?locations=ID&name_desc=false

Law

Indonesian Government. *Government Regulation No. 21 of 2021 concerning Implementing Rules of Spatial Planning.*, (2021). Indonesia.

Law of the Republic of Indonesia Number 5 of 1960 Basic Agrarian Law., (1960). Indonesia.

Law of the Republic of Indonesia Number 11 of 2020 concerning Job Creation., (2020). Indonesia.

Law of the Republic of Indonesia Number 26 of 2007 concerning Spatial Planning Law., (2007). Indonesia.

Ministry of Land and Spatial Planning. *Ministry of Land and Spatial Planning Regulation No. 11 of 2021 concerning Procedures for the Preparation, Review, Revision, and Issuance of Substantial Approval of Spatial Planning Regulations.*, (2021). Indonesia.

Republic of Indonesia. *Constitution of the Republic of Indonesia 1945*. Indonesia.

Case Law

Constitutional Court. (2021). *Constitutional court decision No 91/PUU-XVIII/2020 concerning Judicial Review of Job Creation Law* (p. 416). p. 416.