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DRAFT STATUTORY INSTRUMENTS

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**2006 No.**

**The Planning Reform (Northern Ireland) Order 2006**

**PART V**

**MINERAL PLANNING PERMISSIONS**

**Review of mineral planning permissions**

**27.**—(1) After Article 63 of the principal Order insert—

**“Review of mineral planning permissions**

**63A.**—(1) Schedules 1A and 1B shall have effect.

(2) Without prejudice to the generality of Article 13, a development order may make, in relation to any planning permission which is granted by a development order for minerals development, provision similar to any provision made by Schedule 1A or 1B.

(3) In this Article and in Schedules 1A and 1B “minerals development” means development consisting of mining operations or involving the deposit of mineral waste.”.

(2) The provisions set out in Schedule 3 to this Order shall be inserted after Schedule 1 to the principal Order as Schedules 1A and 1B to that Order.

(3) In Article 124 of the principal Order (planning register), in paragraph (1) after subparagraph (n) (as inserted by Article 13(3) of this Order) add—

“(o) applications for a determination under paragraph 9 of Schedule 1A or paragraph 7 of Schedule 1B.”.

(4) In Article 2(2) of the principal Order (interpretation) there shall be inserted, in the appropriate places in alphabetical order, the following definitions—

““aftercare condition” has the meaning given in Article 27A(2);

“aftercare scheme” has the meaning given in Article 27A(3);

“depositing of mineral waste” means any process whereby a mineral working deposit is created or enlarged and “depositing of refuse or waste materials” includes the depositing of mineral waste;

“mineral working deposit” means any deposit of material remaining after materials have been extracted from land or otherwise deriving from the carrying out of operations for the winning and working of minerals in, on or under land;

“restoration condition” has the meaning given in Article 27A(2);

“the winning and working of minerals” includes the extraction of minerals from a mineral working deposit;”.