



DÁIL ÉIREANN

**AN BILLE FÁN NGNÍOMHAIREACTH UM FHORBAIRT
TALÚN, 2021**

LAND DEVELOPMENT AGENCY BILL 2021

**LEASUITHE COISTE
COMMITTEE AMENDMENTS**

DÁIL ÉIREANN

AN BILLE FÁN nGNÍOMHAIREACHT UM FHORBAIRT TALÚN, 2021 —ROGHCHOISTE

LAND DEVELOPMENT AGENCY BILL 2021 —SELECT COMMITTEE

Leasuithe Amendments

SECTION 1

1. In page 8, line 4, to delete “Land Development Agency” and substitute “Active Land Management Agency”.

—Eoin Ó Broin, Thomas Gould.

SECTION 2

2. In page 8, line 11, after “of” to insert “public and affordable”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

3. In page 8, line 11, after “of” to insert “social, affordable cost rental and affordable purchase”.

—Eoin Ó Broin, Thomas Gould.

4. In page 8, line 12, to delete “and in particular affordable and social housing”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry, Eoin Ó Broin,
Thomas Gould.

5. In page 8, between lines 12 and 13, to insert the following:

“(b) to provide land for the provision of Traveller specific accommodation.”.

—Eoin Ó Broin, Thomas Gould.

6. In page 8, between lines 12 and 13, to insert the following:

“(b) to provide land for the provision of accommodation for those in the asylum application process”.

—Eoin Ó Broin, Thomas Gould.

7. In page 8, line 14, after “for” to insert “public”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

8. In page 8, line 14, after “for” to insert “social, affordable cost rental and affordable purchase”.

—Eoin Ó Broin, Thomas Gould.

[SECTION 2]

9. In page 8, to delete lines 15 and 16 and substitute the following:

“(c) to ensure the delivery of vibrant and sustainable mixed income communities,”.

—Eoin Ó Broin, Thomas Gould.

10. In page 8, line 15, to delete “undue”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

11. In page 8, lines 15 and 16, to delete “social background” and substitute “incomes”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

12. In page 8, line 18, after “schools” to insert “, road, cycling and other active mobility infrastructure”.

—Eoin Ó Broin, Thomas Gould.

13. In page 8, line 19, to delete “to develop and regenerate” and substitute the following:

“to make available to Local Authorities, Approved Housing Bodies, Community Housing Trusts and other not for profit bodies”.

—Eoin Ó Broin, Thomas Gould.

14. In page 8, line 19, after “public” to insert “and relevant private”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

15. In page 8, line 19, after “of” where it secondly occurs to insert “public and affordable”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

16. In page 8, line 21, after “long-term” to insert “social and affordable”.

—Eoin Ó Broin, Thomas Gould.

17. In page 8, line 21, after “to” where it thirdly occurs to insert “public and affordable”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

18. In page 8, line 21, after “to” where it thirdly occurs to insert “social and affordable”.

—Eoin Ó Broin, Thomas Gould.

19. In page 8, line 23, to delete “to address deficiencies in the housing market and”.

—Eoin Ó Broin, Thomas Gould.

20. In page 8, line 23, to delete “the housing market” and substitute “public and affordable housing”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

21. In page 8, line 23, to delete “market” and substitute “system”.

—Eoin Ó Broin, Thomas Gould.

[SECTION 2]

22. In page 8, line 24, after “for” to insert “public and affordable”.
—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.
23. In page 8, line 24, after “for” to insert “social and affordable”.
—Eoin Ó Broin, Thomas Gould.
24. In page 8, line 24, to delete “that market is experiencing” and substitute “there is”.
—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.
25. In page 8, line 24, to delete “market” and substitute “system”.
—Eoin Ó Broin, Thomas Gould.
26. In page 8, line 25, after “systemic” to insert “public and affordable”.
—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.
27. In page 8, line 26, after “for” to insert “public and affordable”.
—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.
28. In page 8, line 26, after “for” to insert “social, affordable cost rental and affordable purchase”.
—Eoin Ó Broin, Thomas Gould.
29. In page 8, line 28, after “in” to insert “public and affordable”.
—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.
30. In page 8, line 31, after “of” to insert “public and affordable”.
—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.
31. In page 8, line 33, after “of” to insert “public and affordable”.
—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.
32. In page 8, line 34, after “publicly” to insert “and privately”.
—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.
33. In page 8, line 35, after “land” to insert the following:
“by Local Authorities, Approved Housing Bodies, Community Housing Trusts
and other not for profit bodies”.
—Eoin Ó Broin, Thomas Gould.
34. In page 8, to delete lines 36 and 37.
—Eoin Ó Broin, Thomas Gould.
35. In page 8, line 36, after “of” where it secondly occurs to insert “public and affordable”.
—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.
36. In page 8, line 38, after “of” to insert “public and affordable”.
—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

[SECTION 2]

37. In page 9, line 1, to delete “achieve socially integrated housing” and substitute “make public housing available to people on a broad range of incomes”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

38. In page 9, line 1, to delete “socially integrated housing” and substitute “vibrant, sustainable, mixed income communities”.

—Eoin Ó Broin, Thomas Gould.

39. In page 9, to delete lines 4 to 7.

—Cian O'Callaghan, Eoin Ó Broin, Thomas Gould.

40. In page 9, lines 4 and 5, to delete “and collaborative structures between public and private bodies”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

41. In page 9, to delete lines 10 to 12.

—Eoin Ó Broin, Thomas Gould.

42. In page 9, line 10, after “single” to insert “publicly owned and controlled”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

43. In page 9, line 14, after “public” to insert “and relevant private”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

44. In page 9, to delete lines 15 to 17.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry, Eoin Ó Broin,
Thomas Gould.

45. In page 9, line 15, after “activities” to insert “only in so far as is necessary for the provision of social, affordable and cost rental housing and”.

—Eoin Ó Broin, Thomas Gould.

46. In page 9, to delete lines 18 to 20.

—Eoin Ó Broin, Thomas Gould.

SECTION 3

47. In page 9, between lines 24 and 25, to insert the following:

“ “affordable housing” means housing that is sold or let by a local authority/Approved Housing Bodies, and can only be sold back to the local authority;”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

48. In page 9, between lines 32 and 33, to insert the following:

“ “cost rental dwellings” means dwellings, the rent for which is to be calculated so that it covers only the cost of building (not including the cost of site provision but including the

[SECTION 3]

cost of any loans), managing and maintaining the dwellings;”.

—Duncan Smith.

49. In page 10, between lines 12 and 13, to insert the following:

“ “public housing” means housing that is owned and operated by Local Authorities and/or Approved Housing Bodies; and is let in line with the differential rent scheme and each local authority’s Allocation Scheme;”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

50. In page 10, between lines 14 and 15, to insert the following:

“ “relevant private land” means land that is owned privately but has lain unused for more than three years, or has building(s) that are unused for more than three years on it;”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

SECTION 4

51. In page 10, between lines 29 and 30, to insert the following:

“(3) Notwithstanding *subsection (1)*, the following shall not be relevant public land for the purposes of this Act:

- (a) any land that is being managed, maintained or developed as a nature reserve or a national park by the National Parks and Wildlife Service of the Department of Housing, Heritage and Local Government;
- (b) any land that is being managed, maintained or developed as a heritage site by the Commissioners of Public Works in Ireland; and
- (c) the Phoenix Park, Dublin.”.

—Duncan Smith.

SECTION 5

52. In page 10, line 31, after “may” to insert “, following consultation with the relevant Oireachtas Committee,”.

—Eoin Ó Broin, Thomas Gould.

53. In page 11, line 1, after “may” to insert “, following consultation with the relevant Oireachtas Committee,”.

—Eoin Ó Broin, Thomas Gould.

SECTION 7

54. In page 11, line 16, after “may,” to insert “following consultation with the relevant Oireachtas Committee and”.

—Eoin Ó Broin, Thomas Gould.

55. In page 11, line 17, after “Agency” to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[SECTION 7]

56. In page 11, line 23, after “Agency” to insert “and a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

57. In page 11, between lines 23 and 24, to insert the following:

“(4) The content of any such direction shall be published in *Iris Oifigúil*, in at least one national newspaper, and on the websites of the Minister and of the Land Development Agency.”.

—Eoin Ó Broin, Thomas Gould.

58. In page 11, between lines 23 and 24, to insert the following:

“(4) Any such directive shall have regard to any City or County Development Plan, Local Area Plan, or any other statutory plan made by a local authority.”.

—Eoin Ó Broin, Thomas Gould.

Section opposed.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

SECTION 8

59. In page 11, line 25, to delete “the Agency” and substitute “local authorities”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

60. In page 11, line 25, after “Agency” to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

61. In page 11, to delete lines 27 and 28 and substitute the following:

“(2) The Agency shall furnish an annual report to the Minister and the relevant Oireachtas Committee regarding progress towards achieving the purposes of this Act.”.

—Eoin Ó Broin, Thomas Gould.

62. In page 11, line 27, to delete “31 March 2024, and every 5 years” and substitute “31 March 2022, and every year”.

—Cian O'Callaghan.

63. In page 11, line 27, to delete “the Agency” and substitute “local authorities”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

64. In page 11, line 28, after “progress” to insert “made by the Agency and subsidiary DACs”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

65. In page 11, line 30, to delete “the Agency has” and substitute “local authorities have”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

66. In page 11, line 30, to delete “has” and substitute “and subsidiary DACs have”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[SECTION 8]

67. In page 11, to delete line 32.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

68. In page 11, line 34, to delete “the Agency makes” and substitute “local authorities make”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

69. In page 11, line 34, to delete “makes” and substitute “and subsidiary DACs make”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

70. In page 12, line 3, to delete “as soon as practicable” and substitute “within 30 days”.

—Eoin Ó Broin, Thomas Gould.

SECTION 11

71. In page 13, to delete lines 5 and 6 and substitute “establish a non-commercial semi-state agency.”.

—Eoin Ó Broin, Thomas Gould.

72. In page 13, line 5, to delete “a DAC limited by shares conforming to the conditions laid down in this Act” and substitute “a public agency to be known as the Land Development Agency”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

73. In page 13, to delete lines 7 to 12.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

74. In page 13, to delete lines 7 to 10.

—Eoin Ó Broin, Thomas Gould.

SECTION 12

Section opposed.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

SECTION 13

75. In page 13, line 22, to delete “manage and develop” and substitute “assemble”.

—Eoin Ó Broin, Thomas Gould.

76. In page 13, line 22, to delete “land” where it firstly occurs and substitute “and private land, and to acquire private land where necessary”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

77. In page 13, line 23, after “development” to insert the following:

“by Local Authorities, Approved Housing Bodies, Community Housing Trusts and other not for profit bodies”.

—Eoin Ó Broin, Thomas Gould.

78. In page 13, line 25, after “public” to insert “and private”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

[SECTION 13]

79. In page 13, line 27, after “of” to insert “public and affordable”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

80. In page 13, line 27, after “of” to insert “social and affordable”.

—Eoin Ó Broin, Thomas Gould.

81. In page 13, to delete lines 28 to 32.

—Eoin Ó Broin, Thomas Gould.

82. In page 13, to delete line 33.

—Eoin Ó Broin, Thomas Gould.

83. In page 13, line 36, after “land” to insert the following:

“and to ensure the timely delivery of infrastructure in advance or in tandem with the delivery of housing”.

—Cian O'Callaghan.

84. In page 14, line 1, to delete “to develop, or”.

—Eoin Ó Broin, Thomas Gould.

85. In page 14, to delete lines 5 to 14.

—Eoin Ó Broin, Thomas Gould.

86. In page 14, line 15, after “housing” to insert “and communities”.

—Cian O'Callaghan.

87. In page 14, line 17, after “schools,” to insert “road, cycling and other active mobility infrastructure,”.

—Eoin Ó Broin, Thomas Gould.

88. In page 14, to delete lines 22 to 24.

—Eoin Ó Broin, Thomas Gould.

89. In page 15, to delete lines 1 and 2.

—Eoin Ó Broin, Thomas Gould.

90. In page 15, to delete lines 3 to 5.

—Cian O'Callaghan.

91. In page 15, between lines 5 and 6, to insert the following:

“(p) following consultation with members of the Traveller community, to develop, or facilitate the development of, local authority sites for the housing of Travellers in a manner that is culturally appropriate and that complies with the Traveller accommodation strategy prepared by the local authority concerned.”.

—Duncan Smith, Eoin Ó Broin, Thomas Gould.

[SECTION 13]

92. In page 15, between lines 16 and 17, to insert the following:

“(5) The Agency shall confirm that all possible areas of burial sites of Mother and Baby Homes are identified and protected from future developments.”.

—Thomas Pringle.

93. In page 15, between lines 16 and 17, to insert the following:

“(5) The Agency shall not permit private investment funds to purchase land, developments or housing for private profit.”.

—Thomas Pringle.

SECTION 14

94. In page 15, between lines 16 and 17, to insert the following:

“Limitation on performance of functions of Agency

14. The Agency shall not perform any functions or provide any services for the purpose of or in connection with the development of—

- (a) shared accommodation, within the meaning of section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016,
- (b) student accommodation, or
- (c) dwellings for rent at the prevailing market rent.”.

—Duncan Smith.

95. In page 15, line 18, after “authority” to insert “, subject to approval of a majority of the elected members,”.

—Eoin Ó Broin, Thomas Gould.

96. In page 15, line 18, after “provide” to insert “land and land related”.

—Eoin Ó Broin, Thomas Gould.

97. In page 15, to delete lines 21 to 24.

—Eoin Ó Broin, Thomas Gould.

98. In page 15, line 29, before “preparation” to insert “assistance in the”.

—Eoin Ó Broin, Thomas Gould.

99. In page 15, line 31, before “application” to insert “assistance in the”.

—Eoin Ó Broin, Thomas Gould.

100. In page 15, line 34, before “provision” to insert “assistance in the”.

—Eoin Ó Broin, Thomas Gould.

101. In page 15, line 36, before “management” to insert “assistance in the”.

—Eoin Ó Broin, Thomas Gould.

[SECTION 15]

SECTION 15

102.In page 16, line 25, to delete “by the Minister” and substitute “through the public appointments process”.

—Eoin Ó Broin, Thomas Gould.

103.In page 16, line 25, after “Minister” to insert “, with the consent of the Minister for Public Expenditure and Reform”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

104.In page 16, to delete line 26 and substitute the following:

“(2) A chairperson of the Board shall be appointed through the public appointments process.”.

—Eoin Ó Broin, Thomas Gould.

105.In page 16, line 26, after “Minister” to insert “, with the consent of the Minister for Public Expenditure and Reform”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

106.In page 16, line 27, to delete “members” and substitute “directors”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

107.In page 16, line 28, to delete “quorum of 3” and substitute “quorum of 9”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

108.In page 16, line 37, after “to” to insert “land management, land economics, sustainable land use,”.

—Eoin Ó Broin, Thomas Gould.

109.In page 16, lines 37 and 38, to delete “delivery of housing, which may include”.

—Eoin Ó Broin, Thomas Gould.

110.In page 16, to delete lines 38 and 39 and substitute “public and genuinely affordable housing.”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

111.In page 16, line 38, after “housing,” where it secondly occurs to insert “homelessness services and homeless prevention”.

—Eoin Ó Broin, Thomas Gould.

112.In page 16, between lines 39 and 40, to insert the following:

“(7) The Minister shall, in appointing the directors of the Board, ensure that—

(a) among those directors there is at least one person who is a director or employee of a registered charity engaged in the delivery of social and affordable housing, and

(b) one person appointed as a director is a nominee of the General Council of County

[SECTION 15]

Councils and the Association of Municipal Authorities of Ireland, acting jointly.”.

—Duncan Smith.

113.In page 16, line 41, after “women” to insert “and people of different ethnicities and nationalities”.

—Eoin Ó Broin, Thomas Gould.

114.In page 17, between lines 7 and 8, to insert the following:

“(11) The Minister shall ensure that no member of the Board has conflicting financial interests in relation to the usage of land for social and affordable housing by way of a mandatory self-declaration.”.

—Eoin Ó Broin, Thomas Gould.

115.In page 17, between lines 7 and 8, to insert the following:

“(11) The Minister shall, no less than 30 days after the appointment of the Board, lay a report on the appointment of Directors to the Board before the Houses of Oireachtas and the relevant Oireachtas Committee.”.

—Eoin Ó Broin, Thomas Gould.

SECTION 16

116.In page 17, line 27, to delete “member” and substitute “director”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

117.In page 17, line 28, to delete “a director” and substitute “the chairperson”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

SECTION 17

118.In page 18, line 11, to delete “not”.

—Eoin Ó Broin, Thomas Gould.

119.In page 18, to delete lines 12 to 14.

—Cian O'Callaghan.

SECTION 18

120.In page 18, line 30, after “Agency” to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

121.In page 19, to delete lines 15 to 17.

—Cian O'Callaghan.

122.In page 19, line 20, after “Agency” to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[SECTION 20]

SECTION 20

123.In page 20, to delete lines 23 to 26 and substitute the following:

“(5) As soon as may be after the commencement of this section, the Agency shall prepare and submit to the Minister a scheme or schemes for the granting of superannuation benefits to or in respect of persons appointed under *subsection (1)* and persons who were accepted into the employment of the Agency in accordance with *section 36* and the Minister may, with the consent of the Minister for Public Expenditure and Reform, approve the scheme or schemes.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

124.In page 20, between lines 26 and 27, to insert the following:

- “(6) Every such scheme shall fix the time and conditions of retirement for all persons to, or in respect of whom, superannuation benefits are payable under the scheme, and different times and conditions may be fixed in respect of different classes of persons.
- (7) The Agency may at any time prepare and submit to the Minister a scheme amending or revoking a scheme previously submitted and approved under this section and the Minister may, with the consent of the Minister for Public Expenditure and Reform, approve the scheme.
- (8) A scheme or amending scheme submitted to the Minister under this section shall, if approved by the Minister with the consent of the Minister for Public Expenditure and Reform, be carried out by the Agency in accordance with its terms.
- (9) (a) If any dispute arises as to the claim of any person to, or the amount of, any superannuation benefit pursuant to a scheme under this section, such dispute shall be submitted to such person and determined in the manner as may be specified in the scheme.
- (b) A scheme under this section shall make provision for an appeal from a determination of a person referred to in *paragraph (a)* to any other person as may be specified in the scheme.
- (10) A superannuation benefit shall not be granted by the Agency to or in respect of any persons who are members of a scheme under this section and no other arrangement shall be entered into for the provision of any superannuation benefit to such persons on their ceasing to hold office, other than in accordance with a scheme submitted and approved under this section or an arrangement approved by the Minister and the Minister for Public Expenditure and Reform.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

SECTION 21

125.In page 20, line 29, after “Board” to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

126.In page 20, line 36, after “Board” to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[SECTION 21]

127. In page 20, line 38, after “Agency” to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

128. In page 21, line 6, after “Agency” to insert “or subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

129. In page 21, line 7, after “Agency” to insert “or subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

130. In page 21, line 15, after “Board” to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

131. In page 21, line 16, after “Agency” to insert “or subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

SECTION 25

132. In page 23, between lines 31 and 32, to insert the following:

“(5) Shares in the Agency shall not be sold or otherwise transferred without the prior approval of the Government.”.

—Eoin Ó Broin, Thomas Gould.

133. In page 23, between lines 31 and 32, to insert the following:

“(5) Notwithstanding anything contained in the Companies Acts, no alteration of the memorandum of association or the articles of association of the subsidiary shall be valid or effectual unless made with the prior approval of the Government.”.

—Eoin Ó Broin, Thomas Gould.

SECTION 26

Section opposed.

—Duncan Smith.

SECTION 32

134. In page 27, to delete lines 21 to 23 and substitute the following:

“(a) if the Agency has obtained the prior approval of the Minister and the Minister for Public Expenditure and Reform for the provisions contained in the constitution of the subsidiary DAC, relating to the ownership and control of that subsidiary DAC, and”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

Section opposed.

—Eoin Ó Broin, Thomas Gould.

SECTION 33

Section opposed.

—Eoin Ó Broin, Thomas Gould.

[SECTION 36]

SECTION 36

135. In page 29, between lines 11 and 12, to insert the following:

- “(5) Any scheme providing for the granting of superannuation benefits to persons that was established by the dissolved body under the Order of 2018 shall cease to operate on the dissolution day.
- (6) A person referred to in *subsection (1)* who, immediately before the dissolution day, was a member of—
- (a) a scheme for the granting of superannuation benefits established by the dissolved body, or
 - (b) the Single Public Service Pension Scheme,
- shall, on the dissolution day, cease to be a member of the scheme concerned and shall become and be a member of the relevant superannuation scheme established under *section 20*.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

SECTION 39

136. In page 30, between lines 13 and 14, to insert the following:

- “(3) The particular covenant agreed between Dún Laoghaire-Rathdown County Council and the dissolved Agency that commits to the preservation of Shanganagh Castle Site in public ownership and for that site to be developed for 100 per cent public and affordable housing shall be honoured by the new Agency”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

SECTION 47

137. In page 33, after line 37, to insert the following:

- “(4) The Agency shall furnish the report referred to in *subsection (1)* to the Cathaoirleach of each local authority and the Cathaoirleach shall cause the report to be made available to each member of the authority.”.

—Eoin Ó Broin, Thomas Gould.

SECTION 48

138. In page 34, between lines 2 and 3, to insert the following:

“Definitions (*Part 7*)

48. In this part—

“market value”, subject to *section 53(6)*, means the estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm’s length transaction after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion;

“valuation date” means the valuation date within the meaning of *section 53(2)*.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[SECTION 48]

139. In page 34, line 4, after “a” to insert “public”.

—Eoin Ó Broin, Thomas Gould.

140. In page 34, line 6, after “the” to insert “Public”.

—Eoin Ó Broin, Thomas Gould.

141. In page 34, line 14, to delete “on” and substitute “in”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

SECTION 49

142. In page 35, to delete line 16.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta, Paul McAuliffe.

143. In page 35, line 16, after “body” to insert “with the exception of the elected members of local authorities”.

—Cian O'Callaghan.

144. In page 35, between lines 19 and 20, to insert the following:

“(d) *paragraph (a)* shall not be construed as referring to an elected member of a local authority.”.

—Eoin Ó Broin, Thomas Gould.

SECTION 50

145. In page 35, after line 38, to insert the following:

“50. The Land Development Agency shall be subject to the City or County Development Plan, the Local Area Plan, and any other statutory plans or bye-laws made by the local authority in relation to any land which it proposes to develop and including the making of a masterplan for such land.”.

—Eoin Ó Broin, Thomas Gould.

146. In page 36, to delete lines 2 and 3 and substitute the following:

“50. (1) The Agency shall prepare and furnish a report to each House of the Oireachtas on relevant public land and land owned by the Agency.”.

—Duncan Smith.

147. In page 36, line 3, after “Agency” to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

148. In page 36, line 5, after “Agency” where it firstly occurs to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

149. In page 36, line 14, after “Agency” to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[SECTION 50]

150. In page 36, line 18, after “Agency” to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

151. In page 36, between lines 19 and 20, to insert the following:

“(f) any statutory plan, policy or bye-laws made by the local authority in relation to the location in which the land is situated, including but not limited to, the County or City Development Plan and the Local Area Plan.”.

—Eoin Ó Broin, Thomas Gould.

152. In page 36, between lines 19 and 20, to insert the following:

“(f) the Housing Needs assessment prepared by the relevant local authority.”.

—Eoin Ó Broin, Thomas Gould.

153. In page 36, line 33, to delete “as soon as may be” and substitute “within 30 days”.

—Eoin Ó Broin, Thomas Gould.

154. In page 36, line 35, after “Oireachtas” to insert “and the relevant Oireachtas Committee”.

—Eoin Ó Broin, Thomas Gould.

SECTION 51

155. In page 37, lines 3 and 4, to delete “, including an estimate, obtained by or on behalf of the relevant body, of the market value of the land”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

156. In page 37, to delete lines 7 to 9 and substitute the following:

“(e) of *section 50(3)* and any information provided to the Agency under *subsection (2)*, shall decide to acquire or refuse to acquire that land.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

157. In page 37, line 9, to delete “market value” and substitute “existing use value”.

—Cian O'Callaghan.

SECTION 53

158. In page 37, between lines 24 and 25, to insert the following:

“53. (1) A relevant public body notified of a decision of the Agency under *section 51(3)* to acquire its land, or a direction of the Government under *section 52(2)* to acquire its land, shall be entitled to receive a price that ensures that the acquisition is on a cost neutral basis for the relevant public body.

(2) In default of agreement the price of the relevant public land shall be determined in accordance with matters prescribed under *subsection (3)*.

(3) The Minister shall prescribe the manner in which the price of relevant public land shall be determined in default of agreement.

(4) Matters to be prescribed by the Minister under *subsection (3)* shall include—

[SECTION 53]

- (a) procedures for nomination of a person to determine the price of the land,
 - (b) the relevant experience, qualifications, training or expertise required to be held by a person nominated in accordance with procedures prescribed under this paragraph,
 - (c) procedures and time limits to apply, including in relation to examination of information, hearing or examination of evidence, requests for further information or the giving of the notice of the determination,
 - (d) fees and costs to be paid, and to and by whom, in respect of the determination,
 - (e) any other matter the Minister considers necessary or appropriate to include in the regulations for the purpose of determining the price of the land.
- (5) *Sections 66 and 67* shall apply to land proposed to be acquired by the Agency under this Part as they apply to land proposed to be purchased compulsorily under *Part 8* subject to the following and any other necessary modifications:
- (a) a reference in *sections 66 and 67* to land shall be read as a reference to relevant public land;
 - (b) a reference in *section 66(1)* to an acquisition order shall be read as a reference to a decision under *section 51(3)* or a direction under *section 52(2)* to acquire relevant public land.”.

—Duncan Smith.

[*Acceptance of this amendment involves the deletion of section 53 of the Bill.*]

159. In page 37, line 28, after “land,” to insert the following:

“or, in relation to relevant public land referred to in *Column (1)* of *Schedule 3**, the *Schedule 1* public body referred to in *Column (2)* opposite the mention of the relevant public land concerned,”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreacht.

[**This is a reference to the Schedule proposed to be inserted by amendment No. 235.*]

160. In page 37, line 28, to delete “market value” and substitute “existing use value”.

—Cian O’Callaghan, Eoin Ó Broin, Thomas Gould.

161. In page 37, between lines 29 and 30, to insert the following:

“(2) The Agency may give notice to a *Schedule 1* public body specified in *Column (2)* of *Schedule 3** of the Agency’s intention to acquire relevant public land specified in *Column (1)* of the schedule opposite the *Schedule 1* public body so specified.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreacht.

[**This is a reference to the Schedule proposed to be inserted by amendment No. 235.*]

162. In page 37, to delete lines 30 and 31 and substitute the following:

“(2) For the purpose of determining the market value of relevant public land, the valuation date shall be—

[SECTION 53]

- (a) the date on which the Agency gives notice under *section 51(4)* to the relevant public body or, under *section 52(3)* to the *Schedule 1* public body, that the land shall be acquired, or
- (b) in relation to relevant public land referred to in *Schedule 3**, the date on which the Agency gives notice under *subsection (2)***.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[**This is a reference to the Schedule proposed to be inserted by amendment No. 235.*]

[***This is a reference to the subsection proposed to be inserted by amendment No. 161.*]

163.In page 37, to delete lines 30 and 31.

—Eoin Ó Broin, Thomas Gould.

164.In page 37, line 30, to delete “market value” and substitute “existing use value”.

—Cian O’Callaghan.

165.In page 37, to delete lines 32 and 33.

—Eoin Ó Broin, Thomas Gould.

166.In page 37, line 32, to delete “market value” and substitute “existing use value”.

—Cian O’Callaghan.

167.In page 37, line 33, to delete “in default of agreement.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

168.In page 37, to delete line 35.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

169.In page 37, line 35, to delete “market value” and substitute “existing use value”.

—Cian O’Callaghan, Eoin Ó Broin, Thomas Gould.

170.In page 37, line 36, to delete “market value” and substitute “existing use value”.

—Cian O’Callaghan, Eoin Ó Broin, Thomas Gould.

171.In page 37, line 37, to delete “qualifications, training” and substitute “qualifications, membership of a professional body that may be required, training”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

172.In page 38, to delete lines 1 to 3 and substitute the following:

“(d) procedures and time limits to apply, including in relation to requests for further information or the giving of a notice of the determination,”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

173.In page 38, line 4, to delete “costs to be paid” and substitute “costs, if any, to be paid”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[SECTION 53]

174. In page 38, to delete lines 7 and 8.

—Eoin Ó Broin, Thomas Gould.

175. In page 38, line 8, to delete “market value” and substitute “existing use value”.

—Cian O’Callaghan.

176. In page 38, line 9, to delete “*Sections 66 and 67*” and substitute “*Section 66*”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

177. In page 38, line 10, to delete “they apply” and substitute “it applies”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

178. In page 38, line 12, to delete “*sections 66 and 67*” and substitute “*section 66*”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

179. In page 38, line 17, to delete “market value” and substitute “existing use value”.

—Cian O’Callaghan.

SECTION 54

180. In page 38, line 24, to delete “local authority or a”.

—Cian O’Callaghan.

181. In page 38, line 25, to delete “or”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

182. In page 38, line 27, to delete “body.” and substitute the following:

“body, or

- (c) where the transfer relates to relevant public land specified in *Column (1) of Schedule 3**, the *Schedule 1* public body specified in *Column (2)* of that Schedule opposite the relevant public land so specified.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[*This is a reference to the Schedule proposed to be inserted by amendment No. 235.]

183. In page 38, line 32, to delete “market value” and substitute “existing use value”.

—Eoin Ó Broin, Thomas Gould.

SECTION 55

184. In page 39, between lines 7 and 8, to insert the following:

“Disposal of land by Agency or subsidiary DAC

- 55. (1) Subject to *subsection (6)*, the Agency may, with the consent of the Minister having consulted with the Minister for Public Expenditure and Reform, dispose of land owned by the Agency.
- (2) The power conferred on the Agency by *subsection (1)* may be exercised only where

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the Agency is satisfied that it is necessary for the purposes of this Act and the performance of the functions conferred on the Agency by *paragraph (c), (d), (i), (k) or (m) of section 13(1)* and where land owned by the Agency is no longer required by it for those purposes or the performance of those functions.

- (3) Subject to *subsection (6)*, a subsidiary DAC may, with the consent of the Minister having consulted with the Minister for Public Expenditure and Reform, dispose of land owned by the subsidiary DAC.
- (4) The power conferred on a subsidiary DAC by *subsection (3)* may be exercised only where the subsidiary DAC is satisfied that it is necessary for the purposes of this Act and the performance of the functions referred to in *subsection (2)* conferred on the subsidiary DAC pursuant to *section 32(2)* and where land owned by the subsidiary DAC is no longer required for those purposes or the performance of those functions.
- (5) The Agency may, subject to this section, dispose of land owned by the Agency to a subsidiary DAC where the Agency is satisfied that it is necessary, in relation to the land, for the purposes of this Act that the functions referred to in *subsection (2)* should be performed on behalf of the Agency by the subsidiary DAC.
- (6) Subject to *subsection (7)*, *subsection (1)* shall not apply to the disposal in a single transaction by the Agency of one house for rent or purchase and *subsection (3)* shall not apply to the disposal in a single transaction by a subsidiary DAC of one house for rent or purchase.
- (7) *Subsection (1)* shall apply to the disposal in a single transaction of one house for rent or purchase by the Agency where the Agency forms a view, and advises the Minister who agrees with the view, that the disposal is part of a series of transactions that are or appear to be linked to each other and *subsection (3)* shall apply to the disposal in a single transaction of one house for rent or purchase by a subsidiary DAC where the subsidiary DAC forms a view, and advises the Minister who agrees with the view, that the disposal is part of a series of transactions that are or appear to be linked to each other.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

[*Acceptance of this amendment involves the deletion of section 55 of the Bill.*]

185. In page 39, to delete lines 9 and 10 and substitute the following:

“**55.** (1) The Agency may, with the prior approval of both Houses of the Oireachtas, dispose of land owned by the Agency.”.

—Duncan Smith.

186. In page 39, line 9, to delete “Minister” where it firstly occurs and substitute “Oireachtas”.

—Cian O’Callaghan.

187. In page 39, between lines 18 and 19, to insert the following:

“(4) In the case of land that had been acquired originally from a local authority, the land shall be offered for purchase to the local authority at the prevailing market price or the

[SECTION 55]

price paid to the local authority at original acquisition, whichever is the lower.”.

—Eoin Ó Broin, Thomas Gould.

Section opposed.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

SECTION 56

188. In page 39, between lines 18 and 19, to insert the following:

“Provision relating to local authority land under this Part

- 56.** (1) Section 211(2) of the Act of 2000 and section 183 of the Local Government Act 2001 shall not apply to the disposal by a local authority to the Agency under this Part of relevant public land, referred to in *subsection (2)*, owned by the local authority.
- (2) The sections referred to in *subsection (1)* shall not apply to the disposal of the following land owned by a local authority:
- (a) land situate in the functional area, or any particular area within the functional area of a planning authority in respect of which a local area plan under section 18 of the Act of 2000 is in force, and
 - (b) land zoned solely for residential use, or a mixture of residential and other uses, in the development plan or local area plan.”.

—Paul McAuliffe.

[Acceptance of this amendment involves the deletion of section 56 of the Bill.]

189. In page 39, line 21, after “land” to insert “, within a census town with a population equal to or greater than 30,000 persons,”.

—Emer Higgins.

Section opposed.

—Duncan Smith, Cian O'Callaghan, Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry, Eoin Ó Broin, Thomas Gould.

SECTION 57

190. In page 39, to delete lines 32 and 33.

—Eoin Ó Broin, Thomas Gould.

191. In page 39, line 32, after “Agency” to insert “or a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreacht.

Section opposed.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

SECTION 59

192. In page 40, to delete lines 17 to 20.

—Cian O'Callaghan.

[SECTION 59]

193. In page 40, between lines 17 and 18, to insert the following:

“(a) to provide land to local authorities, approved housing bodies, community housing trusts or other not-for-profit bodies for the provision of social, affordable cost rental and affordable purchase homes.”.

—Eoin Ó Broin, Thomas Gould.

194. In page 40, between lines 26 and 27, to insert the following:

“(4) In *subsection (1)*, “land owned by the Agency” includes land owned by a subsidiary DAC where the subsidiary DAC is, for the purposes referred to in *subsection (3)*, only performing on behalf of the Agency in relation to that land a function specified in *subsection (3)*.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

195. In page 40, between lines 26 and 27, to insert the following:

“(4) The Agency may compulsorily purchase relevant private land suitable for public and affordable housing.”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

196. In page 40, between lines 26 and 27, to insert the following:

“(4) The power referred to in *subsection (1)* shall not apply to land in the ownership of a local authority.”.

—Eoin Ó Broin, Thomas Gould.

SECTION 73

197. In page 45, lines 19 and 20, to delete “and, where applicable, Part V of the Act of 2000”.

—Eoin Ó Broin, Thomas Gould.

198. In page 45, to delete lines 21 to 32.

—Cian O'Callaghan, Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry, Eoin Ó Broin, Thomas Gould.

199. In page 46, to delete lines 3 to 16 and substitute the following:

“(5) An agreement under this section shall provide for—

(a) the building and transfer, on completion, to the ownership of the planning authority, or to the ownership of persons nominated by the authority, of the dwellings to be built on the land which is subject to the application for permission of such description as may be specified in the agreement and at a price in accordance with *section 76*, all of which shall be dwellings to which either *subparagraph (i)*, *(ii)* or *(iii)* applies and –

(i) not less than 20 per cent and not more than 40 per cent of which shall be housing for the purposes of the provision of social housing support within the meaning of the Housing (Miscellaneous Provisions) Act 2009,

(ii) not less than 20 per cent and not more than 40 per cent of which shall be

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housing for eligible households (within the meaning of section 78 of the Housing (Miscellaneous Provisions) Act 2009, and

(iii) not less than 20 per cent and not more than 40 per cent of which shall be cost rental dwellings,

or

(b) the building and provision of the dwellings to be built on the land which is subject to the application for permission, of such description as may be specified in the agreement, for rent or sale at a price in accordance with *section 76*, all of which shall be dwellings to which either *subparagraph (i)*, *(ii)* or *(iii)* applies and—

(i) not less than 20 per cent and not more than 40 per cent of which shall be housing for the purposes of the provision of social housing support within the meaning of the Housing (Miscellaneous Provisions) Act 2009,

(ii) not less than 20 per cent and not more than 40 per cent of which shall be housing for eligible households (within the meaning of section 78 of the Housing (Miscellaneous Provisions) Act 2009, and

(iii) not less than 20 per cent and not more than 40 per cent of which shall be cost rental dwellings.”.

—Duncan Smith.

200.In page 46, to delete lines 4 to 16 and substitute the following:

“(a) the building and transfer on completion, to the ownership of the planning authority, or to the ownership of persons nominated by the authority for the provision of public and affordable housing.”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

201.In page 46, lines 6 and 7, to delete “to a combination of both” and substitute “social housing, or to a combination of these”.

—Cian O’Callaghan.

202.In page 46, line 7, to delete “50 per cent” and substitute “100 per cent”.

—Cian O’Callaghan.

203.In page 46, lines 7 and 8, to delete “50 per cent, or such other percentage as the Minister may prescribe under *section 75*,” and substitute “100 per cent”.

—Eoin Ó Broin, Thomas Gould.

204.In page 46, line 7, to delete “50 per cent” and substitute “80 per cent”.

—Paul McAuliffe.

205.In page 46, line 7, after “50 per cent,” to insert “or comprising 80 per cent in urban areas with a population of more than 75,000 people,”.

—Francis Noel Duffy.

[SECTION 73]

206. In page 46, line 8, to delete “Minister” and substitute “Local Authority”.

—Eoin Ó Broin, Thomas Gould.

207. In page 46, line 11, to delete “50 per cent” and substitute “100 per cent”.

—Cian O’Callaghan.

208. In page 46, lines 11 and 12, to delete “50 per cent, or such other percentage as the Minister may prescribe under *section 75*,” and substitute “100 per cent”.

—Eoin Ó Broin, Thomas Gould.

209. In page 46, line 11, to delete “50 per cent” and substitute “80 per cent”.

—Paul McAuliffe.

210. In page 46, line 11, after “50 per cent,” to insert “or comprising 80 per cent in urban areas with a population of more than 75,000 people,”.

—Francis Noel Duffy.

211. In page 46, line 12, to delete “Minister” and substitute “Local Authority”.

—Eoin Ó Broin, Thomas Gould.

212. In page 46, line 16, after “sale” to insert “or social housing”.

—Cian O’Callaghan.

SECTION 75

213. In page 47, between lines 19 and 20, to insert the following:

“75. The Minister shall ensure that all land assembled by the Agency will be used for social, affordable cost rental and affordable purchase homes.”.

—Eoin Ó Broin, Thomas Gould.

[*Acceptance of this amendment involves the deletion of section 75 of the Bill.*]

214. In page 47, lines 21 to 24, to delete all words from and including “(1) The” in line 21 down to and including line 24 and substitute the following:

“(1) The relevant Local Authority may set a percentage of housing higher or lower than that specified in *section 73(4)* for the purposes of an agreement under *section 73(3)* and may set different percentages in respect of the administrative area where the proposed development is located.”.

—Eoin Ó Broin, Thomas Gould.

215. In page 47, to delete lines 25 to 28 and substitute the following:

“(2) For the purpose of setting a percentage in relation to an area under *subsection (1)* the Local Authority shall have regard to the likely future demand for cost rental dwellings and dwellings for sale and to the following matters in relation to the area concerned:”.

—Eoin Ó Broin, Thomas Gould.

[SECTION 75]

216. In page 47, line 26, after “dwellings” to insert “, social housing”.

—Cian O'Callaghan.

217. In page 47, line 38, after “price” where it secondly occurs to insert “and social housing”.

—Cian O'Callaghan.

218. In page 48, between lines 2 and 3, to insert the following:

“(4) Where the Minister by order sets a percentage lower than that specified in *section 73(4)*, a positive resolution of the Oireachtas is required.”.

—Emer Higgins, Paul McAuliffe.

SECTION 76

219. In page 48, lines 5 and 6, to delete all words from and including “shall” in line 5 down to and including line 6 and substitute the following:

“shall be a price that ensures the tenant or owner is not paying more than 25 per cent of their earnings on either mortgage or rent.”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

220. In page 48, line 6, after “rent” where it secondly occurs to insert “and will be based on an affordable price or rent related to income of purchasers or tenants”.

—Cian O'Callaghan.

221. In page 48, to delete lines 7 to 34.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

222. In page 48, line 7, to delete “may” and substitute “shall”.

—Paul McAuliffe.

223. In page 48, line 25, after “housing” to insert the following:

“, including the affordable land value of relevant public lands in the geographic or administrative area”.

—Emer Higgins, Paul McAuliffe.

224. In page 48, between lines 25 and 26, to insert the following:

- “(g) the tenants and purchasers income and ability to pay;
- (h) the gap between incomes and the costs of housing, based on the principle that affordable housing costs shall not exceed one-third of net income.”.

—Cian O'Callaghan.

225. In page 48, to delete lines 27 to 34 and substitute the following:

- “(a) “prevailing market price” means the median price by unit type in the relevant administrative or geographical area as calculated by the Central Statistics Office for the year immediately preceding the lodging of a planning application for the site;

[SECTION 76]

- (b) “prevailing market rent” means the standardised rent by unit type in the relevant administrative or geographical area as calculated by the Residential Tenancies Board for the year immediately preceding the lodging of a planning application for the site.”.

—Emer Higgins.

Section opposed.

—Eoin Ó Broin, Thomas Gould.

SECTION 77

226. In page 48, after line 36, to insert the following:

“Limitation on resale or sub-letting

77. (1) A dwelling sold pursuant to an agreement under *section 73* may subsequently only be sold to an individual, for use as his or her principal private residence.

(2) A dwelling leased pursuant to an agreement under *section 73* may not be sub-let.”.

—Duncan Smith.

227. In page 49, to delete lines 18 to 39.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

Section opposed.

—Eoin Ó Broin, Thomas Gould.

SECTION 78

228. In page 50, line 3, after “day” to insert “and to a subsidiary DAC on and from the date of its establishment in accordance with *Part 4*”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

229. In page 50, line 5, after “Agency” to insert “and a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

230. In page 50, line 6, after “Agency” to insert “and a subsidiary DAC”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

231. In page 50, between lines 7 and 8, to insert the following:

“(4) Any subsidiary established by the Agency shall be covered by the Act of 2014 from the date such subsidiaries are established.”.

—Eoin Ó Broin, Thomas Gould.

NEW SECTION

232. In page 50, after line 8, to insert the following:

“Amendment of Public Service Pensions (Single Scheme and Other Provisions) Act 2012

79. The Public Service Pensions (Single Scheme and Other Provisions) Act 2012 is amended

[NEW SECTION]

by the insertion of “Land Development Agency” in the Schedule.”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

233. In page 50, after line 8, to insert the following:

“Assessment of eligibility of household for affordable dwelling purchase arrangement

79. The Housing (Miscellaneous Provisions) Act 2009 is amended in section 84 (‘Assessment of eligibility of household for affordable dwelling purchase arrangement’) by the deletion in subsection (2)(b) of “net of income tax and pay related social insurance” and the substitution of “net of income tax, universal social charge and pay related social insurance”.”.

—Duncan Smith.

234. In page 50, after line 8, to insert the following:

“Inclusion of Agency under Regulation of Lobbying Act 2015

79. The Agency, its subsidiaries and their officials shall be included in Schedule 1 (Bodies that are not Public Service Bodies) to the Act of 2015.”.

—Eoin Ó Broin, Thomas Gould.

NEW SCHEDULE

235. In page 52, after line 23, to insert the following:

“SCHEDULE 3

RELEVANT PUBLIC LAND REFERRED TO IN SECTION 54(1)(c)

Relevant Public Land (1)	Schedule 1 Public Body (2)
Central Mental Hospital, Dundrum, Co. Dublin	Commissioners of Public Works in Ireland
St Kevin’s Hospital, Shanakiel, Co. Cork	Health Service Executive
Devoy Barracks, Naas, Co. Kildare	Housing and Sustainable Communities Agency
Hackettstown, Skerries, Co. Dublin	Housing and Sustainable Communities Agency
Castlelands, Balbriggan, Co. Dublin	Housing and Sustainable Communities Agency

”.

—An tAire Tithíochta, Rialtais Áitiúil agus Oidhreachta.

TITLE

236. In page 7, lines 6 to 19, to delete all words from and including “for the provision” in line 6 down to and including “price;” in line 19 and substitute the following:

“for the provision of public and genuinely affordable housing; for that housing to address deficiencies in the stock of public and affordable housing; for the land to be developed in consultation with communities; for public services and amenities to be

[TITLE]

developed at the same time as the public and affordable housing; for that public and affordable housing to be made available to people on a broad range of incomes;”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

237.In page 7, line 6, after “of” to insert “social, affordable cost rental and affordable purchase”.

—Eoin Ó Broin, Thomas Gould.

238.In page 7, line 6, to delete “housing market” and substitute the following:

“public housing supply to provide for a requirement that a proportion of the dwellings built be genuinely affordable in perpetuity to rent or buy and that the remainder remain public housing and that the proportion be decided by the relevant local authority in consultation with the communities”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

239.In page 7, line 6, to delete “market” and substitute “system”.

—Eoin Ó Broin, Thomas Gould.

240.In page 7, line 6, after “market” to insert “and to foster sustainable development and create sustainable communities”.

—Cian O'Callaghan.

241.In page 7, line 7, to delete “DAC” and substitute “public agency”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

242.In page 7, line 7, to delete “DAC” and substitute “non-commercial state agency”.

—Eoin Ó Broin, Thomas Gould.

243.In page 7, line 8, to delete “develop and regenerate” and substitute “actively manage”.

—Eoin Ó Broin, Thomas Gould.

244.In page 7, line 8, after “public” to insert “and relevant private”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

245.In page 7, line 9, after “of” to insert “such”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

246.In page 7, line 9, after “of” to insert “social, affordable cost rental and affordable purchase”.

—Eoin Ó Broin, Thomas Gould.

247.In page 7, line 9, after “housing” where it firstly occurs to insert the following:

“by Local Authorities, Approved Housing Bodies, Community Housing Trusts and other not for profit bodies”.

—Eoin Ó Broin, Thomas Gould.

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248.In page 7, lines 9 and 10, to delete “and to develop and manage housing on that and other land, including with other persons or bodies”.

—Eoin Ó Broin, Thomas Gould.

249.In page 7, line 9, to delete “and manage”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

250.In page 7, line 10, to delete “, including with other persons or bodies”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

251.In page 7, lines 12 and 13, to delete “to enable the Agency to form subsidiaries for the purposes of carrying out its functions;”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry, Eoin Ó Broin,
Thomas Gould.

252.In page 7, line 13, after “the” where it secondly occurs to insert “Public”.

—Eoin Ó Broin, Thomas Gould.

253.In page 7, line 14, after “Public” to insert “and Relevant Private”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

254.In page 7, line 14, after “for” to insert “public and affordable”.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

255.In page 7, line 14, after “housing” to insert the following:

“to Local Authorities, Approved Housing Bodies, Community Housing Trusts and other not for profit bodies”.

—Eoin Ó Broin, Thomas Gould.

256.In page 7, lines 14 to 19, to delete all words from and including “to” where it secondly occurs in line 14 down to and including “price;” in line 19.

—Richard Boyd Barrett, Gino Kenny, Paul Murphy, Bríd Smith, Mick Barry.

257.In page 7, lines 17 to 19, to delete all words from and including “to” in line 17 down to and including “price;” in line 19 and substitute the following:

“to ensure that only social, affordable cost rental and affordable purchase homes are delivered on relevant public land and former relevant public land;”.

—Eoin Ó Broin, Thomas Gould.

258.In page 7, line 17, to delete “a proportion of”.

—Cian O'Callaghan.

259.In page 7, lines 19 and 20, to delete “to amend the Planning and Development Act 2000 to enable the Agency to perform functions of a development agency under Part IX of that Act;”.

—Eoin Ó Broin, Thomas Gould.