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ENVIRONMENTAL PROTECTION AND
MANAGEMENT ACT 1999

ENVIRONMENTAL PROTECTION AND MANAGEMENT
(EXEMPTED CONTROLLED WORKS)
REGULATIONS 2023

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement
 2. Exempted controlled works from section 33B of Act
 3. Conditions of exemption
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In exercise of the powers conferred by section 77 of the Environmental Protection and Management Act 1999, the National Environment Agency, with the approval of the Minister for Sustainability and the Environment, makes the following Regulations:

Citation and commencement

1. These Regulations are the Environmental Protection and Management (Exempted Controlled Works) Regulations 2023 and come into operation on 18 December 2023.

Exempted controlled works from section 33B of Act

2. For the purposes of section 33C(1) of the Act, section 33B of the Act does not apply to any class of controlled works specified in the Schedule, if all of the conditions specified in regulation 3 are satisfied.

Conditions of exemption

3. The conditions mentioned in regulation 2 are —
- (a) the plans of the controlled works must be lodged with the Director-General in the form and manner and within the time specified by the Director-General, together with any other information or document specified by the Director-General; and
 - (b) the person who prepared the plans of the controlled works must provide to the Director-General, in the form and manner and within the time specified by the Director-General, a declaration of the matters specified by the Director-General.

Duty to ensure compliance with lodged plans

4.—(1) The person appointed under section 8 or 11 of the Building Control Act 1989 in respect of any controlled works the plans of which have been lodged in accordance with the condition in regulation 3(a), must ensure that the controlled works are carried out in accordance with the plans so lodged.

(2) A person who contravenes paragraph (1) shall be guilty of an offence and shall be liable —

- (a) on the first conviction to a fine not exceeding \$20,000; and
- (b) on a second or subsequent conviction to a fine not exceeding \$50,000.

Deviation from lodged plans of controlled works

5. To avoid doubt, for the purposes of complying with regulation 4, a developer of controlled works who intends to depart or deviate from any plans of those works already lodged with the Director-General in accordance with the condition in regulation 3(a) must first lodge with the Director-General the amended plans showing the proposed departure or deviation.

THE SCHEDULE

Regulation 2

PART 1

EXEMPTED CONTROLLED WORKS

1. Any controlled works carried out for or in connection with any single unit detached house, semi-detached house, terraced or linked house for residential purposes (excluding any strata-titled properties with communal facilities), if the controlled works do not involve any installation, alteration or replacement of any pollution control measure or equipment.
2. Any controlled works carried out for or in connection with any minor development project, if the controlled works do not involve —
 - (a) any installation, alteration or replacement of any pollution control measure or equipment; and
 - (b) any air-conditioning works or works relating to mechanical ventilation.
3. Any controlled works consisting of minor addition and alteration works to any industrial or trade premises or industrial plant, if the controlled works —
 - (a) do not involve any installation, alteration or replacement of any pollution control measure or equipment;
 - (b) do not involve any air-conditioning works or works relating to mechanical ventilation;
 - (c) do not result in any change in the existing scope or intensity of industrial activities carried out on the industrial or trade premises or industrial plant;
 - (d) do not result in any change in the type or quantity of hazardous substances or toxic substances stored or used on the industrial or trade premises or industrial plant; and
 - (e) comply with guidelines on buffer distances as set out in Singapore Standard 593 : 2013 — Code of Practice for Pollution Control, as amended from time to time.

THE SCHEDULE — *continued*

PART 2

INTERPRETATION

1. In this Schedule —

“ancillary facility”, in relation to any industrial or trade premises or industrial plant, means separate buildings, structures or facilities within the industrial or trade premises or industrial plant, such as an electric substation or a shed;

“mechanical ventilation” has the meaning given by regulation 2 of the Building Control Regulations 2003 (G.N. No. S 666/2003);

“minor addition and alteration works” means any of the following controlled works done as an addition or alteration to any industrial or trade premises or industrial plant:

- (a) works in relation to the structural elements of a building;
- (b) works to any ancillary facility of the industrial or trade premises or industrial plant;
- (c) reconfiguration of industrial units without any change in the existing scope or intensity of industrial activities carried out on the industrial or trade premises or industrial plant;

“minor development project” means any of the following projects:

- (a) the provision, extension or alteration of a linkway or ramp;
- (b) the provision, extension or alteration of a taxi shelter, bus stop or pedestrian overhead bridge;
- (c) lift installation or upgrading works;
- (d) the provision, extension or alteration of a pavilion, shelter or canopy;
- (e) the upgrading of an electrical substation or consumer switchroom;
- (f) internal upgrading works such as internal staircases, partitions, and flooring works;

“pollution control measure or equipment” means any measure, apparatus or device used for the purposes of preventing, reducing or controlling pollution to the environment from any completed building or industrial plant.

Made on 14 December 2023.

LEE CHUAN SENG
Chairperson,
National Environment Agency,
Singapore.

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(To be presented to Parliament under section 77(3) of the Environmental Protection and Management Act 1999).