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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: ED/00735**

**WHEREAS** a question has arisen as to whether the staging of a one-day music festival in Mondello Park, Donore, Naas, County Kildare is or is not development or is or is not exempted development:

**AND WHEREAS** Padraig McEvoy of Coiseanna Hill, College Road, Clane, County Kildare requested a declaration on the question from Kildare County Council and no declaration issued by the planning authority:

**AND WHEREAS** Padraig McEvoy referred the question for decision to An Bord Pleanála on the 12<sup>th</sup> day of July, 2019:

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to -

- (a) Sections 2, 3, 229, 230, 231 and 240 of the Planning and Development Act, 2000, as amended, and
- (b) the planning history of the site and relevant precedent referrals and decisions:

**AND WHEREAS** An Bord Pleanála has concluded that -

- (a) the staging of a one-day music festival in Mondello Park constitutes an 'event' as defined by section 229 of the Planning and Development Act, 2000, as amended, and
- (b) in accordance with section 240(1) of the Act, the holding of an event to which Part XVI of the Act applies and works directly or solely relating to such an event shall not be construed as "development" within the meaning of the Act:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (b) of the 2000 Act, hereby decides that the staging of a one-day music festival in Mondello Park, Donore, Naas, County Kildare is not development.

### **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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**Terry Ó Niadh**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2019.**