



Notification of the Industrial Estate Authority of Thailand

No. 103/2556

Re: Land Development for Business Operators in Industrial Estates

Whereas, it is deemed expedient to update the Notification of the Industrial Estate Authority of Thailand Re: General Rules for Land Development in Industrial Estates.

By virtue of Section 10 (4) of the Industrial Estate Authority of Thailand Act B.E. 2522 (1979), as amended by the Industrial Estate Authority of Thailand Act (No. 3) B.E. 2539 (1996) and Clause 17 of the Regulations of the Board of Directors of the Industrial Estate Authority of Thailand Governing Rules, Procedures and Conditions for Business Operations in Industrial Estates B.E. 2551 (2008) issued under the provisions of the Industrial Estate Authority of Thailand Act B.E. 2522 (1979), which contain certain provisions relating to the restrictions on people's rights and liberties which Section 29, in conjunction with Sections 32, 33, 34, 41, 42 and 43 of the Constitution of the Kingdom of Thailand so permit by virtue of provisions of law, the Industrial Estate Authority of Thailand hereby issues the Notification, as follows:

Clause 1 The following shall be repealed:

(1) Notification of the Industrial Estate Authority of Thailand No. 64/2536 Re: General Rules for Land Development in Industrial Estates, dated June 7, 1993;

(2) Notification of the Industrial Estate Authority of Thailand No. 95/2538 Re: General Rules for Land Development in Industrial Estates (Amendment), dated October 30, 1995;

Clause 2 In this Notification:

“IEAT” refers to the Industrial Estate Authority of Thailand.

“Industrial Estate” refers to an industrial estate established under the law on the Industrial Estate Authority of Thailand.

“Industrial Zone” refers to a General Industrial Zone or an IEAT Free Zone.

“Business Operator” refers to a person who has been permitted for land utilization and business operations in an Industrial Estate.

“Land Plot” refers to an area which has been developed as area available for sale, lease or hire-lease for any Business Operator in accordance with the master plan or land allocation plan approved by the IEAT.

“Office” refers to a building or any part thereof which is used as office or premises of a Business Operator.

“Factory” refers to a building or any part thereof which is used as factory under the law on factories.

“Residential Building” refers to a building which is normally used for living both during the daytime and the nighttime, and whether permanently or temporarily.

“Commercial Building” refers to a building which is used for commercial activities or business services.

“Rowhouse” refers to a building which is constructed in a row comprising two or more units connected by adjoining walls and mostly made of fire-resistant materials.

“Space” refers to a space without roof or cover, which may be arranged for construction of a pond, swimming pool, manhole, waste collection area, central waste collection area or outdoor parking area, and includes an area where a structure or building not higher than 1.20 meters from the ground without roof or cover is located.

“Merging/Diverging Road” refers to traffic carriageway at the same or different level with more than two lanes which are intersected, merged or adjacent.

“Pipe Rack” refers to a structure that supports pipelines for carrying materials used in the production process or for the benefit of the production process.

Clause 3 The Business Operator shall be responsible for land which has not been developed to be in a condition not to give rise to any difficulty or nuisance and not to be harmful to others.

Clause 4 The Business Operator is prohibited from altering land in its own possession to be a pond, basin or swamp, unless technically necessary for good environment, and subject to written permission from the IEAT.

Clause 5 The Business Operator is prohibited from drilling any groundwater well in the Land Plot permitted for business operations in an Industrial Estate.

Clause 6 The Business Operator is prohibited from removing soil out of its own Land Plot, unless permitted in writing by the IEAT.

Clause 7 The Business Operator is prohibited from constructing, modifying or demolishing any building in an Industrial Estate, unless permitted by the IEAT.

Clause 8 The Business Operator is prohibited from constructing any Residential Building in the Industrial Zone, unless it is a temporary building for the purpose of construction of a permanent building, provided that such temporary building is not higher than two stories or 9.00 meters and shall be demolished upon completion of the construction.

Clause 9 The Business Operator is prohibited from dividing Land Plots differently from the master plan of the Industrial Estate, unless such land division in no way causes any difficulty to the utility systems, facilities and the land use plan and in no way violates the law on building control, and subject to written permission from the IEAT.

Clause 10 Any land development for construction of any building or structure in the Business Operator's Land Plot shall leave a Space of not less than 30 percent of such Land Plot.

Clause 11 In the event that the building construction, modification or demolition or improvement of Land Plot of the Business Operator causes any damage to the utility systems and facilities of the Industrial Estate, the Business Operator shall be responsible for repair, improvement, remedy or compensation for damages as prescribed or reasonably approved by the IEAT, considering the circumstances and actual damages.

Clause 12 The Business Operator shall provide parking areas of at least 1 vehicle per every 240 square meters of the building areas within its Land Plot. Any fraction of 240 square meters shall be regarded as 240 square meters. For the purpose of this clause, the more number of parking lots shall prevail.

Clause 13 In the event that the Business Operator has in its possession any toxic substances, chemical substances, flammable substances, explosive substances or any other hazardous substances for use in its business operations, the Business Operator shall arrange for a storage place for such substances and use such substances in compliance with the applicable laws.

Clause 14 The Business Operator shall specify location for installation of electric transformers, power control room in the building, as well as location for outdoor lighting, within the Business Operator's Land Plot in accordance with the requirements of the Metropolitan Electricity Authority or the Provincial Electricity Authority, as the case may be.

Clause 15 Building construction or modification in an Industrial Estate shall be in accordance with the following criteria:

(1) For a building not higher than 12.00 meters, a clearance from its outer column or wall to the fence or the front area of the boundary line of the Land Plot or the side with an entrance and exit, shall not be less than 6.00 meters; and for a building higher than 12.00 meters, such clearance shall not be less than 12.00 meters, and the eaves of the building shall leave a clearance of not less than 4.00 meters from the fence or land boundary line. The height of the

building shall be measured vertically from the road or ground level to the top of the building. As for a gable-roofed or hip-roof building, its height shall be measured to the top of the wall of the top floor.

In case of the construction of a Pipe Rack, structure for electric transformer, guard house, parking roof, small-sized gas pressure reducing station, shrine or flag pole, they may be constructed close to the land boundary line.

(2) For the construction or modification of a building close or adjacent to the Industrial Estate's road, which is not the front of the Land Plot or on the side with entrance and exit, a clearance from the building's outer column or wall to the fence or land boundary line shall not be less than 6.00 meters.

(3) For the construction or modification of a building close or adjacent to other Business Operator's land, a clearance from the building's outer column or wall to such Business Operator's land boundary line shall not be less than 5.00 meters; and its eaves shall leave a clearance of not less than 2.00 meters from such Business Operator's land boundary, except for Pipe Rack which may be constructed close to the land boundary line; however, such construction shall not obstruct the passageway for convenient fire fighting.

(4) A tower tank for water storage within the Land Plot shall leave a clearance of not less than 5.00 meters from its outer edge or any part of its outer structures, measured vertically to the fence or land boundary line.

(5) For a structure or building not higher than 1.20 meters from the ground level, located at the rear of the Industrial Estate's road and without any roof or cover above such level shall leave a clearance of not less than 2.00 meters from the outer edge of the structure or building to the fence or land boundary line and shall not obstruct the passageway for convenient fire fighting.

(6) For a high building or special large-sized building, a clearance shall be in accordance with the law on building control.

(7) For a Residential Building, Rowhouse, Commercial Building which is located outside the Industrial Zone, a clearance shall be in accordance with the law on building control.

Clause 16 In case of the construction of the Business Operator's office building, facilities for people with disabilities or infirmities and the elderly shall be provided in the building, subject to the rules as specified in the ministerial regulations prescribing building facilities for people with disabilities or infirmities and the elderly.

Clause 17 The Business Operator wishing to construct a fence surrounding its Land Plot boundary adjacent to or near the Industrial Estate's road shall construct a transparent fence which is not higher than 2.00 meters from the walkway level or from the road on the side adjacent to the Land Plot of the Business Operator. In this regard, the lower section of the fence may be opaque, but not higher than 1.20 meters from the walkway level or from the road on the side adjacent to such Land Plot.

The design of such fence under paragraph one shall be as prescribed by the IEAT or according to the standard design as specified by the industrial estate developer which has been approved and entered into the joint development agreement for establishment of an Industrial Estate with the IEAT, with the IEAT's approval.

The construction of a fence specifically for flood prevention shall be in accordance with the rules as specified by the IEAT.

Clause 18 The Business Operator is prohibited from constructing any entrance to or exit from its Land Plot to connect with the main road within the Industrial Estate, except in the absence of access to other roads, or in case of any other necessary grounds in terms of engineering, the IEAT shall consider on a case by case basis by giving top priority to the traffic engineering safety.

Clause 19 The Business Operator shall arrange for an entrance and exit for vehicles in its Land Plot with a width of not less than 6.00 meters, except for one-directional lane, the width of such entrance and exit shall not be less than 4.00 meters, with visible signs of entrance-exit direction, which shall not affect traffic of nearby Land Plots of other Business Operators.

In the event that the Business Operator arranges for more than one entrance and exit, the additional entrance and exit shall leave a clearance of not less than 60.00 meters from the center of the entrance and exit, unless necessary and impractical to comply with this requirement, the IEAT shall consider this matter on a case by case basis.

The IEAT may grant permission for construction of an entrance and exit only within an Industrial Estate zone.

Clause 20 In case of the Business Operator's Land Plot which is located on the corner of a Merging/Diverging Road within an Industrial Estate, an entrance and exit for vehicles shall leave a clearance of not less than 40.00 meters from the start of the curve or angle of the edge of the merging road or the edge of the diverging road to the center line of the entrance and exit for vehicles, unless necessary and impractical to comply with this requirement, the IEAT shall consider this matter on a case by case basis, provided however that a clearance shall not be less than 20.00 meters.

The center line of the entrance and exit for vehicles under paragraph one shall not be on a bridge approach and shall leave a clearance of not less than 50.00 meters from the bridge approach.

Clause 21 With respect to the construction of an entrance to and an exit from an Industrial Estate which passes any open drainage ditch or piping system, the Business Operator shall carry out construction in accordance with the design as specified or approved by the IEAT.

Clause 22 The Business Operator shall set out the layout plans of the wastewater treatment system and the storm discharge system from its building or Land Plot which must be suitable for the discharge destinations for both systems, as follows:

(1) The wastewater drainage system shall be completely separate from the storm discharge system;

(2) The storm waterway for discharge of storm water from a building or Land Plot shall allow for convenient cleaning. In case of the closed conduits, a retention pond shall be available at every interval not exceeding 8.00 meters and every turning corner. Moreover, storm discharge monitoring pond and grates shall be available in such location which is easily accessible for inspection, prior to discharging storm water to the storm discharge system of the Industrial Estate;

(3) Wastewater or used water of all types from a building or Land Plot shall be discharged to the central wastewater treatment system of the Industrial Estate. In this regard, the quality of such water shall be in accordance with the general requirements for drainage of wastewater into the central wastewater treatment system of an Industrial Estate as specified by the IEAT;

(4) The Business Operator's wastewater drainage system shall be constructed as the closed system, with a wastewater quality inspection pond and water valves in the location which is accessible for inspection at all times prior to discharging wastewater into the central wastewater treatment system of the Industrial Estate, in accordance with the design as specified or approved by the IEAT.

Clause 23 In the event that the Business Operator needs to have an initial wastewater treatment system prior to discharging to the central wastewater treatment system of the Industrial Estate, the Business Operator shall arrange for a sufficient area within the Land Plot for construction of the initial wastewater treatment system.

Clause 24 The Business Operator should arrange for an area for reserve water storage for use in its business operations for not less than one day in case it is urgent or necessary to improve or repair of the water supply system at the front of the Land Plot or nearby area.

Clause 25 The Business Operator wishing to arrange for landfill in its Land Plot, which is higher than the land level of other Business Operators, shall ensure sufficient water discharge to prevent any difficulty or damage to other Business Operators or any third parties who own nearby Land Plots.

Clause 26 General landfill in the Business Operator's Land Plot shall not be higher than the road level at the front of the Land Plot or the walkway level at the front of the Land Plot, excluding the building floor level.

In respect of landfill for construction of a road within the factory, landfill shall not be higher than 50.00 centimeters measured from the middle of the road at the front of the Land Plot, unless necessary or impractical to comply with this requirement, the IEAT shall consider this matter on a case by case basis.

Clause 27 The Business Operator shall plant perennial trees within the factory areas under its responsibility, with proportional coverage at the ratio of 1 tree per 1 rai, and trees are not lower than 1.50 meters, which shall be marked in the layout plan submitted with the application for construction permission to the IEAT.

Clause 28 The Business Operator's building construction, modification or demolition for land development for its business operations or any other activities pertaining to the business operations in an Industrial Estate other than those specified herein shall proceed in accordance with the law on building control and other applicable laws.

Clause 29 The Business Operator's application for building construction, modification or demolition for land development for its business operations in an Industrial Estate, which has been submitted prior to the date on which this Notification comes into effect and which is pending the IEAT's consideration, shall be treated as the application under this Notification, and the IEAT shall consider such application under the rules as specified in this Notification.

This Notification shall come into effect upon a lapse of thirty days from the day following the date of its publication in the Government Gazette.

Notified on the 20th day of November B.E. 2556 (2013).

- Signature -

(Mr. Verapong Chaiperm)

Governor of the Industrial Estate Authority of Thailand