



# Comhairle Cathrach na Gaillimhe Galway City Council

## AN tACHT UM PLEANÁIL AGUS FORBAIRT 2000 (ARNA LEASÚ)

### FÓGRA FAOIN nGNÁS ÓN AIRE TITHÍOCHTA RIALTAIS ÁITIÚIL AGUS OIDHREACHTA CHUIG COMHAIRLE CATHRACH NA GAILLIMHE MAIDIR LE CUR LE CHÉILE PLEAN FORBARTHA CHATHAIR NA GAILLIMHE 2023-2029

De bhun Alt 31 den Acht um Pleanáil agus Forbairt 2000 (arna leasú), fógraítear leis seo go bhfuil Dréacht-Treoir eisithe ag an Aire, de réir fhorálacha an Achta thuas, do Chomhairle Cathrach na Gaillimhe maidir le cur le chéile Plean Forbartha Chathair na Gaillimhe 2023-2029.

Siad seo a leanas na cúiseanna a mbaineann leis an Dréacht-Treoir:

#### I. De bhun Alt 31(1)(b), Alt 31(1)(ba)(i) agus Alt 31(1)(c) den Acht um Pleanáil agus Forbairt 2000 (arna leasú)

Áiríonn an Plean Forbartha mar a rinneadh talamh críosaithe le haghaidh forbartha cónaithe nach bhfuil ag teacht leis an gCroí-Straitéis leis an mbeartas pleanála náisiúnta agus réigiúnach, agus le pleanáil cheart agus le forbairt inbhuanaithe an cheantair, lena n-áirítear:

- Talamh críosaithe le haghaidh forbartha cónaithe nach bhfuil ag teacht leis an gCroístraitéis sa Phlean a glacadh.
- Talamh críosaithe le haghaidh forbairt chónaithe píosa ar phíosa agus neamhsheicheamhach i suíomhanna imeallacha agus neamhsheirbhísithe nach bhfuil de réir riachtanais an dlúthfháis sa CBN (Cuspóir an Bheartais Náisiúnta) 3(a-c) agus sa CBR (Cuspóir an Bheartais Réigiúnaigh) 3.2 de Straitéis Réigiúnach an Spáis agus na hEacnamaíochta (SRSE) agus chun cumas na gcriosanna glasa agus na spásanna glasa a neartú faoi CBN 62, an riachtanas faoi alt 10(2)(n) chun críche an Achta chun lonnaíocht inbhuanaithe agus straitéisí an iompair a chur chun cinn d'fhonn úsáid an fhuinnimh a laghdú agus chun astaíochtaí gás ceaptha teasa (GCT) a laghdú, agus nach tabharfaidh sé aird ar an gcur chuige seicheamhach i leith na forbartha a fhéachann do bheartas agus do chuspóir na dTreoirínte um Pleananna Forbartha d'Údaráis Phleanála (2022) ("Treoirínte an Phlean Forbartha") maidir leis an gcur chuige seicheamhach i leith críosú na forbartha cónaithe (cuid 6.2.3).

#### II. De bhun Alt 31(1)(ba)(i) agus Alt 31(1)(c) den Acht um Pleanáil agus Forbairt 2000 (arna leasú)

Áiríonn an Plean Forbartha mar atá sé limistéir fairsing na dtalún atá críosaithe mar Chónaithe R2 ar mhodh píosa ar phíosa i suíomhanna neamhsheirbhísithe agus imeallacha agus/nó iargúlta, agus níos minice i gceantair atá críosaithe ar bhealach eile mar Thalmhaíocht nó mar Thalmhaíocht agus Ard Thaitneamhacht, a bhainfeadh de chumas na cathrach sprioc an fháis dhlúth 50% acu a chur ar fáil sa CBN 3(a-c), agus atá ar neamhréir le CBN 62 chun cumas na gcriosanna glasa agus na spásanna glasa a neartú ag leibhéal na cathrach.

#### III. De bhun Alt 31(1)(ba)(i) agus Alt 31(1)(c) den Acht um Pleanáil agus Forbairt 2000 (arna leasú)

Tá an talamh atá críosaithe mar Fhiontar, Tionscal Éadrom agus Tráchtála (CI) ag an suíomh iargúlta gan seirbhís ar Bhóthar Chúlaigh (leasú ábhartha A.4) ar neamhréir leis an gcur chuige srathach maidir le críosú faoin CBN 72 (a-c) den CNP, an ceanglas faoi alt 10 (2)(n) chun cuspóirí an Achta chun lonnaíocht inbhuanaithe agus straitéisí iompair a chur chun cinn le haghaidh úsáid an fhuinnimh agus astaíochtaí GCT a laghdú, agus nach dtugann sé aird ar na Treoirínte maidir le Pleananna Forbartha a mbaineann leis an bhforbairt sheicheamhach sa chomhthéacs cathrach, go háirithe i ndáil leis an tosaíocht a thabhairt d'fhorbairt nua feadh chonairí an iompair phoiblí ar ardchaighdeán.

#### IV. De bhun Alt 31(1)(ba)(i) agus Alt 31(1)(c) den Acht um Pleanáil agus Forbairt 2000 (arna leasú)

Tá talamh atá críosaithe le haghaidh forbartha cónaithe i gceantair ar eol go bhfuil siad i mbaol tuilte ar neamhréir le CBN 57 de CNP, a fhéachann le forbairt mhíchúf a sheachaint i gceantair atá i mbaol tuilte de réir Treoirínte an Aire arna n-eisiúint faoi Alt 28 den Acht, an Córas Pleanála agus Bainistíocht Riosca Tuilte, Treoirínte d'Údaráis Phleanála (2009) ("Treoirínte na dTuilte").

#### V. De bhun Alt 31(1)(c) den Acht um Pleanáil agus Forbairt 2000 (arna leasú)

Níor cuireadh an dóthain chúise ná mínithe ar fáil maidir le pleanáil chuif agus forbairt inbhuanaithe an cheantair chun a mhíniú cén fáth a bhfuil taitne críosaithe mar seo agus conas a thagann an cur chuige seo (a bhaineann le teip ar thailte a chríosú de réir Treoirínte an Phlean Forbartha agus Treoirínte na dTuilte) leis an straitéis iomlán maidir le forbairt chuif agus inbhuanaithe an cheantair.

#### VI. De bhun Alt 31(1)(a)(i)(II) den Acht um Pleanáil agus Forbairt 2000 (arna leasú)

Ní dheanadh an Plean Forbartha ar bhealach a thagann leis na moltaí de chuid Oifig an Rialtóra Pleanála faoi Alt 31 AM den Acht, ná lena gcur i bhfeidhm.

Is féidir an Dréacht-Treoir agus na sonraí lena mbaineann a fheiceáil agus a íoslódáil ón suíomh Gréasáin ag [www.galwaycity.ie](http://www.galwaycity.ie) agus ar an tairseach comhairliúcháin ar líne [consult.galwaycity.ie](http://consult.galwaycity.ie). Is féidir á iniúchadh freisin ag An Rannóg Pleanála, Comhairle Cathrach na Gaillimhe, Halla na Cathrach, Bóthar an Choláiste, Gaillimh, H91 X4K8, idir 9m agus 4m, Luan go hAoine. Sé tréimhse an chomhairliúcháin phoiblí ná Dé hAoine an 20 Eanáir 2023 go dtí 4m ar an Aoine an 3 Feabhra 2023. Is féidir aighneachtaí nó tuairimí maidir leis an Dréacht-Treoir a chur i scríbhinn faoi bhráid an Údaráis Phleanála le linn na tréimhse comhairliúcháin agus cuirfidh Oifig an Rialtóra Pleanála san áireamh iad sula ndéanann sé a chuid moltaí don Aire ar an ábhar.

Is féidir aighneachtaí nó tuairimí a dhéanamh i scríbhinn trí:

Úsáid a bhaint as an tairseach comhairliúcháin ar líne i ndiaidh clárú a dhéanamh ag [consult.galwaycity.ie](http://consult.galwaycity.ie)

Trí ríomhphost chuig [devplan@galwaycity.ie](mailto:devplan@galwaycity.ie)

D'aighneachtaí nó do thuairimí a chur sa phost chuig an bPleanálaí Sinsearach, An Roinn Pleanála, Halla na Cathrach, Bóthar an Choláiste, Gaillimh, H91 X4K8.

Sé an 4m ar an Aoine an 3 Feabhra 2023 an dáta deiridh le haghaidh aighneachtaí nó tuairimí a fháil. Tabhair faoi deara nach féidir bhreithniú a dhéanamh ar aighneachtaí/tuairimí déanacha.

Cosaint na sonraí

Tabhair faoi deara le go bhfoileofar gach aighneacht/tuairim bhaif a fhaigheann an Chomhairle ar shuíomh Gréasáin/tairseach comhairliúcháin Chomhairle Cathrach na Gaillimhe agus go mbeidh siad mar chuid de Thuarascáil an Phríomhfheidhmeannaigh ar na haighneachtaí/na tuairimí a fuarthas. Feidhmíonn Comhairle Cathrach na Gaillimhe faoi réir riachtanais an Achta um Shaoráil Faisnéise, 2014, an Achta um Chosaint Sonraí, 2018 agus na Rialacháin Ginearálta um Chosaint Sonraí (RGCS). Ní dhéanfar sonraí a phróiseáil ach i gcomhréir leis an reachtaíocht thuasluaite.

Tá Ráiteas na Príobháideachta maidir le bainistiú na n-aighneachtaí a rinneadh le linn an phróisis chomhairliúcháin phoiblí seo le fáil anseo ar an Tairseach: <https://www.galwaycity.ie/planning-privacy-statement>. Tá polasaí na príobháideachta de chuid Chomhairle Cathrach na Gaillimhe le feiceáil ag: <https://www.galwaycity.ie/privacy-policy>.

Patricia Philbin, Stiúrthóir na Seirbhísí, Forbairt Bonneagair, Pleanáil agus Athrú na hAeráide.

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## PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED)

### NOTICE OF DRAFT DIRECTION BY THE MINISTER FOR HOUSING, LOCAL GOVERNMENT AND HERITAGE TO GALWAY CITY COUNCIL AS REGARDS THE MAKING OF THE GALWAY CITY DEVELOPMENT PLAN 2023-2029

Notice is hereby given pursuant to Section 31 of the Planning and Development Act 2000 (as amended) that the Minister has, in accordance with the provisions of the above Act, issued Galway City Council with a Draft Direction as regards the making of the Galway City Development Plan 2023-2029.

The reasons for the Draft Direction are as follows:

#### I. Pursuant to Section 31(1)(b), Section 31(1)(ba)(i) and Section 31(1)(c) of the Planning and Development Act 2000 as amended

The Development Plan as made includes land zoned for residential development that individually and cumulatively are not consistent with the Core Strategy, national and regional planning policy, and the proper planning and sustainable development of the area, including: a. Land zoned for residential development that is not consistent with the Core Strategy in the adopted Plan.

- Land zoned for residential development in peripheral and unserved locations in a piecemeal and non-sequential manner inconsistent with the requirement for compact growth in NPO 3(a-c) and RPO 3.2 of the RSES and to strengthen the value of greenbelts and green spaces under NPO 62, the requirement under Section 10(2)(n) for objectives of the Act to promote sustainable settlement and transport strategies to reduce energy use and to reduce GHG emissions, and fails to have regard to the sequential approach to development having regard to the policy and objective of the Development Plans Guidelines for Planning Authorities (2022) ("the Development Plan Guidelines") regarding the sequential approach to zoning for residential development (Section 6.2.3).

#### II. Pursuant to Section 31(1)(ba)(i) and Section 31(1)(c) of the Planning and Development Act 2000 (as amended)

The Development Plan as made includes extensive areas of land zoned Residential R2 in a piecemeal manner in unserved and peripheral and/ or isolated locations, and more often in areas otherwise zoned Agriculture or Agriculture and High Amenity, that would undermine the potential of the city to deliver its 50% compact growth target in NPO 3(a-c), and inconsistent with NPO 62 to strengthen the value of greenbelts and green spaces at a city level.

#### III. Pursuant to Section 31(1)(ba)(i) and Section 31(1)(c) of the Planning and Development Act 2000 (as amended)

Land zoned for Enterprise, Light Industry and Commercial (CI) at an unserved and remote location at Coolagh Road (material amendment A.4) inconsistent with the tiered approach to zoning under NPO 72 (a-c) of the NPF, the requirement under Section 10(2)(n) for objectives of the Act to promote sustainable settlement and transport strategies to reduce energy use and to reduce GHG emissions, and fails to have regard to Development Plans Guidelines regarding sequential development in a city context, in particular in relation to the prioritisation of new development along high quality public transport corridors.

#### IV. Pursuant to Section 31(1)(ba)(i) and Section 31(1)(c) of the Planning and Development Act 2000 (as amended)

Land zoned for residential development in areas known to be at risk of flooding inconsistent with NPO 57 of the NPF, which seeks to avoid inappropriate development in areas at risk of flooding in accordance with Ministerial Guidelines issued under Section 28 of the Act, The Planning System and Flood Risk Management, Guidelines for Planning Authorities (2009) ("the Flood Guidelines").

#### V. Pursuant to Section 31(1)(c) of the Planning and Development Act 2000 (as amended)

No adequate reasons nor explanations relating to the proper planning and sustainable development of the area have been provided to explain why lands have been zoned in such a way and how this approach (involving a failure to zone lands having regard to the Development Plan Guidelines and Flood Guidelines) is consistent with an overall strategy for the proper and sustainable development of the area.

#### VI. Pursuant to Section 31(1)(a)(i)(II) of the Planning and Development Act 2000 (as amended)

The Development Plan has not been made in a manner consistent with, and has failed to implement, the recommendations of the Office of the Planning Regulator under Section 31 AM of the Act.

The Draft Direction and particulars is available to view and download on the website [www.galwaycity.ie](http://www.galwaycity.ie) and on the online consultation portal [consult.galwaycity.ie](http://consult.galwaycity.ie). It is also available for inspection at the Planning Department, Galway City Council, City Hall, College Road, Galway, H91 X4K8, during opening hours- 9am-4pm, Monday to Friday. The period for public consultation is from Friday 20th January 2023 to Friday 3rd February 2023 at 4pm. Written submissions or observations in respect of the Draft Direction may be made to the Planning Authority during the consultation period and these shall be taken into consideration by the Office of the Planning Regulator before it makes a recommendation to the Minister on the matter.

Written submissions or observations can be made by:

- Using the online submission portal following registration at [consult.galwaycity.ie](http://consult.galwaycity.ie)

- By email to [devplan@galwaycity.ie](mailto:devplan@galwaycity.ie).

- By posting your submissions or observations to Senior Planner, Planning Department, City Hall, College Road, Galway, H91 X4K8.

The closing date for receipt of submissions or observations is Friday 3rd February 2023 at 4pm.

Please note that late submissions /observations cannot be considered.

Data protection

Please note that all valid submissions/observations received by the Council will be published on the Galway City Council website/consultation portal and will form part of the Chief Executive's Report on submissions/observations received. Galway City Council is subject to the requirements of the Freedom of Information Act, 2014, the Data Protection Act, 2018 and to the General Data Protection Regulations (GDPR). Data will only be processed in accordance with the aforementioned legislation. The Privacy Statement for the management of submissions made during this public consultation process can be found here on this Portal – <https://www.galwaycity.ie/planning-privacy-statement>. Galway City Council's privacy policy is available here - <https://www.galwaycity.ie/privacy-policy>

Patricia Philbin, Director of Services, Infrastructure Development, Planning & Climate Change  
January 2023