

1 Sept 2021

Our ref : LTA/DBC/S80.007.001

**To all qualified persons & other relevant parties**

**Dear Sir/Madam**

**AMENDMENTS TO SUBSIDIARY LEGISLATION UNDER THE RAPID TRANSIT SYSTEMS ACT (“RTSA”)**

- a. Rapid Transit Systems (Development and Building Works in Railway Corridor and Railway Protection Zone) Regulations (“DBW Regs”)**
- b. Rapid Transit Systems (Railway Protection, Restricted Activities) Regulations (“RPRA Regs”)**

**Objective**

1. This circular informs developers, qualified persons, engineers and contractors of the amendments made to the subsidiary legislation under the Rapid Transit Systems Act, namely:
  - a. Rapid Transit Systems (Development and Building Works in Railway Corridor and Railway Protection Zone) Regulations (“DBW Regs”)
  - b. Rapid Transit Systems (Railway Protection, Restricted Activities) Regulations (“RPRA Regs”).
2. In addition, we are pleased to inform you of LTA’s proposed new lodgment scheme for selected categories of development and building works within the railway protection zone. The purpose of the lodgment scheme is to allow the qualified persons to self-regulate the approval of Development/Building Proposal within the railway protection zone.

**Effective Date**

3. The implementation of the subsidiary legislations and lodgment scheme shall take effect from 27 September 2021.

**Background**

4. The DBW regulates development, building and engineering works, while the RPRA regulates restricted activities carried out within the railway corridor/ railway protection zone, and are intended to safeguard the integrity of railway structures, railway operations and safety of passengers.
5. As the DBW and RPRA were last updated in 2002 and 2003 respectively, LTA proposes to refine and update the processes, procedures and requirements in the subsidiary legislation, so that they are in line with existing industry practice.

6. In addition, as part of LTA's broader transformation movement to streamline and simplify its regulatory processes, LTA proposes to implement a lodgment scheme to speed up the plan approval process for selected categories of works that involve minimal risks within the railway protection zone. The list of eligible criteria is appended in **Annex A**.

### **Major Amendments**

7. The salient changes in the amendments to both subsidiary legislations are listed in **Annex B** for the benefit of your members.
8. For your information, we have also released a video on 26 Aug 2021 which explains the key changes in greater detail. In addition, the video highlights how these changes will impact the way a professional makes submission to LTA. This includes the submission requirements and procedures pertaining to LTA's new lodgment scheme. You may access the video via the link provided below or scan the QR code:

#### **Topic 1: Amendments to Rapid Transit Systems (Development & Building Works in Railway Corridor and Railway Protection Zone) Regulations, and LTA's new lodgement scheme**

<https://youtu.be/enrwDe98HEE>



#### **Topic 2: Amendments to Rapid Transit Systems (Restricted Activities) Regulations**

[https://youtu.be/p8P\\_kiA8LgE](https://youtu.be/p8P_kiA8LgE)



**Clarifications**

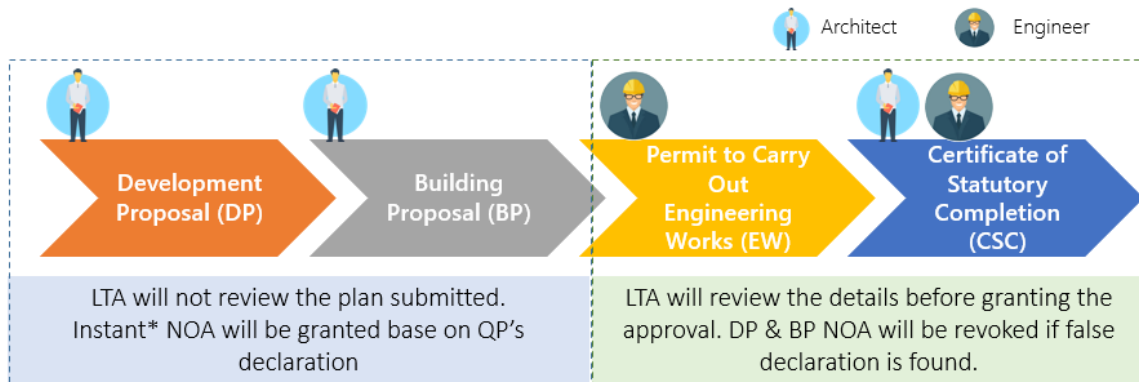
9. If you have any queries concerning this circular, please email to [LTA-DBC\\_Registry@lta.gov.sg](mailto:LTA-DBC_Registry@lta.gov.sg).
10. We would appreciate it if you could convey the contents of this circular to members of your organization.

Thank you.

Yours sincerely

Quek Teck Beng  
Deputy Director  
Development & Building Control

### Annex A – Lodgment Criteria



- **Instant\*** grant of Development & Building Proposal Notice Of Approval (NOA) rely on QP's self-declaration for compliance – faster turn around time to allow developments to start work.
- Instant: LTA will issue the NOA within 3 working days during the transition from Corenet 1 to Corenet 2. Instant NOA will be issued after LTA is on board to Corenet 2.
- Development and Building Proposal NOA will be revoked if false-declaration is found at engineering work stage. QP will be required to make a **fresh** lodgment application and application for permit to carry out engineering work will be rejected.
- EW and CSC are not applicable for lodgment.

Non-LTA Projects	LTA Projects
<p>The following type of developments with <b>NO BASEMENT</b> and with site boundary located <b>&gt; 20m away</b> from the outermost edge of Rapid Transit System (RTS) structure:</p> <ul style="list-style-type: none"> <li>• Landed residential</li> <li>• Standalone fire station</li> <li>• Standalone petrol station</li> <li>• Standalone sub-station</li> <li>• Standalone commuter facilities (i.e. covered linkway, taxi stand or bus stop)</li> <li>• A&amp;A work without any structural modification (i.e. piling, excavation, demolition) to existing building.</li> </ul>	<ol style="list-style-type: none"> <li>1. Covered linkway (without any encroachment into station boundary or interface with RTS structures)</li> <li>2. Cycling/foot path</li> <li>3. Minor A&amp;A work within station premises: <ul style="list-style-type: none"> <li>• toilet upgrading</li> <li>• handicap ramp</li> <li>• bicycle rack installation / removal</li> <li>• weather protection</li> <li>• pick-up/drop-off/taxi bay</li> <li>• landscaping/tiling works</li> </ul> </li> </ol>

## Annex B – Comparison of major changes

<b>Rapid Transit Systems (Development and Building Works in Railway Corridor and Railway Protection Zone) Regulations (“DBW Regs”)</b>		
<b>Current Regs DBW 2002</b>	<b>Revised Regs DBW 2021</b>	<b>Extent and Purpose of change</b>
Reg 1 – Citation	Reg 1 – Citation and commencement	No change
Reg 2 – Definition	Reg 2 – Definition	Introduction of new definitions to facilitate the introduction of new and updated clauses in the DBW Regs
Reg 3 – Unauthorised development or building works	Reg 3 – Obligation relating to development and building works	<ul style="list-style-type: none"> <li>(1) Updating provision to reflect requirement for supervision of Development and Building works by Qualified Persons (QPs).</li> <li>(2) Further specifying existing offence that failure to comply is an offence.</li> </ul>
Reg 4 – Application for approval of plans	Reg 4 – Application for approval of development proposal for development  Reg 5 – Application for approval of building proposal for building works  Reg 19 – Application to authority	<p>Current Reg 4 applies to both Development Works and Building Works applications.</p> <p>Revised Regs 4 and 5 have been updated and separately set out to reflect:</p> <ul style="list-style-type: none"> <li>(1) The interagency workflow that LTA has with URA and BCA; and</li> <li>(2) That not all Development Works applications will require to follow up with Building Works applications.</li> <li>(3) Application to LTA must be made and signed by the qualified person appointed by the developer</li> </ul> <p>A new Reg 19 has been introduced to specify the form and processes for applications to be submitted to LTA. Specifically, Reg 19(3) empowers LTA to approve the application without checking if the application is accompanied by a declaration from the qualified person making the application. This will</p>

<b>Rapid Transit Systems (Development and Building Works in Railway Corridor and Railway Protection Zone) Regulations (“DBW Regs”)</b>		
<b>Current Regs DBW 2002</b>	<b>Revised Regs DBW 2021</b>	<b>Extent and Purpose of change</b>
		facilitate the implementation of lodgment scheme to be rolled out progressively.
Reg 5 – Departure or deviation from approved plans	Reg 6 – Amendment to approved proposal	No substantive change.
Reg 6 – Application for permit	Reg 9 – Obligation relating to engineering works Reg 10 – Application for permit to carry out engineering works	<p>(1) Revised clauses 9 and 10 specify that the “permit” under current Reg 6 is actually an “engineering work permit”.</p> <p>(2) The revised clauses 9 further specifies the existing offence of failing to comply with this permit requirement.</p> <p>(3) The revised clause 10 now sets out the application process with greater specification of required supporting documents.</p>
Reg 7 – Validity of approval	Reg 8 – Time for commencement for development or building works	Under current Reg 7, LTA’s validity of approval is pegged to BCA’s grant of permit date. The validity of approval in revised Reg 8 now refers to LTA’s grant of Development Proposal approvals as the start date for the validity period.
Reg 8 – Code of Practice	Reg 14 – Code of Practice	Provision has been updated to specify processes to be undertaken in the event of revisions to the Codes of Practice.
Reg 9 – Appointment of qualified person	Reg 11 – Supervision of development and engineering works	<p>Revised Regs 11 and 12 contain updates to the current Reg 9, separately set out:</p> <p>(1) Reg 11: Specified processes and criteria for persons adequately qualified to carry out supervisory oversight of Development, Building works and engineering works; and</p>

<b>Rapid Transit Systems (Development and Building Works in Railway Corridor and Railway Protection Zone) Regulations (“DBW Regs”)</b>		
<b>Current Regs DBW 2002</b>	<b>Revised Regs DBW 2021</b>	<b>Extent and Purpose of change</b>
	Reg 12 – Resignation or termination of appointment of qualified person, etc  The Schedule	(2) Reg 12 and the Schedule: Specified processes for changes in the appointment of qualified persons, including when and for whom it is for to inform LTA of such changes.
Reg 10 – General duties	Reg 13 – General duties	Provision has been refined to set out the general obligations of developers and qualified persons.  Obligations specific to qualified persons are now specified in the revised Reg 11.
Reg 11 – Enforcement notices	Reg 15 – Applicability of powers  Reg 16 – Power to impose additional requirements  Reg 17 – Power to require stoppage of development  Reg 18 – Power to require information on development	Current Reg 11 has been further refined to set out LTA’s enforcement powers within the DBW Regs regulatory regime: (1) Imposing additional requirements; (2) Powers of stoppage of development; and (3) Power to require information on the development.
Reg 12 – Exemption	-	Removed provision for coherence with parent RTS Act, which already sets out that Exemption can only be granted with the approval by Minister.
Reg 13 – Offences	-	Incorporated in respective revised Regs, as set out in greater detail above.

<b>Rapid Transit Systems (Development and Building Works in Railway Corridor and Railway Protection Zone) Regulations (“DBW Regs”)</b>		
<b>Current Regs DBW 2002</b>	<b>Revised Regs DBW 2021</b>	<b>Extent and Purpose of change</b>
-	Reg 7 – Cessation of approval for proposal	This is a new provision to update and refine the DBW Regs regulatory regime, specifying the circumstances under which existing approvals cease.
-	Reg 20 – Revocation and saving	This is for administrative purposes to ensure seamless transition between current Regs and revised Regs.



<b>Rapid Transit Systems (Railway Protection, Restricted Activities) Regulations (“RPRAs Regs”)</b>		
<b>Current Regs RPRAs 2003</b>	<b>Revised Regs RPRAs 2021</b>	<b>Extent and Purpose of change</b>
Reg 1 – citation	Reg 1 – citation	No change
Reg 2 – definition	Reg 2 – definition	Amend to include the new definition of Railway Corridor
Reg 3 – application	Reg 3 – application	No change
Reg 4 – railway safety zone	Reg 4 – railway safety zone, railway corridor and railway protection zone	Revision of header to specify railway corridor and railway protection zone in addition to railway safety zone
Reg 5 – no part of crane to encroach within 6 metres from edge of railway	Deletion of Reg 5	Reg 5 is subsumed into reg 7 and make it clearer that LTA may grant permission for works to be done within 6 metres of the edge of the railway as buildings are now closer to the MRT lines.
Reg 6 – power to requirement information	Reg 6 – power to requirement information	No change
Reg 7 – railway protection zone	Reg 7 – permission for restricted activity	<ol style="list-style-type: none"> <li>1) Revision of regulation heading to be more specific</li> <li>2) Revised reg 7 more clearly specifies that a written permission is required from the Authority prior to the carrying out of restricted activity, and a separate application is not required under the RPRAs Regs should the “engineering works” fall within the meaning of “restricted activities” under the RPRAs Regs</li> <li>3) Provision of special approval requirement for any restricted activity to be carried out within the 6 metres from the edge of the railway (please see additional comments in relation to Reg 5 above).</li> </ol>

Reg 8 – power to impose terms and conditions for, or to require the stoppage of, restricted activity	Reg 8 – power to impose terms and conditions for, or to require the stoppage of, restricted activity	Revised to provide that the Authority is able to take necessary measures to prevent, stop or remedy any damage to the railway or railway premises
Reg 9 – power to order immediate stoppage of restricted activity	Reg 9 – power to order immediate stoppage of restricted activity	No change
Reg 10 - exemption	Reg 10 - exemption	Removed provision for greater consistency with parent RTS Act, which presently sets out that an Exemption can only be granted with the approval by Minister.
Reg 11 – penalty	Reg 11 – penalty	No change
The schedule	The schedule	Updated to refine the description of the restricted activities relating to construction of an underground passageway