

**Joint Oireachtas Committee on Housing, Local Government and  
Heritage**

**Draft Planning and Development (Section 181) Regulations 2023**

**Opening Statement by Mr Kieran O'Donnell, T. D., Minister of State  
at the Department Housing, Local Government and Heritage**

**11 May 2023**

Cathaoirleach, thank you for affording me the opportunity to present to you and the Committee today these proposed Planning Regulations, entitled the Planning and Development (Section 181) Regulations 2023.

These regulations are intended to provide for a temporary exemption from planning for a temporary weather radar station in County Cork whilst the permanent weather radar station serving the South-West of the country – located at Shannon Airport - is turned off from mid-May while it is being replaced.

The Shannon weather radar station is one of two radar stations that are used for weather forecasting in Ireland, with the other one being located in Dublin Airport. This proposed exemption is time-limited and will expire on 31 December 2023 with the temporary radar station, if approved, being required to be removed from the proposed site by that date at the latest.

In this regard, section 181(1)(a) of the Planning and Development Act 2000, as amended (the Act), provides for the making of regulations exempting specified classes of development by or on behalf of a State

authority from the requirement to obtain planning permission where the development is, in the opinion of the Minister, “in connection with or for the purposes of public safety”.

The collection of accurate weather data is a necessity for the efficient and safe operation of society. The more accurate the data collected, the better informed and prepared the public will be through more detailed weather warnings, better emergency planning and advice for flood management.

The provision of weather radar data is also vital for the tracking of storm events, the forecasting of predicted rainfall, for aviation safety and for sectors such as agriculture which are reliant on accurate weather forecasting.

### **Compliance with EU environmental requirements**

I should also point out that the proposed temporary weather radar station will be exempt from all provisions of the Act, with the exception of Sections 181 and 181A to 181C of the Act. This is to ensure that the proposed development under these Regulations still complies with EU environmental law requirements relating to Environmental Impact Assessment (EIA) and Appropriate Assessment (AA).

In this regard, the proposed development under these Regulations has been screened for both EIA and AA, which process has determined that a full Environmental Impact Assessment Report or a full Appropriate Assessment Report – referred to as a Natura Impact Assessment Report - for the proposed development are not required in this instance.

Under the provisions of the Planning and Development Act, I am required to obtain Oireachtas approval for any regulations made under section 181(1)(a) of the Act, before I can sign them into law. Hence the presentation of these regulations to the Committee today.

## **Conclusion**

To conclude Chair, I commend these draft Regulations to the Committee. Having regard to the urgent necessity to provide temporary weather radar coverage for the South-West of the country whilst the permanent Shannon radar station is being replaced, the Regulations are aimed at ensuring that the recording of essential meteorological data is maintained for the temporary period in question and that potential risks in the areas of aviation and weather forecasting and warnings, including flood management, are mitigated.

Finally Chair, if – further to today’s presentation to the Committee - these draft Regulations are subsequently approved by positive resolution of both Houses of the Oireachtas as required under the Planning Act, they will come into force as soon as they are signed by me. If approved by the Oireachtas, it would be my intention to sign the regulations into law at the earliest opportunity.

Thank you for your attention.