

ELUCIDATION OF  
REGULATION OF THE PROVINCE OF SOUTH SULAWESI  
NUMBER 2 OF 2019  
ON  
ZONING PLAN FOR COASTAL AREAS AND SMALL ISLANDS  
OF THE PROVINCE OF SOUTH SULAWESI OF 2019-2039

I. GENERAL

WP-3-K management means a process of planning, utilization, supervision, and control of coastal resources and inter-sectoral small islands, between the Government and Local Governments, between terrestrial and marine ecosystems, and between science and management to improve community welfare. The management vision of WP-3-K in South Sulawesi is "The realization of the Management of Coastal Resources and Small Islands through the Local Independence Approach to improve the Welfare of the people of South Sulawesi in 2039". The vision explains that the economic growth of coastal communities and small islands that are resilient and independent, will be created if the management of WP-3-K is implemented and managed properly in accordance with management principles. Good management will further increase the productivity of waters, the effectiveness of the use of territorial waters and the preservation of ecosystems, which in turn will increase community income, independence and prosperity.

Management of Resource in WP-3-K in the Province of South Sulawesi is increasingly diverse along with the increasing variety of development activities, which are followed by an increasing number of residents who live in coastal areas. With increasing population growth and rapid development activities in coastal areas, accompanied by various uses such as settlements, fisheries, agriculture, tourism, transportation, etc., there is

also increasing pressure on coastal ecosystems and resources. Various efforts have been made by the Local Government to overcome these problems, with the aim of improving the lives of coastal communities including fishermen. Program synchronization between institutions needs to be done to improve the effectiveness and optimization of the results obtained and reduce the negative impacts that occur in coastal areas.

The development of the WP-3-K area will optimize local potential for successful development and welfare of the community and strongly support the protection and social development of local culture (local social culture). One of the legal instruments in the context of optimizing coastal area resource management is the promulgation of Law Number 27 of 2007 on Management of WP-3-K mentioned in Article 9 section (5) that the WP-3-K Area Plan is stipulated by Regional Regulation, so Government of the Province of South Sulawesi needs to draw up a Regional Regulation Draft on the South Sulawesi Province WP-3-K Zoning Plan for 2019-2039. Regional Regulation Draft Zoning Plan WP-3-K South Sulawesi Province 2019-2039, contains cross-sector policy directions in coastal and small island development, which includes planning, management, supervision and control of human interactions in utilizing resources and natural processes on an ongoing basis in an effort to improve the welfare of the community.

This Regional Regulation includes cross-sectoral policy directions in coastal and small island development, which includes planning, management, supervision and control of human interactions in utilizing natural resources and processes in a sustainable manner in an effort to improve the welfare of the community.

## II. ARTICLE BY ARTICLE

### Article 1

Sufficiently clear.

### Article 2

Sufficiently clear.

## Article 3

### Section (1)

#### Point a

The term "principle of benefit" means that resources in the coastal areas and small islands provide the best benefits to the community by promoting aspects of resource sustainability.

#### Point b

The term "the principle of sustainability" means that in order the utilization of resources does not exceed the ability to regenerate biological resources or the pace of innovation of coastal non-living natural resource substitutions, where current utilization of coastal resources may not sacrifice (quality and quantity) the needs of future generations of coastal resources, and utilization resources whose impacts are unknown, must be carried out carefully and supported by adequate scientific research.

#### Point c

The term "the principle of consistency" means the consistency of various institutions and layers of government, starting from the planning, implementation, control and supervision processes to carry out accredited coastal and small island management programs.

#### Point d

The term "the principle of integrity" means to integrate policies and planning of various government sectors in various sectors of government horizontally and vertically as well as with local governments, integration of terrestrial and marine ecosystems, by using scientific and technological input to help coastal management processes .

#### Point e

The term "the principle of legal certainty" means to guarantee laws that regulate the management of coastal resources clearly and understandable and obeyed by all stakeholders; and decisions made through mechanisms or methods that can be accounted for and do not marginalize coastal communities.

Point f

The term "the principle of partnership" means, an agreement of cooperation between stakeholders concerned with the management of coastal areas and small islands.

Point g

The term "the principle of equality" means the economic benefits of coastal resources that can be enjoyed by most members of the community.

Point h

The term "the principle of public participation" means that coastal communities have a role in planning, implementing, to the stage of supervision and control; have open information to find out government policies and have sufficient access to utilize coastal resources; guarantee the representation of the voice of the community in the decision; and use these resources fairly.

Point i

The term "the principle of transparency" means transparency for the public to obtain true, honest, and non-discriminatory information about the Management of Coastal Areas, from the planning, utilization, control, to the supervision stage while still paying attention to the protection of personal, class and confidential rights country.

Point j

The term "principle of decentralization" means the transfer of governmental authority from the Government to autonomous local governments to regulate and manage government affairs in the field of Management of Coastal Areas and Small Islands.

Point k

The term "the principle of accountability" means that management of coastal areas is carried out in an open and accountable manner.

Point l

The term "the principle of transparency" means a principle that holds to the truth, is not biased, impartial, and is not arbitrary in the utilization of coastal resources.

Point m

The term "The principle of recognition of local wisdom", means the principle that gives recognition to the traditional wisdom of local communities in the management of coastal resources and small islands "is the acceptance by the government of the reality of the provisions of maintaining the surrounding natural environment by community groups that have lived hereditary and has shown the benefits received by the community and the environment.

Section (2)

Sufficiently clear.

Article 4

Sufficiently clear.

Article 5

Section (1)

The duration of validity of the Provincial RZWP-3-K is in accordance with the duration of the Provincial Spatial Plan that is 20 (twenty) years, as regulated in Article 23 section (3) of Law Number 26 of 2007 on Spatial Planning.

Section (2)

Sufficiently clear.

Section (3)

Point a

The term "large-scale natural disasters" means national disasters as referred to in the legislation determined based on the number of fatalities, loss of property, damage to infrastructure, the extent of the area affected by the disaster, and the socio-economic impacts caused.

Point b

Sufficiently clear.

Point c

The term "changes in regional boundaries" is in the form of regional expansion or merger of regions in accordance with the provisions of legislation.

Section (4)

The term changes in national policies and strategies that affect the utilization of provincial space in accordance with the provisions of legislation.

Section (5)

Sufficiently clear.

Article 6

Sufficiently clear.

Article 7

Sufficiently clear.

Article 8

Sufficiently clear.

Article 9

Sufficiently clear.

Article 10

Sufficiently clear.

Article 11

Sufficiently clear.

Article 12

Sufficiently clear.

Article 13

Sufficiently clear.

Article 14

Section (1)

Point a

The term seashore sub-zone tourism means tourism related to the beauty of the marine geomorphology.

Point b

The term natural coastal/coastal tourism sub-zones and small islands means the space in the tourism zone that is used for recreation such as bathing, swimming, canoeing, sunbathing, beach games and beach sports.

Point c

The term sub-zone natural tourism under the sea, the space in the tourism zone that is used for recreation snorkeling and diving.

Point d

The term the water sports tourism sub-zone, the space in the tourism zone which is used for kite surfing, board surfing, wind / sailing surfing, banana boat, jet skiing and water skiing.

Point e

The term the cultural tourism sub zone, namely the space in the tourism zone that is used for cultural recreation both customs and equipment related to marine and culinary tourism.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 15

Section (1)

The term “the sub-zone of fisherman settlements” means residential areas that are in waters and most of the residents are fisherman communities.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 16

Sufficiently clear.

## Article 17

### Section (1)

#### Point a

The term Main Port means a port whose main function is to serve domestic and international sea transportation activities, transfer of loads of domestic and international sea transportation in large numbers, and as a place of origin for passengers and/or goods, as well as crossing transportation with inter-provincial service coverage.

#### Point b

The term “Port of Collectors” means a port which its main function is to serve domestic sea transportation activities, intermediate transfer of domestic sea transport in a medium amount, and as a place of origin for destination passengers and/or goods, as well as crossing transportation with inter-provincial service coverage.

#### Point c

The term “Regional Feeder Ports” means ports whose main function is to serve domestic sea transportation activities, limited quantity of domestic sea freight transfer, is feeders for main ports and collecting ports, and as a place of origin for passengers and/or goods, as well as transportation crossings with service coverage within the province.

#### Point d

The term “Local Feeder Port” means a port whose main function is to serve domestic sea transportation activities, transfer of load of domestic sea transportation in limited quantities, is feeder for collecting ports and regional feeder ports, and as a place of origin for passengers and/or goods, and crossing transportation with service coverage within the province/regency.

### Section (2)

Sufficiently clear.

### Section (3)

The term “Special Terminals” means terminals that are located outside the Work Environment Area and the Port Interest Area which is part of the nearest port to serve its own interests in accordance with its main business.



## Article 18

Sufficiently clear.

## Article 19

### Section (1)

Sufficiently clear.

### Section (2)

#### Point a

The term the Spermonde Block means the waters around Makassar Strait.

#### Point b

The term Flores Block means the waters around Flores Sea

#### Point c

The term Palopo Block means the waters around Bone Bay.

### Section (3)

Sufficiently clear.

### Section (4)

Sufficiently clear.

## Article 20

### Section (1)

#### Point a

The term “pelagic fish” means a fish that lives on the surface of the sea up to the sea water column. Pelagic fish usually form schools (schooling) and migrate / migrate according to their area of migration. Pelagic fish groups are generally divided into two types, namely: small pelagic fish and large pelagic fish. Examples of small pelagic fish are Selarides (*Selaroides leptolepis*) and Sunglir (*Elagastis bipinnulatus*), Clupeid Teri (*Stolephorus indicus*), Japuh (*Dussumieria* spp), Tembang (*Sadinella fimbriata*), Lemuru (*Sardinella Longiceps*) and Terro (*Stolephorus indicus*), Japuh (*Dussumieria* spp), Tembang (*Sadinella fimbriata*), Lemuru (*Sardinella Longiceps*) and Siro (*Stolephorus indicus*), Japuh (*Dussumieria* spp), Tembang (*Sadinella fimbriata*), Lemuru (*Sardinella Longiceps*) and Siro (*Stolephorus indicus*) Scrombroid groups such as Bloating (*Rastrellinger* spp) and

others. Small pelagic fish groups are caught using fishing nets, such as gill nets, ring nets, purse seines, payangs, and charts. Examples of large pelagic fish include the group of Tuna (Thunidae) and Cakalang (*Katsuwonus pelamis*), Marlin (*Makaira* sp), Tuna (*Euthynnus* spp) and Tenggiri (*Scomberomorus* spp) groups, and the cucumber is captured by fishing using trolling or trolling poles and line), longline (longline).

Point b

The term “demersal fish” is a type of fish whose habitat is at the bottom of the water, the fishing gear used to catch demersal fish is the bottom trawl, bottom gillnet, bottom long line, bubu and etcetera. Examples of demersal fish are: red snapper / bambangan (*Lutjanus* spp), peperek (*Leiognathus* spp), three waja (*Epinephelus* spp), pomfret (*Pampus* spp) and others.

Point c

Sufficiently clear.

Section (2)

Point a

Sufficiently clear.

Point b

Spermonde Islands means a group of small islands that spread across Barru Regency, Pangkajene Kepulauan Regency, Makassar Municipality and Takalar Regency.

Sembilan Islands means a group of small islands spread in Sinjai Regency.

Selayar islands means a group of small islands spread in the Selayar Archipelago Regency.

Tana Keke Islands means a group of small islands spread in Takalar Regency.

Point c

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 21

Sufficiently clear.

Article 22

Sufficiently clear.

Article 23

Sufficiently clear.

Article 24

Sufficiently clear.

Article 25

Section (1)

Point a

The term sub-education zones, namely educational facilities that are used for educational activities and training for maritime, maritime, and coastal and marine.

Point b

Sports sub-zones are defined as facilities that support sports activities in the form of sports fields and stadiums sports buildings.

Point c

The term religious sub-zone means a facility that supports worship for followers of religions that have been recognized by the State.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 26

Sufficiently clear.

Article 27

Sufficiently clear.

## Article 28

### Section (1)

#### Point a

Sufficiently clear.

#### Point b

Sufficiently clear.

#### Point c

Sufficiently clear.

#### Point d

Sufficiently clear.

#### Point e

Sufficiently clear.

#### Point f

The word over fishing or over- means the activity of catching or catching fish without regard to the balance of the marine ecology and excessive is one form of over-exploitation of fish populations to reach dangerous levels. The loss of natural resources, slow population growth rates, and low levels of biomass are the result of overfishing and disrupting the overall marine ecosystem.

#### Point g

Sufficiently clear.

### Section (2)

Sufficiently clear.

### Section (3)

Sufficiently clear.

## Article 29

Sufficiently clear.

## Article 30

### Section (1)

Sufficiently clear.

### Section (2)

Sufficiently clear.

### Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Point a

Protection and preservation activities for fish habitats and populations in the utilization zone, including:

- a. protection of ecological processes that support the survival of a species or natural biological resources and their ecosystems;
- b. safeguarding and preventing activities that may result in changes in the integrity of the area's potential and changes in the function of the area;
- c. management of types of fish resources and their habitats to be able to produce a balance between the population and the carrying capacity of their habitat;
- d. protection of aquatic biota migration paths; and
- e. ecosystem recovery and rehabilitation.

Point b

Tourism and recreation activities, including: swimming, diving, spectacle tourism, special interest tourism, tourism boats, surface water sports, and making photos, videos and films.

Point c

Research and development activities, including:

- a. basic research for utilization and conservation purposes;
- b. applied research for the benefit of utilization and conservation; and
- c. development for conservation purposes.

Point d

Educational activities, including:

- a. maintenance and enhancement of biodiversity;
- b. protection of local community resources;

- c. economic development based on marine ecotourism;
- d. maintenance of ecological processes and life support systems;
- e. promotion of sustainable use of resources; and
- f. promotion of governance efforts for environmental protection of waters protected areas.

Section (8)

Sufficiently clear.

Section (9)

Sufficiently clear.

Section (10)

Sufficiently clear.

Article 31

Sufficiently clear.

Article 32

Sufficiently clear.

Article 33

Sufficiently clear.

Article 34

Sufficiently clear.

Article 35

Sufficiently clear.

Article 36

Sufficiently clear.

Article 37

Sufficiently clear.

Article 38

Sufficiently clear.

Article 39

Sufficiently clear.

Article 40

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

The term "snorkeling" or surface diving means swimming or diving activities by wearing equipment in the form of diving masks and snorkels.

Section (5)

The term:

kite surfing means a water sport where riders use on surfboards supported by kites.

board surfing means a water sport where the rider uses on a surfboard that is supported by currents and ocean waves.

wind / sailing surfing means a water sport where the rider uses on a surfboard that is supported by wind speed.

banana boat means a water sport that glides on a machine that has an engine, its shape resembles a motorcycle with the means of playing in the form of a life jacket, tugboat, and a banana-shaped boat.

jet ski means a water sport glide on a machine that has an engine, its shape resembles a motorcycle with a means of playing in the form of a jet motorbike and a safety helmet.

water skiing means water sports that glide on two boards pulled by a motorboat carried out by one person with a motorized boat controlled by a guide, by means of a game in the form of, a ski board, a ski towing motorboat, and a safety helmet.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Section (8)

Sufficiently clear.

Section (9)

Sufficiently clear.

Section (10)

Sufficiently clear.

Section (11)

Sufficiently clear.

Article 41

Sufficiently clear.

Article 42

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Point f

Sufficiently clear.

Point g

Sufficiently clear.

Point h

Salvage is the work to provide assistance to ships and / or their cargo that have a ship accident or in a state of danger



in waters including lifting the frame of the ship or  
underwater obstacles or other objects.

Point i

Sufficiently clear.

Point j

Sufficiently clear.

Article 43

Sufficiently clear.

Article 44

Sufficiently clear.

Article 45

Sufficiently clear.

Article 46

Sufficiently clear.

Article 47

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Article 48

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Article 49

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Article 50

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Article 51

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Article 52

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Article 53

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Article 54

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Article 55

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Article 56

Sufficiently clear.

Article 57

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Article 58

Sufficiently clear.

Article 59

Sufficiently clear.

Article 60

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Point a

Sufficiently clear.

Point b

Sufficiently clear.

Point c

The term "cut and fill" digging pile means a means of excavating (digging and unloading) open or deep mining or excavating the construction of roads, foundations and other civil works by cutting parts of soil/rock and hoarding/enclosing former excavation or parts of land that

are excavated low/near it. Specifically for mines in the cut and fill system, usually the cut is valuable minerals/minerals and the cut-off is filled with earth or rock or surface mud to prevent the collapse of the roof or wall of excavation.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (4)

Sufficiently clear.

Article 61

Sufficiently clear.

Article 62

Sufficiently clear.

Article 63

Sufficiently clear.

Article 64

Sufficiently clear.

Article 65

Sufficiently clear.

Article 66

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Point a

Sufficiently clear.

Point b

Corporation is a group of people and/or assets that are organized, whether they are legal entities or not legal entities.

Point c

Cooperative is a business entity that is owned and consists of individuals or cooperative legal entities based on their activities based on cooperative principles as well as people's economic movements based on the principle of kinship.

Article 67

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

The core zone is part of the Conservation Area in the protected Coastal and Small Islands, which is intended for the protection of habitats and populations of Coastal and Small Islands Resources and their use is limited to research.

The port area includes the port area and the port work area.

The public beach is part of the public use area that has been used by the community, among others, for religious, social, cultural, recreational tourism, sports and economic purposes.

Section (7)

Sufficiently clear.

Section (8)

Sufficiently clear.

Section (9)

Sufficiently clear.

Section (10)

Sufficiently clear.

Article 68

Sufficiently clear.

Article 69

Sufficiently clear.

Article 70

Sufficiently clear.

Article 71

Sufficiently clear.

Article 72

Sufficiently clear.

Article 73

Sufficiently clear.

Article 74

Sufficiently clear.

Article 75

Sufficiently clear.

Article 76

Sufficiently clear.

Article 77

Section (1)

The term "Incentives" mean devices or efforts to provide rewards

for the implementation of activities that are in line with the WP-3-K space allocation, in the form of:

a. fiscal incentive directives:

- tax relief; and / or
- reduction of levy.

b. non-fiscal incentive directives:

- compensation;
- cross subsidies;
- ease of licensing;
- rewards;
- rent space;
- share behavior;
- provision of infrastructure and facilities;
- appreciation; and/or
- publication or promotion.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

## Article 78

Section (1)

The term "disincentive" means a tool to prevent, limit growth, or reduce activities that are not in line with the zoning plan of coastal areas and small islands, in the form of:

a. fiscal disincentive directives:

high taxation adjusted to the amount of costs needed to overcome the impact caused by the spatial utilization; and/or

b. non-fiscal disincentive directives:

- Obligation to provide compensation;
- Special requirements in licensing;
- Obligation to give rewards; and/or
- Restrictions on the provision of infrastructure.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Article 79

Sufficiently clear.

Article 80

Sufficiently clear.

Article 81

Sufficiently clear.

Article 82

Sufficiently clear.

Article 83

Sufficiently clear.

Article 84

Sufficiently clear.

Article 85

Sufficiently clear.

Article 86

Sufficiently clear.

Article 87

Sufficiently clear.

Article 88

Sufficiently clear.

Article 89

Sufficiently clear.

Article 90

Sufficiently clear.

Article 91

Sufficiently clear.

Article 92

Sufficiently clear.

Article 93

Sufficiently clear.

Article 94

Sufficiently clear.

Article 95

Sufficiently clear.

Article 96

Section (1)

Point a

Sufficiently clear.

Point b

The term land subsidence means a natural phenomenon that mostly occurs in big cities that stand on layers of sediment, factors causing land subsidence such as excessive extraction of ground water, decrease due to building loads, decrease due to natural consolidation of layers land, as well as subsidence due to tectonic forces.

Point c

Sufficiently clear.

Point d

Sufficiently clear.

Point e

Sufficiently clear.

Section (2)

Sufficiently clear.



Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Sufficiently clear.

Section (7)

Sufficiently clear.

Section (8)

Sufficiently clear.

Article 97

Sufficiently clear.

Article 98

Sufficiently clear.

Article 99

Sufficiently clear.

Article 100

Sufficiently clear.

Article 101

Sufficiently clear.

Article 102

Sufficiently clear.

Article 103

Sufficiently clear.

Article 104

Sufficiently clear.

Article 105

Sufficiently clear.

Article 106

Sufficiently clear.

Article 107

Sufficiently clear.

Article 108

Sufficiently clear.

Article 109

Section (1)

Sufficiently clear.

Section (2)

Sufficiently clear.

Section (3)

Sufficiently clear.

Section (4)

Sufficiently clear.

Section (5)

Sufficiently clear.

Section (6)

Detailed Zoning Plan means a detailed plan in 1 (one) Zone based on managerial directives in the Zoning Plan by observing the carrying capacity of the environment and applied technology as well as the availability of facilities which in turn indicate types and number of permits issued by the Local Government.

Article 110

Sufficiently clear.

Article 111

Sufficiently clear.

Article 112

Sufficiently clear.

Article 113

Sufficiently clear.

Article 114

Sufficiently clear.

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