



3rd May 2023

For the Attention of: Mr. Brendan McGrath, Chief Executive

Galway City Council
City Hall
College Road
Galway
H91 X4K8

Section 31 of the Planning and Development Act 2000 (as amended)
Decision to Issue a Direction to Galway City Council regarding the
Galway City Development Plan 2023 – 2029

Dear Brendan,

I am writing to inform you of the following in relation to the section 31 draft Direction that issued to Galway City Council on 13th January 2023, and the subsequent consideration by the Office of the Planning Regulator ('the Office') of your report and the submissions made directly to the Office in connection with the Galway City Development Plan 2023 – 2029, as adopted by the elected members of Galway City Council on 24th November 2022.

The Office notified the Minister pursuant to section 31AN(4) of the Planning and Development Act 2000 ('the Act') on 23rd March 2023 and recommended that I, as Minister, issue the Direction as attached to the *Notice of Intention to Issue a Direction*, with minor amendments.

The draft Direction contained the following parts:

- Part 2(a) - reinstate zoning objectives to that of the draft Plan in the case of fourteen (14) identified locations in Galway City;
- Part 2(b) - delete eleven (11) zoning objectives from the adopted Plan: i.e. the subject land is unzoned.



A copy of the notice letter and proposed final Direction was submitted to the Minister by the Office along with supporting documentation, which included the following:

- Galway City Council Chief Executive's Report issued under section 31(8) of the Act;
- A copy of submissions received by the Office pursuant to section 31(10) of the Act.

Having reviewed and considered the Office's notification letter under section 31AN(4), your report on the draft Direction and submissions received, and the submissions made directly by elected members of the Council to the Office, I am of the opinion that the Direction should be issued in line with the recommendations of the Office (with minor renumbering to address a typographical issue), and in that regard I refer you to the Statement of Reasons set out in the enclosed Direction.

Having noted your recommendations as Chief Executive under section 31(9) of the Act in relation to the best manner in which to give effect to the draft Direction, I am in agreement with the Office's recommendation to also omit identified specific development objectives from the plan that correspond to individual land use zonings included in the Direction and in this regard you will note the insertion of Part 2(c) in the final Direction as issued.

In relation to your recommendation to consider the insertion of appropriate alternative land use zoning objectives on certain identified lands, I am of the opinion that should the planning authority consider alternative zoning objectives are necessary, this is a matter that would be most appropriately determined by the elected members of Galway City Council in exercise of their reserved function to vary the development plan pursuant to section 13 of the Act. This process would be informed by environmental assessment, as well as public consultation, and would provide an opportunity for further engagement with the Office. In relation to specific matters raised in submissions relating to the development of land which previously had the benefit of a grant of permission, I am specifically precluded by section 30 of the Planning and Development Act 2000 (as amended) from exercising any power or control in relation to any particular case



with which a planning authority is or may be concerned. I am of the opinion that matters relating to such lands are most appropriately dealt with at the local level by the City Council as planning authority.

Accordingly, Galway City Council should **TAKE NOTICE** that on the 3rd day of May, 2023 I have issued a Direction pursuant to section 31 of the Planning and Development Act 2000 (as amended). Pursuant to section 31(17) of the Act this Direction is deemed to have immediate effect and its terms are considered to be incorporated into the plan. A copy of this Direction is enclosed.

In light of the foregoing, Galway City Council is required, pursuant to section 31(2) of the Planning and Development Act 2000 to comply with this Direction so as to rectify the matter in a manner that, in my opinion, will ensure that the Galway City Development Plan 2023 – 2029 sets out an overall strategy for proper planning and sustainable development and meets the requirements of the Act.

The Council should ensure that the Direction is available for inspection at its offices and on its website.

My officials remain available to assist you, as necessary, in complying with the foregoing process.

Yours sincerely,

Kieran O'Donnell TD

Minister of State for Local Government and Planning

Copied to:



- Cathaoirleach, Galway City Council, City Hall, College Road, Galway, H91 X4K8
- Office of the Planning Regulator, Fourth Floor (West Wing) Park House, Grangegorman, 191-193A North Circular Road, Dublin 7, D07 EWW4.
- Director, Northern and Western Regional Assembly, The Square, Ballaghaderreen, County Roscommon F45 W674.