

Planning and Development (Amendment) Bill 2026

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Abstract

The main purpose of the Planning and Development (Amendment) Bill 2026 is to amend the *Planning and Development Act 2024* (the ‘2024 Act’), the *Planning and Development (Amendment) Act 2025* and the *Planning and Development Act 2000* (the ‘2000 Act’) to support further commencement of the ‘2024 Act’. The Bill aims to facilitate a timely transition to the revised Statutory Plans process in the 2024 Act. It also seeks to speed up the implementation of the procedural rules in the 2024 Act covering planning judicial review by applying these rules to acts done or decisions made under the 2000 Act. The Bill, if enacted, would also amend Part 4 of the 2024 Act to help implement measures outlined in the Accelerating Infrastructure Taskforce Report and Action Plan 2025 and to allow for the alteration of an existing planning permission to develop apartments, in accordance with appropriate apartment design standards. Finally, the Bill seeks to amend the *Housing Finance Agency Act 1981* to increase the borrowing limit of the Housing Finance Agency from €13,500,000,000 to €15,000,000,000.



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Executive Summary

- The **Planning and Development (Amendment) Bill 2026** (the ‘Bill’) and **Explanatory Memorandum** were published on 26 June 2025.
- The Bill is scheduled for Second Stage debate in Dáil Éireann on Thursday, 2 July 2026.
- The Bill is comprised of 149 sections divided into four (4) Parts.
- The main purpose of the Bill is to amend the **Planning and Development Act 2024** (the ‘2024 Act’), the **Planning and Development (Amendment) Act 2025** and the **Planning and Development Act 2000** (the ‘2000 Act’).
- According to the **Explanatory Memorandum** these amendments are designed to support further commencement of the 2024 Act. The amendments are also aimed at facilitating a timely transition to the 10-year City and County Development Plans (‘DPs’), the Urban Area Plans (‘UAPs’), Priority Area Plans (‘PAPs’) and Coordinated Area Plans (‘CAPs’) and ensuring transitional measures operate as originally intended.
- The Bill seeks to speed up the implementation of the procedural rules in the 2024 Act covering planning judicial review by applying these rules to acts done or decisions made under the 2000 Act.
- According to the **Explanatory Memorandum**, the Bill also proposes to implement changes to Part 4 of the 2024 Act to help implement measures outlined in the **Accelerating Infrastructure Taskforce Report and Action Plan 2025** and to allow for the alteration of an existing planning permission to develop apartments, in accordance with appropriate apartment design standards.
- The Bill provides for a number of technical amendments to correct cross-references, typographical errors and to clarify the existing text without changing its intent.
- Finally, the Bill seeks to amend the Housing Finance Agency Act 1981 to increase the borrowing limit of the Housing Finance Agency from €13,500,000,000 to €15,000,000,000.
- The **General Scheme of the Planning and Development (Amendment) (No 2) Bill 2025** (the ‘General Scheme’) (as the Bill was then referred to) was published on 14 January 2026.
- No Regulatory Impact Assessment was published for the Bill.
- On 13 January 2026, the Oireachtas Joint Committee on Housing, Local Government and Heritage (the ‘Committee’) considered a request for a waiver of pre-legislative scrutiny (‘PLS’) scrutiny of the General Scheme and agreed to carry out an expedited PLS of the General Scheme.
- The Committee conducted public hearings to engage with key stakeholders as part of its PLS process over two days: **20 January 2026** and **22 January 2026**.
- The Committee wrote a letter to James Browne TD, the Minister for Housing, Local Government and Heritage (the ‘Minister’), on 28 January 2026 (‘**PLS Letter**’), to be considered as the PLS report of the Committee for the purposes of Dáil Standing Order 181 and concluding the PLS process. The letter highlighted the key issues discussed during the PLS hearings. It included eight (8) recommendations.

- In December 2025 the Oireachtas Library & Research Service published a **Policy and Legislative Briefing Paper on Proposed legislation affecting judicial review of planning decisions** which provides a review of the law on judicial review in Ireland and the policy context for the **Accelerating Infrastructure Taskforce Report and Action Plan 2025**.

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Glossary and abbreviations

Table 1 Glossary and abbreviations

Term	Meaning
2000 Act	<i>Planning and Development Act 2000</i>
2015 Act	<i>Urban Regeneration and Housing Act 2015</i>
2024 Act	<i>Planning and Development Act 2024</i>
AA	Appropriate Assessment
ABP	An Bord Pleanála
ACP	An Coimisiún Pleanála
Action Plan	<i>Accelerating Infrastructure Taskforce Report and Action Plan 2025</i>
Bill	<i>Planning and Development (Amendment) Bill 2026</i>
CAP	Coordinated Area Plan
Committee	Oireachtas Joint Committee on Housing, Local Government and Heritage
Decision maker	The body or authority making the planning decision (often the local authority and other planning authorities or An Coimisiún Pleanála (formerly An Bord Pleanála))
Department	Department of Housing, Local Government and Heritage
DP	City or County Development Plan
EIA	Environmental Impact Assessment
EMRA	Eastern and Midland Regional Assembly

Term	Meaning
General Scheme	General Scheme of the Planning and Development (Amendment) (No 2) Bill 2025
LAP	Local Area Plan
Minister	Minister for Housing, Local Government and Heritage
Revised NDP	National Development Plan Review 2025 (revised in July 2025)
NPF	Project Ireland 2040: National Planning Framework (revised in April 2025)
NPO	National Policy Objective
NPS	National Planning Statement
NWRA	Northern and Western Regional Assembly
OPR	Office of the Planning Regulator
Part 9 judicial review	The judicial review procedure laid out in Chapter 1 of Part 9 of the Planning and Development Act 2024
PAP	Priority Area Plan
PLS	Pre-legislative Scrutiny
RSES	Regional Spatial and Economic Strategy
SEA	Strategic Environment Assessment
SRA	Southern Regional Assembly
UAP	Urban Area Plan

Source: Parliamentary Research Service (2026).

Introduction

The **Planning and Development (Amendment) Bill 2026** (the ‘Bill’) and **Explanatory Memorandum** were published on 26 June 2025. The Bill is comprised of 149 sections divided into four (4) Parts.

The Bill is scheduled for Second Stage debate in Dáil Éireann on Thursday, 2 July 2026.

The purpose of the proposed Bill as specified in the **Government Legislative Programme, Summer 2026** is:

“To provide for amendments to the Planning and Development Act 2024 to allow for its continued commencement and transition from the Planning and Development Act 2000, as well as progress actions assigned to the Department in the Critical Infrastructure Taskforce Report & Action Plan.”

If enacted, the Bill would amend the **Planning and Development Act 2024** (the ‘2024 Act’), the **Planning and Development (Amendment) Act 2025** and the **Planning and Development Act 2000** to support further commencement of the ‘2024 Act’. The amendments are aimed at facilitating a timely transition to the 10-year City and County Development Plans (‘DPs’), the Urban Area Plans (‘UAPs’), Priority Area Plans (‘PAPs’) and Coordinated Area Plans (‘CAPs’) and ensuring transitional measures operate as originally intended.¹

The Bill seeks to speed up the implementation of the new procedural rules in the 2024 Act covering planning judicial review by applying these rules to acts done or decisions made under the 2000 Act. If enacted, it would also amend Part 4 of the 2024 Act to help implement measures outlined in the **Accelerating Infrastructure Taskforce Report and Action Plan 2025** and to allow for the alteration of an existing planning permission to develop apartments, in accordance with appropriate apartment design standards.²

The Bill also provides for a number of technical amendments to correct cross-references, typographical errors and to clarify the existing text without changing its intent. Finally, the Bill seeks to amend the Housing Finance Agency Act 1981 to increase the borrowing limit of the Housing Finance Agency from €13,500,000,000 to €15,000,000,000.³

No Regulatory Impact Assessment was published for the Bill.

¹ **Planning and Development (Amendment) Bill 2026** (the ‘Bill’) and **Explanatory Memorandum** to the Bill.

² **Planning and Development (Amendment) Bill 2026** (the ‘Bill’) and **Explanatory Memorandum** to the Bill.

³ **Planning and Development (Amendment) Bill 2026** (the ‘Bill’) and **Explanatory Memorandum** to the Bill.

This Bill Digest provides some background information regarding the policy and legal context of the Bill, including the NPF and the judicial review process. It also outlines the principal provisions of the Bill and examines the extent to which the recommendations arising from the pre-legislative scrutiny process are reflected in the Bill, as initiated.

Other Oireachtas Library & Research Service papers

In December 2025 the Oireachtas Library & Research Service (L&RS) published a [Policy and Legislative Briefing Paper on Proposed legislation affecting judicial review of planning decisions](#) which provides a review of the law on judicial review in Ireland and the policy context for the [Accelerating Infrastructure Taskforce Report and Action Plan 2025](#). This Bill Digest should be read alongside that Briefing Paper as most of the information contained in that briefing paper will not be repeated here. The L&RS has also published the following materials of relevance to the Bill:

Bill Digest: Planning and Development (Amendment) Bill 2025.

Bill Resource Page: Planning and Development (Amendment) Bill 2025 (internal access only).

Note: Planning and Development Bill 2023- PLS & Select Principal Provisions, 28 November 2023.

Note: Planning and Development Bill 2023 - background and policy context

Bill Resource Page: Planning and Development Bill 2023 (internal access only).

Background

The Planning and Development (Amendment) Bill 2026 (the ‘**Bill**’) was published on 26 June 2026 and is scheduled for Second Stage debate on Thursday, 2 July 2026, in Dáil Éireann.

The **General Scheme of the Planning and Development (Amendment) (No 2) Bill 2025** (the ‘General Scheme’) (as the Bill was then referred to) was **approved by the Government** on 27 November 2025 and published on 14 January 2026.

On 13 January 2026, the Oireachtas Joint Committee on Housing, Local Government and Heritage (the ‘Committee’) considered a request for a waiver of pre-legislative scrutiny (‘PLS’) scrutiny of the General Scheme and agreed to carry out an expedited PLS of the General Scheme.

The Oireachtas Joint Committee on Housing, Local Government and Heritage (the ‘Committee’) conducted public hearings to engage with key stakeholders as part of its PLS process over two days on **20 January 2026** and **22 January 2026**. The Committee wrote a letter to James Browne TD, the Minister for Housing, Local Government and Heritage (the ‘Minister’), on 28 January 2026 (‘**PLS Letter**’), to be considered as the report of the Committee for the purposes of Dáil Standing Order 181 and concluding the PLS process. The letter highlighted the key issues discussed during the PLS hearings. It included eight (8) recommendations. The PLS process is discussed later in this Bill Digest.

Policy and legal context

The National Planning Framework

The National Planning Framework (NPF) was originally published in 2018, replacing the National Spatial Strategy. In April 2025, both Houses of the Oireachtas approved the first revision of the NPF. The **revised NPF** and **National Development Plan Review 2025** (NDP) (updated in 2025) form *Project Ireland 2040*, the overarching planning and investment framework for the development of Ireland.⁴

Sitting alongside the **National Marine Planning Framework**, the NPF represents Ireland’s highest-level, long-term spatial planning strategy, adopted by the Government to guide national physical, economic, and social development to the year 2040 and beyond.

The NPF sets out a strategy for ensuring balanced growth across the country. It provides:

⁴ Government of Ireland, ‘**Project Ireland 2040**’.

“From an administrative and planning point of view, Ireland is divided into three regions: the Northern and Western, Southern, and Eastern and Midland Regional Assembly areas. We need to continue to manage more balanced growth between these three regions because Dublin, and to a lesser extent the wider Eastern and Midland area, has witnessed the biggest concentration of population, homes and jobs growth. To allow Dublin to grow at a sustainable pace and to ensure that the potential of all areas is realised, we cannot let this continue unchecked and so our aim is to see a roughly 50:50 distribution of future growth between the Eastern and Midland region, and the Southern and Northern and Western regions combined.”⁵

The NPF encompasses broad goals that are outlined in the ten (10) National Strategic Outcomes (see Figure 1 below) and the 108 National Policy Objectives (NPOs).

Figure 1: National Strategic Outcomes



Source: Revised NPF (2025)

Section 25 of the Planning and Development Act 2024 (the '2024 Act') empowers the Minister for Housing, Local Government and Heritage (the Minister) to issue a National Planning

⁵ Revised National Planning Framework, p. 3.

Statement (NPS) outlining and providing guidance on national policies and measures on planning matters.

Regional spatial and economic strategies

Regional spatial and economic strategies (RSES) are regional-level statutory plans prepared by Ireland's three Regional Assemblies (Eastern and Midland, Southern, Northern and Western)⁶ They translate the revised NPF's national objectives into region-specific strategies and provide the platform for the regional assemblies to revise and publish spatially specific planning strategies at the regional level.

A RSES must be made for a period of not less than 10 years and not more than 20 years.⁷ The **Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031** was published in 2019, while the **Regional Spatial & Economic Strategy for the Southern Region 2020-2032** and the **Northern and Western Regional Assembly Regional Spatial and Economic Strategy 2020-2032** were published in 2020. Each of these RSESs were made under the Planning and Development Act 2000 (the '2000 Act'), but they continue to have effect for the duration of the RSES, or until it is replaced with a new RSES, made under the 2024 Act.⁸

City/County Development Plans

City/County Development Plans (DPs) are the principal statutory planning instruments prepared by each local authority (in the capacity of a 'planning authority') for their respective areas.⁹ They set out the overall strategy for the proper planning and sustainable development of the relevant county/city area.¹⁰

DPs provide a written statement and maps indicating development objectives for land use, housing, transport, infrastructure, community facilities, environmental protection, and heritage. DPs also outline land-use zoning objectives, designating areas into zones, such as residential, commercial, industrial, and agricultural zones.¹¹

Chapter 5 of Part 3 of the 2024 Act came into effect on 31 December 2025.¹² Under that Chapter, a planning authority must make a DP covering the whole of its functional area every

⁶ Government of Ireland, 'Draft First Revision to the National Planning Framework', July 2024 at 148.

⁷ **Planning and Development Act 2024 s. 21.**

⁸ **Planning and Development Act 2024 s. 41.** The Northern and Western Regional Assembly has **commenced a review** of its RSES with the intention of preparing a new strategy.

⁹ Local authorities are comprised of city councils and county councils.

¹⁰ Local Government Ireland, '**Planning for cities, counties and areas**'.

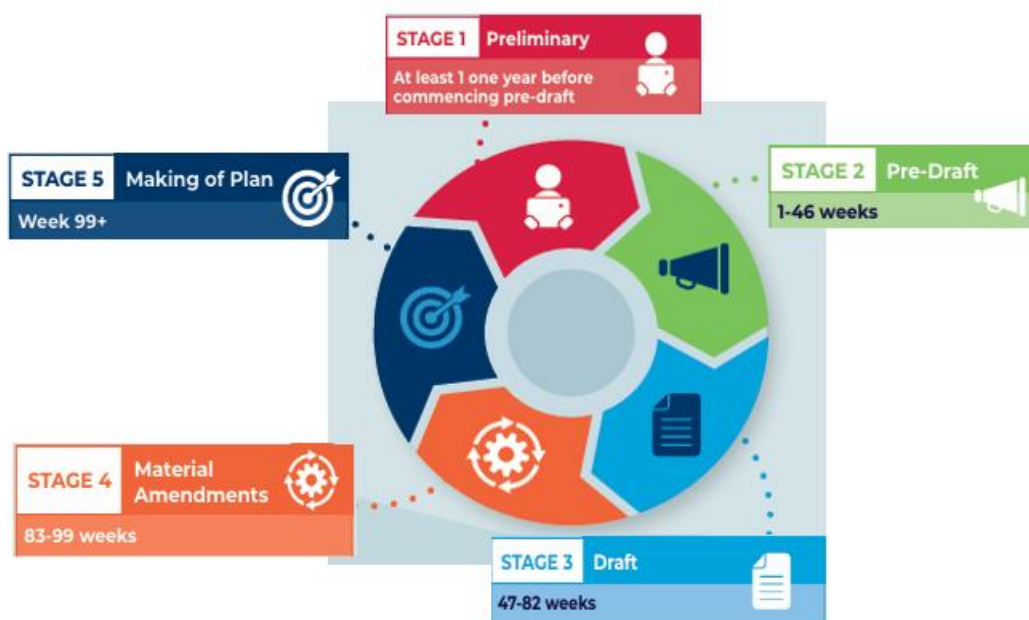
¹¹ Local Government Ireland, '**Planning for cities, counties and areas**'.

¹² **Planning and Development Act 2024 (Commencement) (No 5) Order 2025** (SI No 633 of 2025).

10 years.¹³ The 10-year period may be extended by the Minister by a period of up to two more years, where the chief executive of a planning authority certifies that exceptional circumstances exist warranting the extension.¹⁴ The planning authority must commence a review of a DP before it becomes eight years old and at least three months prior to the commencement of a review, the planning authority must consult with the Office of the Planning Regulator (OPR).¹⁵ The previous legislation required the making of a new development plan every six years. The new timeframe is aimed at aligning DPs with the release of new Census data, allowing for a more strategic approach to planning.¹⁶

Reviewing and making a DP involves five stages, referred to as the **Development Plan Process** (see Figure 2 below).

Figure 2: The Development Plan Process



Source: **OPR (2020)**

Stage one is the Preliminary Stage, that commences at least one year in advance of the next stage. It involves scoping and then collating, preparing and drafting strategies, working papers

¹³ *Planning and Development Act 2024* s. 42(1), (4).

¹⁴ *Planning and Development Act 2024* s. 42(5)(b).

¹⁵ *Planning and Development Act 2024* s. 42(2), 53.

¹⁶ Department of Housing, Local Government and Heritage, 'Planning and Development Act 2024 Implementation Plan', March 2025 *Irish Planning Legislation Overhauled - Yet To Be Implemented*, Matheson, Implementation plan published for phased commencement of the Planning and Development Act 2024, A&L Goodbody LLP. See also, Citizen's Information, *Development plans*.

and reports. The second stage is the Pre-Draft Stage (1-46 weeks), which is the publication, notification and consultation stage – when a draft plan is prepared and considered. The third stage is the Draft Stage (47-82 weeks), when notice of the draft plan is published and the public are consulted on the draft plan, members are provided with more time to consider the draft plan, and the chief executive prepares and submits a report on the draft plan to members. The fourth stage is the Material Amendments Stage (83-99 weeks), at which point the public are consulted on any material amendments to the draft plan, and they are published and considered. This is also the stage at which the chief executive screens the draft plan for a requirement to carry out a Strategic Environment Assessment (SEA) and/or Appropriate Assessment (AA) and, where necessary, facilitates these assessments. The fifth and final stage, Making of Plan Stage (week 99+) is the time when the elected members pass a resolution to make the DP, and the planning authority publishes a notice confirming that the DP is made and is available for inspection. The DP becomes effective six weeks following the passing of the resolution by the elected members (approximately two years after the pre-draft stage commenced).¹⁷

DPs made under the 2000 Act continue to have effect (as if made under the 2024 Act) for the remainder of their six-year lifespan, or until replaced with a new DP made under the 2024 Act whichever is the shorter period.¹⁸

Neighbourhood and settlement area-specific plans

Under Chapter II of Part II of the 2000 Act, local authorities (planning authorities) were permitted to make Local Area Plans (LAPs) for particular areas within their respective functional areas. From 31 December 2025,¹⁹ Local Area Plans (LAPs) have been superseded by neighbourhood and settlement area-specific plans. However, LAPs that were in effect as of 31 December 2025 will continue in operation for remainder of the period stated in the plan or the relevant DP, or until a new DP is made in respect of the functional area to which the plan relates, whichever is the shorter period.²⁰

There are three types of plans at the local planning level - Urban Area Plans (UAPs), Priority Area Plans (PAPs) and Coordinated Area Plans (CAPs). A planning authority will identify in its DP areas (and specific settlements) that require a UAP, PAP or a CAP.²¹

UAPs are made for an urban settlement, specifying how the stated settlement-specific objectives and the relevant strategies and statements are to be implemented in respect of the

¹⁷ Office of the Planning Regulator, [Development Plan Process: 5 stages in reviewing and making a development plan](#).

¹⁸ [Planning and Development Act 2024 s. 68](#).

¹⁹ [Planning and Development Act 2024 \(Commencement\) \(No 5\) Order 2025](#) (SI No 633 of 2025).

²⁰ [Planning and Development Act 2024 s. 81](#).

²¹ [Planning and Development Act 2024 ss 71-73](#).

settlement concerned. PAPs include similar requirements to UAPs, but PAPs are drafted particularly to cover specific local objectives for those areas that are deemed to be suitable for significant growth and regeneration. For example, a PAP may be used to identify specific needs and objectives of any Gaeltacht or inhabited offshore island.²²

Coordinated area plans (CAPs) are similar to UAPs and PAPs but they are used for areas that fall within the functional area of more than one planning authority and have been designated in a RSES by a regional authority as being the subject of area-specific objectives. CAPs are prepared by a principal planning authority (usually the planning authority legally responsible for the majority of the area affected) with the assistance of one or more associate planning authorities (other affected planning authorities).²³

The Spatial Planning Hierarchy

The National Planning Framework (NPF) sits at the top of the spatial planning hierarchy. Regional Economic and Spatial Strategies (RSES) sit directly below the NPF.

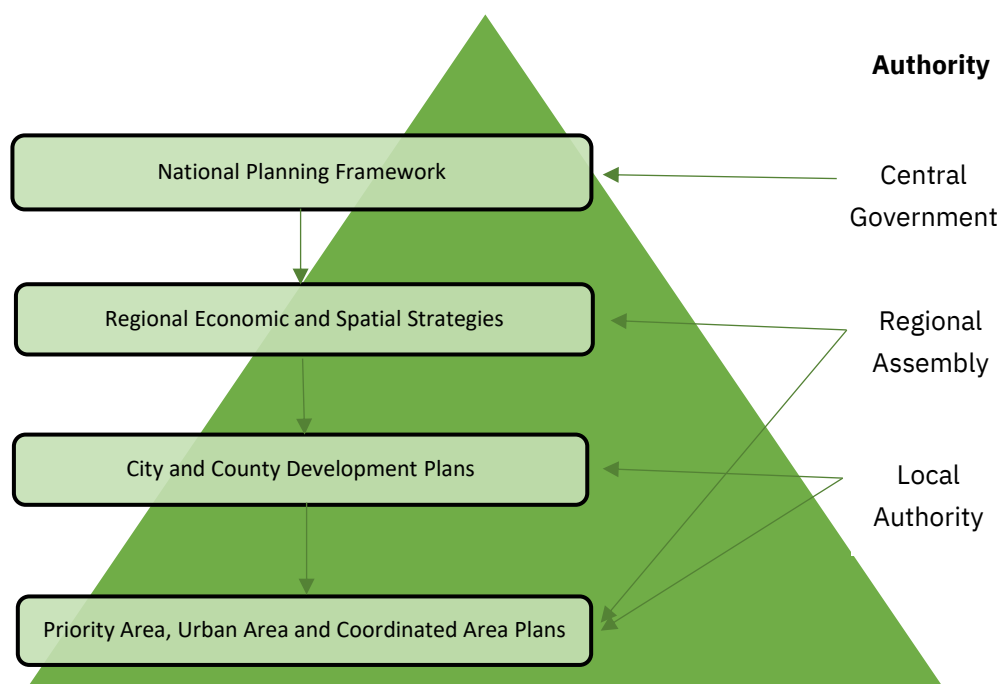
City/County Development Plans (DPs) sit on the next rung, above the lowest level of the planning hierarchy at the neighbourhood and settlement level (formerly Local Area Plans), now called Priority Area Plans (PAP), Urban Area Plans (UAP) and Coordinated Area Plans (CAP).

Each level of the planning hierarchy (see Figure 3 below) must be drafted in alignment with any higher levels, so the lowest level must be drafted in alignment with all three higher levels. Where a lower-level plan does not align with a higher-level strategy or framework, it must be revised to rectify the misalignment. It follows that whenever a new higher-level policy is introduced, it filters down to the lower levels.

²² James Browne TD, Minister for Housing, Local Government and Heritage, ‘Local Area Plans’, *Dáil Éireann Debate*, 1 April 2025.

²³ James Browne TD, Minister for Housing, Local Government and Heritage, ‘Local Area Plans’, *Dáil Éireann Debate*, 1 April 2025.

Figure 3: The Planning Hierarchy



Source: Compiled by the L&RS (2026)

The Hierarchy of Settlements

A hierarchy of settlements is established by the provisions of the 2024 Act and planning policy at national, regional and local levels. The highest level of settlement consists of the five cities (Dublin, Cork, Limerick, Galway and Waterford) together with the five Regional Growth Centres designated under the revised NPF (Athlone, Sligo, Letterkenny, Drogheda and Dundalk).²⁴

At the next level down, regional authorities identify and designate ‘Key Towns’ at a county or sub-county level through their RSEs.²⁵ Key towns are currently defined as “a large, economically active settlement that provides employment and services for its surrounding area and has the capacity to complement a regional growth centre.”²⁶ At present, there is no population threshold required for a settlement to be designated as a ‘Key Town’.²⁷

²⁴ *Planning and Development Act 2024 s. 21(3)(f)*. See also the revised *National Planning Framework* and James Browne TD, Minister for Housing, Local Government and Heritage, ‘*Planning Issues*’, *Dáil Éireann Debate*, 11 February 2025.

²⁵ *Planning and Development Act 2024 s. 29(8)*. See also James Browne TD, Minister for Housing, Local Government and Heritage, ‘*Planning Issues*’, *Dáil Éireann Debate*, 11 February 2025.

²⁶ *Planning and Development Act 2024 s. 29(9)*.

²⁷ See *Planning and Development Act 2024 s. 29(9)*.

The **RSES for the Eastern and Midland Regional Assembly Area** (EMRA) identifies two different categories of settlement: ‘Self-Sustaining Growth Towns’ and ‘Self-Sustaining Towns’. ‘Self-Sustaining Growth Towns’ are settlements with a moderate level of jobs and services, and they include sub-county market towns and commuter towns with good transport links and capacity for continued commensurate growth to become more self-sustaining. ‘Self-Sustaining Towns’ are settlements with high levels of population growth and a weak employment base; they are generally reliant on other areas for employment and/or services, and they require targeted catchup investment to become more self-sustaining. These categories sit below the “Key Town” category.²⁸ Each planning authority within the Eastern and Midlands Regional Assembly area may designate towns as meeting the criteria for these categories, as part of their Development Plan Process. As of 11 February 2024, there were 24 settlements defined as ‘self-sustaining growth towns’ within the EMRA area.²⁹

Finally, those other settlements that do not meet the “Key Town” threshold are identified and designated by planning authorities in their DPs.³⁰ Table 2 below provides a list of towns that have a population of greater than 10,000 but are not currently designated as a key town.

Table 2 Towns with a population greater than 10,000 not designated as a Key Town

Towns > 10,000	Population	Regional Assembly Area
Arklow	13,399	EMRA
Ashbourne	15,680	EMRA
Athy	11,035	EMRA
Balbriggan	24,322	EMRA
Celbridge	20,601	EMRA
Greystones-Delgany	22,009	EMRA

²⁸ The **Eastern and Midland Regional Assembly Regional Economic & Spatial Strategy 2019-2031**, p. 44; James Browne TD, Minister for Housing, Local Government and Heritage, ‘**Planning Issues**’, *Dáil Éireann Debate*, 11 February 2025.

²⁹ James Browne TD, Minister for Housing, Local Government and Heritage, ‘**Planning Issues**’, *Dáil Éireann Debate*, 11 February 2025.

³⁰ James Browne TD, Minister for Housing, Local Government and Heritage, ‘**Planning Issues**’, *Dáil Éireann Debate*, 11 February 2025.

Towns > 10,000	Population	Regional Assembly Area
Kildare	10,302	EMRA
Laytown-Bettystown-Mornington-Donacarney	15,642	EMRA
Leixlip	16,733	EMRA
Malahide	18,608	EMRA
Newbridge	24,366	EMRA
Portmarnock	10,750	EMRA
Ratoath	10,077	EMRA
Rush	10,875	EMRA
Skerries	10,743	EMRA
Carrigaline	18,239	SRA
Cobh	14,148	SRA
Enniscorthy	12,310	SRA
Gorey	11,517	SRA
Midleton	13,906	SRA
Shannon	10,256	SRA
Tramore	11,277	SRA

Source: Department of Housing, Local Government and Heritage based on latest census data

Judicial Review

Much of the policy and legislative background on judicial review has been examined in the [Oireachtas Library & Research Service, Policy and Legislative Briefing Paper: Proposed](#)

legislation affecting judicial review of planning decisions. It is recommended that readers consider that paper as a companion paper to this Bill Digest. Part of the Executive Summary and relevant text of that document is paraphrased and reproduced below.

Judicial review is a mechanism by which an application can be made to the High Court to challenge the decision-making processes of administrative bodies and lower courts. It is designed to ensure that public functions (comprising both actions and omissions) are carried out fairly and in accordance with the law.³¹ The concept of judicial review is well entrenched in the Constitution. **Article 34.3.1 of the Constitution** provides that the High Court is invested with full original jurisdiction in and power to determine all matters and questions, whether of law or fact, civil or criminal. The Superior Courts are also solely invested with the power to determine whether legislation and actions are constitutionally valid.

During the Committee's pre-legislative scrutiny hearings in January 2026, a representative of the Department explained:

*"Reform of judicial review processes was legislated for in the 2024 Act and the relevant provisions were commenced in August 2025. Given that Part 4 in particular has yet to commence, it will be some time before the new judicial review provisions may be applied to decision-making under the 2024 Act if we do not bring this change forward. Accordingly, to further expedite introduction of the revised judicial review provisions, it is now proposed to extend the judicial review provisions in the 2024 Act to decisions made or acts done under the 2000 Act. These processes include the removal of the requirement to apply for leave to apply for judicial review proceedings, which will reduce time and remove unnecessary additional legal costs for all parties, and various procedural rules relating to such proceedings. ... These changes would mean the expected benefits of the new processes would have an even earlier positive impact on the planning system."*³²

The doctrine of legitimate expectation

As outlined in Hogan, Morgan and Daly's *Administrative Law in Ireland*,³³ the legal doctrine of legitimate expectation is well established in Ireland. The principle of legitimate expectation helps to protect persons against unfair or arbitrary changes in the way public authorities exercise their powers or apply established procedures and policies. The doctrine of legitimate

³¹ Public Interest Law Alliance (PILA), *An NGO Guide to the Judicial Review Procedure in the Republic of Ireland*, September 2022, p. 5.

³² Representative of the Department of Housing, Local Government and Heritage in the Joint Committee on Housing, Local Government and Heritage, '**General Scheme of the Planning and Development (Amendment) (No. 2) Bill 2025: Discussion**', *Debates*, 20 January 2026.

³³ G Hogan, D Morgan and P Daly, *Administrative Law in Ireland*, 2019, accessed via Westlaw International (5th ed. Round Hall 2019), [21-1].

expectation is grounded in the principle that where a public body (or a Minister) is exercising statutory discretion, the public body is expected to honour any prior commitments made to the identifiable person.³⁴ However, the principle of legitimate expectation does not create an absolute right. A public body will be required to respect the basic principles of legality, rationality and procedural propriety when making a decision.³⁵ Hogan, Morgan and Daly suggest that although courts may be comfortable with applying legitimate expectations to a case that affects a small number of persons, it may involve a different approach to apply legitimate expectation to a situation where it would “retard the capacity of the Government or administrators to make new policy decisions affecting the community at large”.³⁶ They suggest that in cases involving policy changes that affect the world at large, with the impact diffused across a large group, the doctrine of legitimate expectations is unlikely to apply.³⁷

Residential Zoned Land Tax and the Vacant Site Levy

The Residential Zoned Land Tax (RZLT) was introduced in the *Finance Act 2021*. It supersedes the former Vacant Site Levy, which was regulated under in the *Urban Regeneration and Housing Act 2015* (the ‘2015 Act’).

According to the Dublin City Council website:

³⁴ G Hogan, D Morgan and P Daly, *Administrative Law in Ireland*, 2019, accessed via Westlaw International (5th ed. Round Hall 2019), [21-10].

³⁵ G Hogan, D Morgan and P Daly, *Administrative Law in Ireland*, 2019, accessed via Westlaw International (5th ed. Round Hall 2019), [21-69],

³⁶ G Hogan, D Morgan and P Daly, *Administrative Law in Ireland*, 2019, accessed via Westlaw International (5th ed. Round Hall 2019), [21-73].

³⁷ G Hogan, D Morgan and P Daly, *Administrative Law in Ireland*, 2019, accessed via Westlaw International (5th ed. Round Hall 2019), [21-73]. See also P McMahon of McMahon Legal ‘[Legitimate Interests & Public Decision-Making](#)’, who explains “Public bodies remain bound by legislation and must continue to exercise their statutory powers lawfully and in the public interest. The State is entitled to change policies and administrative practices where appropriate, particularly where broader public policy considerations require it.”

“The tax [RZLT] aims to activate serviced, zoned land for residential or mixed use. This is to boost housing supply and regenerate vacant, idle urban land. These locations have been identified within statutory land use plans as being appropriate locations for housing and they have benefitted from investment in the key services to support the delivery of housing.”³⁸

Commencement process of the 2024 Act and transitional arrangements

The Planning and Development legislation in Ireland has been overhauled in recent years. The provisions of the *Planning and Development Act 2000* (‘2000 Act’) are being replaced by the *Planning and Development Act 2024* (‘2024 Act’).

The *Implementation Plan for the Planning and Development Act 2024* (published on 4 March 2025) provided an outline for the proposed phased commencement schedule for the 2024 Act. The Implementation Plan broke up the 2024 Act into four blocks (A (made up of A1 and A2), B, C and D), allowing each of the blocks to be commenced separately in phases. A table with the proposed commencement schedule may be found in the Implementation Plan.³⁹

As noted by the Implementation Plan, the 2024 Act contains approximately 120 transitional provisions to facilitate its implementation. These provisions are designed to ensure the validity of decisions made or acts done under the 2000 Act and preserve those procedures that are already underway that may be affected by a repeal of a provision of the 2000 Act.⁴⁰

A number of commencement orders relating to the 2024 Act have been made by the Minister as at the date of writing:

- *Planning and Development Act 2024 (Commencement) Order 2025* (SI No 239 of 2025)
- *Planning and Development Act 2024 (Commencement) (No 2) Order 2025* (SI No 256 of 2025)
- *Planning and Development Act 2024 (Commencement) (No 3) Order 2025* (SI No 379 of 2025)
- *Planning and Development Act 2024 (Commencement) (No 4) Order 2025* (SI No 452 of 2025)

³⁸ Dublin City Council, *About the Residential Zoned Land Tax*.

³⁹ Department of Housing, Local Government and Heritage, *Implementation Plan for the Planning and Development Act 2024*, 4 March 2025, Table 10.1, p. 22.

⁴⁰ Department of Housing, Local Government and Heritage, *Implementation Plan for the Planning and Development Act 2024*, 4 March 2025, p. 21.

- *Planning and Development Act 2024 (Commencement) (No 5) Order 2025 (SI No 633 of 2025)*
- *Planning and Development Act 2024 (Commencement) Order 2026 (SI No 194 of 2026).*

Yet, many provisions of the 2024 Act (in Blocks C and D) have not yet been commenced. On 13 May 2026, the Department published an updated '*Planning and Development Act 2024 commencement schedule and details of commencements to date*'.

During the Committee's pre-legislative scrutiny hearings in January 2026, a representative of the Department stated:

"As members are aware, the Department is continuing the process of commencing the Act of 2024 on a phased basis to facilitate the transition of the new legislation across the planning system and has recently concluded on the commencement of Part 3, with effect from 31 December last year. As a result, over 210 sections of the 2024 Act have now been brought into operation. That is almost 50% more legislation brought into effect in the first year of the 2024 Act in comparison with the first year of the implementation of the previous 2000 Act. In fact, more legislation has now been commenced under the 2024 Act than was contained in the entire 2000 Act after its enactment in August 2000.

We are working on bringing the remaining provisions of the Act of 2024 into operation as expeditiously as possible. This continues to be a task of considerable scale and complexity. We are in the process of determining the final sequence of commencement of blocks C and D of the Act of 2024. This will likely include the majority of provisions in ten different Parts, namely, Parts 2, 4, 5, 8, 10, 13 to 15, inclusive, 20 and 21, as well as the remaining provisions in Parts 6, 7, 9, 11, 16 and 22.

*That is approximately 550 pages of legislation."*⁴¹

⁴¹ Representative of the Department of Housing, Local Government and Heritage in the Joint Committee on Housing, Local Government and Heritage, '*General Scheme of the Planning and Development (Amendment) (No. 2) Bill 2025: Discussion*', *Debates*, 20 January 2026.

Related legislation

Domestic legislation

The Planning and Development (Amendment) Bill 2026 looks to amend the following Acts:

- *Derelict Sites Act 1990*
- *Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023*
- *Housing Finance Agency Act 1981*
- *Maritime Area Planning Act 2021*
- *Planning and Development Act 2000*
- *Planning and Development Act 2024*
- *Planning and Development (Amendment) Act 2025*
- *Urban Regeneration and Housing Act 2015*
- *Water Services Act 2007*

The Bill would also affect the following Acts:

- *Aircraft Noise (Dublin Airport) Regulation Act 2019*
- *Housing Act 1966*.

EU law

- **Directive 2001/42/EC** of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment ('SEA Directive')
- **Directive 2011/92/EU** of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment ('EIA Directive')
- **Directive 2009/147/EC** of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds ('Birds Directive')
- **Council Directive 92/43/EEC** of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora ('Habitats Directive')
- **Directive 2000/60/EC** of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy ('Water Framework Directive')

Regulatory Impact Assessment (RIA)

No Regulatory Impact Assessment has been published for the Bill.

Legislative proposal

The Planning and Development (Amendment) Bill 2026 (the ‘**Bill**’) was published on 26 June 2026 and is scheduled for Second Stage debate on Thursday, 2 July 2026, in Dáil Éireann.

The Bill seeks to amend the Planning and Development Act 2024 (the ‘2024 Act’), the Planning and Development (Amendment) Act 2025 and the Planning and Development Act 2000 (the ‘2000 Act’) to support further commencement of the ‘2024 Act’. The Bill aims to facilitate a timely transition to the revised Statutory Plans process in the 2024 Act. It also seeks to speed up the implementation of the procedural rules in the 2024 Act covering planning judicial review by applying these rules to acts done or decisions made under the 2000 Act. The Bill, if enacted, would also amend Part 4 of the 2024 Act to help implement measures outlined in the Accelerating Infrastructure Taskforce Report and Action Plan 2025 and to allow for the alteration of an existing planning permission to develop apartments, in accordance with appropriate apartment design standards. Finally, the Bill seeks to amend the Housing Finance Agency Act 1981 to increase the borrowing limit of the Housing Finance Agency from €13,500,000,000 to €15,000,000,000.

The Bill comprises 149 sections which are divided into four (4) parts.

The following L&RS legislative analysis for this Bill does not provide blanket coverage of the Bill but instead seeks to comprehensively examine selected elements. For example, it will not consider provisions that are included that seek to correct typographical errors in the 2024 Act.

This analysis focuses on the issues that are most likely to affect ongoing debate on the subject matter areas addressed in the Bill, decided by reference to media reports and debates held during the PLS process.

It should be noted that the L&RS legislative materials for this Bill were prepared with a tight turnaround time as the Bill was published on the Oireachtas website four (4) working days before the date scheduled for Second Stage debate in Dáil Éireann.

Principal provisions of the Bill

Part 1: Preliminary and general

The Bill includes three (3) preliminary provisions covering:

- Short title, collective citation and commencement (**section 1**)
- Definitions, (**section 2**)
- Repeals (**section 3**)

Section 3 repeals a number of provisions of the *Urban Regeneration and Housing Act 2015* (the ‘2015 Act’) related to the Vacant Site Levy. The section also provides for transitional arrangements to deal with ongoing cases involving the Vacant Site Levy.

Part 2: Amendment of Principal Act

Part 2 of the Bill is broken up into 18 Chapters, each of which seeks to amend a Part or Schedule of the *Planning and Development Act 2024* (the '2024 Act'). The substantive sections of this part are analysed below. Please note that sections of the Bill that purely seek to correct errors in or make technical amendments to the 2024 Act will not be dealt with in this Bill Digest.

Section 4 of the Bill proposes a transitional provision to extend the current definition of 'exempted development' in section 2 of the 2024 Act to include exempted development under a provision of the 2000 Act that has continuing operation. The section also seeks to correct an error in the definition of 'strategic environmental assessment' in section 2 of the 2024 Act.

Sections **5, 6, 7 and 8** of the Bill propose technical amendments to sections 3, 4, 10 and 13 of the 2024 Act, respectively.

Section 9 of the Bill proposes to amend section 17 of the 2024 Act by substituting a new definition of 'key town' to cover all settlements, other than a city or built-up area that contains a city, with a population of 10,000 or more or which have been designated as a 'key town' by a regional assembly. The section also expands the meaning of the term 'built up area' to include all areas identified by the Central Statistics Office as a built-up area, not just collections of statistical small areas.

Sections 10, 11 and 12 look to change the method by which time periods are counted in sections 22, 23 and 25 of the 2024 Act. Sections 22 and 23 of the 2024 Act concern the periods relating to notifying stakeholders about, and laying before the Houses of the Oireachtas, statements about the need for, and copies of, a new or revised National Planning Framework ('NPF'). Sections 10 and 11 of the Bill propose to change the timeframe from 'within ten days of' the relevant statement or new or revised NPF being published to 'not later than 10 working days from' the date of publication. Similarly, section 12 of the Bill proposes to amend the existing time period set out in section 25 of the 2024 Act within which a copy of a new National Planning Statement ('NPS') or a copy of an amendment to, or revocation of, an existing NPS must be laid before both Houses of the Oireachtas and provided to certain named stakeholders. As with sections 10 and 11 of the Bill, section 12 of the Bill also proposes to change the timeframe from 'within ten days of' the NPS being published, to 'not later than 10 working days from' the date of publication.

Sections 18 and 25 of the Bill also seek to change the method by which time periods are counted in relation to sections 39 and 64 of the 2024 Act, affecting the period in which the Office of the Planning Regulator ('OPR') must issue a draft direction to a regional assembly or a planning authority, following a direction by the Minister issued under Chapter 4 of Part 3 of the 2024 Act. Currently, section 39(1) of the 2024 Act requires the OPR to provide the draft direction to the regional assembly 'within ten working days of' the Minister issuing the direction, subject to a requirement under subsection (4) to conduct screening assessments in accordance with the Strategic Environmental Assessment ('SEA') Regulations and Part 6 of the 2024 Act. Section 18 of the Bill proposes to change this timeframe to "not later than 10

working days after having complied with subsection (4) and, where applicable, subsection (5)". Section 39(5) of the 2024 Act currently requires the OPR to prepare an environmental report (under the *European Union (Land Use Planning - Strategic Environmental Assessment) Regulations 2025* (SI No 456 of 2025) or 'SEA Regulations') and/or Natura impact statement ('NIS'), where a strategic environmental assessment ('SEA') and/or appropriate assessment ('AA') are deemed necessary, following a screening assessment under section 39(4) of the 2024 Act. **Section 18** of the Bill amends Section 39(5) of the 2024 Act to explicitly require that these reports be prepared, where deemed necessary, before the draft direction is issued by the OPR.

Section 25 of the Bill proposes an equivalent amendment to section 64 of the 2024 Act concerning the timeframe within which the OPR must provide a draft direction to a planning authority on receipt of a direction from the Minister issued under Chapter 5 of Part 3 of the 2024 Act.

Amendments to Chapters 4, 5 and 6 of Part 3 of the 2024 Act

The *General Scheme of the Planning and Development (Amendment) (No 2) Bill 2025* explains that the following amendments to Chapters 4, 5 and 6 of Part 3 of the 2024 Act are designed to clarify the nature of and the timelines affecting reviews by regional assemblies of their regional special and economic strategies ('RSES') and reviews of development plans (DPs) by planning authorities, and to bring the RSES and DP reviews into alignment with the NPF. The stated overall purpose of these amendments is to facilitate the effective transition to the implementation of 10-year DPs.

Section 13 of the Bill would amend section 29 of the 2024 Act to continue to allow regional assemblies to designate settlements as 'key towns', other than cities or built-up areas that contain a city, and to remove wording in the existing section 29 requiring a key town to have the capacity to complement a regional growth centre.

Section 14 of the Bill proposes to insert a new subsection (18) into section 32 of the 2024 Act to set a deadline for the making of a RSES under section 32(12) or section 33(7) of the 2024 Act. Under the proposed new subsection, if within 90-weeks or a prescribed period from the date of publication by a regional assembly of a notice of its intention to make or revise a RSES, the regional assembly fails to make a RSES, then the director of the regional assembly must make the RSES (in line with the draft RSES agreed by a resolution of the members).

Section 15 of the Bill proposes amendments to section 36 of the 2024 Act. It provides that should the Minister issue a new or amend an existing NPS, a regional assembly would only be required to submit a report to the OPR within two (2) months if directed to do so by the OPR. As already provided for in the relevant section, the report must state whether or not their existing RSES is materially consistent with the National Planning Policies and Measures. According to the *Explanatory Memorandum to the Bill*, this proposed amendment reflects the fact that not all NPSs are relevant to a RSES.

Sections 16 and 23 of the Bill seek to amend sections 37 and 62 of the 2024 Act to clarify that, where a SEA and/or an AA are required in respect of a draft amendment to a RSES or a draft variation to a DP, a full revision of the RSES or DP must be completed under section 32 or section 58 of the 2024 Act as appropriate – the relevant authority may not engage in an expedited amendment process.

Sections 17, 24 and 30 of the Bill propose amendments to sections 38, 63 and 78 of the 2024 Act affecting assessments of RSES, DPs and Urban Area Plans ('UAPs'), Priority Area Plans ('PAPs') and Coordinated Area Plans ('CAPs') as carried out by the OPR. Where the assessment finds that the RSES, DP, UAP, PAP or CAP is consistent with all relevant higher-level planning measures, the OPR must formally notify the relevant regional assembly or planning authority as specified) and (where necessary) the Minister of its findings. Where the OPR preliminarily assesses that a DP should be suspended because it is materially inconsistent with higher-level planning measures, it may issue a notice to the planning authority and on the same day of the notification, must provide copies of the notice to the Minister and An Coimisiún Pleanála ('ACP') and publish the notice on the OPR's website. The relevant planning authority must then, as soon as may be, publish the notice on its own website.

Section 19 of the Bill proposes amendments to section 42 of the 2024 Act. The current section 42 of the 2024 Act establishes that a planning authority must make a 10-year DP for its functional area every 10 years. Subsection 5(b) empowers the Minister to extend the 10-year period by up to a further two (2) years in exceptional circumstances at the request of the chief executive of the planning authority. However, under the current legislation, the process for reviewing an existing DP must commence not later than eight (8) years after the DP is made – this does not consider a situation where the DP may have been extended. The proposed amendments would require the planning authority to commence a review of the DP before the expiration of the 'relevant period'. The 'relevant period' is defined as the duration of the DP, taking into account any extension and whether the DP was made under the 2000 Act or the 2024 Act.

Section 20 of the Bill seeks to amend section 46 of the 2024 Act relating to the obligation on planning authorities to prepare housing development strategies. The proposed amendments relate to statements that must be included as part of these strategies, stipulating that a UAP is required in respect of specified settlements and for 'key towns', and a PAP is required for specified parts of settlements.

Section 21 of the Bill seeks to amend section 55 of the 2024 Act to set a deadline for the making of a DP of two (2) years and 12 weeks (or two (2) years and 16 weeks where a SEA or AA are required, or such longer period as the chief executive of the relevant planning authority specifies in writing as being necessary to conduct the SEA or AA concerned), from the date of the notice of intention to make a new DP. At the expiration of this deadline, the chief executive must make a DP (in line with the draft DP agreed by the members of the planning authority).

Section 22 of the Bill would correct a technical error in section 59 of the 2024 Act.

Section 26 of the Bill seeks to amend section 65 of the 2024 Act to clarify the transitional arrangements for Ministerial directions and certain other functions provided for under the 2000 Act in relation to DPs.

Section 27 of the Bill would amend section 68 of the 2024 Act to allow planning authorities to extend the expiry dates of existing DPs, originally made under the 2000 Act. An extension may be made for a period that ends in the year 2030 on a specified date (or a date as prescribed) depending on the date that the DP was made. Before extending the duration of a DP, the planning authority must complete the relevant SEA and AA requirements.

Section 28 of the Bill seeks to substitute a new subsection (1) into section 69 of the 2024 Act to provide that a planning authority's provision of notice of an intention to review its DP and to prepare a new DP, given under section 11 of the 2000 Act prior to its repeal, ceases to have effect in relation to a DP that has been extended under section 27 of the Bill.

Section 29 of the Bill aims to amend section 71 of the 2024 Act so that any requirement for a settlement to make a UAP arising under a DP would not apply to DPs made under the 2000 Act that remain in force (whether varied or not).

Section 31 of the Bill would amend section 79 of the 2024 Act to clarify that the OPR cannot issue draft directions relating to UAPs, PAPs or CAPs before it has prepared an environmental report (under the [SEA Regulations](#)) and/or a NIS in circumstances where a SEA and/or AA have been deemed necessary, following screening assessments under section 79(5) of the 2024 Act.

Amendments to Part 4 of the 2024 Act

Section 32 of the Bill proposes amendments to section 82 of the 2024 Act to provide a specific definition of the term 'material contravention' as used in Part 4 of the 2024 Act. A material contravention in relation to a DP made under Chapter 5 of Part 3 of the 2024 Act is a contravention of the development plan that fundamentally conflicts with the DP's integrated overall planning strategy. A contravention that fundamentally conflicts with a planning objective relating to the zoning of land is a material contravention of a DP made under the 2000 Act. A further amendment involves spelling out the measure 'mscm' to 'million standard cubic metres', as used in the definition of 'strategic gas infrastructure development' in section 82 of the 2024 Act.

Sections 33, 34, 36, 37, 38, 40, 42, 43, 47, 48, 49, 50, 52, 56, 57, 59, 65, 66, 68, 69, 70, 71, 72, 73 and 75 of the Bill all involve corrections to the 2024 Act to fix cross-references, improve clarity and fix typographical errors.

Section 35 of the Bill proposes amendments to section 85 of the 2024 Act to expressly provide that a statutory undertaker⁴² is a person who is eligible to make a formal application for permission for land-based development.

Sections 39 and 40 of the Bill would amend sections 92 and 93 of the 2024 Act to change references to three (3) ‘days’ to three (3) ‘working days’ from the day on which the planning authority receives an application for permission for the development concerned. This affects the period within which a planning authority must publish and make publicly available an opinion on a large-scale residential development, and a request, document or record relating to pre-planning processes.

Sections 41, 44, 45, 46 51, 58, 60 and 64 of the Bill would amend sections 95, 100, 102, 103, 111, 125, 129 and 143 of the 2024 Act to clarify the provisions dealing with determinations under the 2024 Act in relation to the Environmental Impact Assessment (‘EIA’) and AA processes, and publication and notification of the outcomes of these assessment and screening processes.

Section 45 of the Bill also provides that the requirement on ACP under section 102 of the 2024 Act to notify the applicant and the planning authority of a decision to grant or refuse leave to appeal the decision of the planning authority under section 98 of the 2024 Act must be done not later than three (3) working days from the date of the decision as opposed to within three (3) days of the decision as currently provided for in that section.

Section 53 of the Bill proposes to substitute a new subsection (3) into section 115 of the 2024 Act to allow a statutory undertaker to apply either for permission under Chapter 3 of Part 4 or under Chapter 4 of Part 4 of the 2024 Act when proposing to carry out development for the purposes of maintaining or improving existing infrastructure or the distribution of electricity. As noted by the [Explanatory Memorandum to the Bill](#), this provides additional flexibility to a statutory undertaker to have the development treated as ‘standard development’ under the 2024 Act.

Section 54 of the Bill seeks to amend section 116 of the 2024 Act covering the pre-application consultation process. First, it would remove the need for an eligibility check prior to engaging with ACP for a pre-application consultation in relation to ‘Chapter 4 State authority emergency development’. Secondly, it would allow the use of pre-consultation consultations for retrospective consent applications, by including reference to development already carried out, as well as to proposed development. Finally, as noted in the [Explanatory Memorandum to the](#)

⁴² Under section 2 of the 2024 Act, a “statutory undertaker” means a person authorised under any enactment to: construct or operate a railway, canal, inland navigation, dock, harbour or airport; carry out works for the provision of water, gas, electricity, telecommunications or wastewater services, or cause such works to be carried out; or provide services connected with, or carry out works for the purposes of, the functions of any public undertaking.

Bill, the amendments are aimed at speeding up and streamlining application processes for development that is wholly or partially in a Maritime Area, by removing the requirement to have a Maritime Area Consent (MAC) and other consents prior to entering into relevant 'Chapter 4 development' pre-application consultation processes.

Section 55 of the Bill provides for transitional arrangements through amendments to section 117 of the 2024 Act, affecting consultations made under the 2000 Act relating to electricity transmission lines or strategic gas infrastructure. These consultations would be deemed to be pre-application consultations under the 2024 Act.

Section 61 of the Bill would add a cross reference into the definition of 'material alteration' to the proposed new section 138A of the 2024 Act, to be inserted by section 62 of the Bill.

Section 62 of the Bill seeks to insert a new section 138A into the 2024 Act, after section 138. Section 138 of the 2024 Act provides definitions for certain key terms for the purposes of Chapter 5 of Part 4. It defines a 'material alteration' as an alteration or extension of the duration of a permission requested under section 140 of the 2024 Act that satisfies certain criteria as set out in section 138 of the 2024 Act. The proposed new section 138A of the 2024 Act would exclude from the definition of 'material alteration' in section 138 of the 2024 Act specified alterations of existing permissions relating to the proposed development of apartments (not including those built for student accommodation). Subsection (1) of the new section explains that it is designed to enable the construction of greater numbers of dwellings within residential developments than is authorised for the time being under permissions granted for such residential developments. Subject to the satisfaction of conditions as specified in the proposed new section 138A of the 2024 Act, exempted alterations relating to a proposed residential development for which a permission has been granted may consist of:

- an increase in the number of apartments,
- a change in the mixture of apartments of different classes or the proportion of the different classes of apartment,
- a change to the floor areas of apartments (within the specified limits set out in the new section),
- a change in the number of walls in apartments (within the specified limits set out in the new section),
- a change in the ceiling height of ground floor apartments as long as the internal ceiling height is no less than 2.7 metres,
- a change in the number of lifts or stairways, or
- any works necessary for any of the above changes, including works to footpaths, boundaries, gardens and balconies, or for the purpose of ensuring access to the proposed residential development once completed.

The alterations may not increase the number of dwellings permitted by a planning scheme under section 169 of the 2000 Act in a strategic development zone and must not result in the accommodation of any more occupants than was proposed for the original development (prior

to the alteration being made). The appropriate apartment design standards to which alterations must conform may be found [here](#).

The proposed new section 138A of the 2024 Act, if enacted and commenced, will apply to proposed residential developments for which permission was granted before the coming into operation of the new section, and in respect of which a request is made under section 140(1) of the 2024 Act before the expiration of two (2) years from the coming into operation of the new section, and that, on the date of such request, have not yet been commenced. A residential development is considered to have not yet been commenced for the purposes of the new section 138A where the only works as yet carried out are those required to maintain, secure or protect the land or maritime site on which the development is proposed to be situated.

Section 63 of the Bill proposes amendments to section 141 of the 2024 Act covering limitations on the permissible extension of the duration of permissions. Where the duration of a permission has been extended, the total duration of the permission must not exceed twice the original duration of permission, whether the permission was extended under the 2000 Act or the provisions of Chapter 5 of Part 4 of the 2024 Act, or under both.

Section 67 of the Bill would amend section 155 of the 2024 Act to remove the ability of a government minister to include a specified class of State authority development in a State authority development emergency order. As noted by the [Explanatory Memorandum to the Bill](#), the ability of a government minister to specify a particular development as Chapter 6 emergency development by order has not been affected.

Section 74 of the Bill is provision that is consequential to the proposed insertion of new section 303A of the 2024 Act by section 115 of the Bill. Although not yet in force, section 180 of the 2024 Act provides for a suspension in the running of duration of permission during judicial review proceedings under the 2024 Act. This section of the Bill would apply the current suspension of duration provisions to judicial review proceedings commenced under the 2000 Act and deemed to be done under the 2024 Act.

Amendments to Part 5 of the 2024 Act

Part 5 of the 2024 Act relates to developments at Dublin Airport. One factor that affects development and proposed development at Dublin Airport is the application of the [Aircraft Noise \(Dublin Airport\) Regulation Act 2019](#) (the '2019 Act') which implements [Regulation \(EU\) No 598/2014 of the European Parliament and of the Council of 16 April 2014](#) (the 'Aircraft Noise Regulation') into domestic law.

Under the 2019 Act and the EU [Aircraft Noise Regulation](#), operational restrictions may be imposed on flight arrivals and departures at airports where a noise problem has been identified. However, Member States are required to ensure that the [Balanced Approach](#) of the International Civil Aviation Organization (ICAO) is adopted when trying to tackle the noise problem. The Balanced Approach aims to strike a balance between the needs of the aviation industry to develop and grow and the need to minimise and reduce noise in communities

surrounding airports, while using the most cost-effective measure or measures to address the issue.⁴³ Under the Balanced Approach, national authorities are expected to adhere to the following procedures:

1. Enforcing technology standards with a mind to reducing noise at source.
2. Making changes to land use planning and management to help reduce the effect of noise.
3. Instituting noise abatement operational procedures, such as setting noise preferential runways and routes, and using noise abatement procedures for take-off and landing.
4. Applying operating restrictions (such as nighttime bans) but only as a last resort after consideration of the other three measures.⁴⁴

The competent authority for regulating the provisions of the 2019 Act is the Aircraft Noise Competent Authority (ANCA), a division of Fingal County Council. As stated in the [Explanatory Memorandum to the Bill](#), the proposed amendments to Part 5 of the 2024 Act found in **sections 76, 77 and 78** of the Bill provide that ANCA has sufficient time before a draft regulatory decision must be made, to apply the Balanced Approach to any counterproposals submitted by an applicant in respect of noise at an airport. It also includes corrections to minor typographical errors.

Amendments to Part 6 of the 2024 Act

Section 79 of the Bill would insert a new section 197A into the 2024 Act that would exempt ACP from carrying out a screening for an AA or an EIA in relation to an application for retrospective consent for a development, if a planning authority has already carried out a screening as part of an application for retention permission and has declared the application to be invalid on grounds that an AA or an EIA for the development is required.

Section 80 of the Bill seeks to make a number of amendments to section 198 of the 2024 Act relating to the interpretation of terms used in Chapter 2 of Part 6 of the 2024 Act (affecting AAs of plans). In particular, proposed amendments are made to the definition of the terms ‘competent authority’ and ‘plan’. Depending on the specific circumstances, the competent authority would be the Minister, the Minister and OPR, OPR, the relevant regional assembly, the director of the relevant regional assembly, the relevant planning authority, the chief executive of the relevant planning authority, the principal planning authority within the meaning of Part 3 of the 2024 Act, or ACP. The definition of the term ‘plan’ would be expanded to include, amongst other things, an extended DP, initially made under the 2000 Act and extended under section 68(3) of the 2024 Act; an extended local area plan, initially made under the 2000 Act and extended under section 81(2) of the 2024 Act; a continued

⁴³ See daa, [Managing Noise](#), webpage last accessed on 12 March 2026.

⁴⁴ Oireachtas Library & Research Service, 2018, [L&RS Note: Airport noise restrictions](#). See also International Civil Aviation Organization, [Aircraft Noise: Balanced Approach to Aircraft Noise Management](#), webpage last accessed on 12 March 2026.

designation as a strategic development zone, initially made under the 2000 Act and extended under section 81(2) of the 2024 Act; a planning scheme under Part 21 of the 2024 Act; and a development scheme under Part 22 of the 2024 Act.

According to the [Explanatory Memorandum to the Bill](#), **sections 81, 82, 83, 84, 85, 86, 87, 88, 93, 94, 95, 96, 97, 98, 99, 101, 104, 105, 106, 107, 108, 109, 110, 111 and 112** of the Bill make amendments to various sections of the 2024 Act (notably sections 200, 201, 202, 203, 204, 205, 206, 207, 214, 215, 216, 217, 218, 219, 221, 225, 231, 232, 233, 234, 235, 236, 237, 238 and 239 of the 2024 Act). The majority of the amendments are said to be of a technical nature to align Parts 6 and 22 of the 2024 Act, correct cross references, to clarify text, to fix typographical errors and to ensure consistency with legislation passed since the enactment of the 2024 Act.⁴⁵ The amendments also provide for powers to prescribe time limits for making EIA screening determinations and scoping opinions (sections 105 and 106 of the Bill). According to the [Explanatory Memorandum to the Bill](#), these proposed amendments do not involve any policy change.

Section 89 of the Bill looks to amend section 208 of the 2024 Act relating to interpretation of terms used in Chapter 3 of Part 6 of the 2024 Act (affecting AA of development and proposed development). In particular, proposed amendments are made to the definition of the term ‘competent authority’. Depending on the specific circumstances, the competent authority would include the relevant planning authority, ACP, the relevant local authority or the relevant State authority.

Section 90 of the Bill proposes amendments to section 211 of the 2024 Act that prohibits the grant of permission by a competent authority without considering the AA process. The proposed amendments qualify that a determination that an AA is not required will be valid if it were made in connection with the application for permission or an earlier application for permission in relation to the relevant development.

Section 91 and of the Bill seeks to amend and clarify the application of section 212 of the 2024 Act covering the screening for AA of relevant development. The amendments provide for the competent authority (ACP) to carry out a screening for AA in a case where an application for retrospective consent is made (in the absence of a previous application for retention permission or where an application for retention permission was made but no screening for AA was carried out) and the development is having, has had or is likely to have a significant effect on a European site. This section of the Bill also inserts a new subsection (5A) into section 212 of the 2024 Act removing the requirement for a competent authority to carry out a full AA in situations where, following a screening for AA, the application for permission for standard development is declared to be invalid under section 95(8)(b) of the 2024 Act.

⁴⁵ See the Notes to the [General Scheme of the Planning and Development \(Amendment\) \(No 2\) Bill 2025](#) and the [Explanatory Memorandum to the Bill](#).

Section 92 of the Bill would make amendments to section 213(2) of the 2024 Act to qualify that the competent authority is required to carry out a screening for AA of the following State authority developments that are not directly connected with the management of a European site for purposes outlined in the subsection: (i) State authority prescribed development, (ii) State authority development the subject of an emergency order under section 155, and (iii) State authority urgent development as defined in section 157. A proposed amendment to section 213(1) of the 2024 Act provides that the competent authority is not required to carry out a screening of a relevant development for AA where a request for an alteration of permission or a request for an extension of the duration of a permission has been made. Where the screening for AA finds that the relevant development has had, is having, or is likely to have a significant effect on a European site, a full AA must be carried out and the relevant local authority or State authority must prepare and submit a Natura impact statement ('NIS') in relation to the development along with the application. The amendments also change the period within which the competent authority must give and publish notice of a determination made under the section and make the determination publicly available from three (3) days after the date of the determination to not later than three (3) working days after the date of the determination. The amendments also provide that AA screenings for State authority development the subject of an emergency order or State authority urgent development are not subject to appeal. Finally, the amendments empower the Minister to make regulations for the purpose of prescribing matters under section 213 of the 2024 Act, including but not limited to, the manner and period in which an appeal against a determination made under the section that an AA is not required, may be made.

Section 100 of the Bill proposes amendments to section 223 of the 2024 Act relating to the interpretation of terms used in Chapter 4 of Part 6 of the 2024 Act (affecting environmental assessment of development). In particular, proposed amendments are made to the definition of the term 'competent authority'. Depending on the specific circumstances, the competent authority would include the relevant planning authority, ACP, the relevant local authority or the relevant State authority.

Section 102 of the Bill provides for amendments to section 229 of the 2024 Act that covers screening for EIA of relevant development. The amendments provide for the competent authority to carry out a screening for EIA in a case where an application for retrospective consent is made (in the absence of an earlier application for retention permission or where an application for retention permission was made but no screening for EIA was carried out) and the development (either individually or in combination with any other project) is having, has had or is likely to have a significant effects on the environment. When determining whether a relevant development has had, is having or is likely to have significant effects on the environment the amendments require the competent authority to also have regard, among other factors, to any prescribed criteria (under section 225(2)(f) or section 225(3)(c) of the 2024 Act, as may be applicable). The amendments would also remove the requirement for a competent authority to carry out a full EIA in situations where, following a screening for EIA, the application for permission for standard development is declared to be invalid under section 95(8)(b) of the 2024 Act. Finally, a new provision would be inserted requiring that the

screening for EIA under the section must be completed no later than the date of the expiration of such period as may be prescribed.

Section 103 of the Bill seeks to amend section 230 of the 2024 Act which provides that the competent authority is required to carry out a screening for EIA of local authority development and State authority development. However, under the amendments the competent authority would not be required to carry out a screening for EIA where a request for an alteration or an extension of the duration of a permission has been requested under section 140(1) of the 2024 Act. When determining whether a relevant development has had, is having or is likely to have significant effects on the environment (either of itself or cumulatively with any other project), the amendments require the competent authority to also have regard to any prescribed criteria (under section 225(2)(f) or section 225(3)(c) of the 2024 Act, as may be applicable). Where the screening for EIA finds that the relevant development has had, is having, or is likely to have significant effects on the environment, a full EIA must be carried out and the relevant local authority or State authority must prepare and submit an EIA report with the application. The amendments also change the period within which the competent authority must give and publish notice of a determination and make the determination publicly available from three (3) days after date of the determination under the section to not later than three (3) working days after the date of the determination. The amendments also provide that a determination by the competent authority that an EIA is not required may be subject to an appeal to ACP by any person not later than four (4) weeks from the date of publication of the notice of the determination. However, there is no right of appeal from a determination relating to (Chapter 4 and Chapter 6, within the meaning of Part 4 of the 2024 Act) State authority emergency development or State authority urgent development. This section of the Bill proposes to insert a new subsection (14A) after subsection (14) of section 230 of the 2024 Act. The new subsection would provide that ACP may determine that a full EIA is a prerequisite for the Commission to determine an application for permission for Chapter 4 local authority development within the meaning of Part 4 or Chapter 4 State authority development within such meaning. However, this may only arise where the ACP has formed a view that the local authority or State authority development (either of itself or cumulatively with any other project), is having or is likely to have a significant effect on the environment. The amendments would also empower the Minister to make regulations for the purpose of prescribing matters under section 213 of the 2024 Act, including but not limited to, the manner and period in which an appeal against a determination may be made (in accordance with subsections (9) and (10)). Finally, a new provision (subsection (16)) would be inserted requiring that the screening for EIA must be completed no later than the date of expiration of such period as may be prescribed.

Amendments to Part 7 of the 2024 Act

According to the [Explanatory Memorandum to the Bill](#), **sections 113 and 114** of the Bill correct technical errors. The proposed amendments delete section 251(1)(d) of the Act of 2024 (removing provisions concerning the obligation of a property arbitrator, in the event of default of a prior agreement, to fix the payment of an amount to a planning authority under a

relevant agreement. The amendments also remove references to ‘site’ in sections 251 and 252 and substitute an amended and updated subsection (6) in section 252 of the 2024 Act.

Amendment to Part 9 of the 2024 Act

Section 115 of the Bill seeks to insert a new section 303A after section 303 of the 2024 Act. After it is enacted and commenced, the new section would help to provide for the transition from the old procedural rules affecting planning judicial review under sections 50 and 50A of the 2000 Act to the procedural rules in Chapter 1 of Part 9 of the 2024 Act, currently applicable to acts and omissions related to the 2024 Act. According to the [Explanatory Memorandum to the Bill](#), the new procedural rules will apply to decisions made or acts done under the 2000 Act in relation to a range of specified procedures, where those procedures are initiated after section 303A of the 2024 Act comes into operation.

The new section effectively disapplies the planning judicial review provisions of the 2000 Act by providing that the judicial review procedures in Chapter 1 of Part 9 of the 2024 Act apply to relevant decisions made or acts done under the 2000 Act or alleged failures by a relevant body to perform a function under the 2000 Act. It does this by providing for the modification of section 279 of the 2024 Act (application of Chapter 1) to read as if it applies to an application for judicial review made to the High Court relating to the performance or failure to perform a function under the 2000 Act. The modification also prohibits any other remedies, effectively removing the right to take judicial review proceedings under the 2000 Act. All references in Chapter 9 to the 2024 Act are to be taken as also referring to the 2000 Act.

Under subsection (3) of the new section, the costs regime of Chapter 2 of Part 9 of the 2024 Act would not apply to proceedings commenced under the modified section 279 of the 2024 Act. Therefore, it appears that the 2000 Act cost regime will continue to apply to cases dealing with 2000 Act procedures.

According to the [Explanatory Memorandum to the Bill](#), as per the definition of ‘Act of 2000 procedure’ in the new section, the new section will only be applicable to procedures under the 2000 Act that are initiated by way of one of the specified ‘triggers’ listed under this definition, initiated on or after the date of the coming into operation of section 115 of the Bill, if enacted. In other words, any action initiated before the new section comes into effect will continue to be heard subject to sections 50 and 50A of the 2000 Act.

Amendments to Parts 10, 12 and 15 of the 2024 Act

Proposed amendments in **sections 116, 117, 118, 119 and 120** of the Bill (proposing amendments to section 335, 358, 371, 380 and 470 of the 2024 Act) are largely technical in nature.

The current section 335(3)(b) of the 2024 Act refers to ‘any area plan made under this Act’, which is not a defined term. Therefore, **section 116** of the Bill seeks to replace this term with ‘any urban area plan, priority area plan, coordinated area plan’. **Section 117** of the Bill would make amendments to the definition of ‘appeal’ to include planning scheme appeals under Part

21 of the 2024 Act and development scheme appeals under Part 22 of the 2024 Act. It also makes an amendment to the definition of ‘party’ to include development agencies as parties to planning scheme appeals under Part 21 of the 2024 Act and development scheme appeals under Part 22 of the 2024 Act, where the development agency is not the person who made the relevant appeal. It also makes an amendment to the definition of ‘referral’ to include cross-references to section 460(2) of the 2024 Act concerning referrals made to ACP for a determination in respect of whether compensation is payable in relation to certain refusals of permission to replace certain destroyed/demolished structures in the maritime area. **Section 118** of the Bill also proposes to amend section 371 of the 2024 Act to include a cross-reference to section 460(2) in relation to compensation referrals made to ACP in respect of the relevant maritime area. **Sections 119 and 120** of the Bill deal with typographical errors.

Amendment to Part 16 of the 2024 Act

Section 121 of the Bill looks to amend section 480 of the 2024 Act to provide for the continuation in force of codes of practice (and deemed codes of practice) made under the 2000 Act, regulating event licensing.

Amendments to Parts 17 and 18 of the 2024 Act

Sections 122, 123, 125, 126 and 127 of the Bill seek to correct typographical errors in sections 500, 522, 546, 548 and 569 of the 2024 Act and insert a missing cross-reference in section 500 of the 2024 Act. **Section 124** of the Bill proposes to insert a reference to the appointment of the Advisory Board of the OPR in section 545 of the 2024 Act. According to the **Explanatory Memorandum to the Bill**, this insertion is necessary to provide for the commencement of that section, allowing for a new OPR strategy statement to be made under the 2024 Act.

Amendments to Part 20 of the 2024 Act

Section 128 of the Bill provides for amendments to section 584(9) of the 2024 Act. Section 584 is contained in Part 20 of the Bill concerning ‘Financial and Miscellaneous Matters’. The proposed amendments to section 584(9) clarify that a grant of permission may include conditions requiring the payment of a contribution in accordance with a development contribution scheme made under section 584 of the 2024 Act as well as the payment of a special contribution referred to in section 584(10) of the 2024 Act.

Section 129 of the Bill would amend section 588, contained in Part 20 of the 2024 Act, relating to ‘Mandatory declaration by certain participants in planning process’. According to the **Explanatory Memorandum to the Bill**, the proposed amendments would remove references to observations in section 588 of the 2024 Act because where the term is used in Part 4 of the 2024 Act, such observations should not be within scope of section 588, for example, observations from a Transboundary Convention State. The **Explanatory Memorandum to the Bill** further explains that the proposed amendment, if enacted and commenced, would mean that the section would only apply to relevant ‘submissions’ made under Part 4, Part 5 and Part 6 of the 2024 Act, which relate to development consent applications. The insertion of a new

section 588(7) is also proposed, disapplying the section to a number of specified bodies and such other bodies as may be prescribed for the purposes of the section.

Amendments to Parts 21 and 22 and Schedules of the 2024 Act

Section 130 of the Bill aims to amend section 590(2) of the 2024 Act by qualifying that the Government is empowered to revoke or amend an order relating to Strategic Development Zones made under section 166 of the 2000 Act but must do so by way of an order (and subject to the pre-existing conditions already set out in section 590(2) of the 2024 Act).

Sections **131, 132, 133, 134, 135 and 136** of the Bill propose technical amendments to sections 607, 609, 610, 612, 614 and 616 of the 2024 Act. The majority of these amendments are needed to ensure alignment of Parts 6 and 22 of the 2024 Act. Amendments to section 609 also correct cross-references currently in that section. Further amendments to ensure alignment between Parts 6 and 22 of the 2024 Act were proposed to sections 617 and 621 in Heads 41 and 42 of the **General Scheme of the Planning and Development (Amendment) (No 2) Bill 2025**, but these amendments have not been included in the Bill.

Section 137 of the Bill provides an amendment to paragraph 15(a) of Schedule 2 of the Act of 2024 to spell out the measure ‘mscm’ to ‘million standard cubic metres’ while **section 138** of the Bill corrects a cross-reference in paragraph 14(a) of Schedule 3 of the 2024 Act.

Section 139 of the Bill would amend Part 1 of Schedule 4 of the 2024 Act to make any contravention (whether material or not) a reason for a refusal of permission that does not give rise to compensation.

Part 3: Amendment of other enactments

Part 3 of the Bill proposes amendments to the *Planning and Development Act 2000* (the ‘2000 Act’), the *Derelict Sites Act 1990*, the *Water Services Act 2007*, the *Planning and Development (Amendment) Act 2025*, the *Maritime Area Planning Act 2021* and the *Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023*. This Part also proposes consequential amendments to the 2024 Act.

Section 140 of the Bill is a definitions provision, identifying the short form names of three Acts referred to in Part 3 of the Bill.

Section 141 of the Bill would make a consequential amendment to the *Derelict Sites Act 1990* by deleting section 23(1A) of that Act, to remove the reference to the vacant sites levy.

Sections 142 and 143 of the Bill seek to amend sections 50 and 50A of the 2000 Act, covering planning judicial review. The substantive amendments make those two sections subject to the new section 50AA of the 2000 Act, proposed to be inserted by section 144 of the Bill.

Section 144 of the Bill proposes to insert a new section 50AA after section 50A of the 2000 Act. The new section refers to and complements the new section 303A of the 2024 Act proposed to be inserted by section 115 of the Bill. The new section 50AA of the 2000 Act

would disapply the application of the planning judicial review procedure under the 2000 Act for any actions by or omissions of a relevant body, associated with one of the specified ‘triggers’, listed in the new section 303A of the 2024 Act. It is proposed that section 144 of the Bill would come into effect on the same date that section 115 of the Bill comes into effect.

Section 145 of the Bill provides for amendments to the *Water Services Act 2007* and for consequential amendments to Schedule 7 of the 2024 Act. The amendments to sections 92 and 97 of the *Water Services Act 2007* would replace references to provisions of the 2000 Act with equivalent provisions in the 2024 Act. Incorrect cross-references currently in Schedule 7 of the 2024 Act would also be deleted.

Sections 146 and 147 of the Bill seek to amend section 33B of the *Maritime Area Planning Act 2021* and section 25 of the *Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023*, and make a consequential amendment to Schedule 7 of the 2024 Act. These amendments are proposed for the purpose of replacing incorrect cross-references.

Section 148 of the Bill proposes amendments to section 35 of the *Planning and Development (Amendment) Act 2025*. According to the *Explanatory Memorandum to the Bill*, these are technical amendments to ensure references to the 2000 Act equivalents of the National Planning Framework, National Planning Policy, National Planning Policies and Measures, regional special and economic strategies and development plans would be read as being references to these terms, as used in the Act of 2024. A further technical amendment clarifies that this construal would continue to apply where a 2000 Act provision is repealed but continues to have effect by way of a transitional provision under the 2024 Act.

Part 4: Amendment of the Housing Finance Agency Act 1981

Part 4 of the Bill (**section 149**) proposes to amend the *Housing Finance Agency Act 1981* to increase the borrowing limit of the Housing Finance Agency from €13,500,000,000 to €15,000,000,000.

Pre-legislative scrutiny

Overview of pre-legislative scrutiny (PLS)

On 13 January 2026, the Oireachtas Joint Committee on Housing, Local Government and Heritage (the ‘Committee’) considered a request for a waiver of pre-legislative scrutiny (‘PLS’) scrutiny of the General Scheme and agreed to carry out an expedited PLS of the General Scheme.

The Committee conducted two (2) separate public hearings over two days (20 January 2026 and 22 January 2026) as part of its pre-legislative scrutiny process on the **General Scheme of the Planning and Development (Amendment) (No 2) Bill 2025** (the ‘General Scheme’). The Committee heard from key stakeholders including representatives of the Department of Housing, Local Government and Heritage, and representatives from the County and City Management Association, the Planning, Environmental and Local Government Bar Association, the Irish Planning Institute and the Construction Industry Federation.

The Committee wrote a letter (issued by email) to James Browne TD, the Minister for Housing, Local Government and Heritage (the ‘Minister’), on 28 January 2026 (‘**PLS Letter**’), to be considered as the report of the Committee for the purposes of Dáil Standing Order 181 and concluding the PLS process.

The letter highlighted the key issues discussed during the PLS hearings. It included eight (8) recommendations that are set out in Table 4 below.

Key issues raised in the PLS process

In its PLS letter, the Committee noted that the following key issues were raised and considered during the PLS process:

- Changes to RSES development requires more detail and a clear timeline for the development of RSES.
- A move to a 10-year development plan impacts county and city councillors’ abilities to contribute to such plans.
- Concerns regarding fair and equitable access to judicial review.
- Concerns regarding the retrospective application of the legislation to planning cases.
- The risks of litigation and delay associated with such changes.

Table summary of PLS recommendations

This section seeks to assess the extent to which the Committee’s recommendations have been addressed in the Bill, as presented for Second Stage debate. To do this, a traffic light system is used by the L&RS, indicating whether a key issue is accepted and reflected in the Bill, whether a consistent or unclear approach is used, and whether the recommendation has not been

accepted or is not reflected in the Bill. This traffic light approach represents the L&RS's own, independent analysis of the Bill, and a key to this dashboard is shown in Table 3 below.

The L&RS is grateful to the Department for providing its commentary as to whether the Committee's recommendations have been incorporated into the final Bill and this is included verbatim in the table below, along with the traffic light icon, as determined by L&RS.

Where relevant, an additional categorisation is used for recommendations that were not implemented in the Bill, but where additional considerations are present. For example, where Committee recommendations relate to policy objectives, it may not be possible to progress these objectives in the legislation.

Table 3: Key to traffic light dashboard comparing the Bill as published with Committee PLS recommendations

L&RS categorisation of the Department's response in the Bill to the Committee's key issue	Traffic light dashboard used in Table summary of PLS recommendations to highlight impact of the Committee's PLS conclusion
Key issue has clearly been accepted and is reflected in the Bill	
The Bill may be described as adopting an approach consistent with the key issue or the impact of the key issue is unclear	
Key issue has not been accepted or implemented in the Bill	
Recommendation has not been implemented in the Bill, but additional considerations are present, for example the recommendation may relate to something outside the scope of the Bill	

Source: Compiled by the L&RS.

Table 4: Traffic light dashboard comparing the Bill as published with Committee PLS recommendations.

Commentary as per Committee report	L&RS Categorisation	Department commentary on whether addressed (either in whole or in part) in the Bill
Recommendation 1		
1. The Committee recommends that the Minister carefully consider the application of the Part 9 sections of the <i>Planning and Development Act 2024</i> to planning decisions made under the <i>Planning and Development Act 2000</i> and to ensure that any such application does not result in additional litigation or delay in the processing of much needed housing, renewable energy, transport and critical infrastructure.		This has been addressed in the Bill. The proposed amendments are clear and coherent and have been subject to comprehensive legal advice and consideration with the Office of the Attorney General. The legislative approach recognises the importance of having a legal framework that balances appropriate delivery, including of critical projects, with the protection of the rights of citizens.
Recommendation 2		
2. The Committee recommends that Planning Authorities are provided with adequate staff to ensure that they have the capacity to undertake both their current functions and any		This is not a matter for the proposed Bill but is something that the Department is actively engaged on and working with the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation to secure.

Commentary as per Committee report	L&RS Categorisation	Department commentary on whether addressed (either in whole or in part) in the Bill
new functions that are consequent on the commencement of the <i>Planning and Development Act 2024</i> .		On 15 October 2024, the Department published a Ministerial Action Plan on Planning Resources to respond to capacity challenges in the planning sector. This Action Plan provides a detailed roadmap to increase the pool of planning and related expertise needed to ensure a planning system fit for future needs. It sets out 14 high-level actions that provide a coordinated pathway to ensure a sustainable pipeline of planning and related expertise into the future, addressing the areas of education, recruitment and retention, as well as measures to encourage greater innovation and efficiency. Funding was secured in Budget 2025 and Budget 2026 to support delivery of the recommendations under this Action Plan and a Steering Group was established to coordinate and oversee the development of the Action Plan which will remain in place to oversee the implementation and ongoing review of the Action Plan deliverables.
Recommendation 3		
3. The Committee recommends that additional judges be appointed to the Planning and Environment Court, and that any other staffing resources		This is not a matter for the Bill, and is a matter for the Courts Service, which is a body under the Aegis of the Department of Justice, Home Affairs and Migration. The management of the courts, operational matters and logistical functions are the responsibility of the

Commentary as per Committee report	L&RS Categorisation	Department commentary on whether addressed (either in whole or in part) in the Bill
required be provided, to allow Judicial Review cases to be heard promptly and without delay.		judiciary and Courts Service, which are independent in exercising their functions under the Courts Service Act 1998 and given the separation of powers in the Constitution.
Recommendation 4		
4. The Committee recommends that any changes to the definition of Key Towns must ensure that towns with a population below 10,000 which have previously been identified as Key Towns do not lose their Key Town status.		The amendment in the Bill does not impact this matter. The designation of key towns will remain a matter for the respective Regional Assemblies to address through their Regional Spatial and Economic Strategy, and may include towns with a population of under 10,000 people.
Recommendation 5		
5. The Committee recommends that the extension of existing Development Plans by up to 30 weeks should not have any impact on the current round of material amendments to the Development Plans as part of the revised Housing Needs Demand Assessment and consequent requirements for Local Authorities to		The amendment in the Bill does not impact this matter. The extension of the period a Development Plan remains in force and the variation of Development Plans on foot of the Housing Growth Requirements Guidelines are separate exercises. Planning authorities are currently assessing their respective development plans and undertaking a review of the adequacy of existing zoned lands in their functional area to cater for the new

Commentary as per Committee report	L&RS Categorisation	Department commentary on whether addressed (either in whole or in part) in the Bill
revise the zoning arrangements in their current Development Plans.		Housing Growth Requirements and the potential for ‘additional provision’. To date, 30 local authorities have commenced a variation process, a Chief Executive’s report to the elected members has been published by the remaining local authority. The process has fully concluded for 10 local authorities and a further 4 local authorities have adopted initial variations as part of a sequence of separate planned variations to address the requirements of the guidelines.
Recommendation 6		
6. The Committee recommends that all accompanying statutory guidance should be published in a prompt and timely manner, to support Local Authorities in the preparation of their new Development Plans.		This is not a matter for the Bill. The commencement of provisions within Part 3 of the Planning and Development Act 2024 on 2 October 2025 provides the statutory basis for the issuing of National Planning Statements. Under the provisions of the Act of 2024 the Minister may, at any time and with the approval of Government, issue a National Planning Statement in relation to planning matters to support proper planning and sustainable development. National Planning Statements will replace Ministerial guidelines issued under section 28 of the Planning and Development Act 2000 (as amended). Existing Ministerial Guidelines issued under Section 28 of the Act of 2000 will, over time, be revoked and replaced with National Planning Statements. Section 27 (1) of the Act of 2024 states that,

Commentary as per Committee report	L&RS Categorisation	Department commentary on whether addressed (either in whole or in part) in the Bill
		notwithstanding the repeal of Section 28 of the Act of 2000, guidelines issued under that section that were in force immediately before the repeal of that section, shall continue in force until revoked or replaced by a National Planning Statement. The sequence and timing of replacing existing guidelines with National Planning Statements will be decided based on Government priorities. It has been and will continue to be the policy and practice of the Department that when issuing statutory guidance to publish them in a prompt manner, generally accompanying the formal Departmental Circular. This reflects the position that such statutory guidance is a material consideration for planning authorities.
Recommendation 7		
7. The Committee recommends that priority should be given to filling all of the 541 technical and non-technical posts in local authority planning departments identified in the 2024 Ministerial Action Plan on Planning Resources.		This is not a matter for the proposed Bill, but is something that the Department is actively engaged on and working with the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation (DPER) to secure. The Department is collaborating with the local government sector and key stakeholders on the delivery of a programme of supports to planning authorities. These supports include the provision of staffing resources and expertise to enable planning authorities

Commentary as per Committee report	L&RS Categorisation	Department commentary on whether addressed (either in whole or in part) in the Bill
		to perform their functions efficiently and effectively. In October 2023, approval was conveyed to the filling of an initial 101 posts in the local authority planning sector under Phase 1 of a programme of supports for planning resources. A further approval issued in January 2025 for 112 posts - 56 graduate planner posts and 56 staff officer posts - to support the Planning function within local authorities. In May 2025, a national recruitment campaign was launched to recruit graduate planners into Ireland's local authorities (action 4 under the MAP), which was supported by the Department. Regional interviews were held in late July 2025, and almost all posts are currently filled. In March 2025, the occupation of town planner was added to the Critical Skills Occupation List (action 9 of the MAP) following the Department's detailed submission to the Economic Migration Policy Unit of the Department of Enterprise, Trade and Employment. Recently, 31 additional new full-time posts were approved across the 31 local authorities and funding for local authorities to support a summer intern programme for second and third year University planning students was also recently approved. DPER sanction has been recently received for six graduate planner posts

Commentary as per Committee report	L&RS Categorisation	Department commentary on whether addressed (either in whole or in part) in the Bill
		across the three Regional Assemblies to resource Planning and Economic Development functions at those levels.
Recommendation 8		
8. The Committee believes that section 109(7) of the <i>Planning and Development Act 2024</i> is unclearly worded, and appears to restrict the Commission, in first party appeals only, to only granting permission that is substantially the same as that originally granted by the Planning Authority, in a departure from current practice. The Committee recommends that section 109(7) should be amended to clarify the Commission's powers in this situation, and the rights of first party and third-party applicants.		This is not addressed in the Bill, as the legislation as currently drafted reflects the policy position of the Government. The purpose of section 109 of the Planning & Development Act 2024 is to further reinforce the established role of planning authorities who are the primary body in the making of decisions on development proposals in their administrative area. They do so in accordance with the Development Plan in force which is adopted by the elected members of that Council. The function of An Coimisiún Pleanála is to act as an independent appeal body of those decisions. It is important that any such appeal is focused on the basis of decision made and is not an opportunity to submit a substantially revised development proposal, as otherwise it would allow, in effect, for the utilisation of the planning authority and the planning system as a means for identifying a final development proposal. Section 109(7) is limited to first party appeals as a third party cannot submit

Commentary as per Committee report	L&RS Categorisation	Department commentary on whether addressed (either in whole or in part) in the Bill
		alternative plans or drawings with an appeal. It should be noted that, at the same time, this section does not preclude An Coimisiún Pleanála from amending a proposed development, the subject of the appeal, as part of their deliberations, either by requesting revised plans or amending the proposed development by way of the final decision.

Source: Department of Transport, compiled by the L&RS.