COMHAIRLE CONTAE ÁTHA CLIATH THEAS  
SOUTH DUBLIN COUNTY COUNCIL

SEPT 2020 LUPT SPC MEETING

24th September 2020

HEADED ITEM NO 2

**Update on Public Consultation on draft Development Contribution Scheme 2021-2025**

The Council was advised at the July 2020 Council Meeting that under [Section 48 of the Planning and Development Act, 2000,](http://www.irishstatutebook.ie/eli/2000/act/30/section/48/enacted/en/html) as amended, a Draft Development Contribution Scheme for the period 2021-2025 had been prepared for public display.

It was agreed at that (July 2020) meeting that the Council would publish notice on 20th July 2020 of the commencement of public consultation on the draft Development Contribution Scheme 2021-2025, with a view to a report on that consultation being brought to the September 2020 meeting of the Land Use Planning and Transportation SPC, and a full report and recommendation on the making of the Development Contribution Scheme 2021-2025 to the October 2020 Council meeting.

**Public Consultation**

Notice of the Draft Development Contribution Scheme 2021-2025 was published in the Irish Independent, the Irish Times and the ECHO confirming that the Draft Scheme was on public display from **Monday 20th July 2020 until** **Friday 4th September 2020 inclusive**.

Copies of the Draft Scheme were available for public inspection at Council Offices and on the Council’s website for the duration of the consultation phase.

In addition, copy of the Draft Scheme was circulated to

* the Elected Members of the Council,
* the Minister for Housing, Local Government and Heritage.

Submissions or observations with respect to the Draft Scheme were accepted up to close of business on Friday 4th September 2020.

In accordance with Section 48 of the Planning and Development Act, 2000, as amended, the Chief Executive is required, not later than four weeks following receipt of submissions, to prepare a Report on the submissions received and to submit this to the Elected Members. The Chief Executive’s Report is set out below.

“The Act” also provides that the Scheme shall be made by the Council not later than six weeks after the receipt of the Chief Executive’s Report, unless the Council decides by resolution to vary or modify the Scheme, otherwise than as recommended in the Chief Executive’s Report, or otherwise decides not to make the Scheme.

**Submissions:**

A list of submissions received during the public consultation phase is set out below.

Two submissions were received.

1. Housing Procurement Unit, South Dublin County Council
2. Tom Fennell on behalf of the Firhouse Village

**Summary of Issues Raised**

The issues raised in the submissions are set out below. Only issues relevant to the Draft Development Contribution Scheme have been summarised and addressed.

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|  | **ISSUES** |
| **1** | Under the Council’s current Development Contribution Scheme (DCS), leased Part V units are not exempt from development contributions, unlike purchased Part V units which are exempt.  The corresponding exemption in the case of other local authorities (e.g. Cork City, Kildare, Dun Laoghaire-Rathdown) uses the term “provided” rather than “purchased”. This allows for all Part V units to be exempt from Development Contributions. The submission requests that the wording be amended accordingly in the proposed SDCC DCS in order to reflect the option to lease Part V units introduced in 2015. |
| **2** | Firhouse Village should be restored to its rightful Village Status, with 50% rates reduction which can be the difference between staying opened and closure for local businesses.  Request that before money is spent from contributions on a new bridge across the Dodder from Seskin View to Mount Carmel and before any Firhouse Weir project is undertaken under a new name that the residents of Firhouse are provided with a new consultation process.  Request that original proposal for the restoration of a Mill Wheel project be included in those consultations.  Want SDCC to restore "Village Status" and to compensate for 15 years of being excluded from Development Contributions to have at least €5 Million allocated to Firhouse Village both from the current Development Contributions and the new fund.  Need funds allocated in Firhouse Village to repair wall at Woodlawn Park; to install double yellow lines along both sides of road from Carrigwood to Firhouse Community Centre; and to repair boundary wall at Firhouse Credit Union. Include a fund for boundary treatment in the Development Contribution Scheme.    The calculations per Sq Mtr for Development Contributions are agreed on the land valuation for that area.  The process by which development contributions are determined between a developer and a council representative is unclear, unsafe and unreliable and there is zero accountability.  We are calling on SDCC to do their job, collect ALL Development Contributions and provide 10% integrated social housing. Development contributions should not be avoided by land swaps.  Request SDCC to introduce a Certificate of Compliance that will only be issued when Development Contributions are up to date for the specific house being sold and with possession of such  certificate the buyer will not be responsible for any contributions unpaid due to developer going bust. |

The Chief Executive’s Report will address these issues and make recommendation to the Council at the October 2020 Council Meeting that the Draft Section 48 Development Contribution Scheme 2021-2025 as published (and attached for reference) be adopted, ***subject to one amendment in respect of exemption for Part V “provided”*** .

**Note 1:** The rates of contribution as set out in the Development Contribution Scheme 2021-2025 shall be effective for all permissions *granted* by South Dublin County Council and An Bord Pleanála **after 1st January 2021** for development within the administrative area of South Dublin County Council, irrespective of when the planning application was submitted. The rates shall be fixed from **1stJanuary 2021** until 31st December 2021.

**Note 2:** Indexation in accordance with the Chartered Surveyors of Ireland Construction Tender Price Index will apply annually on 1st January, effective from 1st January 2022. Having regard to economic or other circumstances, it may be considered appropriate not to apply this indexation for any year (s).