



Oifig an Runaí Aire
Office of the Minister of State

17 December 2021

Ms. Miriam Reilly
South Dublin County Council
info@sdublincoco.ie

Ref: HPLG-MoSB-01061-2021

Dear Ms. Reilly,

I refer to your correspondence on behalf of the members of South Dublin County Council, in connection with a motion passed by the Council to request the introduction of legislation to effect a moratorium on the construction of data centres, which was forwarded by Minister Darragh O'Brien.

Responsibility for Government policy with regard to data centres is a matter for the Minister for the Environment, Climate and Communications (with regard to communications and energy supply) and for the Minister for Enterprise Trade and Employment.

Currently, applications for planning permission for data centres are made under section 34 of the Planning and Development Act, 2000, as amended (the 2000 Act), to the relevant planning authority, with the possibility of subsequent appeal to An Bord Pleanála (the Board).

Under section 37A of the 2000 Act, planning applications in respect of Strategic Infrastructure Development proposals are made directly to the Board.

The policies of, and any guidelines issued by the Department of the Environment, Climate and Communications, and the Department of Business, Enterprise and Innovation are considered by planning authorities and the Board, in respect of applications for planning permission, in accordance with sections 34 and 143 of the 2000 Act. The planning system does not pre-determine the outcome of planning applications and remains an independent process.

Yours sincerely,

Peter Burke T.D.
Minister for Planning and Local Government

Please note: I am a Designated Public Official under the Regulation of Lobbying Act, 2015