

Juridical Review On The Policy For The Utilization Of Green Open Space In Semarang City

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Abstract.

Green open space has socio-economic and environmental functions, so green open space must become a comfortable place for the community. Urban green space is an integral part of the structure of the city. The primary function of the town is as an ecological buffer and as an open space area to enhance and support the value of environmental and cultural quality. Mark. The existence of urban green open space is necessary to control and maintain the integrity and quality of the environment. The method used is descriptive in the form of normative juridical. The data used are primary and secondary, and the data collection used is library research. The Semarang city government is expected to become an actor in implementing regional spatial planning policies to provide green open space. The absence of green open space in urban areas will cause environmental problems. One of the problems that arise is the increasing air pollution caused by the lack of ecological balance in urban areas. Another harmful effect of small green spaces is that Without trees to keep the room more excellent, the people's health in the area is compromised.

Keywords: Green Open Space, Policy, Juridical Review

1. INTRODUCTION

A city is a residential area consisting of house buildings that are a unit of residence from various levels of society [1]. The city is also the center of various socio-economic activities of the community such as government, industry, trade, education, transportation, etc. The development of activities in urban areas makes the level of population density increase. This situation then increases the pace of growth to fulfill facilities that are expected to improve the welfare and prosperity of the people in urban areas.[2]

Every city must have green open space with three essential functions: ecological, socio-economic, and evacuation in good urban governance [3]. Urban Green Open Space is part of open spaces in a metropolitan area filled with plants, plants, and vegetation[4]. Green Open Space's ecological function is to improve groundwater quality, prevent flooding, reduce air pollution, and regulate microclimate. Another function is socio-economic to provide a function as a space for social interaction, recreational facilities, and city landmarks. Meanwhile, the evacuation function is for a place to evacuate in a natural disaster.[5]

Green Open Space must be able to be a place that provides comfort to the city community. Communities need multifunctional spaces, including oxygen generators, sports, playgrounds, and family recreation zones. With these different expectations, the

public, as connoisseurs of public services, demands the government provide sustainable green open spaces. Therefore, the government as a general facilitator must be required to provide green open spaces by the wishes of the community [6]

The Semarang City Regional Spatial Plan 2011-2031 is divided into 3 (three) spatial planning policies, as stated in the Semarang City Regional Regulation Number 14 of 2011 concerning *RT/RW* 2011-2031:

1. Spatial structure development policies and strategies;
2. Spatial pattern development policies and strategies;
3. Policies and strategies for developing strategic areas.

Of the three policies related to the conditions to be studied are the policies and strategies for developing spatial patterns. The spatial pattern has the meaning of the distribution of spatial designation in an area which includes the designation of space for protection functions and allotment of space for cultivation functions [5]. Policies and strategies for developing spatial patterns include policies and strategies for managing protected areas and policies and strategies for developing cultivation areas in which there are regulations to maintain the function and organize existing green open spaces [7]

Currently, the paradigm of forest management is for intensive use to encourage urban economic growth, the area that was originally a rubber production forest has turned into a residential area. The city government allocated a wide range of concessions to private companies. In areas that are converted to "planned deforestation" it is allowed to clear and free forest areas for other uses.

Policies live and thrive in society. The procedure is a means of creating order and peace for peace in the lives of fellow citizens. Therefore, policies protect human interests, such as independence, human transactions with one another in a market society, etc. Besides that also prevents further resolving conflicts that can grow divisions between humans and humans, between humans and institutions. Based on the function of the policy, both as a means of social engineering and capable as a means of social control, every regulation that regulates user fees is created to be carried out by the objectives. The meaning it contains is the citizen (individual) as the intended party by a mandatory regulation with an open heart and understandingly obeying the law.

II. METHODS

This research method uses a normative juridical approach, namely research that refers to the legal norms in the laws and regulations that apply as a normative footing. Research data sources were collected from library data, primary legal materials, secondary legal materials, and tertiary legal materials. The data analysis used was qualitative, namely by observing the data obtained and connecting each data obtained with the following provisions: legal provisions related to the problem under study.

III. RESULT AND DISCUSSION

A. Function Of Green Open Space

The existence of a livable environment for humans is something that cannot be ignored. Human life is very dependent and influenced by the conditions and existence of the environment. A comfortable, pleasant, sufficient and beautiful living environment is a condition sine quanon or an inevitable necessity.

The population problems that exist today are quite complex, namely related to issues of number, quality, composition and distribution. An increase in population can have both positive and negative impacts. An increase in population means an increase in the potential for labor.[8] On the other hand, an increase in population means an increase in the number of needs that must be met, be it clothing, food or housing, in addition to spatial planning issues for residential areas. While the impact on the environment is the increasing need for natural resources. This condition will certainly put pressure on the existence of natural resources. This situation will certainly put pressure on the existence of natural resources. If the pressure exceeds the existing carrying capacity threshold, then environmental damage is unavoidable, and may even lead to an environmental disaster [9]. Therefore, population growth needs to be controlled however, so that the carrying capacity of the environment can be maintained and human needs for natural resources can be balanced. In addition, we can reduce the potential presence of social vulnerabilities such as poverty and unemployment [10].

The uneven distribution of the population is partly due to the tendency of humans to always look for strategic places from an economic perspective.

The economic strategic view is the main motive for the mobilization and urbanization of the population to an area, as a result of which there is a crowd of people in an area (for example: the island of Java) which results in the narrowing of residential and arable land which can also have an impact on the difficulty of employment. Meanwhile, areas where people live rarely become less productive areas due to limited manpower, but the opposite situation can also occur because labor is available but the infrastructure does not support it.

We can also find other views related to population problems, especially those related to meeting the needs of life. The need for life is something that cannot be postponed. Therefore, to meet the needs of their lives, residents use garden land to the tops of hills and mountains because land is increasingly limited for gardening. The hills and mountains that were originally forests have now become damaged and barren because they were encroached on by humans to make fields. Many forests with the status of protected forests have been converted into community cultivation areas..

Environmental problems stemming from the pressure of rapid population growth and its influence on the existence of space and land that are not accompanied by concern for the environment, if allowed to continue without any control efforts, it is very dangerous because when the rainy season comes it will be the cause of floods and landslides. can damage crop areas and residential areas.

The increasingly diverse needs faced by humans have spurred humans to seek solutions. Human needs are not only limited to primary and secondary needs, but also tertiary needs. The desire to live comfortably, prosperously and even the desire that is all easy has led people to creative efforts to create various technologies to sustain life and to realize the welfare of human life into dependence.

With regard to technology itself, humans do not realize that every technology will bring consequences in the form of an accompanying impact, whether it is a positive or negative impact [11]. The negative impact of using technology is often ignored by humans, because in general humans only see the positive impacts that are received and felt from a technological product in the form of convenience, practicality and others. The negative impact of using technology if it is not anticipated and managed properly can cause disaster for human life. Humans created by God, the almighty God, must be able to take the initiative to prevent negative things from happening due to the technology used in human life. The desire to prevent negative things is actually human nature[12],

Humans are able to think and act for the realization of a good and prosperous condition, so humans must be able to prevent environmental disasters on human life on earth. Do not let advances in technology actually cause people to experience backwardness and poverty. Many experts in various fields state that poverty and environmental degradation can have a significant relationship. Human dependence on natural resources is quite high, such as for food, fuel, shelter, often ignoring the impact of exploitation on the environmental conditions in which these natural resources are located. Today's needs that must be met have ignored the catastrophes that could occur tomorrow.

Underdevelopment and poverty are still phenomena that we face in today's society. While there are many experts in various fields related to this matter, it is stated that poverty and environmental degradation can have a significant relationship. Our society's dependence on natural resources is quite high, such as for food, fuel, shelter, and other needs. In utilizing natural resources to meet their basic needs, many people ignore the impact of their exploitation on the environmental conditions in which these natural resources exist. Urgent basic needs to be met have caused them to forget the negative environmental impacts that may arise as a result of their behavior. Today's needs that must be met have ignored the catastrophes that could occur tomorrow. Behavior that does not care about environmental conditions is a challenge to the possibility of environmental degradation.

This underdevelopment and poverty is one of the many problems faced by developing countries, including our country, Indonesia. Underdevelopment and poverty have a close relationship with environmental damage. Rachmat Witar, Minister of Environment of the Republic of Indonesia, in his remarks at the opening ceremony of StoS 2008 at the Geothe Institute Jakarta, January 25, 2008, stated that poverty and the environment are like two sides of the same coin. If people are poor, the environment will be damaged. According to him, damage to natural resources will be

the starting point for damage to other aspects of life. For this reason, the responsibility for cleanliness and environmental sustainability is not only on the policy authorities, but also on the community.

The problem of using green open space in the development process is a problem for all citizens and the Indonesian nation, and is faced by all cities in Indonesia, so the use of green open space in the development process needs to be maintained and preserved so that the environment can be maximally and sustainable and highly emphasized to create an environment. justice based life [9]. The environment is the most important part of human life that cannot be abandoned, because human life is always in contact with the use of green open space [7]. Environmental issues are not always what the community expects, namely the fulfillment of good and healthy use of green open spaces, which you can feel every day. This is of course related to the various interests of humans interacting and fulfilling interests with various needs and expectations of humans themselves which are always influenced by desires and ideals.

B. Semarang City Regional Spatial Plan.

Environmental problems related to the use of green open spaces, pollution and environmental damage that have occurred recently and all are the result of human actions or desires that prioritize personal interests and ignore environmental functions that should be preserved for the sake of current and future generations. come. As has been mandated in the General Provisions of Law No. 32 of 2009 concerning Guidelines for Environmental Management Article 1 number (3) that Sustainable development is a conscious and planned effort that integrates environmental, social and economic aspects into a development strategy to ensure the integrity of the environment as well as the safety, capabilities, welfare and quality of life of present and future generations.

Utilization of open space in the city of Semarang is still an important issue, because it is in accordance with the law. In Law Number 26 of 2007 concerning Spatial Planning, it is stated that each region must have at least 30 percent of green open space of the area.

Referring to the above, it demands that the Semarang City Government carry out policy reconstruction in order to provide guarantees and maintain the rights of the people to live a good and healthy life, as mandated by the constitution, which seems to have been neglected by the demands of such strong economic factors, especially if the environment is related to the interests of both government policies and entrepreneurs or investors. It can be seen that there are several environmental problems in new settlements whose solutions are far from community expectations, especially for communities affected by environmental deforestation, in which the community is greatly disadvantaged.

Spatial plans are a policy direction and strategy for the use of state territory space that is used as a reference for long-term planning. The term of the Regional Spatial Plan is 20 (twenty) years, reviewed 1 (one) time in 5 (five) years.

The principle that needs to be put forward for every regional leader is to build regions that are in line with the principles of sustainable regional autonomy. The regional head should carefully calculate the capacity of the region's natural resources, think about the fate of future generations, and improve the quality of life of the country's children and neighbors [11]. In order to realize sustainable development, the government should make policies and programs that support environmental sustainability. One of the policies that favor the interests of the environment is Law Number 26 of 2007 concerning Spatial Planning which contains provisions regarding the provision of Green Open Space.

The city of Semarang, as one of the big cities in Indonesia, already has Regional Regulation Number 14 of 2011 concerning the Spatial Planning of the City of Semarang for 2011-2031 which at the time of its stipulation was the first spatial regulation that was ratified for the category of metropolitan cities throughout Indonesia. This achievement must be followed by the implementation of a spatial plan that is both in terms of utilization and in terms of control.

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IV. CONCLUSION

Green Open Space structuring policies according to positive Indonesian law in general and in the city of Semarang in particular at this time, there needs to be an effort to create an optimal green open space in our country, the main thing is to do is in the aspect of the bureaucratic structure which should make a detailed explanation. Details related to main tasks, such as those in charge of green open space, are not a shared business because there will be technical overlaps regarding their management. For example, managing city parks from the Environment Service and managing cemeteries from the Parks and Hygiene Service and the Public Works Service. Utilization of open space in the city of Semarang is still an important issue, because it is in accordance

with the law. In Law Number 26 of 2007 concerning Spatial Planning, it is stated that each region must have at least 30 percent of green open space of the area.

Construction of law enforcement that can realize substantive justice is progressive law enforcement. Progressive law enforcement is law for humans, law is not an absolute and final institution, because law is in the process of continuing to be (law as a process, law in the making), which means that the law can be revitalized or changed when the law is detrimental to the interests of the community. In addition, progressive law enforcement has a spirit of liberation. Weak living conditions of ordinary people need to be fought for real in order to become more prosperous, with the protection of basic rights, additional skills and increased knowledge, instead of becoming easy prey to be used as objects to support cheap and easy votes. Don't let them be weak. There is a general public perception that the green open space utilization policy launched by the central government and local governments as a manifestation of elite interests must be changed.

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