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No. S 321

PLANNING ACT 1998

PLANNING (DEVELOPMENT) (AMENDMENT) RULES 2023

In exercise of the powers conferred by section 61(1) of the Planning Act 1998, the Minister for National Development makes the following Rules:

Citation and commencement

1. These Rules are the Planning (Development) (Amendment) Rules 2023 and come into operation on 1 June 2023.

Amendment of rule 2

2. In the Planning (Development) Rules 2008 (G.N. No. S 113/2008), in rule 2 —

(a) replace the definitions of “floor area” and “landed dwelling-house” with —

““floor area” means —

(a) the gross area of all covered floor space (whether within or outside a building and whether or not enclosed) measured —

(i) up to the middle of the external walls; and

(ii) where there is a party wall, up to that part of the party wall that is part of the building;

(b) the gross area of floor space in an open area used as a beer garden, a drive-in, an eating area or for other similar commercial purposes;

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- (c) the gross area of floor space in any outdoor area (whether covered or otherwise) which is approved by the competent authority as a balcony, private enclosed space or private roof terrace in a building (not being a landed dwelling-house) in the grant of planning permission or conservation permission; and
 - (d) the gross area of any space (whether covered or otherwise and whether or not enclosed) which is or is to be comprised in the strata area of a building that is comprised or is to be comprised in a strata title plan under the Land Titles (Strata) Act 1967;

but excludes any area (covered or otherwise) specified by the Minister;

“landed dwelling-house” means a dwelling-house of any of the following housing types but does not include a landed dwelling-house governed by the provisions of the Land Titles (Strata) Act 1967:

- (a) detached house;
 - (b) linked house;
 - (c) semi-detached house;
 - (d) terrace house;”;
- (b) in the definition of “revoked Rules”, replace the full-stop at the end with a semi-colon; and

(c) after the definition of “revoked Rules”, insert —

““strata area” has the meaning given by regulation 2(1) of the Boundaries and Survey Maps (Conduct of Cadastral Surveys) Rules (R 5).”.

Saving and transitional provisions

3.—(1) The Planning (Development) Rules 2008 (called in this rule the principal Rules) as amended by these Rules do not apply to any application (including an application that is re-submitted at the request of the competent authority) for planning permission or conservation permission that was made or re-submitted to the competent authority before 1 June 2023 and is pending as of that date, and the principal Rules as in force immediately before 1 June 2023 continue to apply to such application or re-submitted application.

(2) The principal Rules as amended by these Rules do not apply to any development of land, or any works within a conservation area, authorised by the Minister under section 21(6) of the Act and the plans for which have been lodged with the competent authority in accordance with the conditions of the authorisation before 1 June 2023, and the principal Rules as in force immediately before that date continue to apply to such development or works.

(3) Subject to paragraph (4), the principal Rules as amended by these Rules do not apply to any development of land, or any works within a conservation area, authorised by the Minister under section 21(6) of the Act for which the prior written consent or approval of the Collector of Land Revenue or a statutory body or both (as applicable) has been obtained in accordance with the conditions of the authorisation before 1 June 2023, and the principal Rules as in force immediately before that date continue to apply to such development or works.

(4) Paragraph (3) does not apply to a development of land, or works within a conservation area, authorised by the Minister under section 21(6) of the Act where the conditions of the authorisation

also require the plans for the development or works to be lodged with the competent authority.

(5) To avoid doubt, the principal Rules as amended by these Rules apply to any development of any land, or works within a conservation area, after the occurrence of the following:

- (a) the issue of a temporary occupation permit under the Building Control Act 1989 for any development of that land, or works within that conservation area, to which paragraph (1), (2) or (3) applies;
- (b) where there is no temporary occupation permit — the issue of a certificate of statutory completion under the Building Control Act 1989 for such development or works;
- (c) if no temporary occupation permit or certificate of statutory completion is required to be obtained — the completion of such development or works.

[G.N. Nos. S 29/2011; S 1028/2020; S 577/2022]

Made on 31 May 2023.

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Ministry of National Development,
Singapore.*

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(To be presented to Parliament under section 61(5) of the Planning Act 1998).