

## Conditions of authorisation

4.—(1) The authorisation for any development that consists of relevant operations within an Enterprise District applies only if all the following conditions are satisfied:

- (a) the operations do not result in any encroachment into any other land;
- (b) there is direct vehicular access to a public road from the land under development;
- (c) earthfill works on the land (if any) must not cause the level of any point in the land to be more than 1.5 metres above the lower of the following:
  - (i) the level of that point in the land at the time when the land was leased or agreed to be leased by the State or a statutory body;
  - (ii) the level of any point at the abutting edge of abutting land;
- (d) no part of any existing buildings or other structures on the land under development is unauthorised under the Act;
- (e) the developer appoints an architect or engineer as the qualified person in respect of the operations before the submission of the declaration mentioned in sub-paragraph (f);
- (f) before commencing the operations, a declaration is made, in such form as the competent authority requires, by the qualified person appointed in respect of the operations, stating that —
  - (i) the plans lodged with the competent authority under sub-paragraph (g)(i) have been prepared in compliance with the relevant planning and urban design guidelines;
  - (ii) any approval required for the operations from any other relevant authority, other than the approval of the Commissioner of Building Control mentioned in sub-paragraph (g), has been obtained prior to the lodgment of the plans under sub-paragraph (g)(i); and
  - (iii) the qualified person is appointed in respect of the operations;
- (g) before submitting any application to the Commissioner of Building Control for approval of the building plans for the operations under the Building Control Act or, where no such approval is required under that Act, before commencing the operations, the following are lodged with the competent authority together with the prescribed fee:

- (i) the plans for the operations, prepared in compliance with the relevant planning and urban design guidelines and in the manner and scale required by the competent authority;
  - (ii) the declaration mentioned in sub-paragraph (f);
  - (iii) the written consent of JTC to the development in the form required by the competent authority;
  - (iv) where the person making the lodgment is not the owner of the land under development, the written consent of the owner of the land, in the form required by the competent authority;
  - (v) any other documents relating to the operations that the competent authority requires in any particular case;
- (h) before commencing the operations, the competent authority confirms in writing that the documents mentioned in sub-paragraph (g) have been lodged;
- (i) the operations are carried out in compliance with —
- (i) the plans that are lodged with the competent authority under sub-paragraph (g)(i); and
  - (ii) the requirements of all other relevant authorities;
- (j) before submitting the application to the Commissioner of Building Control for a temporary occupation permit or a certificate of statutory completion (whichever is earlier) in relation to any building that is the subject of the operations, the qualified person appointed in respect of the operations submits a declaration to the competent authority stating that, to the best of the qualified person's knowledge and belief, the operations were carried out in accordance with sub-paragraphs (a), (b), (c), (i) and (k), and that the condition in sub-paragraph (d) is satisfied;
- (k) the operations comply with all relevant planning and urban design guidelines issued by the competent authority.

(2) The authorisation for any development that is described in paragraph 3(b) applies only if all the following conditions are satisfied:

- (a) any approval required from any other relevant authority for the change in use is obtained prior to making the change in use of the relevant premises;

- (b) no part of the relevant premises comprises works that are unauthorised under the Act;
- (c) before making the change in use of the relevant premises, a declaration and undertaking are made, in such form as the competent authority requires, by the person making the lodgment, stating that —
  - (i) the plans lodged with the competent authority under sub-paragraph (d)(i) have been prepared in compliance with the relevant planning and urban design guidelines;
  - (ii) any approval required from any other relevant authority for the change in use is obtained prior to making the change in use of the relevant premises; and
  - (iii) the change in use will be made in compliance with the plans lodged with the competent authority under sub-paragraph (d)(i) and with the requirements of all relevant authorities;
- (d) before making the change in use of the relevant premises, the following are lodged with the competent authority together with the prescribed fee:
  - (i) the plans showing the location of the land under development and the relevant premises within the land, and the layout of the relevant premises, prepared in compliance with the relevant planning and urban design guidelines and in the manner and scale required by the competent authority;
  - (ii) the declaration and undertaking mentioned in sub-paragraph (c);
  - (iii) the written consent of JTC in the form required by the competent authority;
  - (iv) where the person making the lodgment is not the owner of the relevant premises, the written consent of the owner of the relevant premises for the change in use, in the form required by the competent authority;
  - (v) any other documents relating to the change in use that the competent authority requires in any particular case;
- (e) before making the change in use of the relevant premises, the competent authority confirms in writing that the documents mentioned in sub-paragraph (d) have been lodged;

- (f) the change in use must comply with all relevant planning and urban design guidelines issued by the competent authority.