



An
Bord
Pleanála

Board Order ABP-319868-24

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Acts, 2000 to 2022

Applicant: Waterford City and County Council

Application received by An Bord Pleanála on the 5th day of June, 2024 from Waterford City and County Council pursuant to section 76 of, and the Third Schedule to, the Housing Act, 1966 as extended by section 10 of the Local Government (No.2) Act, 1960 (as substituted by section 86 of the Housing Act, 1966) and the Planning and Development Acts, 2000 to 2022, for confirmation of a Compulsory Purchase Order authorising compulsory acquisition of lands and entitled **Waterford City and County Council, Dungarvan Landfill, County Waterford, Waterford Compulsory Purchase Order 2024 Number 1.**

DECISION

CONFIRM the above Compulsory Purchase Order based on the reasons and considerations set out below.

pm

REASONS AND CONSIDERATIONS

Having considered the objections made to the Compulsory Purchase Order, the written submissions and observations made at the oral hearing held on the 26th day of November 2024, the report of the Inspector (who also conducted the oral hearing), the purposes for which the lands are to be acquired as set out in the Compulsory Purchase Order, 'Waterford City and County Council, Dungarvan Landfill, County Waterford, Waterford Compulsory Purchase Order 2024 Number 1', and also having regard to the following;

- (a) the constitutional and European Human Rights Convention protection afforded to property rights,
- (b) the community need, public interest served and overall benefits to be achieved through the strict managing of the former landfill site in order to adhere to licence conditions imposed by the Environmental Protection Agency,
- (c) the policies and objectives of the Waterford City and County Development Plan 2022-2028, which is not materially contravened,
- (d) the submissions and observations made at the oral hearing, and,
- (e) the report and recommendation of the Inspector,

it is considered that the permanent acquisition of the lands in question is necessary for the stated purpose, which is a legitimate objective being pursued in the public interest, and that the Compulsory Purchase Order, and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.



Peter Mullan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 16th day of December, 2024