



# JLPH: Journal of Law, Politic and Humanities

E-ISSN: 2962-2816  
P-ISSN: 2747-1985<https://dinastires.org/JLPH>    [dinasti.info@gmail.com](mailto:dinasti.info@gmail.com)    +62 811 7404 455DOI: <https://doi.org/10.38035/jlph>  
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## Legal Analysis of Rights Control Conflicts in the Utilization of Underground Space at the Podomoro Medan Basement

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**Abstract:** The utilization of underground space in integrated area development, particularly parking basements at Podomoro City Deli Medan, creates juridical consequences regarding land rights and legal relationships between developers, unit owners, and facility users. This study aims to analyze the legal implications of the control and utilization of underground space and to examine the forms of legal protection provided to unit owners and users. The research employed a normative juridical method using statutory and conceptual approaches through library research based on primary, secondary, and tertiary legal materials. The results indicate that the utilization of parking basements at Podomoro City Deli Medan does not yet have clear regulations regarding the legal status and limits of underground space control, resulting in differing interpretations between developers and unit users. This condition has led to conflicts in practice, including limited access, differences in facility functions, and commercially oriented management. The legal implications include the potential for breach of contract, unlawful acts, and legal uncertainty in the implementation of parking facility users' rights. Therefore, stronger regulations and clearer arrangements regarding the status of basements are necessary in order to create legal certainty and balanced protection for all parties.

**Keywords:** Land Rights, Underground Space, Parking Basement

### INTRODUCTION

Land occupies a very important position in human life because it forms the basis of almost all activities, ranging from housing, economic activities, to infrastructure development. Along with the development of the times, the demand for land continues to increase, while its availability remains limited both in quantity and quality. This condition creates considerable pressure on land utilization, especially in urban areas experiencing rapid growth. Land is no longer viewed merely as a place to stand, but has become a strategic resource with high economic value. This situation has encouraged a shift in society's perspective toward land, from having a primarily social function to becoming increasingly economic and even competitive due to the rising value of space and land commodification (Afifah et al., 2025).

This transformation is also reflected in the increasingly complex relationship between humans and land. Land is now used not only to fulfill basic needs, but also as a long-term

investment capable of generating substantial profits. Land transactions continue to increase and are often accompanied by speculative practices aimed at obtaining greater value in the future. Under such conditions, land becomes an object contested by various interests, including individuals, business entities, and the state. Consequently, the potential for conflicts in land control and utilization becomes increasingly open, particularly when there is no balance between economic interests and the social interests that should be maintained simultaneously (Dwiyatmi, 2020).

On the other hand, land utilization cannot be carried out freely without limitation. The state plays an important role in regulating land use to ensure that it provides the greatest possible benefit to society. Such regulation aims to maintain a balance between utilization and sustainability so that land is not excessively exploited. Article 14 paragraph (1) of the Basic Agrarian Law emphasizes the importance of planning regarding the supply, allocation, and utilization of land, water, and airspace. This provision demonstrates that land utilization must be conducted in a directed and planned manner, rather than merely following short-term interests. The role of the state in this regard is therefore crucial in ensuring that land can be utilized fairly and equitably.

The definition of land under the Basic Agrarian Law refers to the surface of the earth over which rights may be granted to individuals or legal entities. This provision confirms that land, as a legal object, has certain limitations related to rights of control. Land rights constitute the basis for determining the parties authorized to utilize the land, including for the construction of buildings and other economic activities. In practice, land rights do not only encompass the surface of the earth, but also extend to everything standing upon it and located beneath it insofar as necessary for the utilization of the land (Harsono, 2008). This creates a close legal relationship between land and everything attached to it, thereby requiring every utilization to have a clear legal basis (Laksono et al., 2023).

Along with the development of modern construction, land utilization is no longer confined to the surface but has also expanded into underground spaces. This condition adds complexity to the regulation of land rights, particularly when underground spaces are utilized for basement construction. Increasingly diverse forms of utilization require clarity regarding the limits of control and the legal relationship between land and the underground space beneath it. Without clear regulation, the potential for conflict will continue to increase, especially when economic interests become more dominant than collective interests. Therefore, an understanding of land rights and their utilization is essential to ensure that every activity related to land can be conducted in an orderly, fair manner and provide legal certainty for all parties (Anggono & Setyawan, 2022).

The development of urban areas has encouraged a more intensive utilization of space, not only on the surface of the land but also beneath it. The limited availability of land in city centers has made underground space an increasingly utilized alternative, particularly to support parking facilities. Basement parking has emerged as a solution to the growing number of vehicles and has become an integral part of modern integrated building design. Nevertheless, the utilization of underground space is not merely a technical issue of construction, but is also closely related to the control of land rights that constitute the primary legal basis for every development activity. This condition requires clarity regarding how underground space may be utilized without creating legal problems in the future.

The utilization of underground space in the form of basement parking is often interconnected with various interests involving multiple parties. Developers, landowners, residents, and facility users possess interrelated legal relationships in the utilization of such spaces. In practice, these relationships do not always operate harmoniously, especially when basement utilization shifts from a supporting function into an asset with significant economic value. This shift raises issues concerning the limits of control, utilization, and responsibility

over the underground space being used. In the absence of clarity regarding these matters, the potential for conflict increases and creates legal uncertainty (Adnan et al., 2025).

A well-designed parking basement does not merely provide space to accommodate vehicles, but must also be planned with due consideration for safety, comfort, and accessibility for users. Parking layouts should be clear so that vehicles can enter and exit without obstruction, circulation routes should not be too narrow, and adequate lighting must be provided to ensure that the area does not endanger users. Ventilation systems must also be considered to maintain proper air circulation. When all these aspects are fulfilled, the basement functions not only as a parking facility but also as part of the building infrastructure that provides users with a sense of safety and comfort.

In addition, technical conditions such as water management constitute an important aspect of basement construction. Drainage systems must be properly designed to prevent rainwater from entering and accumulating in parking areas. The use of water pumps, adequate drainage channels, and floor elevation planning must be adjusted to the surrounding environmental conditions. Vehicle entry and exit routes must also have safe gradients that are not excessively steep. If these aspects are neglected, the risk of vehicle damage and accidents will increase, thereby preventing the basement from functioning optimally as a supporting facility.

Regulations concerning basement parking construction have been stipulated in various statutory provisions. Law Number 26 of 2007 concerning Spatial Planning regulates that every spatial utilization must conform to the established spatial planning framework, including the utilization of underground spaces. Furthermore, basement construction must also take into account safety, environmental, and technical feasibility aspects in accordance with applicable regulations. Law Number 28 of 2002 concerning Buildings emphasizes that every building must fulfill requirements related to safety, health, comfort, and accessibility. In addition, the provisions of the Basic Agrarian Law serve as the legal basis for determining the relationship between land rights and their utilization, including spaces located beneath the surface of the land. These provisions demonstrate that basement parking construction cannot be carried out arbitrarily, but must comply with established legal and technical standards (Lubis et al., 2024).

The issue becomes increasingly complex when the utilization of underground space is not accompanied by careful planning. Basement parking construction, which should provide convenience, may instead create discomfort if not designed according to user needs. Inadequate parking capacity, ineffective vehicle circulation arrangements, and physical building conditions that do not support functionality are factors that trigger complaints from the public. This situation indicates that basement development requires not only spatial efficiency, but also attention to functional aspects, user comfort, and the long-term sustainability of the building.

Such conditions can be observed in the utilization of basement parking at Podomoro City Deli Medan, which forms part of an integrated area with high residential and commercial activity. The basement parking facility in this area was developed as a supporting facility to accommodate the parking needs of unit residents, visitors, and commercial activities within the complex. However, in practice, the management and utilization of this space demonstrate an imbalance between service functions and operational arrangements, particularly concerning capacity and utilization systems that users perceive as not yet fully optimal.

In addition to capacity issues, there are management dynamics related to the allocation of parking spaces among residents, visitors, and area management. At certain times, particularly when activity within the area increases, vehicle congestion occurs, indicating that the management system has not functioned optimally. This condition not only affects user comfort but also demonstrates differing perceptions regarding the status of the basement as either a shared facility or part of a limited and commercialized management system (Hashmi & Octariana, 2023).

Access to the basement parking area has also become a matter of concern among users of the complex. Entrance routes with relatively steep inclines, combined with dense vehicle circulation during certain hours, create a sense of insecurity for some users. This situation indicates that the aspects of comfort and safety in the utilization of underground space have not yet been fully achieved. These conditions demonstrate that facility management involves not only technical considerations but also the protection of user interests and the establishment of fair and transparent legal certainty.

The problems arising within the basement parking facility are not limited to technical aspects but also extend to issues of management and the clarity of the legal status of underground spaces within the legal system and area management practices. Differences in perception between developers as area managers and unit users regarding access rights and facility utilization create the potential for uncertainty in legal relationships. This condition is closely related to the theory of legal certainty, which states that law must provide clarity, avoid multiple interpretations, and serve as a guideline for societal conduct (Mertokusumo, 2007). When regulations concerning the status and management of basements are not formulated clearly, legal certainty for users becomes weak and creates room for conflict.

Although regulations regarding land rights and spatial utilization have been stipulated in various laws and regulations, studies concerning the utilization of underground spaces, particularly basement parking within integrated developments, remain relatively limited. Previous studies have generally focused more on land rights from the perspective of surface land ownership, ownership disputes, or building regulations in general. Meanwhile, discussions concerning the legal status of underground space as part of land rights, especially when used for basement parking in modern integrated developments, have not been examined specifically and comprehensively.

In addition, previous research has tended to emphasize technical aspects of basement construction, such as construction standards, drainage systems, and parking layouts, without comprehensively linking them to the legal relationships among developers, unit owners, and facility users. In practice, however, basement parking utilization involves not only technical considerations but also legal issues concerning the limits of underground space control, user access rights, management of shared facilities, and the legal responsibilities of developers toward facility users.

Another research gap lies in the absence of studies specifically analyzing conflicts over control and utilization of underground spaces in basement parking facilities within integrated developments such as Podomoro City Deli Medan. This condition indicates that there remains a lack of analysis regarding how basement status is understood in modern area management practices and how legal protection is provided to facility users. Therefore, this research seeks to fill this gap by focusing on the legal implications of underground space control, conflicts in basement parking utilization, and legal protection for the parties involved from the perspectives of legal certainty and Indonesian agrarian law (Salinding, 2018).

In addition to the theory of legal certainty, this research also employs the theory of legal protection, which emphasizes that law must be capable of protecting the rights of individuals from actions that may harm them. In the context of basement parking utilization, legal protection is necessary to guarantee users' rights to proper access, safety, and comfort. Developers, as facility managers, also bear responsibility for providing facilities in accordance with their intended functions and purposes.

Based on the foregoing discussion, the study of conflicts concerning land rights control in the utilization of underground space is relevant to be conducted, particularly with respect to the basement parking facility at Podomoro City Deli Medan. The issues that arise are not limited to aspects of spatial utilization but also involve legal relationships among the parties in area management. This research is directed toward analyzing how such conflicts are formed,

how the legal status of underground space is understood in practice, and how these matters relate to the principle of legal certainty, which should provide protection and clarity for all parties.

The research problems in this study are: (1) how are legal regulations governing land rights and the utilization of underground space in basement parking development structured, and (2) what are the legal implications and forms of conflict concerning underground space control in the basement parking facility of Podomoro City Deli Medan. The purpose of this research is to analyze the legal regulations concerning land rights and underground space utilization in basement parking development, as well as to examine the legal implications and conflicts regarding underground space control in the basement parking facility of Podomoro City Deli Medan. This study is expected to contribute theoretically to the development of agrarian law studies and underground space utilization, while also providing recommendations for clearer legal regulations to create legal certainty and balanced protection for the parties involved in the management of integrated developments.

## **METHODE**

This research employs a normative juridical method, namely research conducted through the examination of statutory regulations, legal principles, legal theories, and various literature related to land rights and the utilization of underground space in basement parking facilities. The approaches applied in this study are the statute approach and the conceptual approach. The statute approach is carried out by examining various legal provisions related to land rights, spatial planning, building regulations, and the utilization of underground space. Meanwhile, the conceptual approach is conducted through the study of theories of legal certainty, legal protection, and the concept of land rights control within the Indonesian agrarian legal system.

The data sources used in this research consist of secondary data comprising primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, Law Number 5 of 1960 concerning Basic Agrarian Principles, Law Number 26 of 2007 concerning Spatial Planning, Law Number 28 of 2002 concerning Buildings, as well as other regulations related to underground space utilization and basement parking construction. Secondary legal materials are obtained from books, legal journals, scientific articles, research findings, and expert opinions relevant to the object of the research. Meanwhile, tertiary legal materials are derived from legal dictionaries, encyclopedias, and other supporting sources that assist in explaining the legal terms and concepts used in this study.

This research focuses on the utilization of underground space in the construction of basement parking facilities at Podomoro City Deli Medan. The study emphasizes the legal regulation of land rights, the legal status of underground space, and the legal conflicts arising in the practical utilization of basement parking within the integrated development area.

The data collection technique employed in this research is library research, conducted by collecting and studying various legal materials related to the research topic. All legal materials are subsequently analyzed qualitatively by correlating the applicable legal provisions with the issues under examination. The analysis is carried out descriptively and analytically to provide a systematic description of the legal regulations governing land rights and underground space utilization, as well as to examine the legal implications arising from the management of basement parking facilities at Podomoro City Deli Medan.

The method of drawing conclusions in this research uses a deductive approach, namely deriving conclusions from general legal provisions toward more specific issues. Through this method, the research is expected to provide a clear understanding of conflicts concerning land rights control in the utilization of underground space and to offer recommendations for legal

regulations that provide greater legal certainty and protection for all parties involved.

## **RESULTS AND DISCUSSION**

### **Legal Regulation of Land Rights and the Utilization of Underground Space**

The legal regulation of land rights constitutes an essential component of the national agrarian legal system because land possesses both a social function and an economic value that continues to develop over time. Provisions regarding land rights in Indonesia are fundamentally based on Law Number 5 of 1960 concerning Basic Agrarian Principles, which places the state as the holder of the right to control the earth, water, and airspace. Through its authority, the state bears responsibility for regulating the allocation, utilization, and legal relationships between society and land in order to achieve certainty and justice. The existence of land rights subsequently becomes the legal basis for individuals and legal entities to utilize land according to their respective needs and interests. Such utilization is not limited merely to the surface of the land but also includes the space above and below the land insofar as it is directly related to the use of the land concerned. The development of modern construction has made underground space an increasingly important aspect of land rights utilization, particularly in urban areas experiencing land scarcity (Adnan et al., 2024).

The need for underground space continues to increase along with the growth of integrated developments that combine residential, commercial, and public facility functions within a single area. The utilization of underground space has therefore developed into an alternative considered effective for supporting spatial efficiency in urban environments. Basement parking is one of the most common forms of underground space utilization found in high-rise buildings and modern commercial developments. The existence of basement parking serves not only as a vehicle storage area but also as an important facility supporting the activities of residents and users of the area. The increasingly intensive use of underground space gives rise to legal consequences concerning the limits of control and the relationship between land rights and the space beneath the earth's surface. When legal regulations fail to develop in line with construction needs, the potential for legal uncertainty becomes increasingly open and may lead to conflicts among interested parties.

Article 4 paragraph (2) of the Basic Agrarian Law grants land rights holders the authority to utilize the land concerned together with the earth beneath it and the space above it insofar as necessary for interests directly related to the use of the land. This formulation demonstrates that control over underground space does not constitute an independent right but instead follows the rights attached to the surface land forming the basis of its utilization. These provisions were initially formulated when underground space utilization had not yet developed as complexly as it has today. Urban development has caused the use of underground space to expand beyond simple necessities into a strategic component of economic and commercial activities. Such conditions create the need for more specific legal regulations regarding the limits of underground space control and its legal relationship with modern building utilization. The absence of detailed regulations often results in differing interpretations in the practice of basement parking development within integrated areas (Arisandy & Purwaningsih, 2020).

Issues concerning underground space are also closely related to the spatial planning system regulated under Law Number 26 of 2007 concerning Spatial Planning. The law emphasizes that spatial utilization must be carried out in accordance with the spatial planning framework established by the government. Space is not merely understood as the land surface but also includes the space above and beneath the earth as an integrated territorial unit that must be utilized in a planned manner. The utilization of underground space for basement parking construction must therefore consider aspects of safety, environmental sustainability, and spatial balance within the surrounding area. Construction activities that do not conform to spatial planning policies may produce adverse impacts on the environment and surrounding

communities. The conformity between basement construction and spatial planning policies is essential to ensure that underground space utilization remains within the applicable legal framework.

The existence of basement parking in modern buildings cannot be separated from the provisions concerning buildings as regulated under Law Number 28 of 2002 concerning Buildings. These regulations emphasize that every building must fulfill administrative and technical requirements in order to guarantee safety, comfort, health, and accessibility for building users. Basement parking as part of a building structure must be designed by considering construction strength, drainage systems, ventilation, lighting, and vehicle access routes. Such technical requirements are not solely related to the physical aspects of the building but also constitute a form of legal protection for the safety of facility users. Failure to comply with technical standards may result in losses for the public and create the possibility of legal liability for both managers and developers. The relationship between technical and legal aspects becomes highly significant because the quality of basement management directly affects users' rights to obtain proper facilities (Calista & Djaja, 2024).

The construction of basement parking within integrated developments frequently gives rise to issues regarding the status of such facilities, namely whether they constitute shared facilities or part of the developer's commercial assets. Differences in perception regarding basement status may influence users' access rights to available parking facilities. Residents generally view the basement as part of a common facility that should be utilized proportionally according to their ownership rights. Developers, on the other hand, often possess managerial authority that grants them greater control over the utilization of parking spaces. This situation causes the legal relationship between developers and facility users to become imbalanced when regulations concerning the rights and obligations of each party are not clearly defined. Such ambiguity may lead to conflicts in the form of restricted access, additional charges, or usage arrangements perceived as detrimental to facility users.

Legal protection concerning the utilization of underground space in basement parking facilities is closely related to the principle of legal certainty, which constitutes one of the primary objectives of lawmaking. Legal certainty is required to ensure that every party obtains clarity regarding their rights and obligations in utilizing basement parking facilities. The lack of clarity regarding the legal status of underground space frequently gives rise to multiple interpretations that disadvantage facility users. Developers, as managers of the area, occupy a more dominant position in determining management policies, while facility users remain in a weaker position in defending their rights. This condition demonstrates that general legal regulations have not fully provided balanced protection for all parties. Clarity in the regulation of underground space utilization is therefore important in preventing abuses of authority in basement parking management (Ardiyanto, 2022).

The legal relationship between developers and users of basement parking facilities essentially arises from agreements and civil legal relationships established in the management of integrated developments. Such agreements become the basis for regulating access rights, facility utilization, and managerial responsibilities toward users. Problems arise when the contents of agreements fail to provide detailed explanations concerning the status and utilization of underground space, thereby creating uncertainty in implementation. Facility users are often placed in a position where they merely accept conditions established by developers without sufficient opportunity for negotiation. This imbalance of position may result in unfair legal relationships for basement parking users. Protection of users' interests is therefore important to ensure that facility management is not solely oriented toward economic profit but also proportionally considers users' rights.

The utilization of basement parking is also related to the principle of the social function of land rights as regulated under national agrarian law. Land rights fundamentally cannot be

exercised solely for private interests without considering the interests of the surrounding community. The use of underground space for parking facilities must continue to prioritize social benefits for residents and area users. When basement parking is managed exclusively or excessively commercially, the social function of land utilization diminishes and may trigger conflicts of interest. A balance between economic and social functions is essential in basement facility management to ensure that such facilities genuinely benefit the community. Underground space utilization that neglects social functions has the potential to create inequality in access to and use of shared facilities (Ardani & Mumtaaz, 2021).

The development of modern construction demonstrates that underground space possesses increasingly high economic value, thereby requiring legal reforms that are more responsive to societal needs. Regulations that remain general in nature cause many legal issues to be resolved based on the respective interpretations of the parties involved. Such situations not only create legal uncertainty but also open opportunities for civil disputes in the practice of integrated area management. Regulations concerning the limits of underground space control, the status of basement parking, and users' rights must therefore be formulated more clearly in order to provide adequate legal protection. Regulatory reform is also necessary to accommodate the development of vertical construction and the increasingly complex utilization of underground space in urban areas.

The position of the government in regulating underground space utilization plays a highly important role because the government is responsible for formulating spatial planning policies, issuing construction permits, and supervising the utilization of space. Weak supervision may result in basement parking construction being carried out without due regard to safety aspects and public interests. The government functions not only as a licensing authority but also as a party responsible for ensuring that underground space utilization is conducted in accordance with applicable legal provisions. Effective supervision will help prevent conflicts arising from the improper use of underground space. Such governmental responsibility constitutes an essential element in creating legal certainty and protection for society as facility users.

The study concerning legal regulation of land rights and underground space utilization demonstrates that modern development requires a legal system that is more adaptive and comprehensive. The complexity of legal relationships in basement parking construction can no longer be resolved solely through conventional agrarian law approaches focused on land surfaces. The need for more detailed regulations has become increasingly urgent because underground space has evolved into a strategic component of urban development. Clarity regarding the legal status of basement parking, the limits of underground space control, and managerial responsibilities constitutes an important factor in creating legal certainty for all parties. Clear regulations will also help prevent conflicts and create a balance between the economic interests of developers and the rights of facility users in the utilization of underground space (Hasham & Octariana, 2023).

### **Legal Implications and Forms of Conflict in the Control of Underground Space**

The utilization of underground space in the basement parking area of Podomoro City Deli Medan demonstrates the evolving function of space, which is no longer limited to serving merely as a supporting facility of the building but has become an essential component of the economic activities within the integrated development area. The high intensity of activities within the area has made basement parking strategically important in supporting the mobility of residents, visitors, and business actors operating within the complex. The existence of basement parking is not only related to the technical necessity of providing vehicle space, but also creates complex legal relationships among developers, area managers, unit owners, and facility users. Such complexity arises because the utilization of underground space has not yet been regulated in detail regarding the limits of control, facility status, and mechanisms of

utilization. This condition makes underground space vulnerable to conflicts arising from differing interests among parties. These differences ultimately give rise to legal implications affecting the certainty of rights and obligations in the management of basement parking facilities (Saptomo et al., 2025).

The most fundamental legal implication concerns the status of underground space control as part of land rights within an integrated development area. Agrarian law generally grants authority to utilize land together with the space beneath it insofar as necessary for the use of the land concerned. However, modern development demonstrates that underground space has been utilized more extensively and possesses its own economic value. Basement parking at Podomoro City Deli Medan is not only used to support residential functions but has also become part of a commercially managed area system. This condition raises issues concerning whether basement parking constitutes a common facility attached to the rights of unit owners or remains under the control of the developer as the area manager. The lack of clarity regarding such status creates imbalances in legal relationships among parties and opens opportunities for conflicts of interest.

Issues concerning access rights constitute one of the most common forms of conflict arising in the utilization of basement parking facilities. Facility users generally perceive the basement as a common facility that may be utilized proportionally according to their ownership rights within the integrated area. On the other hand, developers and area managers possess certain authority to regulate the use of parking spaces based on operational systems and management interests. Such differences in perception create tensions when user access is restricted through various arrangements, such as limitations on parking areas, restrictions on usage time, or the imposition of additional fees. These conditions create uncertainty regarding the extent to which users may exercise their rights without interference from the area management. The ambiguity of access rights constitutes a form of conflict in the control of underground space that affects both comfort and legal certainty for facility users (Sari & Setiawan, 2024).

Another issue that arises relates to the management of basement parking facilities, which tends to prioritize commercial interests. In integrated developments, basement parking is no longer perceived solely as a service facility for residents but has become a source of revenue through paid parking systems and the regulation of specific parking spaces. This shift in function creates legal implications concerning the position of facility users, particularly when management is conducted without clear explanation regarding the legal basis of users' rights to parking facilities. Users who believe they possess rights over common facilities often perceive that management policies prioritize economic profit over service to residents. Such conditions create conflicts of interest between the social function of shared facilities and the business interests of area managers. This imbalance may give rise to legal claims when users believe they have suffered losses in the utilization of basement parking facilities (Huda et al., 2024).

The aspects of user safety and comfort also constitute an important part of the legal implications concerning underground space utilization at Podomoro City Deli Medan. Basement access routes with relatively steep inclines and dense vehicle circulation at certain times create risks for vehicle users. These conditions relate not only to the technical aspects of the building but also to the legal responsibility of area managers to provide safe and proper facilities. If users suffer losses due to facility conditions that fail to meet safety standards, area managers may be held civilly liable. Such responsibility may arise in the form of breach of contract claims or unlawful acts resulting from negligence in facility management. Consequently, the legal relationship between managers and users becomes increasingly important because it concerns the protection of users' rights in relation to public facilities within integrated developments (Putra & Suryono, 2020).

Conflicts concerning the control of underground space are also reflected in the absence of clear boundaries regarding the authority of managers over basement parking facilities. Developers, as parties responsible for constructing the area, generally continue to exercise control over facility management even after residential units have been transferred to members of the public. This situation raises questions concerning whether developers still possess full authority to determine basement usage policies or whether they must consider users' rights as beneficiaries of common facilities. Such ambiguity creates uncertain legal relationships because facility users lack a strong position in determining management policies. Area managers tend to occupy a dominant position in establishing rules concerning underground space utilization, while users merely remain in a position of accepting predetermined policies. These conditions demonstrate the imbalance of legal relationships in the control of basement parking facilities.

Another legal implication concerns legal certainty regarding the status of underground space within the national legal system. Existing legal regulations remain general in nature and do not yet specifically regulate the control of underground space in integrated developments. This regulatory gap causes conflict resolution to depend largely on the interpretations of the parties involved and on agreements drafted by developers. When contractual provisions fail to clearly explain users' rights regarding basement parking facilities, the potential for multiple interpretations becomes even greater. This condition demonstrates that the development of modern construction has not been fully accompanied by adequate regulatory development. The ambiguity of regulations ultimately weakens legal protection for users of basement parking facilities (Hidayah & Sasmita, 2025).

The existence of basement parking as part of common facilities is fundamentally related to the principle of the social function of land rights. Land rights cannot be exercised absolutely without considering the interests of the community utilizing the facilities within the area. Basement parking management should not focus solely on economic profit but must also consider the needs of residents and users fairly. When management prioritizes commercial interests excessively, the social function of underground space utilization diminishes and creates a sense of injustice among facility users. Such conflicts demonstrate that underground space utilization concerns not only ownership issues but also the balance of interests between managers and facility users. This balance is important in maintaining harmonious legal relationships within integrated developments (Hermawan & Hananto, 2021).

The legal relationship between developers and users of basement parking facilities is also influenced by agreements established in the management of integrated developments. Such agreements are generally drafted unilaterally by developers, leaving users with limited opportunities to determine their rights and obligations. This situation may create an imbalance in the legal positions of the parties within civil law relationships. Facility users often do not receive detailed explanations regarding the status of basement parking facilities and their management mechanisms at the time of purchasing residential units. Such ambiguity becomes a factor triggering disputes when users perceive that their access rights are restricted or subject to additional charges. The weaker legal position of users in such relationships demonstrates the importance of clearer legal protection in the management of basement parking facilities.

The development of integrated urban areas indicates that underground space will increasingly be utilized for various purposes in the future. Such intensive utilization requires a legal regulatory system that is clearer and more adaptive to modern development trends. Regulations concerning the status of basement parking facilities, the limits of underground space control, and the rights and obligations of parties involved must be formulated in greater detail in order to avoid legal uncertainty. Clear regulations will help create a balance between the interests of developers as area managers and the rights of users as beneficiaries of the facilities. Such legal certainty is important in preventing prolonged conflicts in the management

of basement parking facilities within integrated developments.

The position of the government in supervising the development and management of basement parking facilities plays a very important role in ensuring protection for users of such facilities. Supervision is not limited to the issuance of construction permits but also includes controlling the utilization of underground space to ensure conformity with its intended function and purpose. Weak supervision increases the potential for abuse in the control of underground space and may disadvantage facility users. The government must ensure that basement parking management complies with standards of safety, comfort, and legal certainty for all interested parties. Such supervisory functions are essential in creating a more just and transparent integrated area management system (Dolla et al., 2022).

The study concerning the legal implications and conflicts in the control of underground space within the basement parking facilities of Podomoro City Deli Medan demonstrates that modern development has created new legal issues that have not yet been comprehensively regulated within the national legal system. The conflicts that arise concern not only facility utilization but also legal certainty, legal protection, and the balance of relationships between developers and area users. The lack of clarity regarding the legal status of basement parking facilities has resulted in differing interpretations in the practice of integrated area management. The need for more specific legal regulations has therefore become increasingly important to ensure that underground space utilization may be carried out in an orderly, fair manner and provide legal certainty for all parties involved. The establishment of clearer regulations is expected to reduce the potential for conflict while simultaneously providing more effective legal protection for users of basement parking facilities.

## CONCLUSION

Legal regulations concerning land rights and the utilization of underground space in basement parking development have been governed under the Basic Agrarian Law, the Spatial Planning Law, and the Building Law. However, these regulations remain general in nature and have not yet provided clear provisions regarding the legal status and limits of underground space control within integrated developments. This condition has resulted in differing interpretations between developers and users of basement parking facilities.

The legal implications arising within the basement parking facilities of Podomoro City Deli Medan relate to conflicts concerning the control and utilization of facilities, particularly regarding access rights, parking management, and responsibilities for user safety and comfort. The ambiguity of these regulations demonstrates the need for stronger regulatory frameworks and greater legal certainty in order to create balanced legal protection for both developers and users of basement parking facilities.

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