

SUBMISSIONS OR OBSERVATIONS ON QUARRIES IN YOUR AREA

Notice is hereby given to the public that they can now make submissions or observations on any quarry operating in their area. In accordance with the 2010 Planning and Development Act all quarries in County Carlow will be reviewed by the Planning Authority in nine months following 15th November, 2011 in relation to their compliance with certain planning and related environmental requirements and the Planning Authority will have regard to all submissions made by the public in relation to such issues.

You are invited to make your submissions or observations free of charge and in writing to the Planning Authority not later than six weeks after the date of publication of the statutory notice which also appears on this page. Your attention is drawn to the terms of this statutory notice. **Submissions or observations can be sent in writing addressed to Ann Kenny, Planning Department, Carlow County Council, Athy Road, Carlow or by e-mail to quarrysubmissions@carlowcoco.ie.**

QUARRY PLANNING NOTICE

NOTICE TO ALL QUARRY OWNERS/ OPERATORS IN COUNTY CARLOW AND INTERESTED PARTIES IN ACCORDANCE WITH SECTION 75 OF THE PLANNING AND DEVELOPMENT (AMENDMENT) ACT, 2010.

Notice is hereby given of Carlow County Council's (herein after referred to as the Planning Authority) intention to examine every quarry in its administrative area to determine, in relation to that quarry, whether having regard to the Environmental Impact Assessment Directive and the Habitats Directive, one or more than one of the following was required but was not carried out –

- (i) an Environmental Impact Assessment
- (ii) a determination as to whether an Environmental Impact Assessment is required
- (iii) an Appropriate Assessment.

Where the Planning Authority determines in relation to a quarry that an Environmental Impact Assessment, a determination as to whether an Environmental Impact Assessment was required, or an Appropriate Assessment, was required but was not carried out and the Planning Authority also decides that-

- (i) the quarry commenced operation prior to 1st October 1964, or permission was granted in respect of the quarry under Part III of the Planning and Development Act 2000 or Part IV of the Local Government (Planning and Development) Act, 1963,
and,
- (ii) if applicable, the requirements in relation to registration under Section 261 of the Planning and Development Act 2000 were fulfilled,

the Planning Authority will issue a notice to the owner or the operator of the quarry, requiring him or her to submit an application to An Bord Pleanála for substitute consent. Such application shall be accompanied by a Remedial Environmental Impact Statement or a Remedial Natura Impact Statement or both of those statements, as appropriate.

Where the Planning Authority determines in relation to a quarry that an Environmental Impact Assessment, a determination as to whether an Environmental Impact Assessment was required, or an Appropriate Assessment was required, but was not carried out and the Planning Authority also decides that

- (i) the quarry commenced operation on or after 1st October 1964 and no permission was granted in respect of the quarry under Part III of the Planning and Development Act 2000 or Part IV of the Local Government (Planning and Development) Act, 1963,

or,

- (ii) if applicable, the requirements in relation to registration under Section 261 of the Planning and Development Act 2000 were not fulfilled,

the Planning Authority will issue a notice to the owner or operator of the quarry informing him or her that it intends to issue an Enforcement Notice under Section 154 of the Planning and Development Act 2000-2010, requiring the cessation of the operation of the quarry and the taking of such steps as the Planning Authority considers appropriate.

Where the Planning Authority determines in relation to a quarry that an Environmental Impact Assessment, a determination as to whether an Environmental Impact Assessment was required, or an Appropriate Assessment, was required but was not carried out and the Planning Authority also determines that the development in question was carried out after 3rd July 2008, the Planning Authority will issue a notice to the owner or the operator of the quarry, informing him or her that it intends to issue an Enforcement Notice under Section 154 of the Planning and Development Act 2000-2010, requiring the cessation of the operation of the quarry and the taking of such steps as the Planning Authority considers appropriate.

Invitation for submissions or observations:

Submissions or observations may be made in writing to the Planning Authority in relation to any quarry in its administrative area, by any person, not later than 6 weeks after the date of publication of this notice.

Submissions or observations can be sent addressed to Ann Kenny, Planning Department, Carlow County Council, Athy Road, Carlow or by e-mail to quarrysubmissions@carlowcoco.ie.

Submissions or observations regarding any quarry shall include the name and contact details of the person making the submission or observation and shall be received by the Planning Department no later than 4.00 p.m. on Thursday 26th January, 2012.

No fee shall be payable in relation to such submission or observation and these submissions or observations will be considered by the Planning Authority.

A copy of any notice that is issued to the owner or the operator of a quarry under the provisions of the Planning and Development Act 2000-2010, either directing him or her to apply to An Bord Pleanála for substitute consent or informing him or her of the Planning Authority's intention to serve an Enforcement Notice in respect of the quarry under Section 154 of the Act, shall be given to any person who made a submission or observation within the appropriate 6 weeks period after publication of this notice.

The owner or the operator of any quarry to whom such notice is issued, and any person to whom a copy of such notice is given, may apply to An Bord Pleanála for a review of a

determination or a decision, or both, of the Planning Authority. No fee shall be payable in relation to an application for such review.

Fiona O'Neill
Senior Executive Officer - Planning

Dated: 6th December, 2011