

Section 38 DECISION		
<b>Project Name</b>	Dundrum Bus Layover	
<b>Project Description</b>	The relocation of existing bus layover spaces from the Dundrum Main Street bus terminal to alternative locations to unlock the area for future public realm improvements. DLRCC is working in conjunction with the NTA to replace the capacity of the existing bus terminal and to accommodate the increase in bus services planned under the NTA's Bus Connects programme. Proposals also include a bus gate connecting Dundrum Main Street to Sweetmount Avenue/Churchtown Road Upper to allow for the circulation of buses.	
	<b>APPROPRIATE PROCEDURE</b>	<b>Y/N</b>
<b>Section 38 Ambit</b>	<i>Do proposed works comprise Traffic Calming Measures as defined in Subsection 9 of Section 38 Road Traffic Act 1994?</i>	Y
	<i>Is the scheme undertaken within (and does not extend beyond) the boundaries of a public road as defined by the Roads Traffic Act 1994?</i>	Y
<b>DECISION 1</b>	<b>SECTION 38 IS THE APPROPRIATE EMPOWERMENT PROVISION</b>	Y
<b>AA Screening Determination</b>	<i>Has AA Screening determination identified that Appropriate Assessment is NOT REQUIRED?</i>	Y
<b>EIA Screening Determination</b>	<i>Has EIA Screening determination identified that Environmental Impact Assessment is NOT REQUIRED?</i>	Y
<b>DECISION 2</b>	<b>APPLICATION TO AN BORD PLEANALA IS NOT REQUIRED</b>	Y
<b>Exemptions from Part 8 Procedure as per S179(6) of the Planning &amp; Development Act 2000, as amended</b>	<i>Is the <b>Primary Purpose</b> of the proposals to enhance public bus services or improve facilities for cyclists as identified in subsection(6)(bb) of S179 of the Planning and Development Act of 2000, as amended, and thus exempt?</i>	Y
	<i>Does the proposal consist of works of maintenance or repair, other than works which would materially affect the character of a protected structure or</i>	N

	<i>proposed protected structure pursuant to Subsection (6)(a) of S179 of the Planning and Development Act of 2000, as amended, and thus exempt?</i>	
	<i>Is the development necessary for dealing urgently with any situation which the manager considers is an emergency situation calling for immediate action pursuant to subsection(6)(b) of S179 of the Planning and Development Act of 2000, as amended, and thus exempt?</i>	N
	<i>Does the development consist of works which a local authority is required by or under statute or by order of a court to undertake pursuant to Subsection (6)(c) of S179 of the Planning and Development Act of 2000, as amended, and thus exempt?</i>	N
<b>Exemptions from Part 8 Procedures below the thresholds/requirements set out in Art.80(1) of the Planning &amp; Development Regulations 2001, as amended</b>	<i>Is the estimated cost of the proposal below €126,000 and thus exempt under Art.80(1)(k) of the Planning and Development Regulations 2001, as amended?</i>	N
	<i>Is the proposal below the following threshold set out in in Article 80 (1)(b) of the Planning and Development Regulations 2001, as amended?:</i>  <i>the construction of a new road or the widening or realignment of an existing road, where the length of the new road or of the widened or realigned portion of the existing road, as the case may be, would be—</i>  <i>(i) in the case of a road in an urban area, 100 metres or more, or</i>  <i>(ii) in the case of a road in any other area, 1 kilometre or more,</i>	Y
	<i>There is no bridge or tunnel proposed as set out in in Article 80 (1)(c) of the Planning and Development Regulations 2001, as amended?</i>	Y

<b>DECISION 3</b>	<b>THE PROPOSALS ARE EXEMPT FROM PART 8 PROCEDURE</b>	Y
<b>SECTION 38 DECISION</b>	<b>THE OUTCOME OF THE ABOVE DECISION IS AS FOLLOWS:</b>	
	The proposal will progress under the Provisions of Section 38 and CE Order (Traffic Works Order) will be sought.	
<b>Signature of the Decision Maker</b>	<i>Margaret Hartnett</i>	3/11/2025
<b>Position</b>	<i>SENIOR ENGINEER</i>	

**NOTE:**

- 1. EIA & AA Screening Determinations to be attached to this Section 38 Decision.**
- 2. EIA & AA Screening Determinations to be added to list of determinations for S.38 schemes, on DLRCC website.**