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## **No. S 858**

### ENVIRONMENTAL PUBLIC HEALTH ACT 1987

#### ENVIRONMENTAL PUBLIC HEALTH (EXEMPTED CONTROLLED WORKS) REGULATIONS 2023

##### ARRANGEMENT OF REGULATIONS

###### Regulation

1. Citation and commencement
  2. Exempted controlled works from section 46C of Act
  3. Conditions of exemption
  4. Duty to ensure compliance with lodged plans
  5. Deviation from lodged plans of controlled works
- The Schedule
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In exercise of the powers conferred by section 111 of the Environmental Public Health Act 1987, the National Environment Agency, with the approval of the Minister for Sustainability and the Environment, makes the following Regulations:

#### **Citation and commencement**

1. These Regulations are the Environmental Public Health (Exempted Controlled Works) Regulations 2023 and come into operation on 18 December 2023.

#### **Exempted controlled works from section 46C of Act**

2. For the purposes of section 46D(1) of the Act, section 46C of the Act does not apply to any class of controlled works specified in the Schedule, if all of the conditions specified in regulation 3 are satisfied.

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**Conditions of exemption**

3. The conditions mentioned in regulation 2 are —
- (a) the plans of the controlled works must be lodged with the Director-General in the form and manner and within the time specified by the Director-General, together with any other information or document specified by the Director-General; and
  - (b) the person who prepared the plans of the controlled works must provide to the Director-General, in the form and manner and within the time specified by the Director-General, a declaration of the matters specified by the Director-General.

**Duty to ensure compliance with lodged plans**

4.—(1) The person appointed under section 8 or 11 of the Building Control Act 1989 in respect of any controlled works the plans of which have been lodged in accordance with the condition in regulation 3(a), must ensure that the controlled works are carried out in accordance with the plans so lodged.

(2) A person who contravenes paragraph (1) shall be guilty of an offence and shall be liable —

- (a) on the first conviction to a fine not exceeding \$20,000; and
- (b) on a second or subsequent conviction to a fine not exceeding \$50,000.

**Deviation from lodged plans of controlled works**

5. To avoid doubt, for the purposes of complying with regulation 4, a developer of controlled works who intends to depart or deviate from any plans of those works already lodged with the Director-General in accordance with the condition in regulation 3(a) must first lodge with the Director-General the amended plans showing the proposed departure or deviation.

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## THE SCHEDULE

Regulation 2

### PART 1

#### EXEMPTED CONTROLLED WORKS

1. Any controlled works carried out for or in connection with any single unit detached house, semi-detached house, terraced or linked house for residential purposes (excluding any strata-titled properties with communal facilities), if the controlled works —
  - (a) do not involve any installation, alteration or replacement of a controlled facility as defined in section 46A of the Act; and
  - (b) satisfy the condition concerning roof gutters.
2. Any controlled works carried out for or in connection with any minor development project, if the controlled works —
  - (a) do not involve any installation, alteration or replacement of a controlled facility as defined in section 46A of the Act;
  - (b) do not result in an increase in the estimated refuse output of the area on which the minor development project is carried out; and
  - (c) satisfy the condition concerning roof gutters.
3. Any controlled works carried out for or in connection with any minor addition and alteration works to any industrial or trade premises or industrial plant, if the controlled works —
  - (a) do not involve any installation, alteration or replacement of a controlled facility as defined in section 46A of the Act;
  - (b) do not result in any increase in the estimated refuse output of the industrial or trade premises or industrial plant; and
  - (c) satisfy the condition concerning roof gutters.

THE SCHEDULE — *continued*

## PART 2

## INTERPRETATION

## 1. In this Schedule —

“ancillary facility”, in relation to any industrial or trade premises or industrial plant, means separate buildings, structures or facilities within the industrial or trade premises or industrial plant, such as an electric substation or a shed;

“industrial or trade premises” and “industrial plant” have the meanings given by section 2 of the Environmental Protection and Management Act 1999;

“minor addition and alteration works” means any of the following controlled works done as an addition or alteration to any industrial or trade premises or industrial plant:

- (a) works in relation to the structural elements of a building;
- (b) works to any ancillary facility of the industrial or trade premises or industrial plant;
- (c) reconfiguration of industrial units without any change in the existing scope or intensity of industrial activities carried out on the industrial or trade premises or industrial plant;

“minor development project” means any of the following projects:

- (a) the provision, extension or alteration of a linkway or ramp;
- (b) the provision, extension or alteration of a taxi shelter, bus stop or pedestrian overhead bridge;
- (c) lift installation or upgrading works;
- (d) the provision, extension or alteration of a pavilion, shelter or canopy;
- (e) the upgrading of an electrical substation or consumer switchroom;
- (f) internal upgrading works such as internal staircases, partitions, and flooring works;

“roof gutter” includes rainwater outlet, scupper drain and rainwater downpipe.

## 2. In this Schedule, controlled works satisfy the condition concerning roof gutters if they either —

- (a) do not involve any installation of roof gutters; or

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THE SCHEDULE — *continued*

- (b) involve the installation of roof gutters that meets all of the following requirements:
- (i) the roof gutters are installed on a flat roof or balcony;
  - (ii) the roof gutters installed are directly accessible by a staircase or a fixed ladder;
  - (iii) the flat roof or balcony is enclosed by safety railings, or parapet walls, that are at least one metre in height.

Made on 14 December 2023.

LEE CHUAN SENG  
*Chairperson,*  
*National Environment Agency,*  
*Singapore.*

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(To be presented to Parliament under section 111(4) of the Environmental Public Health Act 1987).