**COMHAIRLE CONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL**

**Rathfarnham/Templeogue - Terenure Area Committee Meeting**

Minutes of South Dublin County Council Rathfarnham/Templeogue - Terenure Area Committee Meeting dealing with Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management, Public Realm, Environment, Water & Drainage, Housing, Community, Transportation and Planning held on 9th May 2017

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| **Present** |
| **Councillors** |
| A. M. Dermody |
| P. Donovan |
| F.N. Duffy |
| E. Fanning |
| P. Foley |
| S. Holland |
| P. Kearns |
| B. Lawlor |
| D. Looney |
| R. McMahon |
| E. Murphy |
| D. O’Donovan |

Cathaoirleach Councillor Paul Foley presided.

**OFFICIALS PRESENT**

Senior Planner N. O’Byrne

Senior Engineer W. Purcell, L. Magee, C. Galvin

Senior Executive Parks Superintendent M. Hannon

Senior Executive Librarian B. Meenaghan

Senior Executive Officer L. Leonard

Head of Local Enterprise C. Ward

[Executive Environmental Scientific Officer](http://intranet/Council/?g=316) R. Fitzpatrick

Administrative Officer B. Pierce

Staff Officer B. Reilly

Clerical Officer B. Keenan

**RTT/229/17 HI1 Item ID: 53688 - Confirmation and re-affirmation of Minutes of Meeting of Tuesday 11th April 2017**

Minutes of Rathfarnham/Templeogue - Terenure Area Committee, dealing with Planning, Transportation, Libraries & Arts, Economic Development, Performance & Change Management, Corporate Support, Environment, Water & Drainage, Public Realm, Community and Housing held on 11th April 2017, which had been circulated, were submitted and **APPROVED** as a true record and signed.

It was proposed by Councillor D. O’Donovan and seconded by Councillor S. Holland and RESOLVED: “That the recommendations contained in the Minutes of the 11th April 2017 be **ADOPTED** and **APPROVED.**

[**HI 1 Minutes**](http://membersnet.sdublincoco.ie/Meetings/ViewDocument/55841)

**RTT/230/17 – Questions**

It was proposed by Councillor S. Holland and Seconded by Councillor P. Donovan and **RESOLVED:**

“That pursuant to Standing Order No.13, Question 1 - 15 be **ADOPTED** and **APPROVED.”**

**Economic Development**

**RTT/231/17 - HI2 Item ID: 53754 - Gaelscoil Chnoc Liamhna Knocklyon** Ms. B. Pierce, Administrative Officer presented the following report:-

**Gaelscoil Chnoc Liamhna Knocklyon**

The Development Department have sought advice from the Law Agent in relation to the Vesting Order of the plot of land. The Law Agent is currently reviewing the file. It is anticipated that the Law Agent will have the file reviewed in the coming days and give approval for the making of the Vesting Order.

**M1 taken in conjunction with HI2**

### **M1 Item ID: 53739 - Gaelscoil Chnoc Liamha**

Proposed by Councillor D. O'Donovan and seconded by Councillor E. Murphy

"To ask the Chief Executive for an update on the Compulsory Purchase of the land at Gaelscoil Knocklyon."

**The following report by the Chief Executive was READ:-**

"The Development Department have sought advice from the Law Agent in relation to the Vesting Order of the plot of land.  The Law Agent is currently reviewing the file. It is anticipated that the Law Agent will have the file reviewed in the coming days and confirm approval for the making of the Vesting Order."

Following contributions from Councillor D. O’Donovan the report was **NOTED**

### **RTT/232/17 - HI3 Item ID: 53713 - New Works** (No Business)

### **RTT/233/17 - C1 Item ID: 53714 - Correspondence** (No Business)

### **RTT/234/17 - M2 Item ID: 53751 - Dublin Mountains Project Update**

Proposed by Councillor D. Looney

"That the members of this Committee receive a further update on the proposed Dublin Mountains Project, and that a private session be held if required should commercially sensitive issues need discussion."

In the absence of Councillor D. Looney, this item **FELL**.

**Libraries & Arts**

### **RTT/235 / 17 - H4 Item ID: 53709 - Library News & Events** Ms. B. Meenaghan, Senior Executive Librarian presented the following report:-

[HI4 - Library News Events](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=55775)

Following contributions from Councillors D. O’Donovan and E. Murphy, Ms. B. Meenaghan, Senior Executive Librarian responded to the queries raised and the report was **NOTED.**

### **RTT/236/17 - HI5 Item ID: 53710 - Application for Arts Grants** (No Business)

### **RTT/237/17 - HI6 Item ID: 53711 - New Works** (No Business)

### **RTT/238/17 - C2 Item ID: 53712 - Correspondence** (No Business)

**Corporate Support**

### **RTT/239/17 - HI7 Item ID: 53707 - New Works** (No Business)

### **RTT/240/17 - C3 Item ID: 53708 - Correspondence** (No Business)

**Performance & Change Management**

### **RTT/241/17 - HI8 Item ID: 53705 - New Works** (No Business)

### **RTT/242/17 - C4 Item ID: 53706 - Correspondence**  (No Business)

**Public Realm**

### **RTT/243/17 - Q1 Item ID: 53546 - Litter Bins - beside Holy Rosary School**

Proposed by Councillor E. Fanning

"To ask the Chief Executive in view of ongoing litter issues can we get two litter bins located beside Holy Rosary School please?"

**REPLY:**

"In line with the Litter Management Plan 2015-2019 requests for litter bin provision in vicinity of or on main routes to schools will be considered.  A commitment was given in 2016 for the installation of one bin at this location on Old Court Avenue and installation of this will be arranged in the coming weeks.  The request for a second bin will be examined to determine the need for it."

### **RTT/244/17 - Q2 Item ID: 53660 - Ballycragh Park Lake**

Proposed by Councillor B. Lawlor

"To ask the Chief Executive to remove a shopping trolley from the lake in Ballycragh Park Ballycullen, this was reported several weeks ago by a number of residents?"

**REPLY:**

"Arrangements are being made to have the trolley removed."

### **RTT/245/17 - Q3 Item ID: 53716 - Pitches**

Proposed by Councillor B. Lawlor

"To ask the Chief Executive, when is the work going to start of the new seven and nine aside pitches for Firhouse Carmel FC following their displacement due to commencement of building of the new Primary schools recently?"

**REPLY:**

"A pre-site meeting was held in April between the design team, the club and the contractors. The works have now commenced on site, with the first site meeting this week. Works will progress during the summer months in line with the ideal season for earth moving."

### **RTT/246/17 - Q4 Item ID: 53747 - Litter bin - new playground in Tymon Park**

Proposed by Councillor D. Looney

"To ask the Chief Executive to arrange for increased litter bin provision in the vicinity of the new playground in Tymon Park, and to make a statement on the matter?

**REPLY:**

"A recent review of litter bins has concluded and at present there are 122 litter bins in public parks.

As per the litter bin protocol contained in the Litter Management Plan 2015 - 2019 these are in general provided in the large regional parks, with some exceptions. The current provision is believed to be adequate for the most part.

An issue with the provision of bins at the Tymon Park / Castletymon Road car park has been identified and this will be addressed in the 2017 work programme.  Similarly, given the development and opening of the new playground in Tymon Park (north), Public Realm will examine this request and determine the need for increased provision at this location."

### **RTT/247/17 - Q5 Item ID: 53385 - Whitecliff Estate**

Proposed by Councillor E. Murphy

"Can the Chief Executive please give an update in relation to the replanting of trees which were removed from Whitecliff Estate last year?"

**REPLY:**

"Whitecliff Estate was listed for new and replacement tree planting as part of the winter 2016/spring 2017 tree planting programme.  The estate was listed for a total of 70 trees to be planted.  The winter 2016/spring 2017 tree was planned for delivery in two phases with the first phase completed in December 2016 and the second phase planned for delivery in February/March 2017.  The tree planting at Whitecliff estate was scheduled for delivery as part of the second phase of the programme.  The procurement process for the supply and planting of the second phase of tree planting was completed and the contract to undertake the works was awarded in March.  However, the Council was advised by the supplying tree nursery that survival of the trees could not be guaranteed due to early emergence of leaves and leaf growth of the trees being at a more advanced stage than normal for the year due the exceptionally mild weather of the past winter and early spring period.  For this reason, the proposed tree planting at Whitecliff has been deferred for implementation at the earliest opportunity during the next planting season in November."

### **RTT/248/17 - Q6 Item ID: 53305 - Tuning Fork Site**

Proposed by Councillor E. Murphy

"Can the Chief Executive please provide an update and report on the developments at the Tuning Fork site?"

**REPLY:**

"Ballyboden District Tidy Towns have expressed an interest in converting a disused section of footpath/roadside margin at the Tuning Fork on Ballyboden Road into a flower bed as part of their tidy towns work.

The site has been examined by the Council's Roads Dept. who have confirmed that the proposal does not affect roads and that they therefore have no objection to it.  Contact has been made between The Council's Public Realm Section and Ballyboden Tidy Towns about the matter and in particular the need to examine the matter together on site to establish the details of the proposal.  It is hoped that this meeting will take place in the coming week to two weeks.  It should be noted that there is a current planning application on the Tuning Fork site/premises which will need to be examined in connection with the BDTT proposal."

### **RTT/249/17 - Q7 Item ID: 53742 - Dog Fouling**

Proposed by Councillor D. O'Donovan

"To ask the Chief Executive for Dog Fouling Signage to be erected in Mount Alton Estate and in the Ferncourt Estate between the Creche and the Holy Rosary Primary School?"

**REPLY:**

"Dog fouling signs are erected based on a demonstrated need in areas prone to on-going dog littering and subject to suitability of the location.

If there is / are registered group(s) in existence in this area, signage may be provided through the Social Credit Scheme with the caveat that such signage erected must have due regard for public health and safety, and must not impede visibility or restrict traffic, cycling and pedestrian flow.

Alternatively, Mount Alton Estate and in the Ferncourt Estate between the Creche and the Holy Rosary Primary School will be added to the current waiting list."

### **RTT/250/17 - HI9 Item ID: 53514 - Tuning Fork**

Mr. L. Magee, Senior Engineer presented the following report:-

**Ballyboden District Tidy Towns**

Ballyboden District Tidy Towns have expressed an interest in converting a disused section of footpath/roadside margin at the Tuning Fork on Ballyboden Road into a flower bed as part of their tidy towns work.

The site has been examined by the Council's Roads Dept. who have confirmed that the proposal does not affect roads and that they therefore have no objection to it.  Contact has been made between The Council's Public Realm Section and Ballyboden Tidy Towns about the matter and in particular the need to examine the matter together on site to establish the details of the proposal.  It is hoped that this meeting will take place in the coming week to two weeks.  It should be noted that there is a current planning application on the Tuning Fork site/premises which will need to be examined in connection with the BDTT proposal.

Following contributions from Councillors S. Holland, D. O’Donovan and E. Murphy, Mr. L. Magee, Senior Engineer responded to the queries raised and the report was **NOTED.**

**RTT/251/17 - HI10 Item ID: 53703 - New Works** (No Business)

**RTT/2521/17 - C5 Item ID: 53704 – Correspondence** (No Business)

### **RTT/253/17 - M3 Item ID: 53387 - Litter Bin Dog Poo - Old Court Avenue**

Proposed by Councillor S. Holland and seconded by Councillor E. Fanning

"There is a problem with litter, and in particular, dog poo along Old Court Avenue.  Dog walkers walk their dogs in the evenings and leave the mess for children to traipse into the school the next morning. Can this area, especially around the school, be considered for a litter bin"

**The following report by the Chief Executive was READ:-**

"In line with the Litter Management Plan 2015-2019 requests for litter bin provision in vicinity of or on main routes to schools will be considered.  A commitment was given in 2016 for the installation of one bin at this location on Old Court Avenue and installation of this will be arranged in the coming weeks.  The request for a second bin will be examined to determine the need for it."

Item **MOVED** without **DEBATE**

### **RTT/254/17 - M4 Item ID: 53738 - Grass cutting**

Proposed by Councillor D. O'Donovan and seconded by Councillor E. Murphy

"That the Chief Executive ensures that the grass verge on Stocking Lane beside Prospect Manor and the open space at the top of Moyville Lawn are included in the grass cutting schedule and presents a report on the full grass cutting schedule for this year to try to avoid the issues which arose last season."

**The following report by the Chief Executive was READ:-**

"The annual grass cutting programme commenced across the County in early March, a number of weeks earlier than would normally be expected and this is as a result of the mild winter. The service will be provided on the same basis as in previous years, that is open spaces and roadside margins will be cut fortnightly while playing pitches will be cut weekly.

A number of issues are being examined in an effort to improve the delivery of the service in 2017. The record of grass cutting events in 2016 is being examined to identify where problems arose, as is the record of complaints received in 2016 regarding poor grass cutting standards.  The information obtained from this exercise will identify problems from the 2016 season which need to be addressed in 2017.

It is proposed that the weed control which is required in margins around trees, sign poles, utility boxes, barriers and also in boundary areas will be carried out earlier than in previous years and that this will improve the appearance of those areas from an early date in 2017.

It is also proposed that a system will be implemented in 2017 whereby all available grass cutting resources around the County can be pooled in such a manner that there is a consistently high standard of grass cutting achieved across all parts of the County.  This will represent a move away from the existing system whereby the service is provided in such a manner that each operational depot is responsible for grass cutting in a specific geographical area which is linked to it.  This has in the past resulted in a variation in the standard of grass cutting schedule achieved from one area to another across the County.

New staff recruited in 2016 have been trained for grass cutting and will be used for this purpose as required throughout the season.  In addition provision has been made in the 2017 budget for the recruitment of 15 staff on a seasonal basis and the majority of these staff have now commenced work with the Council.  These seasonal staff will provide holiday cover for staff engaged in grass cutting and will also be able to assist in the cleaning of grass areas ahead of grass cutting.  Both these factors should assist in the proper resourcing of grass cutting throughout the holiday season and will help to achieve and maintain an acceptable standard throughout the summer.

In relation to the areas specifically referred to here, all open spaces in Moyville Estate and at Moyville Lawn have been cut and are on the regular grass cutting schedule.  The high grass margin at Stocking Lane has not yet been cut in 2017.  Due to the difficult nature of this area it cannot be cut by ride on mower or tractor mower and therefore is not included in the normal fortnightly schedule. The area is cut by either strimmers, pedestrian mowers or side-mounted flail and this takes place less frequently than the regular schedule.  This work is due to take place in the coming week to two weeks and will be repeated as required throughout the grass cutting season."

Following contributions from Councillors D. O’Donovan and S. Holland, Mr. L. Magee, Senior Engineer responded to the queries raised and the report was **NOTED.**

### **RTT/255/17 - M5 Item ID: 53748 - Play Space Programme update**

Proposed by Councillor D. Looney and seconded by Councillor E. Murphy

"That this Committee receives a full update on the progress of all proposed playspaces planned or delivered in the area under its remit for 2016 and 2017."

**The following report by the Chief Executive was READ:-**

**Playground Construction Programme Update – Rathfarnham Templeogue Terenure**

Since the last update in November 2016 playspaces have been completed and opened in the county in the following locations:

**Tallaght Central**

Kingswood Open Space

Kilnamanagh

Sean Walsh Park

Tymon Park North refurbishment

**Rathfarnham Templeogue Terenure**

Glendoher Park

All of these playspaces have been very successful and are well used. We have been asked to erect the byelaws in Glendoher Park, which we have agreed to do and we have a few minor items to complete there.

**2017 Programme - Rathfarnham Templeogue Terenure**

**It is proposed to proceed with the following programme in 2017 – the completion of the programme is dependent on the consultation time in particular and when the consultation is completed and hopefully with local agreement the tendering process will commence. Therefore the actual construction work is unlikely to take place until late 2017 and mostly in 2018. Preliminary consultation in some cases indicates that amalgamation at some locations may be favourable but each location will be assessed on a case by case basis and in consultation with the local community there:**

**RATHFARNHAM / TEMPLEOGUE / TERENURE**

* Marian Road: Consultation on-going.
* Longwood / Stonepark Abbey: Consultation on-going incorporating Aranleigh.
* Elkwood: Consultation plan
* Delaford: Consultation plan
* Perrystown: Consultation plan
* Glendown Park: Consultation plan
* Firhouse Park: Consultation plan
* Tymon Park, Limekiln
* Greenhills Park
* Mount Camel Park, Dodder Valley
* Westbourne Lodge
* Boden Park

**2018**

**The consultation on the 2018 programme is dependent on the progress with the 2017 consultation and tendering process.**

* Cherryfield Park
* Prospect Manor, Stocking Lane
* Dodder Park Road
* Idrone Knocklyon
* Orwell Park
* Whitechurch,
* Carrigwood
* Hunterswood

Following contributions from Councillors D. Looney, P. Kearns and D. O’Donovan, Mr. M. Hannon, Senior Executive Parks Superintendent responded to the queries raised and it was **AGREED** to bring a Headed Item to the June ACM and the report was **NOTED.**

**RTT/256/17 - Suspensory/Emergency Motion – Organise an onsite meeting with residents of Wilbrook Lawn to agree a plan for the treatment of Japanese Knotweed**

In accordance with Standing Order 74 it was **AGREED** to suspend standing orders to deal with the following Suspensory/Emergency Motion in the names of Councillors P. Donovan, S. Holland, E. Fanning, P. Kearns, D. O’Donovan, B. Lawlor, E. Murphy, D. Looney, F.N. Duffy, P. Foley and A.M. Dermody:- 

**Environment**

### **RTT/257/17 - Q8 Item ID: 53746 - Greenhills Shopping Arcade**

Proposed by Councillor D. Looney

"To ask the Chief Executive to arrange for an inspection to be carried out of the site of the former Greenhills Shopping Arcade, which is in a bad state of repair at present, and if the Council will contact the developer of the site to ensure this is cleaned up in the interests of the local community?"

**REPLY:**

"This site is regularly inspected: 18th April, 2017 and 3rd May 2017. the attached [photo1](http://www.sdublincoco.ie/viewdocument.aspx?id=400307fb-3cca-416a-9ffd-a76d00d24cb8) [photo2](http://www.sdublincoco.ie/viewdocument.aspx?id=676a2e58-3a22-40a3-a049-a76d00e3cc83) [photo3](http://www.sdublincoco.ie/viewdocument.aspx?id=fe7a9b77-5912-4562-881a-a76d00e54422) were taken on 3rd May 2017.

Planning Permission for this site was granted in June 2016, however no works have commenced to date, notwithstanding bore holes / trials in late 2016.

In line with national policy and legislation, in particular *Rebuilding Ireland, An Action Plan for Housing and Homelessness* and *The Urban Regeneration and Housing Act 2015*, South Dublin County Council has commenced a comprehensive review of all potential vacant sites within the County and this site has been referred to the Planning Department for investigation under the Vacant Sites /Urban Regeneration and Housing Act 2015.

In the interim, the owner will also be requested to remove graffiti, loose gravel etc from the site in order to avoid pursuit under the Derelict Sites regime, and the site will continue to be monitored by Enforcement & Licencing, Environment, Water & Climate Change."

### **RTT/258/17 - HI11 Item ID: 53701 - New Works** (No Business)

### **RTT/259/17 - C6 Item ID: 53702 - Correspondence** (No Business)

**Water & Drainage**

### **RTT/260/17 - Q9 Item ID: 53750 - Limekiln Road Watermain Rehab Update**

Proposed by Councillor D. Looney

"To ask the Chief Executive for an update on the water repairs being undertaken on Limekiln Rd, and to make a statement on the matter?"

**REPLY:**

"The works to replace 335m of watermain on Limekiln Road commenced on April 3rd and are scheduled to be fully completed by May 12th. All domestic service connections that require a switchover from the existing mains to the new section of mains will be completed by May 4th."

### **RTT/261/17 - HI12 Item ID: 53601 - Draft River Basin Management Plan**

Mr. R. Fitzpatrick, [Executive Environmental Scientific Officer](http://intranet/Council/?g=316) presented the following report:-

[Draft River Basin Management Plan](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=55850)

Following contributions from Councillors S. Holland, P. Donovan, D. Looney and P. Foley, Mr. R. Fitzpatrick, [Executive Environmental Scientific Officer](http://intranet/Council/?g=316) responded to the queries raised and the report was **NOTED**

### **RTT/262/17 - HI13 Item ID: 53699 - New Works** (No Business)

### **RTT/263/17 - C7 Item ID: 53700 - Correspondence** (No Business)

**Housing**

### **RTT/264/17 - Q10 Item ID: 53581- Clean up Traveller Sites**

Proposed by Councillor R. McMahon

"To ask the Chief Executive the final cost in cleaning the illegal dumping at the traveller halting sites in Cherryfield and Stocking Lane and is the total cost borne by this Council?"

**REPLY:**

The Council advertised by way of Quick Quotes for tenders for the Clean up around 3number Traveller Halting Sites.

"A successful tenderer was appointed and the clean-up of the Stocking Hill site is now complete and the Clean-up around the Cherryfield site will commence shortly.

The total cost for the clean up of both sites, including vat is €12, 485.00

Recoupment from the Department of Environment, Local Government and Community for the maintenance and repair of residential caravan parks is claimed on a 6monthly basis on the formula of Total actual expenditure for the period less income received from rent & service charges (subject to a maximum eligible expenditure of **€640** per bay per year)."

### **RTT/265/17 - HI14 Item ID: 53697 - New Works** (No Business)

### **RTT/266/17 - C8 Item ID: 53698 - Correspondence** (No Business)

**Community**

### **RTT/267/17 - HI15 Item ID: 53755 - Deputations Meeting**

[HI15 - Report for April](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=55812)

Following contributions from Councillors D. O’Donovan, S. Holland, P. Kearns, P. Foley, D. Looney and E. Murphy, Ms. L. Leonard, Senior Executive Officer responded to the queries raised and the report was **NOTED**

### **RTT/268/17 - HI16 Item ID: 53695 - New Works** (No Business)

### **RTT/269/17 - C9 Item ID: 53696 - Correspondence** (No Business)

**Transportation**

### **RTT/270/17 - Q11 Item ID: 53715 - Ramps**

Proposed by Councillor B. Lawlor

"To ask the Chief Executive to repair the speed ramp at entrance to Ely Estate Ballycullen?"

**REPLY:**

"Work has started in the area on ramp repair."

### **RTT/271/17 - Q12 Item ID: 53384 - Marley Park Concerts 2017**

Proposed by Councillor E. Murphy

"Can the Chief Executive please give details on the arrangements and supports which have been put in place thus far for the proposed concerts and festivals this summer in Marley Park? In previous years these events have had a significant impact on residents in Rathfarnham and Ballyboden even though the concerts are technically held outside of the County?"

**REPLY:**

"Longitude will take place on the 14th 15th and 16th July.  Once the licence application is granted, staff in Dun Laoghaire Rathdown have agreed to meet with Councillors concerned about impact they will have on the area. The Licence application is available for examination by Councillors in the S.E.O.'s office."

### **RTT/272/17 - Q13 Item ID: 53740 - Templeroan**

Proposed by Councillor D. O'Donovan

"To ask the Chief Executive when works are due to start on the Footpath Repair Programme for Templeroan Estate?"

**REPLY:**

"Tenders have been issued for footpath repairs in Templeroan Estate. Works will commence following receipt of tenders."

### **RTT/273/17 - Q14 Item ID: 53741 - 30 kph signs**

Proposed by Councillor D. O'Donovan

"To ask the Chief Executive when the new 30 kph signs will be put in place within estates and can priority be given to estates/areas involved in Tidy Towns Competition?"

**REPLY:**

"The Council are currently installing the new 30kph signs throughout the county.  It is anticipated that the work will be completed during May 2017 when the Bye Laws come into effect."

### **RTT/274/17 - HI17 Item ID: 53692 - Proposed Declaration of Roads to be Public Roads** (No Business)

### **RTT/275/17 - HI18 Item ID: 53693 - New Works** (No Business)

### **RTT/276/17 - C10 Item ID: 53694 - Correspondence** (No Business)

### **RTT/277/17 - M6 Item ID: 53582 - Templeogue Village**

Proposed by Councillor P. Foley

**Cathaoirleach's Business**

"We, the Templeogue-Terenure / Rathfarnham Councillors, would like to echo the unanimous request from the traders of Templeogue Village that the Village Initiative Plan for Templeogue Village include the lands known as the “pig farm” and the current public car park. We would like to see the Village Initiative Plan amended, if necessary, so that any Part 8 put out for public discussion includes these lands and reflects these views."

Item **MOVED** and **RE-ENTERED**

### **RTT/278/17 - M7 Item ID: 53580 - Fortfield Park**

Proposed by Councillor R. McMahon and Seconded by Councillor D. O’Donovan

"To ask the Chief Executive to have the parking area outside the shops at Fortfield Park lined, so as more efficient use is made of the available parking area."

**The following report by the Chief Executive was READ:-**

"SDCC will survey the existing layout so as to investigate if an optimum usage of land is being achieved."

Following contributions from Councillors R. McMahon, P. Foley and P. Donovan, Mr. W. Purcell, Senior Engineer, responded to the queries raised and the report was **NOTED**

### **RTT/279/17 - M8 Item ID: 53745 - Rathfarnham Village Parking**

Proposed by Councillor D. O'Donovan and Seconded by Councillor P. Donovan

"That the Chief Executive explores the possibility of introducing a minimum payment for parking meters in Rathfarnham Village.  The 30 minutes free initiative has proven popular with shoppers and businesses alike, but there are fears locally that the system is being abused.  Other local authorities have a minimum payment in place and can we have a report on whether it would be worthwhile piloting a similar scheme in our Village?

**The following report by the Chief Executive was READ:-**

"The decision to introduce a free 30 minutes parking was recommended by the LUPT SPC and Agreed by the full Council. In discussions on the proposal and in reports prepared by the executive leading up to the decision, the Council were made aware of all possible consequences. An updated report could be prepared for the SPC on the operation of the 30 free minutes since its introduction with a view to discussing the matter."

Following contributions from Councillors D. O’Donovan, P. Donovan and E. Murphy, Ms. L. Leonard, Senior Executive Officer responded to the queries raised and the report was **NOTED**

**Planning**

### **RTT/280/17 - Q15 Item ID: 53670 - Ref. SD14A0180, south of Oldcourt Road**

Proposed by Councillor E. Fanning

"To ask the Chief Executive that the Planning Department inspect the terrain levels at the development Reg. Ref. SD14A/0180, south of Oldcourt Road.

There is concern locally that the ground levels are being finished with falls towards the adjoining houses at Oldcourt Cottages and in particular No. 18A Oldcourt Cottages. Flood Risk assessment was part of the planning application.

Can we have a full report after the inspection provided please?"

**REPLY:**

"The Council is awaiting the results of a level survey to show compliance with the approved design. A definitive response to your query will then be forwarded."

### **RTT/281/17 - HI19 Item ID: 53760 - New Developments - Enforcement of Planning Conditions**

Mr. N. O’Byrne, Senior Planner presented the following report:-

**New Developments - Enforcement of Planning Conditions**

In the context of the number of building developments taking place, the relatively low number of enforcement complaints relating to non-compliance with planning conditions reflects a general adherence to planning conditions.

Planning enforcement is a statutory process relating to indictable offences carrying a potential criminal conviction. The evidence and witnesses requirements for prosecution are quite onerous as a result

The procedure for Planning Enforcement can be summarised as follows:

* Receipt of formal complaint from an identifiable complainant. (Anonymous complaints cannot be accepted)
* Establish identity and address for all owners and occupiers, or any other legal interest in the property or location.
* Section 152 Warning Letter issues to all owners and occupiers, or any other legal interest in the property or location identifies.   Wait 4 weeks for submissions on all Warning Letters issued
* Create an enforcement file and refer to Planning Inspector all submissions on all Warning Letters issued and request an inspection to establish evidence of any alleged unauthorised development
* Site inspection carried out to establish facts (witness and evidence of any alleged unauthorised development) and prepare a report with recommendation(s).
* If no unauthorised development exists or cannot be established close file and inform complainant (lack of evidence).
* If any unauthorised development is witnessed the report outlines the nature of the unauthorised development (evidence) the steps required to regularise unauthorised development together with set time frame (required) and usually recommends the next action.
* If no warning letter submission was received and adequate evidence exists regarding the alleged unauthorised development, an Enforcement Notice is prepared.
* If submission is received which requires a response issue pre s154 letter setting out the exact nature of the unauthorised development witnessed the steps required to regularise unauthorised development together and a time frame to respond (usually 2 weeks)
* The report may include a recommendation for enforcement notice that negates the need for a further site inspection and further report
* Once date to comply with enforcement notice has expired a site inspection should be carried out as soon as possible
* If enforcement notice is complied with, close file and inform complainant.
* If enforcement notice is not complied initiate proceedings for court prosecution
* A further site inspection must be carried out as close to court date as possible
* Following court case do report based on pre court inspection to complete file and inform complainant.
* The complainant is written to when Section 152 Warning Letter issues, when Enforcement Notice issues, when we initiate court proceedings and when we close a file.

NOTE: Intermittent breaches of planning conditions can be difficult to witness

Short-term actions can be long discontinued before any prosecution of a complaint reaches a court hearing.

As a result it can be expedient to informally write to an applicant / developer to remind them of their obligation under the conditions of a permission being availed of.

Following contributions from Councillors E. Murphy, D. O’Donovan, D. Looney, F. Duffy, E. Fanning, B. Lawlor, P. Donovan, P. Kearns and P. Foley, Mr. N. O’Byrne, Senior Planner responded to the queries raised and the report was **NOTED**

**RTT/282/17 - HI20 Item ID: 53689 - Planning Files** Mr. N. O’Byrne, Senior Planner presented the following report:-

**A. Large Applications Under Consideration**

**FILE DISCUSSED:** SD17A/0102

**LOCATION:** CHM Premises, Ballymount Road Lower, Walkinstown, Dublin 12

**COMMENTS:** Councillors D. Looney and P. Kearns commented on the application. Councillors E. Fanning and P. Foley noted the application.

**FILE DISCUSSED:** SD17A/0132

**LOCATION:** Lands north of Stocking Avenue (east end), Rathfarnham, Dublin 16.

**COMMENTS:** There were no comments made on this application.

**B. Files Requested by Members** (No Business)

### **RTT/283/17 - HI21 Item ID: 53690 - New Works** (No Business)

### **RTT/284/17 - C11 Item ID: 53691 - Correspondence** (No Business)

### **RTT/285/17 - M9 Item ID: 52786 - Abbotts Glen Site**

Proposed by Councillor S. Holland and Seconded by Councillor E. Murphy

"That this Area Committee requests the Council to work with the developer at Abbotts Glen site to keep the road clear of mud and building debris, as this is not currently happening and the road is an unsightly mess."

**The following report by the Chief Executive was READ:-**

"The Litter Warden monitors this area on a regular basis and has advised that the Developer has a road sweeper on site permanently to clean the road.  This development is now almost complete."

Following contributions from Councillors S. Holland and D. O’Donovan the report was **NOTED**

### **RTT/286/17 - M10 Item ID: 53659 - Dublin GAA**

Proposed by Councillor B. Lawlor and Seconded by Councillor P. Foley

"That this Area Committee invites Dublin GAA to the next Area Committee meeting, to give Councillors an update on current status of acquisition of site at Spawell Complex and an outline of the planning proposals and timeline of any development that may take place."

**The following report by the Chief Executive was READ:-**

"If the motion is passed an invitation will be made."

Following contributions from Councillors B. Lawlor, D. Looney, P. Kearns, P. Foley, D. O’Donovan and E. Fanning the motion was **PASSED**

The meeting concluded at 5.35pm

Siniú \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dáta \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

An Cathaoirleach