



## **Inconsistencies Between the Digital RDTR and Building Permits (PBG): Legal Analysis of Implementation Conflicts in the OSS-RBA System After the Enactment of UU Cipta Kerja**

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### **ABSTRACT**

The implementation of the OSS-RBA system following the enactment of UU Cipta Kerja was intended to simplify and accelerate business licensing in Indonesia. However, the issuance of Building Approval Permits (PBG) through OSS-RBA often conflicts with the Digital Detailed Spatial Plan (RDTR), which should function as the main instrument of spatial control. This study aims to analyze the legal relationship between digital RDTR and PBG issuance, identify the causes of inconsistency, and formulate an integration model to ensure legal certainty. This research uses a normative legal method with statutory and conceptual approaches. Legal materials consist of legislation, books, journals, and related references, analyzed descriptively. The results show that RDTR remains the primary legal basis for determining spatial conformity, while PBG must comply with spatial planning rules and technical building standards. Inconsistencies occur due to limited digital RDTR availability, regulatory disharmony, overlapping authority between central and regional governments, and weak coordination. These conditions may cause PBG to be administratively valid but problematic in spatial terms. Therefore, stronger integration between RDTR and OSS-RBA is required through data synchronization, regulatory harmonization, stronger regional verification, and effective supervision. This is necessary to ensure efficient licensing, legal certainty, and good governance.

**Keywords:** digital RDTR, legal certainty, OSS-RBA, PBG, spatial planning

### **INTRODUCTION**

The digitalization of licensing through the Online Single Submission Risk-Based Approach (OSS-RBA) system following the enactment of Law Number 11 of 2020 in conjunction with Law Number 6 of 2023 on Job Creation was intended to establish a licensing service that is swift, integrated, and risk-based. However, this digital transformation has generated new consequences in the form of tensions between conventional spatial planning norms particularly Detailed Spatial Plans (RDTR) and the mechanism for Building Approval Permits (Persetujuan Bangunan Gedung/PBG) processed electronically. Various studies indicate that the effectiveness of OSS is highly dependent on the readiness of implementing regulations, the distribution of authority, and the alignment between national standards and local needs.<sup>1</sup>

<sup>1</sup> Nurainun Mangunsong, *Penataan Regulasi Penyelenggaraan Perizinan Berusaha di Daerah Istimewa Yogyakarta Menuju Tata Kelola yang Efektif*, 2025, [dspace.uui.ac.id/123456789/55929](https://dspace.uui.ac.id/123456789/55929).

In practice, the issuance of PBG through OSS frequently does not fully refer to the digital RDTR, which should serve as the basis for spatial conformity. The OSS system tends to prioritize administrative simplification and the acceleration of investment, whereas spatial planning instruments still rely on technical validation by regional governments. Consequently, a phenomenon has emerged in which building permits are procedurally “valid” within the OSS framework but problematic from a spatial planning perspective. A similar issue has been identified in the mining sector, where the digitalization of licensing potentially reduces opportunities for public objections and neglects verification of rights over space.<sup>2</sup> This indicates that OSS-RBA has not yet been fully constructed upon the principles of spatial justice and substantive good governance.

The issue of integration between the electronic licensing system and spatial planning instruments is also evident in the implementation of OSS in Sleman Regency. The local government has previously noted that zoning classifications in the regional RDTR, particularly concerning the regulation of Sustainable Food Agricultural Land (LP2B), have not been fully accommodated within the Online Single Submission Risk-Based Approach system. As a result, several applications for spatial utilization permits processed through OSS still require manual verification by the regional government to ensure their conformity with the RDTR. This condition demonstrates that the integration between digital RDTR and the national electronic licensing system continues to face both technical and normative challenges.

Other studies further emphasize the existence of normative inconsistencies within the OSS-RBA regime, particularly regarding the application of the positive fictitious principle and the mechanism for issuing electronic state administrative decisions.<sup>3</sup> The lack of synchronization between Government Regulation Number 5 of 2021, spatial planning regulations, and building regulations creates legal uncertainty for both regional governments and applicants for PBG. At the implementation level, while the effectiveness of OSS has been acknowledged to improve in several regions, such success remains highly dependent on the readiness of human resources, the availability of operational RDTR, and cross-sectoral coordination.<sup>4</sup>

Although numerous studies have examined OSS-RBA, a significant research gap remains. First, previous studies have largely focused on the effectiveness of OSS from the perspectives of public service delivery and investment facilitation, without specifically examining the normative relationship between digital RDTR and the mechanism for issuing PBG. Second, existing studies tend to discuss OSS in sectoral contexts (for example, mining or investment), while conflicts arising in the implementation of building approvals as the direct intersection between spatial planning law and administrative law have received limited scholarly attention. Third, there has been no comprehensive analysis placing such inconsistencies within the framework of the hierarchy of spatial planning norms following the Job Creation Law.

Based on these gaps, this study offers several novelties: (1) a juridical analysis of the disharmony between digital RDTR as an instrument of spatial control and PBG as an OSS-based licensing product; (2) a mapping of conflicts of authority between the central and regional governments in validating spatial conformity; and (3) a reconstruction of an integrated RDTR–OSS model that ensures legal certainty while simultaneously protecting spatial functions. This approach complements Mangunsong’s findings on regulatory harmonization

<sup>2</sup> Bramaputera Tori Hidayatullah et al., “OSS RBA dan Problem Keadilan Agraria dalam Analisis Terhadap Sistem Perizinan Digital pada Pertambangan di Indonesia”, *CENDEKIA: Jurnal Penelitian dan Pengkajian Ilmiah*, Vol. 2 No. 6, 2025, hlm. 960–970.

<sup>3</sup> Dewa Rizky Pangestu dan Sulaksono, “Legal Review of Positive Fictive Inconsistency in Government Regulations on the Implementation of Risk-Based Business Licencing”, *Novum: Jurnal Hukum*, Vol. 12 No. 03, 2025, hlm. 7.

<sup>4</sup> Adhi Nugraha, Achmad Jaka Santos Adiwijaya, dan Nuradi, “Effectiveness of Electronically Integrated Business Licensing through Online Single Submission (OSS) in Bogor District”, *Jurnal Ilmiah Living Law*, Vol. 16 No. 1, 2024, hlm. 11–23.

problems in licensing, Hidayatullah et al.'s critique concerning the reduction of substantive justice within OSS, and Pangestu's analysis of inconsistencies in the positive fictitious principle, by introducing a new focus on the building approval regime.

Accordingly, this study is important to determine whether the digitalization of licensing through OSS-RBA truly strengthens the function of RDTR as the "commander of spatial planning," or instead creates a licensing regime detached from spatial control. The findings are expected to serve as a basis for formulating an integrated policy framework capable of ensuring that every electronically issued PBG remains subject to legal certainty and spatial justice.

### **Problem Statement**

Based on the foregoing background, the problem statements in this research are as follows:

1. How is the legal regulation concerning the relationship between the digital Detailed Spatial Plan (RDTR) and the issuance of Building Approval Permits (Persetujuan Bangunan Gedung/PBG) within the Online Single Submission Risk-Based Approach (OSS-RBA) system following the enactment of the Job Creation Law?
2. Why do inconsistencies occur between the digital RDTR and the issuance of PBG in the implementation of OSS-RBA, and what are the implications for legal certainty in spatial planning?
3. What model of integration between Digital RDTR and OSS-RBA can ensure legal certainty in the issuance of Building Approval Permits (PBG)?

### **Research Objectives**

The objectives of this research are:

1. To analyze the legal framework governing the relationship between the digital RDTR and the issuance of PBG within the OSS-RBA system after the enactment of the Job Creation Law.
2. To identify the causes of inconsistencies between the digital RDTR and the issuance of PBG in the implementation of OSS-RBA, as well as their implications for legal certainty in spatial planning.
3. To formulate an integrated model of Digital RDTR and OSS-RBA that ensures legal certainty in the issuance of Building Approval Permits (PBG).

## **RESEARCH METHODS**

The approaches used in this research include the Statutory Approach, aimed at analyzing the consistency and hierarchy of regulations related to OSS-RBA, and the Conceptual Approach, intended to examine doctrines of state administrative law and commercial law. Through the conceptual approach, the researcher studies legal views and doctrines to discover ideas that generate legal understandings, legal concepts, and legal principles relevant to the transformation of risk-based business licensing.<sup>5</sup>

This research adopts a descriptive-analytical design to provide a comprehensive overview of the legal position of regional governments within the OSS-RBA system. Data collection is conducted through library research using documentation techniques to gather, classify, and analyze relevant legal materials.<sup>6</sup> The sources of data consist of primary legal materials such as statutes and regulations, and secondary legal materials such as books, journals, and scholarly opinions.

The data analysis is carried out through several stages, namely the identification of legal norms, categorization based on the hierarchy of legislation, comparison among regulations,

<sup>5</sup> Lovresia Melati Siagian, Shannon Gabriela, dan Irene Halim, "Kedudukan dan Kewenangan Pemerintah Daerah dalam Pelaksanaan Sistem OSS-RBA sebagai *Single Reference* Perizinan Berbasis Risiko Pasca Berlakunya PP Nomor 28 Tahun 2025", *Judge: Jurnal Hukum*, Vol. 06 No. 04, 2025, hlm. 1315.

<sup>6</sup> Muhaimin, *Metode Penelitian Hukum*, Mataram University Press, Mataram, 2020, hlm. 47.

and synthesis to determine consistency or inconsistency within the business licensing legal system.

## RESEARCH RESULTS AND DISCUSSION

### Legal Regulation on the Relationship Between Digital RDTR and the Issuance of Building Approval Permits (PBG) in the OSS-RBA System After the Enactment of the Cipta Kerja Law.

Following the enactment of Law Number 11 of 2020 concerning Job Creation and Law Number 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law on Job Creation, Indonesia's licensing regime experienced a major transformation through the implementation of the Online Single Submission Risk-Based Approach (OSS-RBA).<sup>7</sup> This system was introduced to simplify business licensing procedures, reduce bureaucratic complexity, accelerate administrative services, and strengthen the national investment climate through a risk-based licensing mechanism. Under this model, business activities are classified into low, medium, and high-risk categories, with licensing requirements adjusted proportionally to the level of risk posed by each activity.

In the building sector, the former Building Construction Permit (Izin Mendirikan Bangunan/IMB) was replaced by the Building Approval Permit (Persetujuan Bangunan Gedung/PBG) pursuant to Government Regulation Number 16 of 2021. PBG is defined as an approval granted to building owners to construct, alter, expand, reduce, or maintain buildings in accordance with technical building standards and applicable spatial planning regulations. Therefore, PBG is not merely an administrative permit, but also a legal instrument intended to ensure that construction activities comply with standards of safety, building functionality, and land-use allocation.

In practice, applicants submitting requests through OSS-RBA must fulfill both administrative and substantive requirements depending on the nature of their business activities. Administrative requirements generally include taxpayer identification numbers, business entity documents, email addresses, and other registration data. Once registration is completed, the system issues a Business Identification Number (Nomor Induk Berusaha/NIB), which functions as the principal legal identity of the business actor and forms the basis for obtaining further sectoral permits. Applicants are also required to provide business activity details, project locations, and geographic coordinates to facilitate spatial conformity verification.<sup>8</sup>

Besides administrative requirements, OSS-RBA continues to require compliance with fundamental substantive prerequisites before business operations may proceed. These include Spatial Utilization Conformity Approval (Kesesuaian Kegiatan Pemanfaatan Ruang/KKPR), environmental approvals through Environmental Impact Analysis (AMDAL), Environmental Management and Monitoring Efforts (UKL-UPL), or Statements of Environmental Management Capability (SPPL), depending on the level of business risk. For activities involving buildings, applicants must also obtain PBG and later secure a Certificate of Proper Function (Sertifikat Laik Fungsi/SLF) after construction has been completed.<sup>9</sup>

In the context of buildings, the Job Creation Law and Government Regulation Number 16 of 2021 replaced the Building Construction Permit (IMB) regime with the Building Approval Permit (PBG). PBG is an approval granted to building owners to construct, modify,

<sup>7</sup> Annas Rasid Musthafa et al., "Keabsahan Penggunaan One Single Submission Risk-Based Approach (OSS RBA) sebagai Sistem Perizinan Berusaha", *Jurnal Legislasi Indonesia*, Vol. 20 No. 4, 2024, hlm. 72.

<sup>8</sup> Kementerian Investasi/Badan Koordinasi Penanaman Modal, "Panduan OSS-RBA untuk Administrator KEK dan Badan Pengusahaan KPBPB", *Portal OSS Indonesia*, 2025.

<sup>9</sup> Kementerian Investasi/BKPM, "Pemrosesan Verifikasi Sertifikat Standar oleh Administrator KEK dan Badan Pengusahaan KPBPB", *Portal OSS Indonesia*, 2025

expand, reduce, or maintain buildings in accordance with technical building standards and spatial planning provisions. Therefore, PBG is not merely an administrative permit, but a legal instrument that ensures development is carried out in accordance with safety standards, building functions, and designated land use.

The existence of the Detailed Spatial Plan (Rencana Detail Tata Ruang/RDTR) is highly important because RDTR functions as a spatial control instrument regulating zoning, development intensity, land-use functions, and other technical provisions. RDTR has an essential role as an instrument of spatial utilization control by providing detailed direction concerning land allocation and activities permitted within a certain area.<sup>10</sup> Through digitalization, RDTR can be integrated into OSS-RBA, enabling the system to automatically verify zoning conformity and spatial suitability when applicants submit PBG applications. Such integration allows applicants to determine whether their proposed location is suitable, accelerates verification by local governments, and reduces the risk of administrative errors. The integration of digital RDTR into OSS-RBA enables licensing to proceed more quickly and transparently, although its success depends on the readiness of spatial data, human resources, and intersectoral coordination.<sup>11</sup>

Legally, the issuance of PBG is only valid if the proposed development complies with digital RDTR. OSS-RBA accelerates the issuance process, but the legality of PBG remains dependent upon the accuracy of RDTR data. A concrete example arises when an applicant proposes the construction of a commercial building in a residential zone; if the digital RDTR is invalid or outdated, the system may issue a PBG that is procedurally valid yet problematic from the perspective of spatial planning law. Simplification of licensing procedures through OSS-RBA may reduce control over land use if integration with digital RDTR is not optimal.<sup>12</sup> In addition, there is potential overlap of authority because OSS-RBA is centrally managed, while PBG issuance and spatial conformity verification remain under regional government authority. The lack of synchronization between Government Regulation Number 5 of 2021, Government Regulation Number 16 of 2021, and regional spatial planning regulations creates legal uncertainty for both applicants and local governments. The lack of integration between OSS-RBA and RDTR may result in permits that are procedurally valid but spatially problematic. Limited digital RDTR availability in several regions, uneven human resource capacity, and weak intersectoral coordination further complicate implementation. Although OSS-RBA provides administrative convenience, without accurate RDTR integration and validation, the issuance of PBG risks weakening spatial control, creating legal uncertainty, and reducing protection of public rights over space.<sup>13</sup> Therefore, the integration of digital RDTR with OSS-RBA is essential to ensure that PBG issued electronically is not only administratively valid but also compliant with spatial planning law and principles of spatial justice.

### **Inconsistency Between Digital RDTR and the Issuance of PBG in OSS-RBA Implementation and Its Implications for Legal Certainty in Spatial Planning**

The inconsistency between digital RDTR and the issuance of Building Approval Permits (PBG) within the OSS-RBA system emerges from the differing orientations of two legal instruments. On one hand, OSS-RBA is designed to prioritize efficiency, administrative

<sup>10</sup> Eko Budi Santoso, Aulia Iswi, dan Ipung Yanuasmar, "Innovation, Problem, and Challenges in Preparing RDTR for OSS: Case in Preparing RDTR in Eastern Sendawar, West Kutai Regency, East Kalimantan Province", *Jurnal Ilmu Pemerintahan Widya Praja*, Vol. 46 No. 1, 2020, hlm. 235.

<sup>11</sup> Rina Gusma Devita, Kesi Widjajanti, dan Paulus Wardoyo, "Strategi Peningkatan Layanan Perizinan Melalui Online Single Submission Risk-Based Approach (OSS RBA) di Jawa Tengah", *Jurnal Riset Ekonomi dan Bisnis*, Vol. 17 No. 1, 2024, hlm. 18.

<sup>12</sup> Umi Narimawati Shintawatia, "Jurnal Penelitian dan Pengkajian Ilmiah", *Jurnal Hasil Penelitian dan Pengkajian Ilmiah Eksakta*, Vol. 2 No. 8, 2025, hlm. 309.

<sup>13</sup> Eko Budi Santoso, Aulia Iswi, dan Ipung Yanuasmar, "Innovation, Problem, and Challenges in Preparing RDTR for OSS: Case in Preparing RDTR in Eastern Sendawar, West Kutai Regency, East Kalimantan Province", *Jurnal Ilmu Pemerintahan Widya Praja*, Vol. 46 No. 1, 2020, hlm. 238.

simplification, speed, and automation in public services. On the other hand, RDTR functions as a substantive spatial control instrument aimed at ensuring orderly land use, zoning compliance, environmental balance, and sustainable development. When these two systems are not fully synchronized, permits may be issued efficiently in procedural terms while remaining inconsistent with spatial planning requirements.

The first cause of inconsistency is the limited availability of fully integrated digital RDTR across regional governments. Many local administrations have not yet completed RDTR digitization in a comprehensive format compatible with the national OSS platform. As a result, automated verification of land-use conformity cannot always be conducted accurately. In many cases, manual review by regional authorities is still required to determine whether a project location is legally suitable. This situation creates the possibility of discrepancies between automated system outcomes and technical assessments conducted by local governments.<sup>14</sup>

The second cause concerns the division of authority between central and regional governments. Technically, OSS-RBA is administered by the central government through the Ministry of Investment/BKPM. However, substantive authority over spatial planning implementation, building governance, and local land-use control largely remains with regional governments under decentralization principles. If the OSS-RBA system automatically processes permit applications without complete validation from regional institutions, local governments may face administrative dilemmas in implementing or rejecting approvals that appear valid in the electronic system but remain questionable under local spatial regulations.<sup>15</sup>

The third cause relates to post-Job Creation Law regulatory disharmony. The introduction of Government Regulation Number 5 of 2021 concerning Risk-Based Business Licensing and Government Regulation Number 16 of 2021 concerning Buildings was intended to modernize the licensing regime. Nevertheless, inconsistencies may still arise between business licensing regulations, building governance norms, and spatial planning regulations enacted at both national and regional levels. Such overlap creates uncertainty for applicants, investors, and public officials regarding which legal norm should prevail in specific circumstances.<sup>16</sup>

Another contributing factor is the continuing role of administrative discretion by public officials. Although licensing systems have been digitalized, not every aspect of public administration can be automated.<sup>17</sup> Officials still retain authority to assess documents, interpret technical standards, and resolve exceptional cases. If the boundaries of such discretion are not clearly regulated, inconsistent decisions may arise concerning the relationship between RDTR compliance and PBG issuance.

These inconsistencies directly affect legal certainty in spatial governance. Legal certainty requires that governmental decisions be based on clear, consistent, predictable, and enforceable legal norms. If electronically issued building permits fail to conform to RDTR, then the authority of RDTR as the principal instrument of spatial control is weakened. This condition may trigger disputes among governments, private actors, and communities adversely affected by developments inconsistent with designated land use.

Furthermore, inconsistency between digital RDTR and PBG issuance may threaten broader public interests, including environmental sustainability and social order.<sup>18</sup> RDTR is

<sup>14</sup> Philipus M. Hadjon, *Pengantar Hukum Administrasi Indonesia*, Gadjah Mada University Press, Yogyakarta, 2015, hlm. 23.

<sup>15</sup> Ryan Dirgantara, "Diskresi Pejabat Publik dalam Pelayanan Perizinan Berusaha Berbasis OSS Risk Based Approach", *Journal of Business Law Research*, Vol. 2 No. 1, 2026, hlm. 9.

<sup>16</sup> Ryan Dirgantara, "Diskresi Pejabat Publik dalam Pelayanan Perizinan Berusaha Berbasis OSS Risk Based Approach", *Journal of Business Law Research*, Vol. 2 No. 1, 2026, hlm. 9.

<sup>17</sup> Bagir Manan, *Wewenang Provinsi, Kabupaten dan Kota dalam Rangka Otonomi Daerah*, Alumni, Bandung, 2004, hlm. 37.

<sup>18</sup> Julius Siahaan, "Perlindungan Hukum terhadap Investor Asing dalam Pengurusan Perizinan Penanaman Modal melalui Sistem Online Single Submission (OSS) Pasca Undang-Undang Nomor 6 Tahun 2023", *Causa: Jurnal Hukum dan Kewarganegaraan*, Vol. 13 No. 1, 2025, hlm. 7.

designed to balance economic development with environmental protection and long-term territorial sustainability. If PBG approvals issued through OSS-RBA disregard RDTR provisions, uncontrolled development may occur, potentially generating environmental degradation, infrastructure pressure, and community conflict. Therefore, stronger integration between digital RDTR and OSS-RBA is necessary to ensure that every permit satisfies not only administrative efficiency but also substantive legality and principles of good governance.

### **Model for the Integration of Digital RDTR and OSS-RBA to Ensure Legal Certainty in the Issuance of Building Approval Permits (PBG)**

Based on the analysis of legal regulation and the various inconsistencies occurring between digital RDTR and the issuance of Building Approval Permits (PBG) within the implementation of the Online Single Submission Risk-Based Approach system, an integrated model is required that can guarantee legal certainty while preserving the function of spatial control. From the perspective of administrative law, every governmental administrative decision must be based upon clear, consistent, and harmonious legal norms. Therefore, integration between digital RDTR and OSS-RBA must be positioned within a framework of regulatory harmonization and strengthened institutional coordination between the central government and regional governments.

First, integration between digital RDTR and OSS-RBA must be developed through stronger synchronization of spatial data within the electronic licensing system. RDTR is the legal instrument that determines zoning, development intensity, and land-use functions within a certain territory. Through integration of digital RDTR into OSS-RBA, verification of spatial conformity for Building Approval Permit applications may be conducted automatically and transparently. Such integration not only accelerates licensing services but also ensures that every building permit issued remains subject to applicable spatial planning regulations. In the context of ease of doing business, digital licensing systems such as OSS were fundamentally designed to create licensing services that are simpler, faster, and more transparent in support of a conducive investment climate.<sup>19</sup>

Second, stronger regulatory harmonization is required between OSS-based business licensing policies and regulations governing spatial planning and buildings. Following the enactment of the Job Creation Law, Indonesia's business licensing system underwent transformation through the implementation of risk-based licensing mechanisms. However, these changes were not fully followed by synchronization of sectoral regulations, particularly regarding the relationship between business licensing, spatial planning governance, and regional government authority in issuing Building Approval Permits. This condition may create legal uncertainty for business actors and local governments in the building permit process. Several studies show that although OSS-RBA facilitates licensing procedures, problems remain regarding regulatory consistency and inter-agency coordination that may affect legal certainty in practice.<sup>20</sup>

Third, the integration model must strengthen the role of regional governments in verifying spatial conformity. Although OSS-RBA is nationally administered, practical control over land use fundamentally remains under regional authority. Therefore, the digital licensing system must still provide room for regional governments to conduct technical verification of spatial conformity before Building Approval Permits are issued. This is important to ensure that licensing digitalization does not diminish the supervisory function of local governments in controlling land use. Research on OSS-RBA implementation also demonstrates that the success

<sup>19</sup> R. Christiawan, "Perizinan Berbasis Online Single Submission untuk Mewujudkan Kemudahan Berusaha", *Masalah-Masalah Hukum*, Vol. 50 No. 1, 2021, hlm. 64.

<sup>20</sup> O. S. B. Manik, "Kebijakan Perizinan Berusaha di Indonesia dan Kepastian Hukum bagi Investor Pasca Putusan Inkonstitusional Bersyarat UU Cipta Kerja", *UNES Law Review*, Vol. 6 No. 1, 2023, hlm. 852.

of digital licensing systems is strongly influenced by regional institutional readiness, human resource capacity, and coordination among agencies involved in licensing services.<sup>21</sup>

Fourth, stronger supervision and accountability mechanisms within OSS-RBA are also essential components of the integration model. Risk-based licensing systems are intended to improve licensing efficiency while providing legal certainty for business actors. However, without effective oversight, digital systems may generate new problems such as inconsistent data, permits inconsistent with spatial regulations, and weak supervision over land use. Therefore, stronger administrative supervision and periodic evaluation of OSS-RBA implementation are necessary so that the digital licensing system continues to operate in accordance with principles of good governance and legal certainty.<sup>22</sup>

Accordingly, the integration model between digital RDTR and OSS-RBA to ensure legal certainty in the issuance of Building Approval Permits may be developed through three principal approaches: strengthening RDTR spatial data integration within OSS-RBA, harmonizing regulations between business licensing policies and spatial planning law, and strengthening coordination and supervision between central and regional governments.<sup>23</sup> Through such integration, the issuance of Building Approval Permits will not only satisfy administrative aspects within an electronic licensing system, but will also remain subject to principles of spatial control and legal certainty in public administration.

## CONCLUSION

Based on the results of the research and discussion, it can be concluded that the legal framework governing the relationship between the digital Detailed Spatial Plan (RDTR) and the issuance of Building Approval Permits (Persetujuan Bangunan Gedung/PBG) within the Online Single Submission Risk-Based Approach (OSS-RBA) system following the enactment of the Job Creation Law fundamentally positions RDTR as the primary instrument for determining conformity in spatial utilization. PBG, as the replacement for the Building Construction Permit (Izin Mendirikan Bangunan/IMB), is not merely an administrative approval, but must also ensure compliance with spatial planning regulations and technical building standards. Accordingly, the substantive legality of issuing PBG through OSS-RBA remains dependent on the validity and integration of the digital RDTR.

However, in practice, inconsistencies are still found between the digital RDTR and the issuance of PBG. These are caused by the uneven availability of digital RDTR integrated with OSS-RBA, regulatory disharmony between the licensing, spatial planning, and building sectors, as well as potential conflicts of authority between the central government as the manager of the OSS system and regional governments as holders of substantive authority over spatial control. Such conditions create the risk of PBG being administratively valid while problematic from a spatial planning perspective. The implications include the weakening of RDTR's function as an instrument of spatial control, the emergence of legal uncertainty, and the potential for disputes among government institutions, business actors, and the public.

To ensure legal certainty in the issuance of PBG, a comprehensive integration model between digital RDTR and OSS-RBA is required. This model should be implemented through the strengthening of RDTR spatial data synchronization within the OSS-RBA system, harmonization of regulations between business licensing policies and spatial planning rules, and stronger coordination between the central and regional governments in the process of

<sup>21</sup> Chika Fatika Sari dan Sang Ayu Putu Rahayu, "Analisis Penerapan OSS Berbasis Risiko dalam Mewujudkan Kepastian Hukum bagi Investor di Indonesia", *Jurnal Ilmiah Nusantara*, Vol. 2 No. 3, 2025, hlm. 584.

<sup>22</sup> L. Yundrina, "Implementasi Kebijakan Online Single Submission Risk Based Approach (OSS RBA) di Kecamatan Kalidoni Kota Palembang", *Journal on Education*, Vol. 5 No. 3, 2023, hlm. 9860.

<sup>23</sup> D. Safitri, A. Hendrayady, dan J. Poti, "Implementasi Kebijakan Pelayanan Perizinan Usaha Mikro Kecil Menengah Berbasis OSS RBA di Dinas Penanaman Modal Pelayanan Terpadu Satu Pintu Kabupaten Bintan", *MANDUB: Jurnal Politik, Sosial, Hukum dan Humaniora*, Vol. 1 No. 3, 2023, hlm. 110.

verifying spatial conformity. In addition, supervisory mechanisms and periodic evaluations of the OSS-RBA system must also be reinforced so that every PBG issued is not only swift and administratively efficient, but also upholds the principles of legal certainty, spatial justice, and good governance.

Therefore, the digitalization of licensing through OSS-RBA should not diminish the role of RDTR as the “commander of spatial planning,” but rather strengthen RDTR as the principal foundation for every issuance of Building Approval Permits in Indonesia.

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