



**SEANAD ÉIREANN**

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**AN BILLE UM PLEANÁIL AGUS FORBAIRT, 2020  
PLANNING AND DEVELOPMENT BILL 2020**

**LEASUITHE TUARASCÁLA  
REPORT AMENDMENTS**

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# SEANAD ÉIREANN

## AN BILLE UM PLEANÁIL AGUS FORBAIRT, 2020 —AN TUARASCÁIL

### PLANNING AND DEVELOPMENT BILL 2020 —REPORT

#### *Leasuithe Amendments*

*\*Government amendments are denoted by an asterisk*

1. In page 4, to delete lines 1 to 5 and substitute the following:

“(i) shall hold public meetings (except in such grave and limited circumstances as may be prescribed by law, such as an emergency period, where the holding of such a meeting is not reasonably practicable, in which case a planning authority shall make alternative arrangements for effective and inclusive public consultation as it deems appropriate) and invite submissions in writing from members of the public, in relation to a proposed development plan, and”.

—*Senators Victor Boyhan, Sharon Keogan, Gerard P. Craughwell, Michael McDowell.*

2. In page 4, lines 1 to 3, to delete all words from and including “(which” in line 1 down to and including “meeting)” in line 3 and substitute “which shall include public meetings online and in person”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

3. In page 4, lines 1 to 3, to delete all words from and including “(which” in line 1 down to and including “meeting)” in line 3 and substitute “(which shall include public meetings, online and also in person except where the holding of a meeting in person may be detrimental to public health)”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

4. In page 4, lines 1 to 3, to delete all words from and including “(which” in line 1 down to and including “meeting)” in line 3 and substitute “(which shall include public meetings online and, except in an emergency period, also in person)”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

5. In page 4, line 3, after “submissions” to insert “online and”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

6. In page 4, line 5, after “and” to insert “shall ensure that where a member of the public chooses to make a submission in writing online they are not subject to a limitation in terms of length of submission, and”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

7. In page 4, between lines 7 and 8, to insert the following:

“(iii) shall take active steps to support equality of access to participation in public consultation, in relation to a proposed development plan, with particular regard to obligations under the Public Duty on Equality and Human Rights, the United Nations Convention on the Rights of Persons with a Disability and the Aarhus Convention.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

8. In page 4, between lines 7 and 8, to insert the following:

“(iii) shall take active steps to support full equality of access to participation in public consultation in relation to a proposed development plan.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

9. In page 4, between lines 7 and 8, to insert the following:

“(iii) will support full equality of access to participation to public consultation in relation to a proposed development plan and, where particular communities, marginalised groups or age cohorts impacted by a development plan are significantly underrepresented within initial public response to a consultation, will develop further strategies to actively encourage their participation.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

10. In page 4, between lines 21 and 22, to insert the following:

“(iii) any such order shall not operate to reduce any appropriate period, specified period or any other period of time mentioned in a relevant enactment to which the emergency period applies by virtue of an order under *subsection (2)*.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

11. In page 4, between lines 21 and 22, to insert the following:

“(iii) any such order changing any appropriate period a specified period or any other period of time mentioned in a relevant enactment to which the emergency period applies by virtue of an order under *subsection (2)* shall be required to be consistent with providing for effective public participation allowing for reasonable time periods for the public to be notified, prepare and participate and wide access to justice consistent with the Aarhus

Convention, and the Government shall publish its reasons and justification for the adjusted time frames, at the same time as making the order.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

**12.** In page 4, between lines 21 and 22, to insert the following:

“(iii) the Government shall give due consideration of, and accommodation for, the practical issues arising for the public in engaging in environmental decision-making and exercising their rights during the operation of an emergency period.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

**13.** In page 4, to delete lines 22 to 25.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

**14.** In page 4, between lines 25 and 26, to insert the following:

“(iii) different categories of activity to which an emergency period might apply.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

**15.** In page 4, between lines 25 and 26, to insert the following:

“(iii) the Minister may designate by regulation specific forms of construction activity that may be affected by an emergency period.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

**16.** In page 4, between lines 25 and 26, to insert the following:

“(iii) an order under *subsection (2)* and any provisions under *subsection 3(3)(b)* in particular shall ensure consideration of the need to provide for proper consideration of the public concerned and having an interest in the environmental decision-making.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

**17.** In page 4, between lines 25 and 26, to insert the following:

“(iii) the Government shall effectively communicate to the public the effect of any orders made under *subsection (2)*.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

**18.** In page 4, between lines 25 and 26, to insert the following:

“(4) The requirements of the Principal Act in respect of the requirement to pay fees for observations on planning applications shall be suspended during an emergency period.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

**19.** In page 4, between lines 25 and 26, to insert the following:

“(4) The requirements of the Principal Act in respect of the requirement to pay fees for

appeals, and observations or submissions on Strategic Infrastructure Development shall be suspended during an emergency period.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

**20.** In page 4, between lines 25 and 26, to insert the following:

“(4) The requirement for the payment of fees in respect of observations on the applications made under the Planning and Development (Housing) and Residential Tenancies Act 2016 shall be suspended during an emergency period.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*

**21.** In page 6, between lines 4 and 5, to insert the following:

“(10) The powers provided under *subsection (2)* shall cease within 12 months of enactment.”.

—*Senators Alice-Mary Higgins, Lynn Ruane, Frances Black.*