

STATUTORY INSTRUMENTS.
S.I. No. 539 of 2001.

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT)
(AMENDMENT) REGULATIONS, 2001.

Dublin
Published by the Stationery Office

(Pn. 10860)

S.I. No. 539 of 2001.

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT)
(AMENDMENT) REGULATIONS, 2001.

The Minister for the Environment and Local Government, 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 article 6 of the European Communities (Environmental Impact Assessment) Regulations, 1989 (S.I. No. 349 of 1989) hereby makes the following Regulations:-

Citation. 1. (1) These Regulations may be cited as the Local Government (Planning and Development) (Amendment) Regulations, 2001.

(2) These Regulations and the Local Government (Planning and Development) Regulations, 1994 to 2001 shall be construed as one and may be cited together as the Local Government (Planning and Development) Regulations, 1994 to 2001.

Commencement. 2.
These Regulations shall come into operation on 10 December 2001.

Amendment of 1994 Regulations. 3. The Local Government (Planning and Development) Regulations, 1994 (S.I. No. 86 of 1994), as amended by article 3 of the Local Government (Planning and Development) Regulations, 1996 (S.I. No. 100 of 1996), are hereby amended by –

(a) the insertion, after the definition of “outline permission” in sub-article (3) of article 3 thereof, of the following: -

“‘peat extraction’ includes any related drainage of bogland;” and

(b) the substitution for paragraphs (b), (bb) and (c) of article 13 of the following paragraphs: -

“(b) replacement of broadleaf high forest by conifer species, where the area involved would exceed 10 hectares,

(c) peat extraction which would involve a new or extended area of 10 hectares or more.”.

GIVEN under the Official Seal of the Minister for the
Environment and Local Government this 4th day of December
2001.

L.S. Noel Dempsey, T.D.

Minister for the Environment and Local Government.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

The purpose of these Regulations is, firstly, to remove initial afforestation from the planning control system, to coincide with the introduction of a separate statutory consent system by the Minister for the Marine and Natural Resources under the European Communities (Environmental Impact Assessment) (Amendment) Regulations, 2001 (S.I. No. 538 of 2001), and, secondly, to reduce the planning threshold for peat extraction from 50 hectares to 10 hectares.