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## No. S 137

### PLANNING ACT (CHAPTER 232)

#### PLANNING (CHILD CARE CENTRE — CHANGE IN USE LODGMET AUTHORISATION) NOTIFICATION 2005

##### ARRANGEMENT OF PARAGRAPHS

###### Paragraph

1. Citation and commencement
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In exercise of the powers conferred by section 21(6) of the Planning Act, the Minister for National Development hereby makes the following Notification:

##### **Citation and commencement**

1. This Notification may be cited as the Planning (Child Care Centre — Change in Use Lodgment Authorisation) Notification 2005 and shall come into operation on 18th March 2005.

##### **Definitions**

2. In this Notification, unless the context otherwise requires —

“child care centre” has the same meaning as in the Planning (Use Classes) Rules (R 2);

“common property” means any premises within a development which is described in the planning permission or conservation permission granted for the development or in

the plans approved by the competent authority in the grant of such permission to be common property;

*[Deleted by S 67/2015 wef 11/02/2015]*

“relevant date”, in relation to an authorisation under paragraph 3, means the date of lodgment of the plans and documents specified in paragraph 4(1)(e), relating to the authorisation, with the competent authority;

*[S 67/2015 wef 11/02/2015]*

“strata unit” has the same meaning as in the Land Titles (Strata) Act 1967.

*[S 67/2015 wef 11/02/2015]*

*[S 626/2022 wef 31/12/2021]*

*[Deleted by S 67/2015 wef 11/02/2015]*

### **Authorisation of change in use to child care centre**

3. Subject to paragraphs 4, 4A and 5 and any other written law, any change in use of any premises within any development specified in the First Schedule or within the common property of any residential development specified in the Second Schedule (referred to in this Notification as the relevant premises) to a use as a child care centre is hereby authorised.

*[S 67/2015 wef 11/02/2015]*

### **Conditions of authorisation**

- 4.—(1) The authorisation under paragraph 3 shall apply only if —
- (a) the change in use of the relevant premises does not result in an increase in the floor area of the development;
  - (b) any approval required from any other relevant authority for the change in use of the relevant premises or the use of the relevant premises as a child care centre has been obtained prior to making the change in use of the relevant premises;
  - (c) the change in use and use of the relevant premises do not create any nuisance, annoyance or inconvenience to the

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amenities of the development and of the surrounding locality;

*[S 67/2015 wef 11/02/2015]*

(d) a declaration is made by a qualified person that the following have been complied with:

(i) sub-paragraph (a); and

(ii) where sub-paragraph (3), (4) or (5) is applicable, the additional condition set out in the relevant sub-paragraph; and

*[S 67/2015 wef 11/02/2015]*

(e) prior to making the change in use of the relevant premises, the following are lodged with the competent authority at the same time together with a fee of \$160.50, inclusive of goods and services tax chargeable under the Goods and Services Tax Act 1993:

(i) the plans showing the location of the relevant premises within the development and the layout of the relevant premises as the competent authority may require in such manner and scale as the competent authority may require;

(ii) the calculation plan and form duly completed and signed by the qualified person who makes the declaration referred to in sub-paragraph (d);

(iii) the declaration required under sub-paragraph (d);

(iv) the duly completed and signed lodgment form required by the competent authority;

(v) a declaration and undertaking to be signed by the person making the lodgment that sub-paragraphs (b) and (c) will be complied with; and

(vi) where the person making the lodgment is not the owner, a declaration to be signed by the person making the lodgment that the written consent of the

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owner of the relevant premises for the change in use has been obtained.

*[S 170/2011 wef 01/04/2011]*

*[S 67/2015 wef 11/02/2015]*

*[S 511/2016 wef 17/10/2016]*

*[S 626/2022 wef 31/12/2021]*

(2) *[Deleted by S 67/2015 wef 11/02/2015]*

(3) The authorisation under paragraph 3 for the change in use of any relevant premises within a development specified in item 1 in the First Schedule shall be subject to the additional condition that the aggregate total floor area of the relevant premises and any other floor area within the development approved or authorised for commercial uses shall not exceed 40% of the total floor area of the development.

*[S 67/2015 wef 11/02/2015]*

(4) The authorisation under paragraph 3 for the change in use of any relevant premises within a development specified in item 2 in the First Schedule shall be subject to the following additional conditions:

- (a) the aggregate total floor area of the relevant premises and any other floor area within the development approved or authorised for related uses shall not exceed 10% of the total floor area of the development; and
- (b) the aggregate total floor area of the relevant premises and any other floor area within the development approved or authorised for use as child care centre shall not exceed 300 square metres.

*[S 67/2015 wef 11/02/2015]*

(5) The authorisation under paragraph 3 for the change in use of any relevant premises within the common property of a residential development specified in the Second Schedule shall be subject to the additional condition that the aggregate total floor area of the relevant premises and any other floor area within the residential development approved or authorised for use as child care centre shall not exceed 1% of the total floor area of the development or 300 square metres, whichever is the lesser.

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### **Expiry of authorisation**

**4A.** The authorisation obtained under paragraph 3 on or after 11 February 2015 shall lapse if the relevant premises is not used as a child care centre within 2 years after the relevant date.

*[S 67/2015 wef 11/02/2015]*

### **Authorisation to cease to apply if condition not complied with**

**5.—(1)** The authorisation under paragraph 3 shall immediately cease to apply if any condition in paragraph 4(1) and, where applicable, paragraph 4(3), (4) or (5), as the case may be, ceases to be complied with.

(2) Where the authorisation under paragraph 3 in respect of any relevant premises ceases to apply under sub-paragraph (1), then with effect from the date of cessation of that authorisation —

(a) the change in use authorised by that authorisation shall be invalid; and

(b) paragraph 3 shall cease to apply to the relevant premises.

*[S 67/2015 wef 11/02/2015]*

### **Authorisation not to apply in certain cases**

**6.** The authorisation under paragraph 3 shall not apply to —

(a) any building or premises in the conservation areas as shown in the maps set out in the Third Schedule; and

(b) any part of a building or any premises which is specified to be used only for activity generating uses in the development control plans published by the competent authority from time to time pursuant to the provisions of the Written Statement to the Master Plan.

## **FIRST SCHEDULE**

Paragraphs 3 and 4

1. Hotel

2. Place of worship.

*[S 67/2015 wef 11/02/2015]*

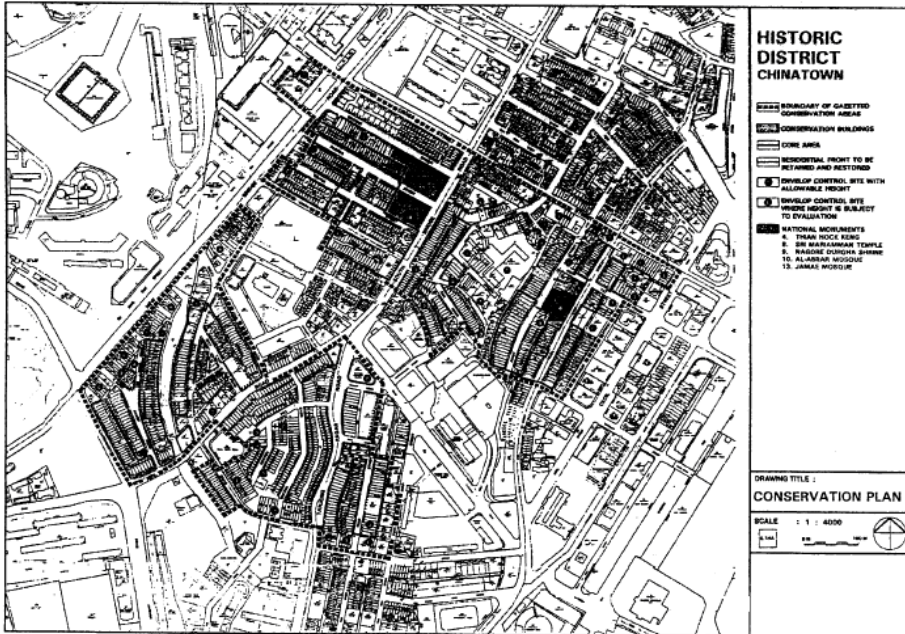
## SECOND SCHEDULE

Paragraphs 3 and 4(5)

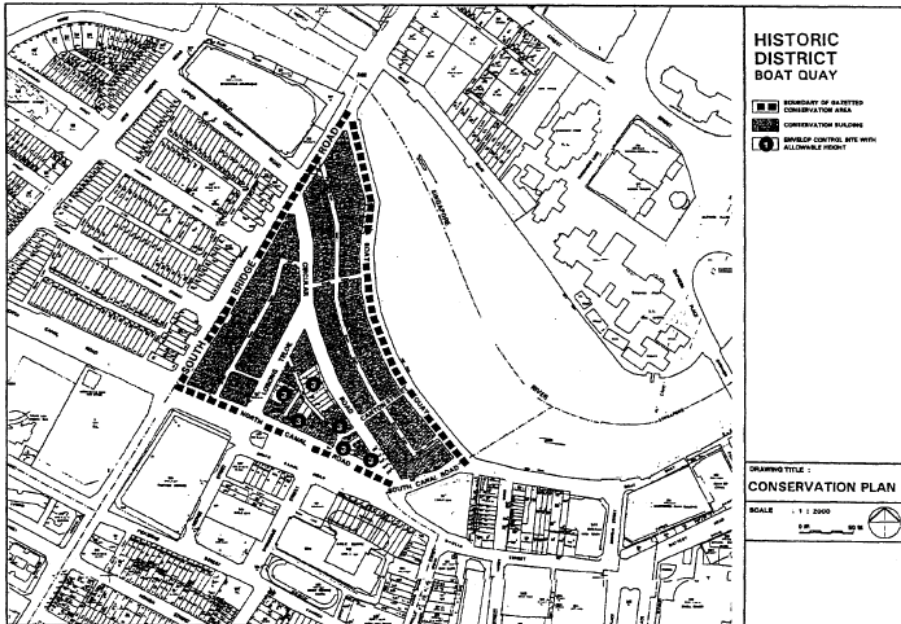
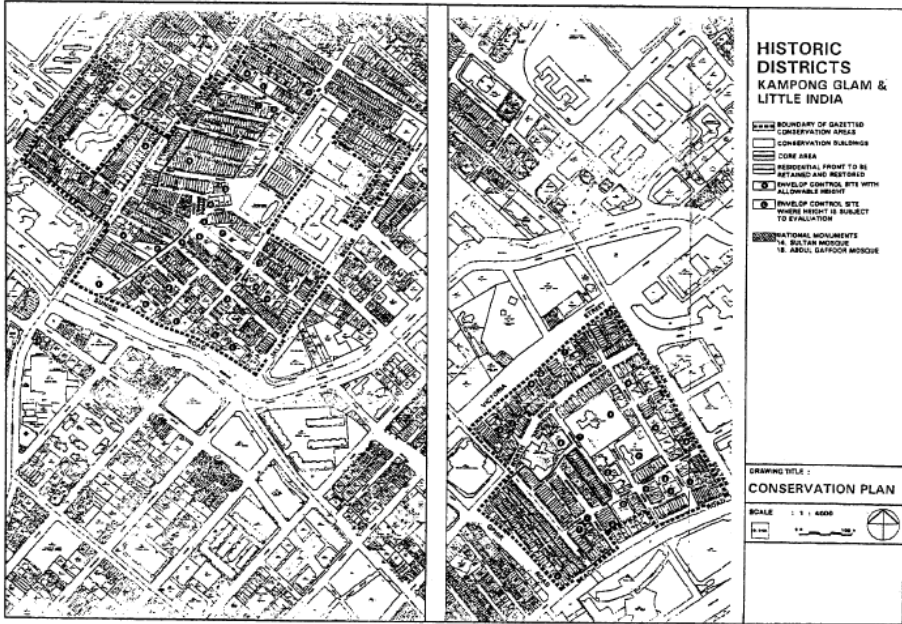
1. Condominium development
2. Residential flats development.

## THIRD SCHEDULE

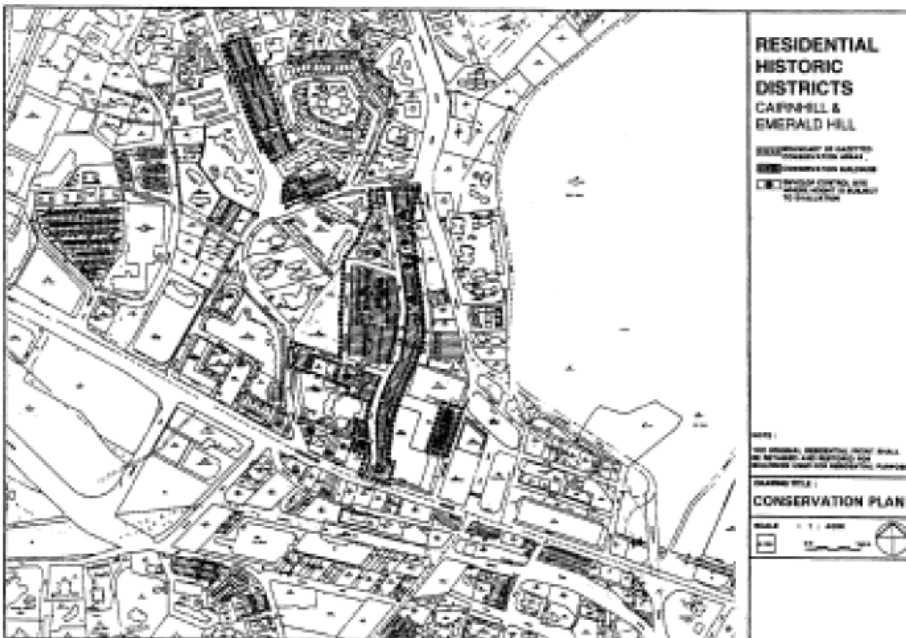
Paragraph 6



THIRD SCHEDULE — *continued*

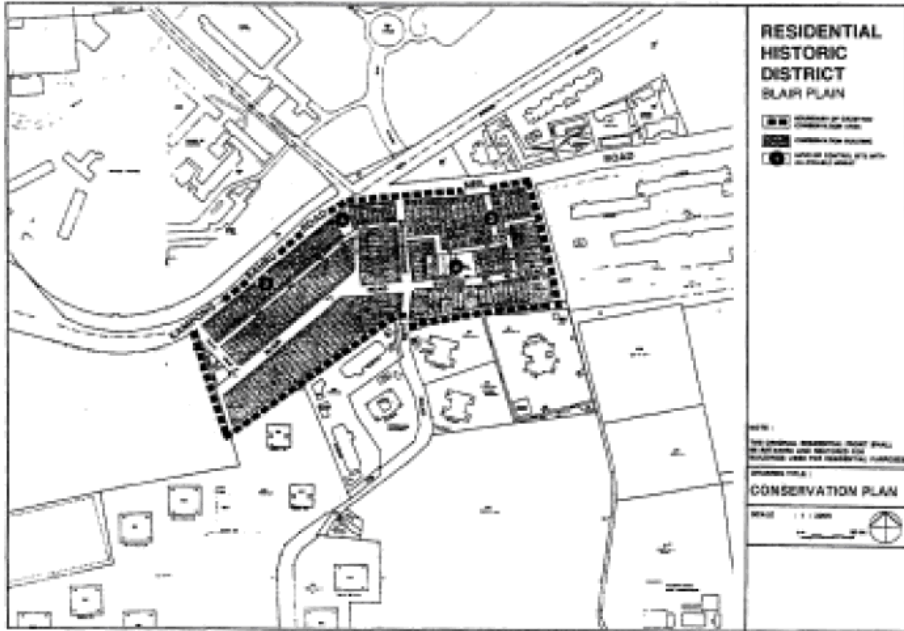


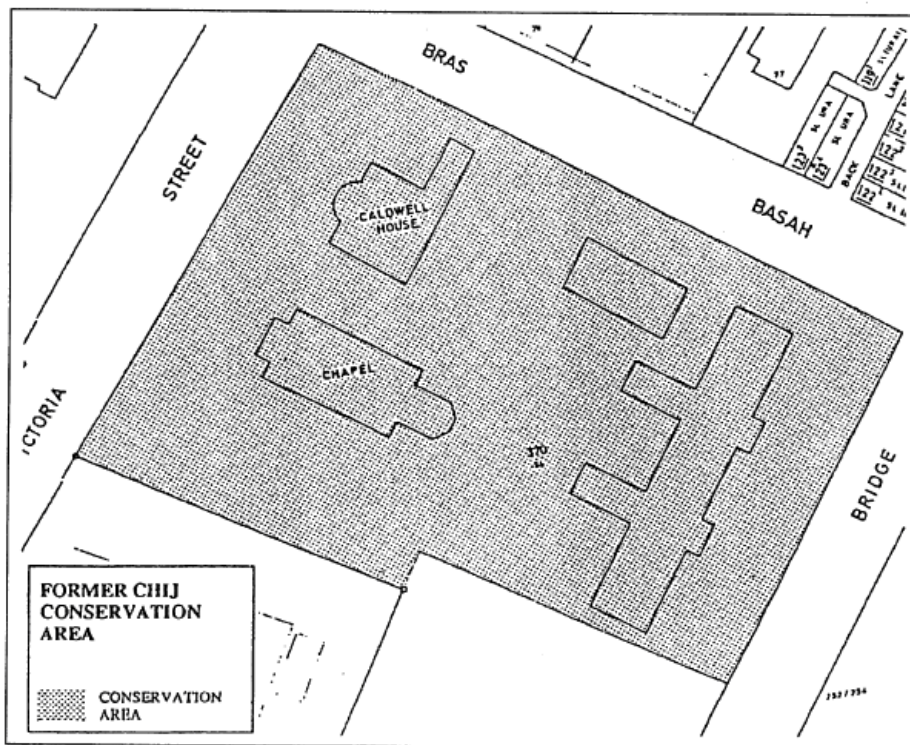
THIRD SCHEDULE — *continued*





THIRD SCHEDULE — *continued*



THIRD SCHEDULE — *continued*

Made this 17th day of March 2005.

TAN TEE HOW  
*Permanent Secretary,*  
*Ministry of National Development,*  
*Singapore.*

[ND 265/5-44; AG/LEG/SL/232/2002/1 Vol. 4]