

Planning (Temporary Development Levy) Rules

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Legislative History

PLANNING ACT (CHAPTER 232, SECTION 40D)

PLANNING (TEMPORARY DEVELOPMENT LEVY) RULES

[10th December 2003]

Citation

1. These Rules may be cited as the Planning (Temporary Development Levy) Rules.

Definitions

2. In these Rules, unless the context otherwise requires, “Development Baseline”, “Development Ceiling” and “temporary permission” have the same meanings as in section 40A(5) of the Act.

Computation of temporary development levy

3.—(1) Subject to paragraph (2), the amount of temporary development levy payable under section 40A of the Act in respect of any development of land to be authorised by a temporary permission shall be determined in accordance with the formula $(A - B) \times C$

- where
- | | |
|---|---|
| A | is the value of the Development Ceiling for the land determined in accordance with the formulae and rates prescribed in the Planning (Development Charges) Rules (R 5) subject to the modification that the reference to a written permission in the formula in rule 4(1)(b) of those Rules shall be read as a reference to the temporary permission; |
| B | is the value of the Development Baseline for the land determined in accordance with the formulae and rates prescribed in the Planning (Development Charges) Rules; and |
| C | is the applicable percentage set out in the Schedule corresponding to the period of the temporary permission. |

[S 559/2007 wef 24/10/2007]

(2) Except as otherwise provided in paragraph (3), where any development of land to be authorised by a temporary permission —

- (a) involves any addition of floor area; and
- (b) is not in conformity with the zoning or the prescribed maximum permissible intensity of the land or both,

the amount of temporary development levy payable under section 40A of the Act in respect of such development of land shall be determined in accordance with the formula

$$\left[(A - B) \times \frac{100}{Z} \right] \times C,$$

where A, B and C have the same meanings as in paragraph (1); and

Z has the value assigned to it in rule 2(2) of the Planning (Development Charges) Rules (R 5).

[S 580/2010 wef 08/10/2010]

(3) Paragraph (2) shall not apply to any development of land which involves a material change in the use of the land as an existing car park or part thereof to a use for the purpose of providing car polishing services.

[S 559/2007 wef 24/10/2007]

(3A) Where the period of the temporary permission is less than one year, the amount of temporary development levy payable under paragraph (1) or (2) is a pro rata amount of the temporary development levy that would have been payable if the period of the temporary permission is one year.

[S 47/2016 wef 01/02/2016]

(4) For the purposes of this rule —

- (a) a development of land to be authorised by a temporary permission is not in conformity with the zoning of the land when the use of the land to be authorised —
 - (i) is not a use which is permissible under the Master Plan in accordance with the zoning of the land in the Master Plan; or
 - (ii) is not ancillary or related to, or compatible with, the permissible use of the land in accordance with the zoning of the land under the Master Plan and is not a use which the competent authority may, in accordance with the Master Plan, allow;
- (b) a development of land to be authorised by a temporary permission is not in conformity with the prescribed maximum permissible intensity of the land if —
 - (i) the development intensity for the land to be authorised by the temporary permission will exceed the maximum permissible