



Ms Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee
United Nations Economic Commission for Europe
Palais des Nations, Room 429-4
CH-1211 GENEVA 10
Switzerland

11 November 2023

Re: Updated Plan of Action for Decision VII/8i Progress Report

Dear Ms Marshall,

1. By way of further update to the Plan of Action for Decision VII/8i which was submitted to the Committee on 30 June 2022 as regards Recommendation Paragraph 4(a)(i) of Decision VII/8i, Ireland wishes to inform the Committee of the proposed revision and consolidation of the Planning and Development Act, 2000 as amended (“**the 2000 Act**”).
2. In September 2021 the Government of Ireland decided to commence a process of reviewing and consolidating the planning legislation in the State and authorised the Attorney General to appoint a Working Group to provide advice (including legal and planning advice) to the Office of the Attorney General and the Department of Housing, Local Government and Heritage in the context of that process. As part of that process, the Planning and Development Bill 2022 (“**the 2022 Bill**”) was prepared, the publication of which was approved by the Government in December 2022.
3. Following its publication, the 2022 Bill was the subject of a Pre-Legislative Consultation by the Houses of the Oireachtas (the Irish Parliament), following which further work was carried out on its contents. It is intended that a revised



version of the 2022 Bill will be approved by the Government in the coming weeks and will, thereafter, be published and brought before the Houses of the Oireachtas for the legislative process. Once enacted the 2022 Bill will replace the 2000 Act entirely.

4. Chapter 5 of Part 3 of the 2022 Bill addresses “*Alterations, Extensions and Revocations*” of permissions and will, when enacted, replace section 42 of the 2000 Act as the legislative framework in which applications for an extension of duration of a planning permission will be determined.
5. It is intended that the 2022 Bill will draw a distinction between material and non-material alterations and extensions of duration and that, where it is determined that an extension of duration is a material extension of duration there will be an entitlement for members of the public to make submissions in relation to the application. Further the deciding authority will have a power to invite submissions from persons or class of persons, including the public, as the deciding authority considers appropriate on the question of whether a proposed extension of duration is material or non-material. The definition of material alteration includes an extension of duration which requires an environmental impact assessment or an appropriate assessment or which the deciding authority considers to be material.
6. It is intended for the updated version of the 2022 Bill to be approved by Government and published in the coming weeks. When that occurs, Ireland will be happy to provide a copy of the relevant parts of the Bill to the Committee along with a further explanation of the precise legislative proposals.
7. The Planning and Development Bill 2023 was initiated in the Oireachtas on 22nd November 2023. The Extension of Duration provisions are in Chapter 5 of the Bill - Alteration, Extension and Revocation of a Permission.



8. The Extension of Duration provisions are currently being reviewed and it is intended to bring forward amendments during the Bill's passage through the Houses to:
 - ensure that multiple applications to extend the duration of a permission are prohibited; and
 - to limit the term of an extension of duration which can be sought.

9. Any such amendment is subject to the approval of the Oireachtas.

Elaine Kennedy

National Focal Point - Aarhus Convention