

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) REGULATIONS 1996

The Minister for the Environment, in exercise of the powers conferred on him by section 10 of the Local Government (Planning and Development) Act, 1963 (No. 28 of 1963) and by section 4 of that Act as amended by section 43 of the Local Government (Planning and Development) Act, 1976 (No. 20 of 1976) and Article 6 of the European Communities (Environmental Impact Assessment) Regulations, 1989 (S.I. No. 349 of 1989), hereby makes the following Regulations:

REG 1

Citation.

- 1.(1) These Regulations may be cited as the Local Government (Planning and Development) Regulations, 1996.
- (2) These Regulations, the Local Government (Planning and Development) Regulations, 1994 (S.I. No. 86 of 1994) and the Local Government (Planning and Development) Regulations, 1995 (S.I. No. 69 of 1995) may be cited together as the Local Government (Planning and Development) Regulations, 1994 to 1996.

REG 2

Commencement.

2. These Regulations shall come into operation on the 1st day of October, 1996.

REG 3

Amendment of 1994 Regulations.

3. Article 13 of the Local Government (Planning and Development) Regulations, 1994 is hereby amended by the substitution for paragraph (b) thereof of the following paragraphs:
"(b) initial afforestation where the area involved, either on its own or taken together with any adjacent area planted by or on behalf of the applicant within the previous three years, would result in a total area planted exceeding 70 hectares and for the purposes of this subparagraph an area, other than an area planted before the 1st day of October, 1996, shall be deemed to be adjacent if its nearest point lies within 500 metres of any part of the area involved,
(bb) replacement of broadleaf high forest by conifer species, where the area involved would exceed 10 hectares,".

GIVEN under the Official Seal of the Minister for the Environment,
this 10th day of April, 1996.

BRENDAN HOWLIN,
Minister for the Environment.

EXPLANATORY NOTE.

These Regulations amend article 13 of the Local Government (Planning and Development) Regulations, 1994 (S.I. No. 86 of 1994) which prescribes development, which notwithstanding section 4 of the Local Government (Planning and Development) Act, 1963, is not exempted

development. The effect of the Regulations is to lower the threshold at which afforestation requires planning permission from 200 hectares to 70 hectares. A corresponding change has been made in the European Communities (Environmental Impact Assessment) Regulations, 1996 (S.I. No. 101 of 1996) in relation to the threshold at which afforestation requires environmental impact assessment.