

S.I. No. 262/2011 — Planning and Development (Amendment) Regulations 2011.

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S.I. No. 262 of 2011

PLANNING AND DEVELOPMENT (AMENDMENT) REGULATIONS 2011

Notice of the making of this Statutory Instrument was published in

“Iris Oifigiúil” of 7th June, 2011.

The Minister for Environment, Community and Local Government, in exercise of the powers conferred on him by sections 11 , 12 , 13 , 20 , 24 , 37D, 181C, 182E and 262 of the Planning and Development Act 2000 , as amended, hereby makes the following Regulations:

Citation and commencement

1. (a) These Regulations may be cited as the Planning and Development (Amendment) Regulations 2011.

(b) These Regulations and the Planning and Development Regulations 2001 to 2010 shall be construed as one and may be collectively cited as the Planning and Development Regulations 2001 to 2011.

(c) These Regulations shall come into operation on 3 June 2011.

Interpretation

2. In these Regulations “the Regulations” means the Planning and Development Regulations 2001, as amended.

Substitution of Article 13 of the Regulations

3. Article 13 of the Regulations is substituted by the following article:

shall be— “13. The prescribed authorities for the purposes of sections 11, 12 and 13 of the Act

- (a) the Minister,
- (b) the Board,
- (c) the Minister for Agriculture, Fisheries and Food,
- (d) the Minister for Arts, Heritage and the Gaeltacht,
- (e) the Minister for Communications, Energy and Natural Resources,
- (f) the Minister for Defence,
- (g) the Minister for Education and Skills,
- (h) the Minister for Transport, Tourism and Sport,
- (i) An Chomhairle Ealaíon,
- (j) the Commissioners,
- (k) Dublin Airport Authority,

(l) in the case of a planning authority any part of whose functional area is affected by the DTI Strategy, the Dublin Transportation Office (or any body that replaces that office),

- (m) ESB (Electric Ireland),
- (n) Forfás,
- (o) Fáilte Ireland,
- (p) the Health Service Executive,
- (q) the Heritage Council,
- (r) the Health and Safety Authority,
- (s) Inland Fisheries Ireland,
- (t) the National Roads Authority,

(u) in the case of a planning authority any part of whose functional area is situated within the functional area of the Shannon Free Airport Development Company Ltd., that Company,

- (v) An Taisce — the National Trust for Ireland,

(w) any planning authority whose area is contiguous to the area of the planning authority that prepared the draft,

(x) any local authority, including town councils, and any city and county development board in the area to which the draft relates, and

(y) the regional authority or regional assembly within whose region the functional area of the planning authority is situated, and any regional authority whose region is contiguous to the region of the first-mentioned authority.”.

Substitution of Article 14 of the Regulations

4. Article 14 of the Regulations is substituted by the following article:

“14.The prescribed authorities for the purposes of section 20 of the Act shall be—

(a) the Minister,

(b) the Minister for Arts, Heritage and the Gaeltacht,

(c) any local authority, including town councils, in the area to which the local area plan, proposed local area plan or proposed amended plan, as appropriate, relates, and any relevant city and county development board, and

(d) any planning authority whose area is contiguous to the area to which the local area plan, proposed local area plan or proposed amended plan, as appropriate, relates.”.

Substitution of Article 15 of the Regulations

5. Article 15 of the Regulations is substituted by the following article:

“15.The prescribed authorities for the purposes of section 24 of the Act shall be—

(a) the Minister,

(b) the Board,

(c) the Minister for Agriculture, Fisheries and Food,

(d) the Minister for Arts, Heritage and the Gaeltacht,

(e) the Minister for Communications, Energy and Natural Resources,

(f) the Minister for Defence,

(g) the Minister for Education and Skills,

(h) the Minister for Transport, Tourism and Sport,

(i) An Chomhairle Ealaíon,

(j) the Commissioners,

(k) Dublin Airport Authority,

(*l*) in any case where the Dublin Docklands Area is within the region for which the guidelines are prepared, to the Dublin Docklands Development Authority,

(*m*) in the case where an area which is affected by the DTI Strategy is within the region for which the guidelines are prepared, the Dublin Transportation Office (or any body that replaces that office),

(*n*) ESB (Electric Ireland),

(*o*) Fáilte Ireland,

(*p*) Forfás,

(*q*) the Health Service Executive,

(*r*) the Heritage Council,

(*s*) the Health and Safety Authority,

(*t*) Inland Fisheries Ireland,

(*u*) the National Roads Authority,

(*v*) in any case where the functional area of the Shannon Free Airport Development Company Ltd. is within the region for which the guidelines are prepared, that Company,

(*w*) An Taisce — the National Trust for Ireland,

(*x*) any regional authority whose area is contiguous to the region for which the guidelines are prepared,

(*y*) the regional assembly within whose region the region for which the guidelines are prepared is situated, and

(*z*) any local authority, including town councils, in the region for which the guidelines are prepared.”.

Substitution of sub-article (3)(b) of Article 210 of the Regulations

6. Article 210 of the Regulations is amended by the substitution of the following for sub-article (3)(b):

“(b) For the purposes of determining which bodies are to be included under paragraph (a), the Board may consult with—

(i) the Minister,

(ii) the Minister for Arts, Heritage and the Gaeltacht,

(iii) the Environmental Protection Agency,

(iv) the Minister for Communications, Energy and Natural Resources, or

(v) the relevant planning authority,
as it considers appropriate.”.

Substitution of sub-article (1) of Article 211 of the Regulations

7. Article 211 of the Regulations is amended by the substitution of the following for sub-article (1):

“(1) The specified bodies for the purposes of sections 37D(2)(a), 181C(3) and 182E(3) shall be—

- (i) the Minister,
- (ii) the Minister for Arts, Heritage and the Gaeltacht,
- (iii) the Environmental Protection Agency,
- (iv) the Minister for Communications, Energy and Natural Resources, and
- (v) the relevant planning authority.”.

Given under my Official Seal,

2 June 2011.

PHIL HOGAN, T.D.,

Minister for Environment, Community and Local Government.

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