

PLANNING ACT
(CHAPTER 232, SECTION 21(6))

PLANNING (DEVELOPMENT OF LAND AUTHORISATION)
NOTIFICATION

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation
 2. Authorisation of operations and changes in use involving development of land
 3. Authorisation under paragraph 2 not to apply in certain cases
 4. Transitional provisions
The Schedules
-

[1st August 2002]

Citation

1. This Notification may be cited as the Planning (Development of Land Authorisation) Notification.

Authorisation of operations and changes in use involving development of land

2.—(1) Subject to paragraph 3 and any other written law, the following operations and changes in use involving the development of land are hereby authorised:

- (a) the painting of the exterior of any building;
- (b) the erection of builders' working sheds, contractors' huts, contractors' hoardings, scaffolding and other structures of a similar nature on land under development or about to be developed, in accordance with the permission granted under Part III of the Act and subject to the removal of the structures upon completion of the development;

- (c) the construction of —
- (i) gates, walls, fences, palings or other similar means of enclosure; or
 - (ii) posts, pillars and similar structures of a minor nature, subject to the following conditions:
 - (A) no construction which creates an obstruction to the view of persons using any road open to vehicular traffic, excluding a backlane, at or near any bend, corner, junction or intersection shall be carried out; and
 - (B) sub-paragraph (i) shall not apply to the construction of boundary walls of height exceeding 1.8 metres with bricks, stone, granite or other similar building material or any combination of the same set in mortar or any other binding material, external walls of a building abutting the boundary of the land and retaining walls;
- (d) the use of land for any permitted purpose and the erection and use of any temporary structure in connection therewith for such period or periods not exceeding an aggregate of 90 days in any year, except that —
- (i) the use of land and the erection and use of any temporary structure shall be subject to the following conditions:
 - (A) the temporary structure shall be removed on the cessation of the permitted purpose for which the temporary structure is erected or on the expiry of the 90 days for which any land and the temporary structure erected thereon may lawfully be used under this sub-paragraph, whichever is the earlier;
 - (B) any approval or licence required from any other relevant authority shall be obtained

before the commencement of the use of land or the erection of any temporary structure;

[S 525/2006 wef 04/09/2006]

- (C) the use of land and the erection and use of any temporary structure shall be carried out in compliance with all relevant planning guidelines issued by the competent authority; and

[S 525/2006 wef 04/09/2006]

- (D) the use of land and the erection and use of any temporary structure shall be carried out in compliance with any other written law; and

[S 525/2006 wef 04/09/2006]

- (ii) the competent authority may, in any particular case, require the submission of an application for planning permission or conservation permission under section 13 of the Act for the purpose of imposing such other conditions in connection with the use of land or the erection and use of the temporary structure as the competent authority may consider necessary;
- (e) the carrying out on land used for agriculture, operations requisite for the use of that land for agriculture, including the erection of fowl houses and the digging of wells and ponds, but excluding the erection of any dwelling-house or other structure not directly related to agriculture;
- (f) the carrying out of works for the maintenance or improvement of a private street within the existing reserve or of any private access road to a building;
- (g) the carrying out of works for the purpose of inspecting, repairing or renewing any private sewers, mains, pipes, cables or other apparatus not maintainable by a public authority or statutory undertaker;
- (h) *[Deleted by S 336/2009 wef 20/07/2009]*

- (i) the change in use of any part of a commercial building or shophouse to a shop, where such part of the building or shophouse is authorised or approved under the Act for use as an office, a betting outlet, child care centre, commercial school, community building, motor vehicle showroom, showroom, sports and recreation building, laundry or dry cleaner's shop, pet shop, bar, pub, restaurant, nightclub, health centre or an amusement centre, except that —
- (i) the change in use of any part of a commercial building or shophouse to a shop shall be subject to the following conditions:
- (A) the change in use shall not result in an increase in the floor area of the commercial building or shophouse;
 - (B) that part of the commercial building or shophouse shall not comprise works that are unauthorised under the Act;
 - (C) where that part of the commercial building or shophouse is authorised or approved under the Act for use as a child care centre or community building, such part of the building or shophouse must have been previously authorised or approved under the Act for commercial use;
 - (D) the change in use shall not be in relation to the whole of the commercial building; and
 - (E) any approval required from any other relevant authority for the change in use has been obtained prior to making the change in use; and
- (ii) the competent authority may, in any particular case prior to the change in use being effected, require the submission of an application for planning permission or conservation permission under section 13 of the Act for the purpose of imposing such other conditions in connection with the change in use to

a shop as the competent authority may consider necessary;

[S 336/2009 wef 20/07/2009]

- (j) the erection and display of any sign, placard, board, notice or other device, whether illuminated or not, employed wholly as an advertisement, announcement or direction;
- (k) the addition or enlargement, alteration or improvement of a detached dwelling-house, semi-detached house or terrace house, including the erection of a car porch, garage, lavatory and other out-building, subject to the following conditions:
 - (i) the floor area of the addition or enlargement shall not exceed a total of 20 square metres;
 - (ii) the addition or enlargement, alteration or improvement shall not —
 - (A) be effected on more than one occasion;
 - (B) exceed the original height of the dwelling-house;
 - (C) except in respect of an open car porch, extend beyond the front of the dwelling-house or the approved building line;
 - (D) affect road widening or improvement proposals; and
 - (E) obstruct the view of persons using the road; and
 - (iii) sub-paragraphs (i) and (ii) shall not apply to a detached dwelling-house, semi-detached house or terrace house which is constructed of temporary materials;
- (l) the erection and use of a showflat or showhouse in relation to any development for which permission has been granted under Part III of the Act (referred to in this Notification as the permitted development), subject to the following conditions:

- (i) where the showflat or showhouse is erected on land other than the land which is the subject of the permitted development, the written consent of the owner of the first-mentioned land is obtained for the erection of the showflat or showhouse on his land;
 - (ii) the erection and use of the showflat or showhouse do not give rise to, nor are they likely to give rise to, a public nuisance; and
 - (iii) where the showflat or showhouse does not form part of the permitted development, it is removed upon completion of the permitted development or upon the cessation of its use as a showflat or showhouse, whichever is the earlier;
- (m) where any building or part thereof is authorised or approved under the Act for residential use, the change in use of such building or part thereof (referred to hereinafter as the relevant premises) from residential use to use as a home-office subject to the following conditions:
- (i) the change in use of the relevant premises does not result in any increase in the floor area of the building;
 - (ii) no part of the relevant premises comprises works that are unauthorised under the Act;
 - (iii) any approval required from any other relevant authority for the change in use of the relevant premises has been obtained prior to making the change in use of the relevant premises;
 - (iv) the duly completed registration form required by the competent authority for the change in use is lodged with the competent authority together with a fee of \$20 prior to making the change in use of the relevant premises;
 - (v) where the person lodging the registration form is not the owner of the relevant premises, the prior written consent of the owner of the relevant premises has

been obtained for the lodgment of the registration form;

- (vi) the change in use and the use of the relevant premises as a home-office shall comply with the planning guidelines applicable to home-offices issued by the competent authority; and

[S 743/2010 wef 06/12/2010]

- (vii) the change in use and the use of the relevant premises as a home-office shall not affect the amenities of the building and other buildings in the surrounding locality;

[S 743/2010 wef 06/12/2010]

(viii) *[Deleted by S 743/2010 wef 06/12/2010]*

- (n) the change in use of any part of a building specified in the first column of the First Schedule, where such part of the building is authorised for use for a purpose in any Use Class or any use specified in the second column of that Schedule in relation to that building, to a use for any purpose in another Use Class or another use specified in the third column of that Schedule in relation to that building, except that —

- (i) the change in use of the part of the building shall be subject to the following conditions:

- (A) in the case of a building specified in item 1 of the first column of the First Schedule —

- (AA) that part of the building is not within a shophouse; and

- (AB) where the building is within a development partly authorised or approved for residential use, that part of the building is within a podium of the building with no part thereof for residential use or is physically detached from any building used wholly or partly for residential use;

- (B) the change in use shall not result in an increase in the floor area of the building;
- (C) that part of the building shall not comprise works that are unauthorised under the Act;
- (D) the change in use shall not be in relation to the whole of the building;
- (E) in the case of a building specified in item 1 of the first column of the First Schedule, that part of the building must have been previously authorised or approved under the Act for commercial use;

[S 82/2011 wef 23/02/2011]

(F) *[Deleted by S 82/2011 wef 23/02/2011]*

- (G) any approval required from any other relevant authority for the change in use has been obtained prior to making the change in use; and
- (ii) the competent authority may, in any particular case prior to the change in use being effected, require the submission of an application for planning permission under section 13 of the Act for the purpose of imposing such other conditions in connection with the use of the relevant unit as the competent authority may consider necessary.

[S 336/2009 wef 20/07/2009]

(2) In sub-paragraph (1)(d) —

“permitted purpose” means the use of land for any trade fair, trade exposition, fun fair, carnival, athletics or sports meet, festive bazaar, festive sale, festive entertainment, religious entertainment, religious ceremony, opening ceremony, funeral wake, wedding reception or wayang but does not include the use of land for any open air cinema;

“temporary structure” includes any shed, platform, scaffolding or other structure of a similar nature.

(3) *[Deleted by S 336/2009 wef 20/07/2009]*

(4) In sub-paragraph (1)(i) —

[Deleted by S 336/2009 wef 20/07/2009]

“commercial building” means a building authorised under the Act for any of the following uses:

- (a) commercial;
- (b) mixed commercial and residential;
- (c) hotel.

(5) In sub-paragraph (1)(m) —

“home-office” means any premises —

- (a) which are used by its occupants primarily for residential purposes with part or parts of the premises being used by the occupants as an office; and
- (b) in which not more than 2 persons who are not resident in those premises are engaged in the operation of the office;

“office” means a place in which business and administrative work are carried out.

(6) In this Notification —

“amusement centre”, “betting outlet”, “child care centre”, “commercial school”, “community building”, “health centre”, “industrial building”, “motor vehicle showroom”, “nightclub”, “office”, “pet shop”, “restaurant”, “shop”, “showroom”, “sports and recreation building” and “warehouse” have the same meanings as in the Planning (Use Classes) Rules (R 2);

“commercial use” has the same meaning as in the Planning (Development Charges) Rules (R 5);

“floor area” has the same meaning as in the Planning (Development Charges) Rules;

[S 336/2009 wef 20/07/2009]

[Deleted by S 82/2011 wef 23/02/2011]

“Use Class” means any Use Class as described in the Schedule to the Planning (Use Classes) Rules.

[S 336/2009 wef 20/07/2009]

Authorisation under paragraph 2 not to apply in certain cases

3.—(1) The authorisation under paragraph 2 shall not apply to any operation or change of use involving the development of land as set out in paragraph 2(1)(a), (c), (f), (g), (i), (j), (k), (l) or (n) where such operation is or is to be carried out within a conservation area.

[S 336/2009 wef 20/07/2009]

(1A) The authorisation under paragraph 2 shall not apply to any operation or change of use involving the development of land as set out in paragraph 2(1)(d) where the land is within any area delineated in any of the maps set out in the Second Schedule.

[S 525/2006 wef 04/09/2006]

[S 336/2009 wef 20/07/2009]

(1B) The authorisation under paragraph 2 shall not apply to any operation or change in use involving the development of land as set out in paragraph 2(1)(n) where such operation or change in use is or is to be carried out —

- (a) in any building or any part thereof sold by or leased from the HDB for any commercial use; or
- (b) in the part of any shop premises, sold by or leased from the HDB, which was originally constructed with permission granted under the Act for the purpose of providing a residential living quarters within the shop premises.

[S 82/2011 wef 23/02/2011]

(2) The authorisation under paragraph 2(1) shall immediately cease to apply to any operation or change in use involving the development of land set out in sub-paragraph (b), (c), (d), (i), (k), (l), (m) or (n) of that paragraph upon the breach of any condition applicable to such operation or change in use of land under any of those sub-paragraphs.

[S 336/2009 wef 20/07/2009]

(3) The authorisation under paragraph 2 shall not apply to any operation or change of use involving the development of land as set out in paragraph 2(1) if —

- (a) the operation or change of use is expressly prohibited in any condition imposed on the grant of any written permission by the competent authority (whether before, on or after 1st April 2008) in respect of the land under the Act or the repealed Act; or
- (b) the competent authority has imposed any condition on the grant of any written permission under the Act or the repealed Act (whether before, on or after 20th July 2009) in respect of the land expressly prohibiting any change in use without the prior permission of the competent authority.

[S 336/2009 wef 20/07/2009]

(4) In sub-paragraph (1B), “HDB” means the Housing and Development Board established under the Housing and Development Act (Cap. 129).

[S 82/2011 wef 23/02/2011]

Transitional provisions

4.—(1) Any authorisation obtained under paragraph 2(1)(a) to (j) and (l) of the cancelled Planning (Development of Land Authorisation) Notification (N 1, 2000 Ed.)* which was in effect immediately before 1st August 2002 shall continue to apply.

(2) Subject to paragraph 6 of the Planning (Development of Land — Lodgment Authorisation) Notification (N 3), any authorisation obtained under paragraph 2(1)(k) of the cancelled Planning (Development of Land Authorisation) Notification* which was in effect immediately before 1st August 2002 shall continue to apply.

(3) Subject to paragraph 5(2) of the Planning (Changes in Use — Lodgment Authorisation) Notification (N 5), any authorisation obtained under paragraph 2(1)(m) of the cancelled Planning (Development of Land Authorisation) Notification* which was in effect immediately before 1st August 2002 shall continue to apply.

* The Planning (Development of Land Authorisation) Notification (N 1, 2000 Ed.) was cancelled by the Planning (Development of Land Authorisation) Notification 2002 (S 380/2002) with effect from 1st August 2002.

FIRST SCHEDULE

Paragraph 2(1)(n)

BUILDINGS AND USES

<i>First column</i>	<i>Second column</i>	<i>Third column</i>
<p>1. Any building on land zoned for the purpose of Commercial, Commercial and Residential, Hotel, or White Site in the Master Plan within a development authorised or approved for one or both of the following uses with or without residential use:</p> <p style="margin-left: 40px;">(a) commercial;</p> <p style="margin-left: 40px;">(b) hotel</p>	<p>Use Class I: Use as a shop</p> <p>Use Class III: Use as a restaurant</p> <p>Showroom</p>	<p>Use Class I: Use as a shop</p> <p>Use Class III: Use as a restaurant</p> <p>Showroom</p>
<p>2. [<i>Deleted by S 82/2011 wef 23/02/2011</i>]</p>		
<p>3. Any industrial building or warehouse on land zoned for purpose of Business 1 or Business 2 in the Master Plan</p>	<p>Use Class VIII: Use as a general industrial building</p>	<p>Use Class VII: Use as a light industrial building.</p>

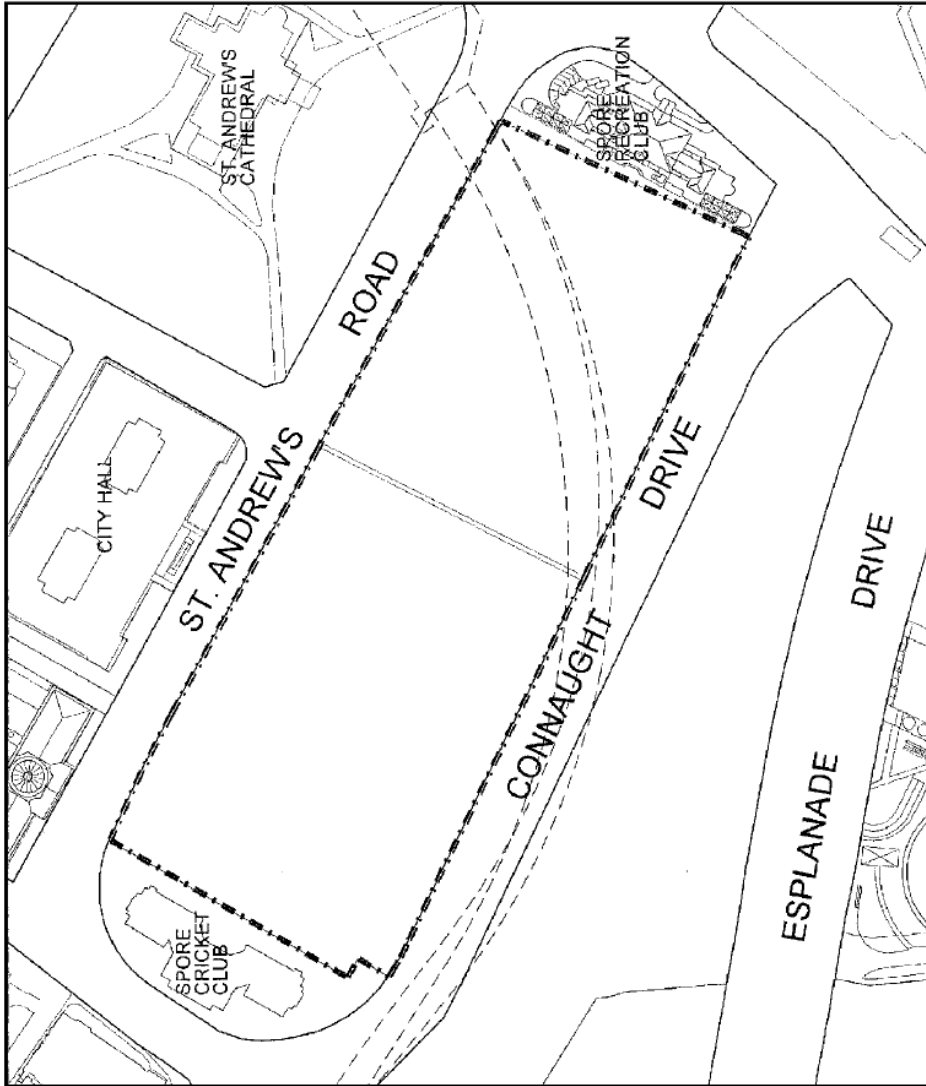
[S 336/2009 wef 20/07/2009]

SECOND SCHEDULE

Paragraph 3(1A)

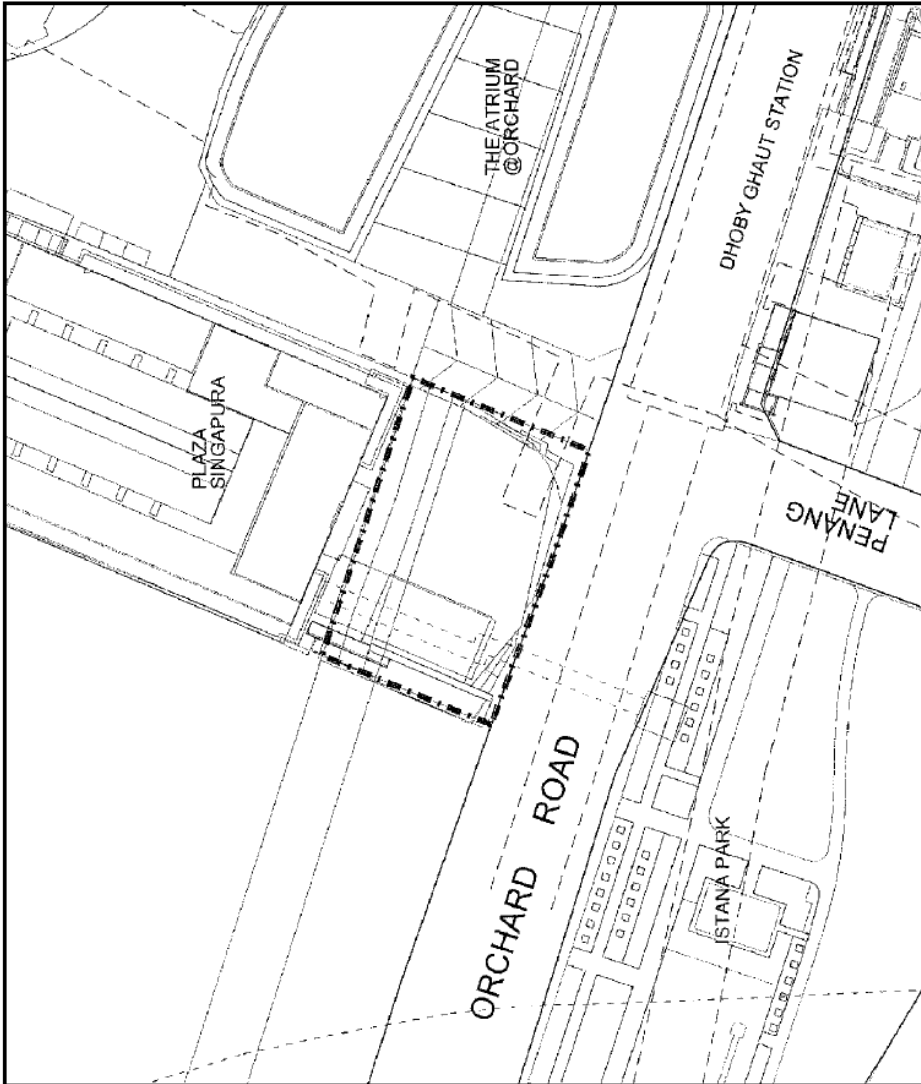
MAP A

SECOND SCHEDULE — continued



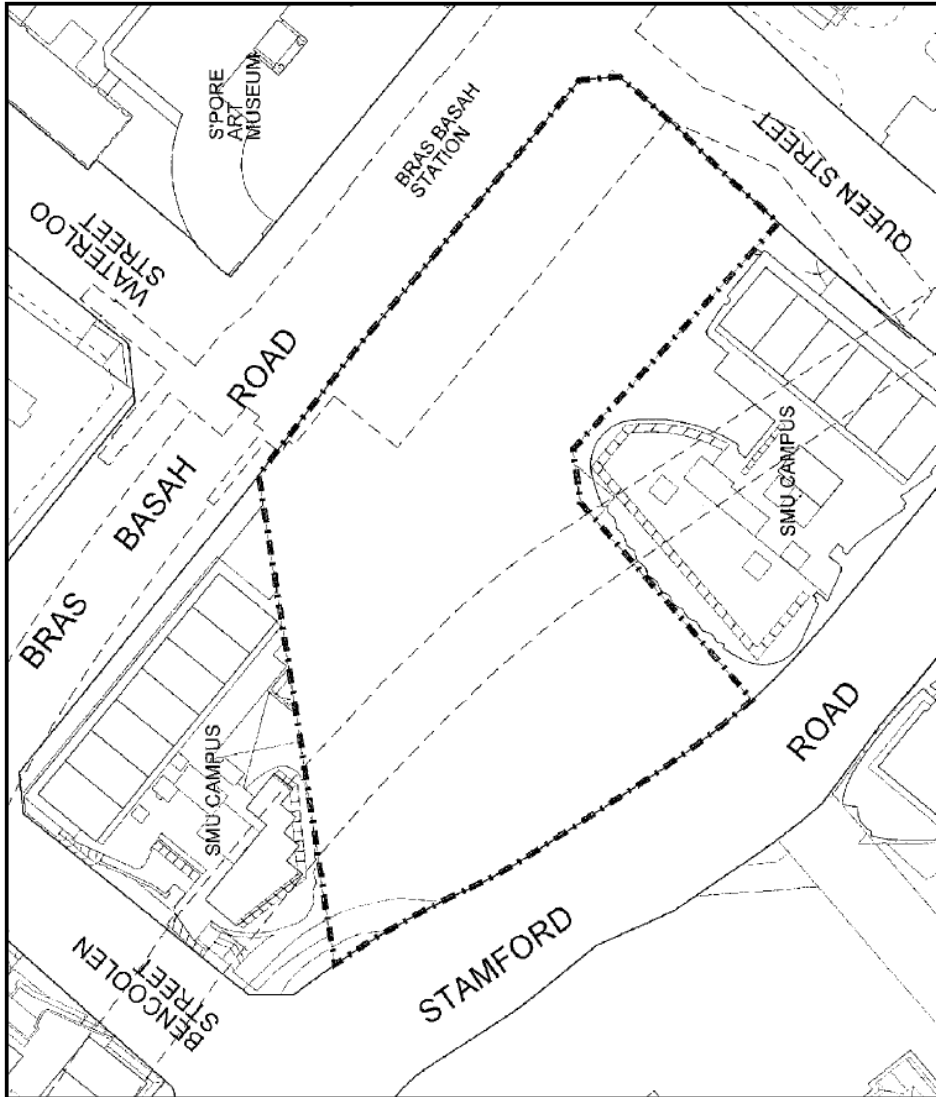
MAP B

SECOND SCHEDULE — *continued*



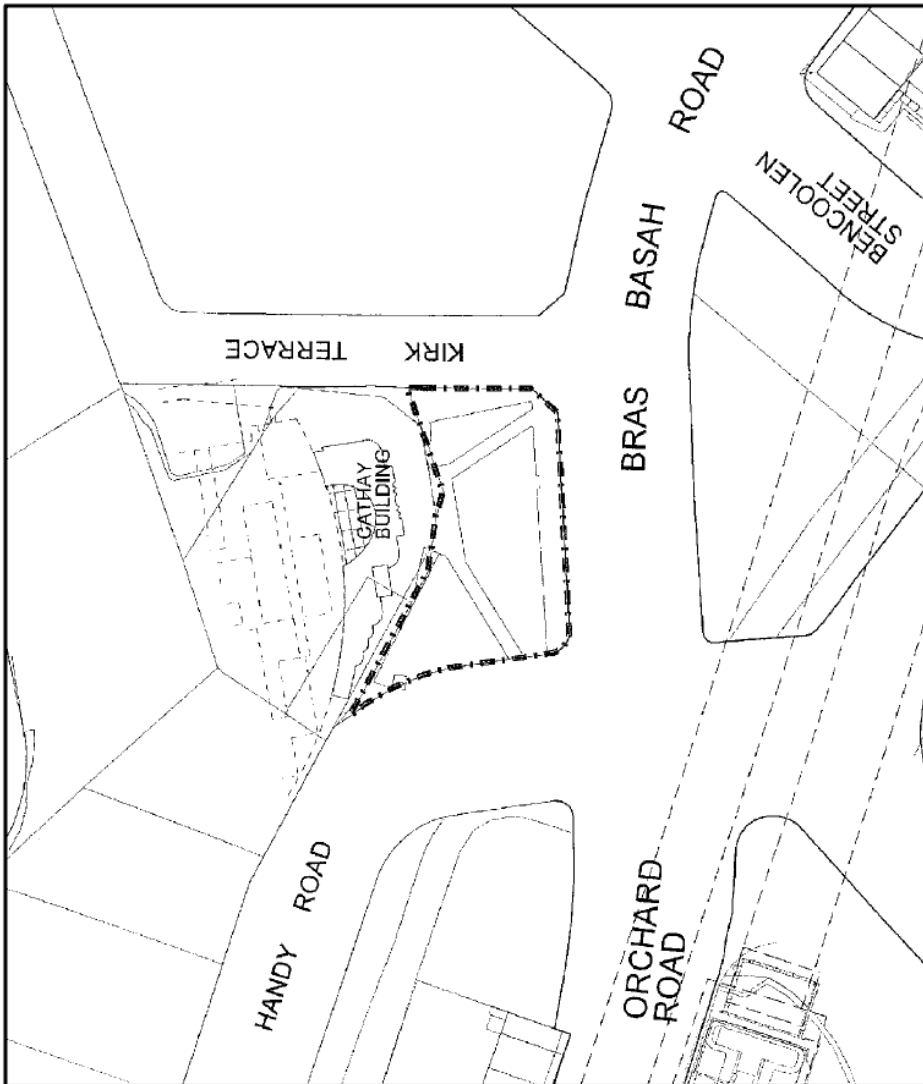
MAP C

SECOND SCHEDULE — continued



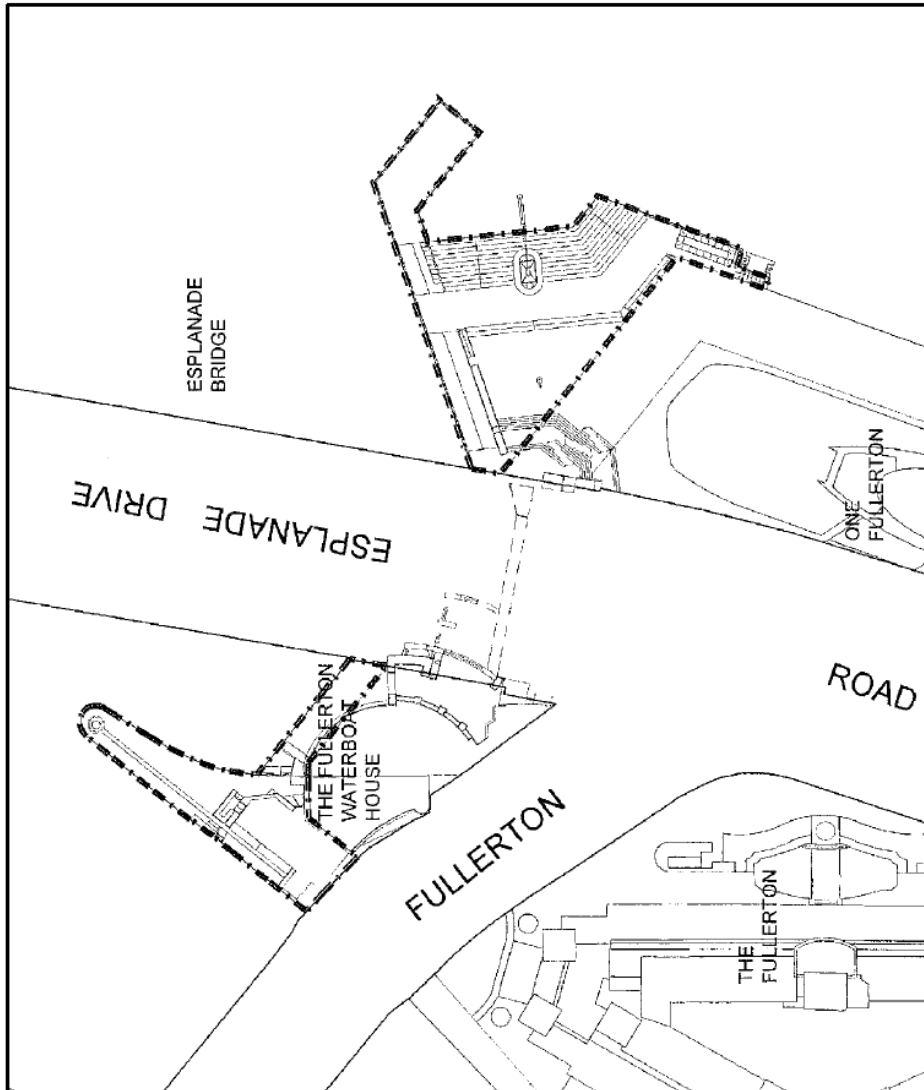
MAP D

SECOND SCHEDULE — *continued*



MAP E

SECOND SCHEDULE — continued



[S 525/2006 wef 04/09/2006]

[S 336/2009 wef 20/07/2009]

[G.N. Nos. S 380/2002; S 287/2003]

LEGISLATIVE HISTORY
PLANNING (DEVELOPMENT OF LAND AUTHORISATION)
NOTIFICATION
(CHAPTER 232, N 1)

This Legislative History is provided for the convenience of users of the Planning (Development of Land Authorisation) Notification. It is not part of this Notification.

1. G. N. No. S 380/2002 — Planning (Development of Land Authorisation) Notification 2002

Date of commencement : 1 August 2002

2. G. N. No. S 287/2003 — Planning (Development of Land Authorisation) (Amendment) Notification 2003

Date of commencement : 10 June 2003

3. 2004 Revised Edition — Planning (Development of Land Authorisation) Notification

Date of operation : 29 February 2004

4. G. N. No. S 326/2004 — Planning (Development of Land Authorisation) (Amendment) Notification 2004

Date of commencement : 10 June 2004

5. G. N. No. S 525/2006 — Planning (Development of Land Authorisation) (Amendment) Notification 2006

Date of commencement : 4 September 2006

6. G. N. No. S 216/2008 — Planning (Development of Land Authorisation) (Amendment) Notification 2008

Date of commencement : 1 April 2008

7. G. N. No. S 336/2009 — Planning (Development of Land Authorisation) (Amendment) Notification 2009

Date of commencement : 20 July 2009

8. G. N. No. S 743/2010 — Planning (Development of Land Authorisation) (Amendment) Notification 2010

Date of commencement : 6 December 2010

9. G. N. No. S 82/2011 — Planning (Development of Land Authorisation) (Amendment) Notification 2011

Date of commencement : 23 February 2011