

COMHAIRLE CONTAE FHINE GALL FINGAL COUNTY COUNCIL

Email: Corporate.services@fingal.ie

County Hall
Swords
Co. Dublin

Tuesday, 7th March 2023

To Each Member of the Planning Strategic Transport & Infrastructure
Development Strategic Policy Committee

Dear Member

A meeting of the Planning Strategic Transport & Infrastructure
Development Strategic Policy Committee will be held on MS Teams at 4.30
pm on Tuesday, 14th March, 2023 to consider the following Agenda:

Yours Faithfully

Nikki Halleran
Meetings Administrator
Corporate Services

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A G E N D A

- 1 Confirmation and Re-Affirmation of Minutes of Planning Strategic
Transport and Infrastructure Development SPC Committee meeting
held on the 28th of November 2022.
- 2 SPC Work Programme 2023
- 3 Development Plan 2023 - 2029
- 4 Major Studies / LAPs

5 NTA - Draft Transport Strategy for the Greater Dublin Area 2022 - 2042

6 Major Capital Project Delivery

MOTIONS

7 Councillor B. Dennehy - Update of the Draft Sustainable Swords Strategy - AI088638

"That the Chief Executive provide this Committee with an update of the Draft Sustainable Swords Strategy subsequent to the Public consultations process."

COMHAIRLE CONTAE FHINE GALL
FINGAL COUNTY COUNCIL

MEETING OF THE PLANNING STRATEGIC TRANSPORT AND INFRASTRUCTURE
DEVELOPMENT STRATEGIC POLICY COMMITTEE 28TH NOVEMBER 2022, HELD VIA
MS TEAMS AT 4.30 P.M.

PRESENT

Councillors

Brian Mc Donagh
Brian Dennehy
Tania Doyle
Tom Kitt
Dean Mulligan

Members

Paul Arnold

Apologies: Received from Councillor Punam Rane

The SPC Chairperson Councillor B. Mc Donagh presided.

OFFICIALS PRESENT

Matthew Mc Aleese, Director of Services, Roisin Burke, Senior Planner, Colin Gallagher, Senior Engineer, Paul Carroll, Senior Engineer, Mary Godwin, Senior Executive Officer, Stephen Gaughran, Chief Technician, Fearghal Mc Sweeney, Administrative Officer, Sandra Hanratty, Senior Staff Officer, Elaine Gannon, Staff Officer.

SPC/22/22

**Item No. 1- Confirmation and reaffirmation of Minutes of Planning Strategic,
Transport and Infrastructure Development Policy Committee held on 6th
September 2022.**

The minutes of the meeting held on 6th September 2022 were considered.
It was proposed by Councillor T. Doyle and seconded by Councillor T. Kitt and
AGREED: "That Minutes of the meeting of 6th September be **ADOPTED** and
APPROVED"

SPC/23/22

Item No. 2 – Development Plan 2023 -2029

Ms Roisin Burke, Senior Planner of the Planning and Strategic Infrastructure
Department gave an update on the Development Plan in relation to the Material

Alterations stage of the Plan.

Following a discussion, the report was NOTED.

SPC/24/22

Item No. 3– Major Studies/LAP's

Ms Roisin Burke, Senior Planner of the Planning and Strategic Infrastructure Department gave an update on all Local Area Plan's and Studies. Following the update, a discussion in relation to the draft Sustainable Swords Strategy and the draft Lissenhall East Local Area Plan took place.

Following a discussion, the report was NOTED.

SPC/25/22

Item No. 4 – Fingal Greenways/Cycleways

Mr Paul Carroll, Senior Engineer of the Planning and Strategic Infrastructure Department gave a report on Fingal Greenways/Cycleways and a progress update on each: Broadmeadow Way, Sutton-Malahide Greenway, Fingal Coastal Way (Donabate to Balbriggan), Royal Canal and Harry-Reynolds Road.

Following discussion, the report was NOTED.

SPC/26/22

Item No. 5 – Presentation on Residential Zoned Land Tax

Ms Roisin Burke, Senior Planner of the Planning and Strategic Infrastructure Department gave a presentation on the RZLT to the Members.

Following a discussion, the presentation was NOTED.

(See appendix 1)

SPC/27/22

Item No. 6 – Councillor B. Dennehy – New Residential Zoned Land Tax-

The motion in the name of Councillor B. Dennehy was proposed by Councillor Dennehy and seconded by Councillor Kitt.

The motion states:

“That the Chief Executive present this Committee with an overview on the new Residential Zoned Land Tax and its impact on Fingal properties, also what options are available to landowners included in the new land tax band.”

As the presentation given for Item 5 relates to Item 6 the Chief Executives report for Item 6 was Noted without discussion.

(see appendix 2)

SPC/28/22

Item No. 7 – Mr Paul Arnold – Derelict Sites

The motion in the name of Mr Paul Arnold was proposed by Mr Arnold and seconded by Councillor Mc Donagh.

The motion states:

“That the Chief Executive provide a report detailing what areas the 25 derelict sites are listed in.”

Ms Mary Godwin, Senior Executive Officer, Planning and Strategic Infrastructure Department gave a report to the members on the current number of derelict sites in the County.

Following a discussion, the report by the Chief Executive was NOTED.

(see appendix 3)

The meeting concluded at 17.40 pm

Cathaoirleach

Date

1

2 00:43

Submissions on Draft Map Submissions can be made to: - Challenge the inclusion of land on the map if the owner considers that the land does not meet the criteria which determine the land in scope. - Challenge the date the land is considered to be in scope.	Submissions on Draft Map All submissions must include the following: The name and address of the submitter
Practical Examples Example 1 - Philip owns a site in Cavan town. His land is zoned suitable for residential use and has access to public services on 1 January 2022. Philip's land meets the relevant criteria for RZLT and will be included on a map prepared and published by Cavan County Council. Example 2 - Joan owns a farm on the outskirts of Dungarvan, Co. Waterford. 5 hectares of Joan's farm is zoned suitable for residential use in the development plan in place. On 1 January 2022, the 5-hectare site had access to public services except for water supply and wastewater services. The land does not meet the relevant criteria for RZLT on 1 January 2022. Irish Water upgraded water infrastructure on the land in March 2023. Joan's 5 hectares now meet the criteria for RZLT and will be included on a map prepared by and published by Waterford City and County Council. Example 3 - Helen owns a house with a garage and a garden of 0.2 hectares that is subject to LPT. Helen will not be subject to RZLT in respect of this property, even if her land is included on a local authority map. She does not have to register for RZLT as the garden is not greater than 0.4047 hectares. Example 4 - Kate's house has a garden of 0.60208 hectares. Kate has valued her property (house and 0.4047 hectares of the garden) for LPT and paid LPT on foot of that valuation. A residential zoned land tax map prepared by her local authority has included her property. Kate's house and gardens are not liable to RZLT, however, as Kate's garden exceeds 0.4047 hectares, she will need to register for RZLT and provide certain specified information to Revenue in respect of her property. Example 5 - Cian owns a property beside an estate in Clonsilla that is zoned for residential use. Cian operates a café from the property which is frequented by people living in the nearby estate and Cian pays commercial rates. The property is excluded from RZLT.	Information/Useful Links - Further information on the process is available in 'Residential Zoned Land Tax - Guidelines for Planning Authorities' as published by the Department of Housing, Local Government and Heritage, at https://www.gov.ie/en/publication/f6c41-residential-zoned-land-tax-guidelines-for-planning-authorities/ and at - Further information on the draft map process or on making a submission is available at 'Your Questions Answered' which can be found at https://consult.fingal.ie/en/system/files/materials/31244/RZLT%20-%20Your%20Questions%20Answered.pdf - You can find answers to some frequently asked questions about the RZLT and how to make a submission at https://consult.fingal.ie/en/system/files/materials/31244/Residential%20Zoned%20Land%20Tax%20FAQ.pdf - Further information in relation to the criteria in Section 633B of the Taxes Consolidation Act 1997 is available at https://data.cineachtas.ie/ta/cineachtas/act/2021/45/en/eng/enacted/a4521.pdf - Queries on administration of the tax should be made to the Revenue Commissioners https://revenue.ie/en/property/residential-zoned-land/index.aspx
Submissions on Draft Map - FCC will publish all submissions received by it on its website by 11th January 2023. - Where a landowner requests the exclusion of their site from the draft map on the basis that it does not meet the criteria for being in scope, or challenges the date from which land on the map met this criteria, the local authority must notify the owner of its decision not later than 1st April 2023. - Where a person has requested the addition of a site to the draft map and the local authority considers that sites in respect of which submissions have been made or based on the information available to the local authority, constitute lands satisfying the relevant criteria then these sites will be identified on a supplemental map of land in scope for the tax which will be published by the local authorities on 1st May 2023. - A submission must clearly identify the site and outline what change (i.e. inclusion or exclusion of land on a local authority map, or the date on which the site first met the criteria for inclusion on the map) to the Residential Zoned Land Tax mapping you are seeking, as well as provide a justification for the change sought. - A submission must state the criteria set out in Section 633B of the Taxes Consolidation Act 1997 on which you rely in your submission for the land being in or out of scope. The local authority may also request additional information after the receipt of a submission (e.g. proof of ownership or further information).	Submissions - Zoning Requests - Landowners may apply to amend the zoning of their land if it has been included in the RZLT mapping. A rezoning request cannot be made in respect of land that has not been included in the mapping e.g. agricultural zoned or high amenity zoned land. Land which is rezoned as a result of this process e.g. from residential to agricultural land will not subsequently become liable for the payment of the tax. - The zoning of land is a reserved function of the Council (which means it is the preserve of the Council's elected members) and is usually only considered every six years when the Development Plan is reviewed. Zoning of land is closely linked to housing supply targets for each county, which are set by National and Regional Planning Policy and aim to facilitate long-term strategic growth. There is no guarantee that land that is rezoned as a result of this process would later be zoned for residential development.
Submissions on the Supplemental Map - Submissions in respect of land identified on the supplemental map only must be made by 1st June 2023. - Submissions received in relation to the supplemental map will be published on the local authority website by 11th June 2023. - Where a landowner requests the exclusion of their site from the supplemental map on the basis that it does not meet the criteria for being in scope, or challenges the date from which land on the map met this criteria, the local authority must notify the owner of its decision not later than 1st August 2023. - Where a landowner wishes to appeal a decision by the local authority to keep land on the Supplemental Map to An Bord Pleanála they must do so by 1st September 2023. - The local authority must - reflecting the outcome of any appeals to the Board, any additions or exclusions to maps on foot of determinations made by the local authorities in response to submissions made or changes in zoning - prepare and publish a final map by 1st December 2023. - Where a landowner has requested a change to the zoning of their land, the Local Authority shall evaluate the submission and consider whether to propose the making of a variation. (An initiation of the variation process will only take place after evaluation of any requests for change of zoning made in relation to the draft and supplemental maps in order to allow all requests for changes to zoning to be considered together)	Appeals - An owner has until 1st May 2023 to appeal the Council's decision regarding retaining land on the draft map to An Bord Pleanála (and until 1st September 2023 to appeal the Council's decision regarding retaining land on the supplemental map). - Appeals must be made in writing setting out the grounds of appeal. An appeal can only be made where a submission has been made initially. - Appeals do not require a fee to be paid. - There are no provisions for a third party to appeal a local authority decision to retain or remove land from a draft or supplemental map. - ABP will notify the owner of its determination not later than 16 weeks from the date of the notice of appeal.

COMHAIRLE CONTAE FHINE GALL
FINGAL COUNTY COUNCIL

Meeting of Planning Strategic Transport & Infrastructure Development Strategic
Policy Committee
Monday 28th November 2022

Item No. 6

New Residential Zoned Lane Tax

Motion : Councillor B. Dennehy

“That the Chief Executive present this Committee with an overview on the new Residential Zoned Land Tax and its impact on Fingal properties, also what options are available to landowners included in the new land tax band.”

Report:

An overview of the new Residential Zoned Land Tax (RZLT) has been prepared in PowerPoint format. This will be presented to the SPC on Monday the 28th of November 2022. This will provide an overview of the new land tax, information on the making of submissions, deadline dates, practical examples and draft maps. It also includes helpful links where further information can be obtained on the RZLT. This presentation will be circulated to the SPC after the meeting

COMHAIRLE CONTAE FHINE GALL
FINGAL COUNTY COUNCIL

Meeting of Planning Strategic Transport & Infrastructure Development Strategic
Policy Committee
Monday 28th November 2022

Item No. 7

Derelict Sites

Motion : Mr Paul Arnold

“That the Chief Executive provide a report detailing what areas in the 25 derelict sites are listed.”

Report:

There are currently 17 units across six sites on the Derelict Site Register as set out in the following table:

File No.	Address	No. of units
DS 15/22A	26, 27, & 28 Palmer Ave, Rush, Co. Dublin	3
DS 17/12B	Site 1A, The Nurseries, Mulhuddart	1
DS 19/16	Site at Innisfree, Jugback Lane, Swords	1
DS 19/03	6 ,8, 8A 10 & 12, Bridge Street, Balbriggan	5
DS 14/25A	The site at Upper Main Street, Rush (comprising of 6 dwellings, No.s 12, 14, 14A, 16 , 18 and 20).	6
DS 1559	House & adjoining site at 7 Old Hayestown, Rush	1
	Grand Total	17

Agenda Item 2

Planning Strategic Transport & Infrastructure Development Strategic Policy Committee

SPC Work Programme 2023

Meeting Tuesday 14th March 2023

Item No. 2

Q1 – 2023

- SPC Work Programme 2023
- Development Plan 2023 - 2029
- Major Studies/LAPs
- NTA - Draft Transport Strategy for the Greater Dublin Area 2022-2042
- Major Capital Project Delivery

Q2 – 2023

- Green Roof Policy
- Major Studies/LAPs
- Fingal Greenways/Cycleways
- Residential Land Zoned Tax
- Biodiversity Implementation Plan 2023-2026

Q3 – 2023

- Major Studies/LAPs
- Fingal Greenways/Cycleways
- Flood Risk Assessment
- Guest Speaker – To be confirmed

Q4 – 2023

- Building Control - Part B Fire Safety
- Major Studies/LAPs
- Fingal Greenways/Cycleways
- Taking in Charge
- Update on Biodiversity Action Plan

