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No. S 500

PLANNING ACT (CHAPTER 232)

PLANNING (SUBDIVISION OF LAND AND BUILDING — AUTHORISATION) NOTIFICATION 2008

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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 (Subdivision of Land and Building — Authorisation) Notification 2008 and shall come into operation on 6th October 2008.

Definitions

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

“common property” means such part or parts of the land or buildings comprised in a development of land as may be specified or described in the written permission granted for the development of land or the plans approved by the competent authority in the grant of such permission to be common property or communal open space;

“common recreational facilities” means such parts of the common property in a residential development providing common recreational facilities such as swimming pool, club house, tennis court, squash court, playground and gymnasium;

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

“lot” has the same meaning as in the Land Titles (Strata) Act (Cap. 158);

“qualified person” means —

- (a) a person who is registered as an architect under the Architects Act (Cap. 12) and who has in force a practising certificate issued under that Act; or
- (b) a person who is registered as a professional engineer under the Professional Engineers Act (Cap. 253) and who has in force a practising certificate issued under that Act;

“registered surveyor” means a person who is registered as a land surveyor under the Land Surveyors Act (Cap. 156) and who has in force a practicing certificate issued under that Act;

“residential development” means any development of land specified in items (a) to (e) and (j) in the First Schedule;

“strata subdivision” has the same meaning as in the Land Titles (Strata) Act;

“written permission” means a planning permission or conservation permission, or both, granted by the competent authority under section 14 of the Act.

Authorisation for subdivision of land

3. Subject to paragraph 6 and any other written law, the subdivision of land comprised in any development of land is hereby authorised.

Authorisation for strata subdivision

4. Subject to paragraphs 7 and 9 and any other written law, the strata subdivision of land and buildings comprised in any development of land specified in the First Schedule is hereby authorised.

Authorisation for subdivision of land together with strata subdivision

5. Subject to paragraphs 8 and 9 and any other written law, the subdivision of land comprised in any development of land specified in the First Schedule and the strata subdivision of any subdivided plot or plots of land and building or buildings thereon forming part of the development are hereby authorised.

Conditions of authorisation for subdivision of land

6. The authorisation under paragraph 3 shall apply only if —
- (a) the written permission granted by the competent authority for the development of land does not contain any condition which prohibits the subdivision of the land;
 - (b) the written permission granted by the competent authority for the development of land does not authorise or require the construction of any new road linking any of the plots of the land to be subdivided to a public road;
 - (c) except and to the extent as provided in sub-paragraph (f), the plans for the subdivision of land referred to in sub-paragraph (j)(i) are in compliance with —
 - (i) sub-paragraphs (d) and (e);

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- (ii) the written permission granted for the development of land, including any condition imposed on such permission, and the plans approved by the competent authority in the grant of such permission;
 - (iii) the plans for the building works for the development of land approved by the Commissioner of Building Control under section 5 of the Building Control Act (Cap. 29); and
 - (iv) all relevant planning guidelines, including guidelines on subdivision of land, issued by the competent authority;
- (d) the layout of each of the plots of the land to be subdivided as shown in the plans referred to in sub-paragraph (j)(i) is in accordance with the layout of the plot as shown in the plans approved by the competent authority in the grant of the written permission for the development of land;
 - (e) the area of each of the plots of the land to be subdivided is not less than the area of the plot as approved or indicated in the plans approved by the competent authority in the grant of the written permission for the development of land;
 - (f) any deviation in the setback of any building comprised in the development from the boundary of the land or the boundary of each of the plots of the land to be subdivided does not exceed 3% of the relevant setback approved by the competent authority in the written permission granted for the development of land;
 - (g) the floor area of the development of land does not exceed the quantum of floor area approved by the competent authority in the written permission granted for the development of land;
 - (h) the building or buildings comprised in the development of land have been constructed up to the roof level;
 - (i) the use or uses of the building or buildings on the land or on each of the plots of the land to be subdivided is or are in

accordance with the written permission granted for the development of land; and

- (j) before the submission of the survey plan for the plots of the land to be subdivided to the Chief Surveyor for approval under section 11D of the Boundaries and Survey Maps Act (Cap. 25), the following are lodged with the competent authority at the same time together with a fee of \$535, inclusive of goods and services tax chargeable under the Goods and Services Tax Act (Cap. 117A):
- (i) the plans for the subdivision of the land, prepared by a registered surveyor in such manner and scale as the competent authority may require;
 - (ii) a declaration by the registered surveyor referred to in sub-paragraph (i) that sub-paragraphs (c), (d), (e) and (f) are complied with;
 - (iii) a declaration by a qualified person that sub-paragraphs (a), (b), (g), (h) and (i) are complied with; and
 - (iv) where the person making the lodgment is not the owner of the land, a declaration to be signed by such person that the written consent of the owner of the land has been obtained for the lodgment of the plans referred to in sub-paragraph (i).

[S 68/2015 wef 11/02/2015]

Conditions of authorisation for strata subdivision

7. The authorisation under paragraph 4 shall apply only if —
- (a) the written permission granted by the competent authority for the development of land does not contain any condition which prohibits the strata subdivision of the development;
 - (b) except and to the extent as provided in sub-paragraph (c), the plans for the strata subdivision of the development of land referred to in sub-paragraph (i)(i) are in compliance with —

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- (i) the written permission granted for the development of land, including any condition imposed on such permission, and the plans approved by the competent authority in the grant of such permission;
 - (ii) the plans for the building works for the development of land approved by the Commissioner of Building Control under section 5 of the Building Control Act (Cap. 29); and
 - (iii) all relevant planning guidelines, including guidelines on subdivision of land and building, issued by the competent authority;
- (ba) the boundary of each of the lots in the strata title plan of the development of land to be submitted to the Chief Surveyor under sub-paragraph (i) and as shown in the plans for the strata subdivision of the development of land referred to in sub-paragraph (i)(i) is in accordance with the boundary indicated in the plans approved by the competent authority in the grant of the written permission for the development of land under section 14(4) of the Act;
- [S 68/2015 wef 11/02/2015]*
- (c) any deviation in the setback of any building comprised in the development from the boundary of the land does not exceed 3% of the relevant setback approved by the competent authority in the written permission granted for the development of land;
 - (d) the floor area of the development of land does not exceed the quantum of floor area approved by the competent authority in the written permission granted for the development of land;
 - (e) the building or buildings comprised in the development of land have been constructed up to the roof level;
 - (f) where the development of land is a residential development, the erection or construction of the common recreational facilities have been completed;

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- (g) no part of the common property of the development of land is included in any lot in the strata title plan of the development referred to in sub-paragraph (i);
- (h) where the development of land is one that is specified in item (f) or (g) in the First Schedule, all floor area of the development approved or authorised for worker dormitory use in the written permission granted for the development is comprised within one lot in the strata title plan of the development referred to in sub-paragraph (i); and
- (i) before the submission of the strata title plan of the development of land to the Chief Surveyor for approval under section 11D of the Boundaries and Survey Maps Act (Cap. 25), the following are lodged with the competent authority at the same time together with a fee of \$535, inclusive of goods and services tax chargeable under the Goods and Services Tax Act (Cap. 117A):
- (i) the plans for the strata subdivision of the development of land, prepared by a registered surveyor in such manner and scale as the competent authority may require;
 - (ii) a declaration by the registered surveyor referred to in sub-paragraph (i) that —
 - (A) sub-paragraphs (b), (ba), (c) and (g) and, where applicable, sub-paragraph (h) are complied with;
[S 68/2015 wef 11/02/2015]
 - (B) the development of land is one which is specified in the First Schedule; and
 - (C) the land is not within any conservation area as shown in the maps in the Second Schedule;
 - (iii) a declaration by a qualified person that sub-paragraphs (a), (d) and (e) and, where applicable, sub-paragraph (f) are complied with; and
 - (iv) where the person making the lodgment is not the owner of the land, a declaration to be signed by such

person that the written consent of the owner of the land has been obtained for the lodgment of the plans referred to in sub-paragraph (i).

[S 68/2015 wef 11/02/2015]

Conditions of authorisation for subdivision of land together with strata subdivision

8. The authorisation under paragraph 5 shall apply only if —
- (a) the written permission granted by the competent authority for the development of land does not contain any condition which prohibits the subdivision of land or the strata subdivision of the development or both;
 - (b) the written permission granted by the competent authority for the development of land does not authorise or require the construction of any new road linking any of the plots of the land to be subdivided to a public road;
 - (c) except and to the extent as provided in sub-paragraph (f), the plans referred to in sub-paragraph (m)(i), being the plans for the subdivision of land and the strata subdivision of the subdivided plot or plots of land and building or buildings thereon forming part of the development of land which is to be strata subdivided, are in compliance with —
 - (i) sub-paragraphs (d) and (e);
 - (ii) the written permission granted for the development of land, including any condition imposed on such permission, and the plans approved by the competent authority in the grant of such permission;
 - (iii) the plans for the building works for the development of land approved by the Commissioner of Building Control under section 5 of the Building Control Act (Cap. 29); and
 - (iv) all relevant planning guidelines, including guidelines on subdivision of land and guidelines on strata subdivision of land and building issued by the competent authority;

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- (d) the layout of each of the plots of the land to be subdivided as shown in the plans referred to in sub-paragraph (m)(i) for the subdivision of land is in accordance with the layout of the plot as shown in the plans approved by the competent authority in the grant of the written permission for the development of land;
 - (e) the area of each of the plots of the land to be subdivided is not less than the area of the plot as approved or indicated in the plans approved by the competent authority in the grant of the written permission for the development of land;
 - (ea) the boundary of each of the lots in the strata title plan to be submitted to the Chief Surveyor under sub-paragraph (m) for the part of the development of land which is to be strata subdivided and as shown in the plans referred to in sub-paragraph (m)(i) for the strata subdivision of the subdivided plot or plots of land and building or buildings thereon forming part of the development of land which is to be strata subdivided, is in accordance with the boundary indicated in the plans approved by the competent authority in the grant of the written permission for the development of land under section 14(4) of the Act;
[S 68/2015 wef 11/02/2015]
 - (f) any deviation in the setback of any building comprised in the development from the boundary of the land or the boundary of each of the plots of the land to be subdivided does not exceed 3% of the relevant setback approved by the competent authority in the written permission granted for the development of land;
 - (g) the floor area of the development of land does not exceed the quantum of floor area approved by the competent authority in the written permission granted for the development of land;
 - (h) the use or uses of the building or buildings on the land or on each of the plots of the land to be subdivided is or are in accordance with the written permission granted for the development of land;

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- (i) the building or buildings comprised in the development of land have been constructed up to the roof level;
 - (j) where the development of land is a residential development, the erection or construction of the common recreational facilities have been completed;
 - (k) no part of the common property for the part of the development of land which is to be strata subdivided is included in any lot in the strata title plan of such part of the development referred to in sub-paragraph (m);
 - (l) where the development of land is one that is specified in item (f) or (g) in the First Schedule, all floor area of the development approved or authorised for worker dormitory use in the written permission granted for the development is comprised within one lot in the strata title plan referred to in sub-paragraph (m) for the part of the development of land which is to be strata subdivided; and
 - (m) before the submission of the survey plan for the plots of the land to be subdivided and the strata title plan of part of the development of land which is to be strata subdivided to the Chief Surveyor for approval under section 11D of the Boundaries and Survey Maps Act (Cap. 25), the following are lodged with the competent authority at the same time together with a fee of \$535, inclusive of goods and services tax chargeable under the Goods and Services Tax Act (Cap. 117A):
 - (i) the plans for the subdivision of land and the strata subdivision of the subdivided plot or plots of land and building or buildings thereon forming part of the development of land which is to be strata subdivided, prepared by a registered surveyor in such manner and scale as the competent authority may require;
 - (ii) a declaration by the registered surveyor referred to in sub-paragraph (i) that —

- (A) sub-paragraphs (c), (d), (e), (ea), (f) and (k) and, where applicable, sub-paragraph (l) are complied with;
[S 68/2015 wef 11/02/2015]
- (B) the development of land is one which is specified in the First Schedule; and
- (C) the land is not within any conservation area as shown in the maps in the Second Schedule;
- (iii) a declaration by a qualified person that sub-paragraphs (a), (b), (g), (h) and (i) and, where applicable, sub-paragraph (j) are complied with; and
- (iv) where the person making the lodgment is not the owner of the land, a declaration to be signed by such person that the written consent of the owner of the land has been obtained for the lodgment of the plans referred to in sub-paragraph (i).
[S 68/2015 wef 11/02/2015]

Authorisation not to apply in certain cases

9. The authorisation under paragraphs 4 and 5 shall not apply to any development of land within any conservation area as shown in the maps in the Second Schedule.

Cancellation

10. The Planning (Subdivision of Building — Authorisation) Notification (N 11) is cancelled.

FIRST SCHEDULE

Paragraphs 2, 4, 5, 7 and 8

DEVELOPMENT OF LAND

Any development of land which is or is to be lawfully used for any of the following uses:

- (a) condominium;
- (b) residential flats;
- (c) townhouse;

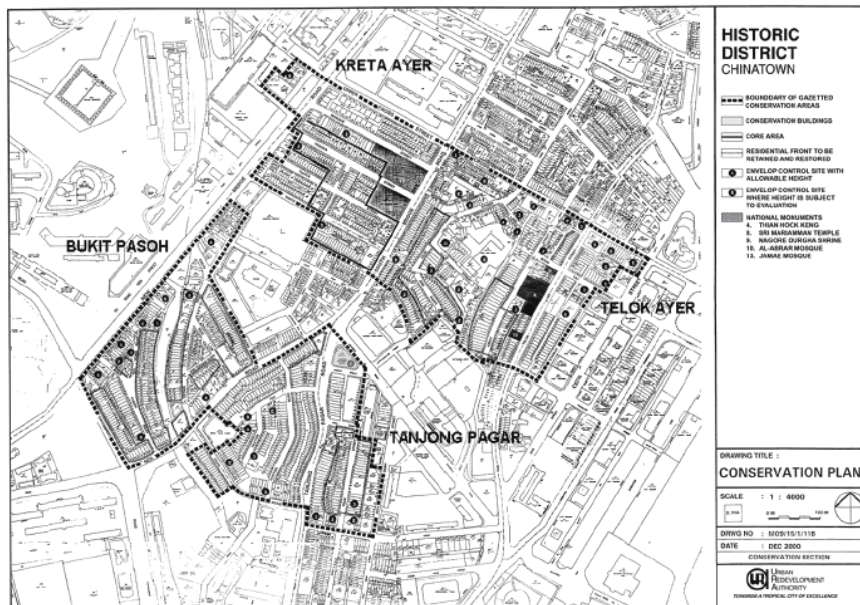
FIRST SCHEDULE — *continued*

- (d) cluster housing;
- (e) strata-bungalow;
- (f) flatted factories;
- (g) flatted warehouse;
- (h) office;
- (i) shopping;
- (j) any combination of office, shopping and residential flats uses.

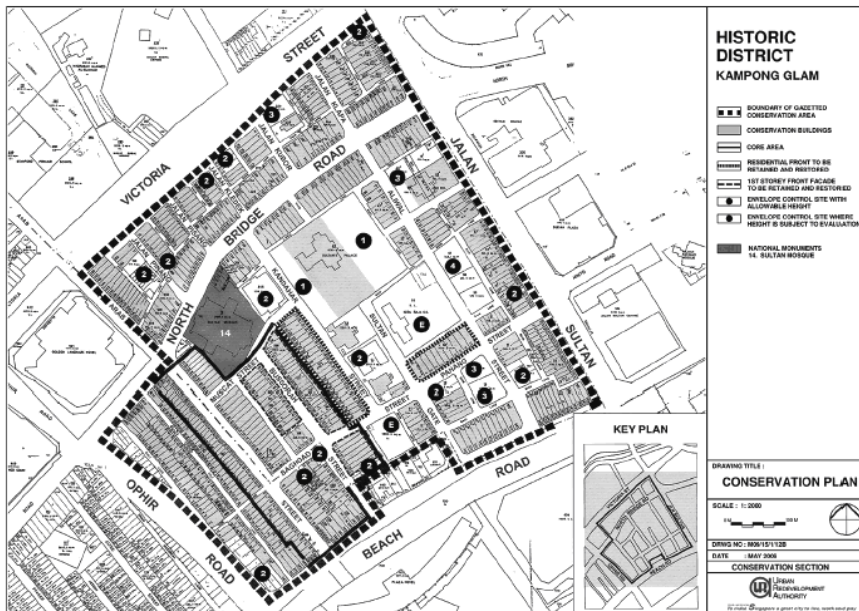
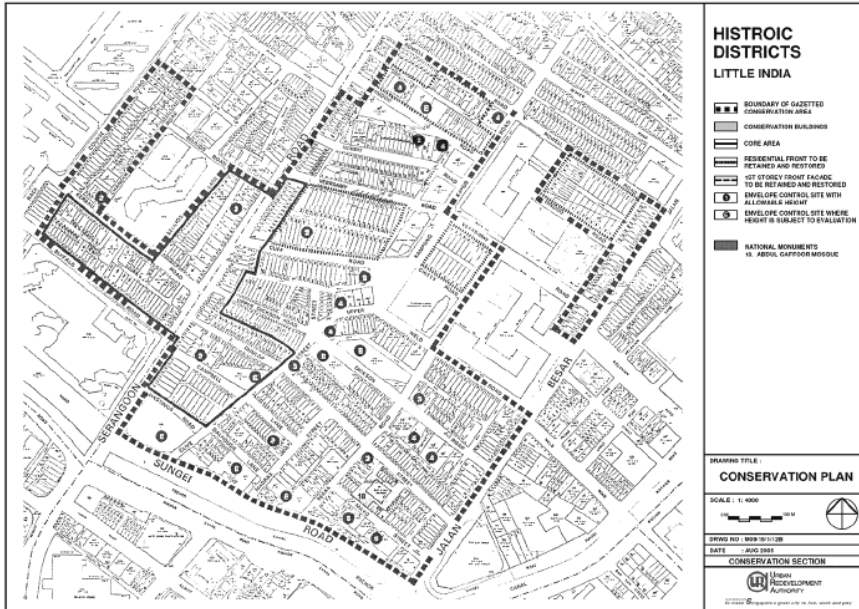
SECOND SCHEDULE

Paragraphs 7, 8 and 9

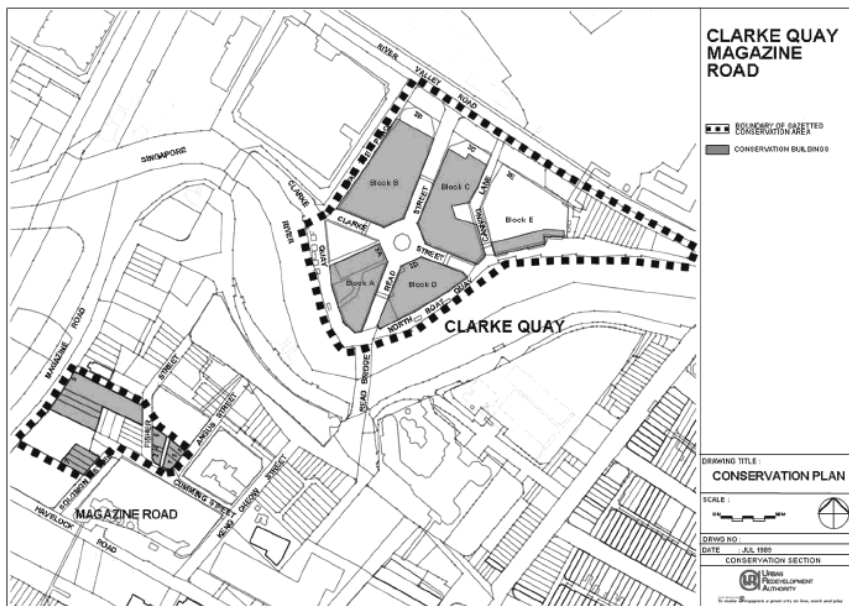
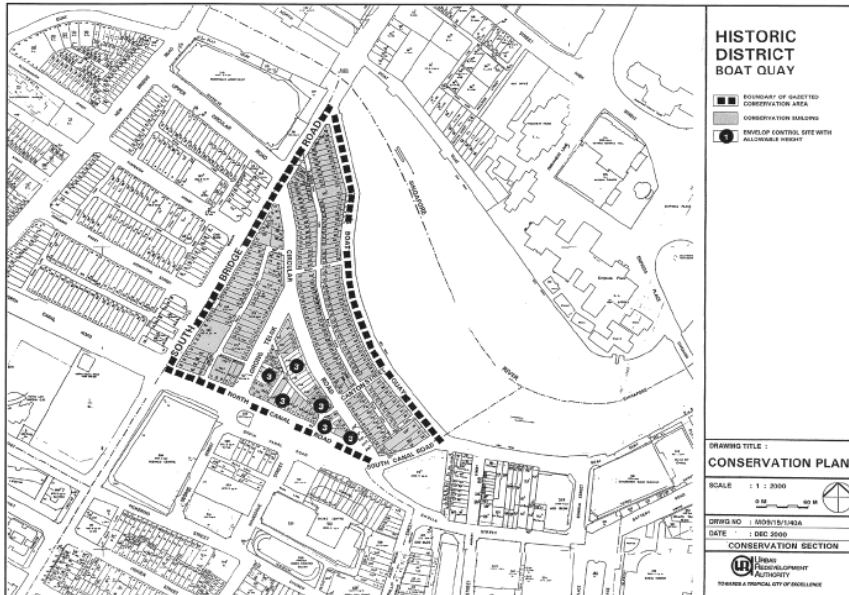
CONSERVATION AREAS



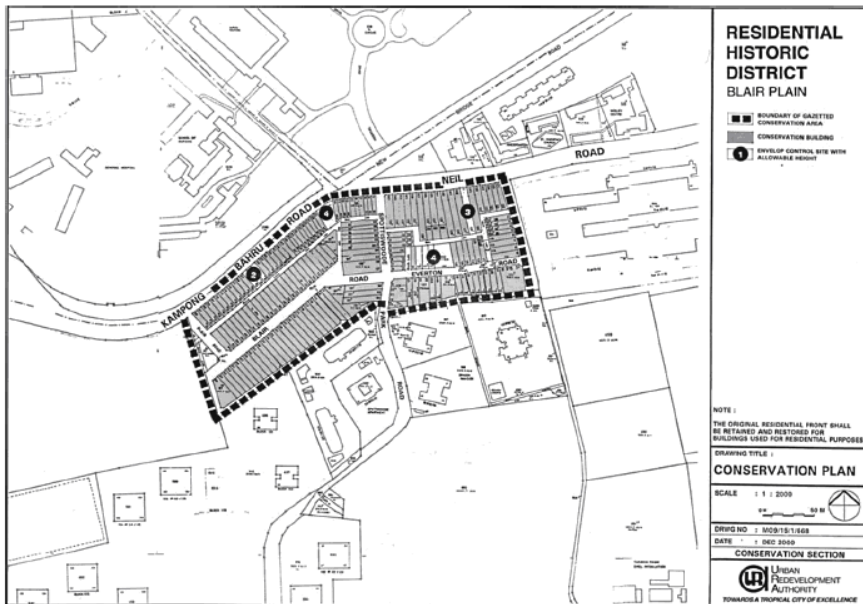
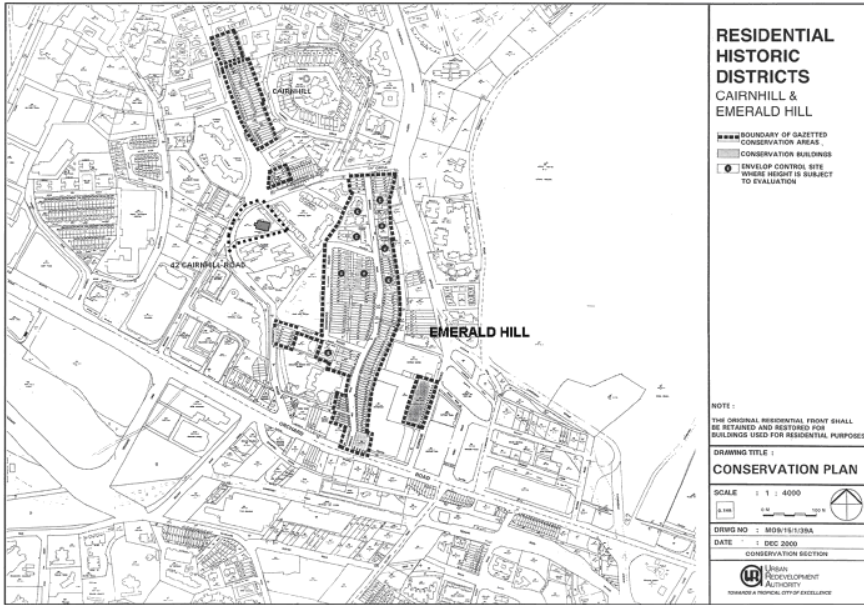
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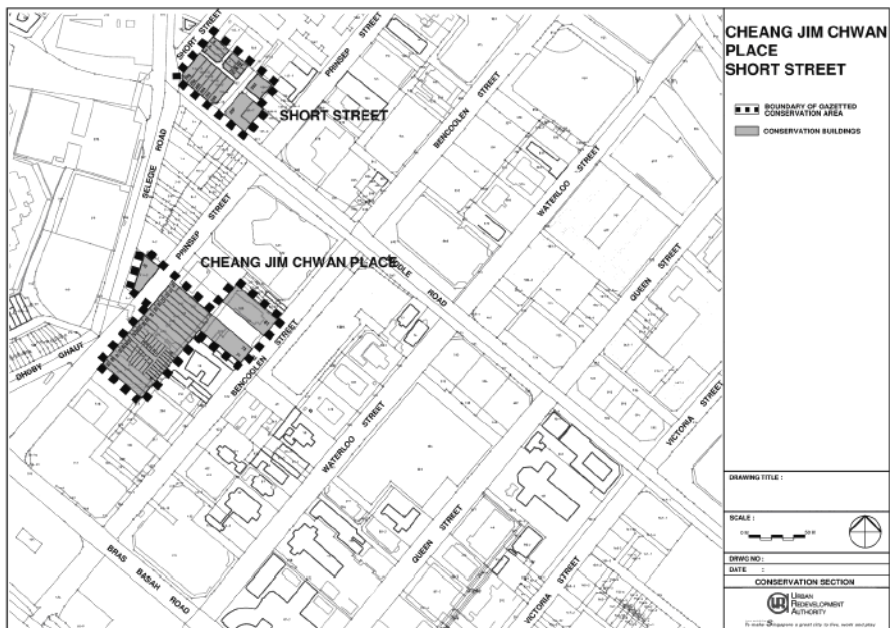
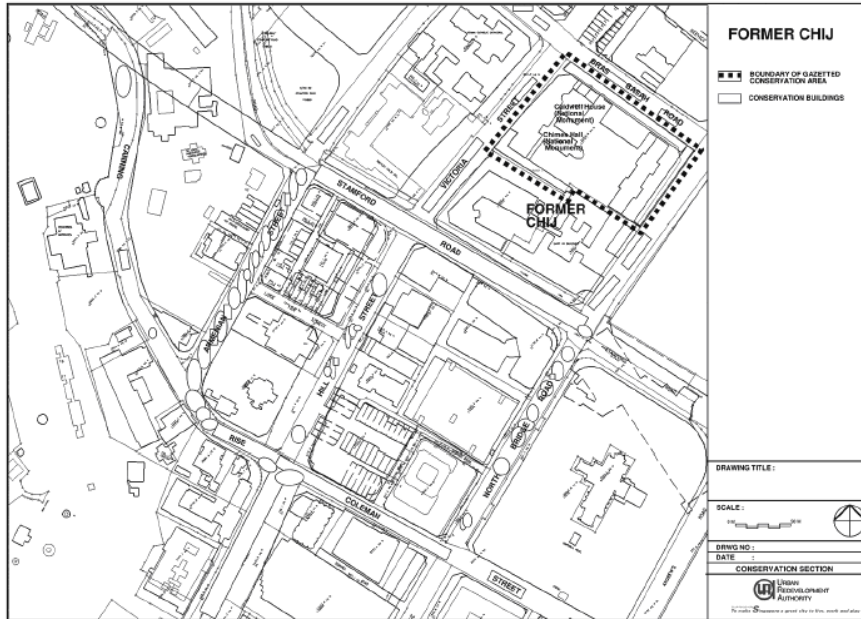
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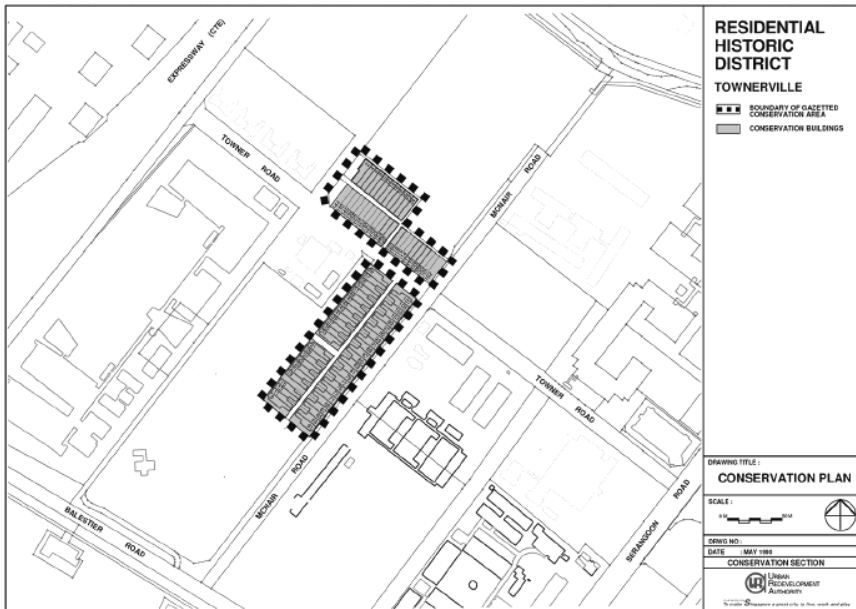
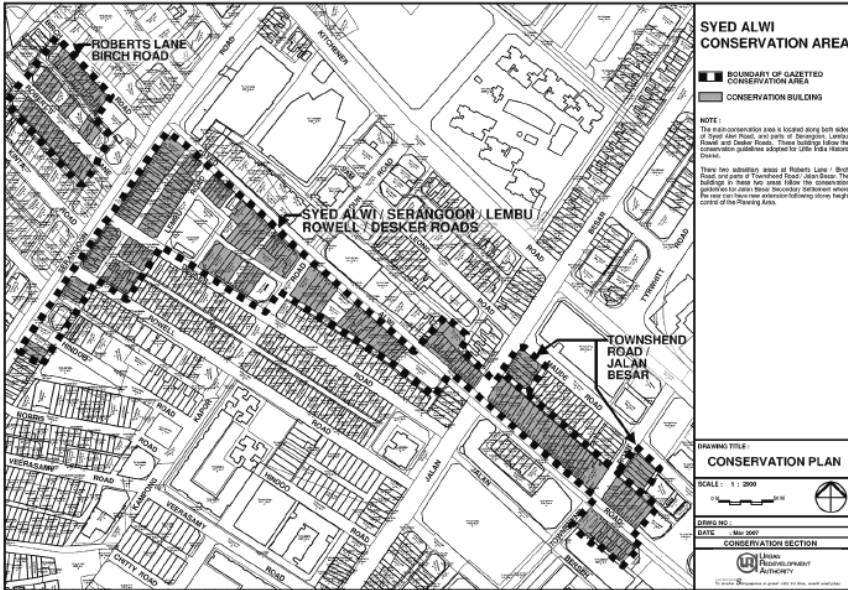
SECOND SCHEDULE — *continued*

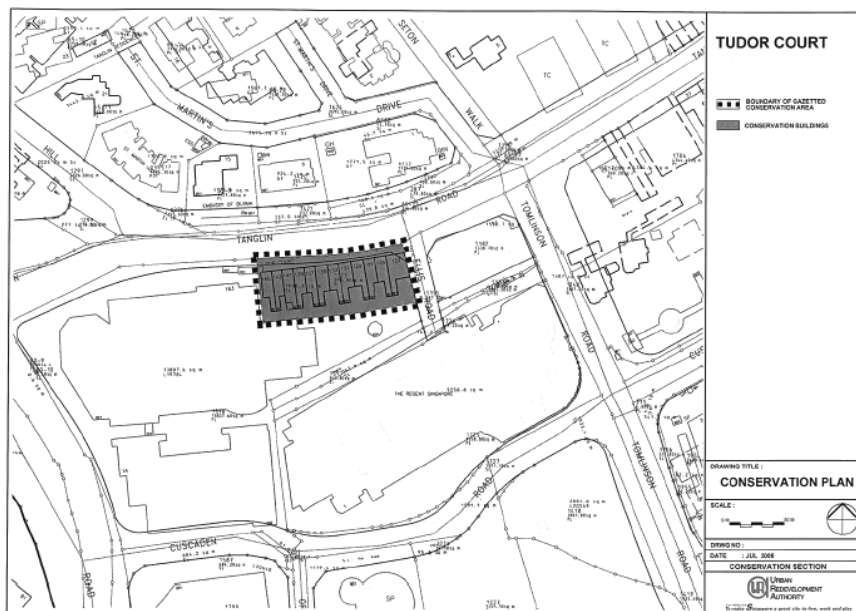


SECOND SCHEDULE — *continued*



SECOND SCHEDULE — *continued*



SECOND SCHEDULE — *continued*

Made this 2nd day of October 2008.

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

[ND 265/6-23 VOL 4; AG/LEG/SL/232/2005/1 Vol. 1]