
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 88

The Drainage (Environmental Impact
Assessment) Regulations (Northern Ireland) 2017

PART 2

DRAINAGE WORKS

Monitoring

17.—(1) Where an environmental statement is determined by the Drainage Council or as the case may be, the Commission, and the decision is to approve the drainage works, the Drainage Council, or the Commission, must consider whether it is appropriate to impose a condition requiring monitoring of any significant adverse effects on the environment of the proposed drainage works (“a monitoring condition”).

(2) When considering whether to impose a monitoring condition under paragraph (1), and the nature of any such monitoring conditions, the Drainage Council, or as the case may be the Commission must consider—

- (a) whether monitoring measures are proportionate to the nature, location and size of the proposed development and the significance of its effects on the environment having regard in particular to the types of parameters to be monitored and the duration of the monitoring;
- (b) in order to avoid duplication of monitoring, whether monitoring arrangements required under Union legislation or other legislation applicable in Northern Ireland are more appropriate than imposing a monitoring condition; and
- (c) if monitoring conditions are to be required, whether provision should be made to require appropriate remedial action.

(3) Where mitigation measures or monitoring conditions are required, the Department, or as the case may be, the Commission, must take steps to ensure that those measures and conditions are implemented.