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

Minutes of South Dublin County Council September 2021 County Council Meeting held virtually through Microsoft 365 Teams Monday 13 September 2021

**PRESENT**

|  |  |  |
| --- | --- | --- |
| **Councillors** |  | **Councillors** |
| Bailey, C. |  | McEneaney, S. |
| Carey, W. |  | McCrave, L. |
| Casserly, V. |  | McMahon, R. |
| Collins, Y. |  | McManus, D. |
| Costello, T. |  | Murphy, E. |
| Duff, M. |  | Ó Brádaigh, D. |
| Dunne, L. |  | Ó Broin, E |
| Donaghy, L. |  | O’Connell, G. |
| Edge, A. |  | O’Connor, C. |
| Egan, K. |  | O’Donovan, D. |
| Gilligan, T. |  | O’Hara, S. |
| Gogarty, P. |  | O’Toole, L. |
| Hayes, A. |  | Pereppadan, B. |
| Johansson, M. |  | Richardson, D. |
| Kavanagh, P. |  | Sinclair, L. |
| Kearns, P. |  | Timmons, F. |
| Lawlor, B. |  | Tuffy, J. |
|  |  |  |

### **OFFICIALS PRESENT**

|  |  |
| --- | --- |
| Chief Executive | D. McLoughlin.  |
| Directors/ Heads of FunctionHead of Finance | L. Maxwell, T. Walsh, M. Mulhern, C. Ward, J. FrehillR. FitzGerald |
| Senior Executive OfficersSenior ArchitectSenior Executive Architect | C. Hurson, B. Pierce, M. Maguire, J.M. WardP. DeRoe A. McNamara, T. Pender |
| Administrative Officers | M. Reilly, S. Kelly  |
| Senior Staff OfficerStaff OfficerAssistant Staff OfficerClerical OfficerTechnician Grade1 Executive TechnicianT/Graduate ArchitectExecutive Engineer | L. AbbeyA. MallonA. Hagan.D. MurphyC. DonnellanL. BlanchJ.C De Souza HuntR. Carroll |

The Mayor, Councillor P. Kavanagh, presided

Apologies were received from Councillors P. Holohan, C. King, K. Mahon, S. Moynihan, E. O’Brien, and L. Whelan

At the commencement of the meeting, the Mayor, Councillor P. Kavanagh, informed the Members that members of the public will be in attendance at the meeting, he then read out the etiquette for the virtual meeting:

-Members to check that they can access the “Chat Function” before we commence the meeting.

-Members must be able to be seen, specifically for roll call, when speaking and voting.

-Mics to be on mute until invited to speak through the Chair.

-Members can indicate they wish to speak on an item through the chat function – using ‘Speak Please’.

-The ‘Chat Function’ is not to be used for comments.

-The meeting will be recorded for minute taking purposes only.

The Mayor, Councillor P. Kavanagh expressed congratulations to Councillor S. Moynihan on birth of his son.

**H1/0921 CONFIRMATION AND REAFFIRMATION OF MINUTES - FOR APPROVAL**

1. Minutes of 17th June County Development Plan Meeting 2021which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Kavanagh seconded by Councillor E. Murphy

[County Development Plan Meeting Minutes - 17th June 2021](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71948)

1. Minutes of 18th June County Development Plan Meeting 2021which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Kavanagh seconded by Councillor E. Murphy

[Adjourned County Development Plan Minutes â€' 18th June 2021](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71950)

1. Minutes of 21st June County Development Plan Meeting 2021which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Kavanagh seconded by Councillor E. Murphy

[Adjourned County Development Plan Minutes â€' 21st June 2021](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71951)

1. Minutes of 23rd June County Development Plan Meeting 2021which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Kavanagh seconded by Councillor E. Murphy

[Adjourned County Development Plan Minutes â€' 23rd June 2021](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71952)

1. Minutes of 24th June County Development Plan Meeting 2021which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Kavanagh seconded by Councillor E. Murphy

[Adjourned County Development Plan Minutes - 24th June 2021](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71954)

1. Minutes of 12th July Council Meeting 2021which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Kavanagh seconded by Councillor E. Murphy
[July Council Minutes â€' 12th July 2021](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=72044)
2. Minutes of 13th June County Development Plan Meeting 2021which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Kavanagh seconded by Councillor E. Murphy

### [Special Council Minutes - 13th July 2021](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=72045)

**H2/0921 REPORTS OF AREA COMMITTEES - FOR NOTING**

**a) Rathfarnham/Templeogue/Firhouse/Bohernabreena Area Committee**

Dealing with Public Realm, Water & Drainage, Housing, Community, Planning, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management

It was **NOTED** that there was **NO** Business under this Heading.

**b) Clondalkin Area Committee**

Dealing with Public Realm, Water & Drainage, Housing, Community, Planning, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management

It was **NOTED** that there was **NO** Business under this Heading.

**c) Tallaght Area Committee**

Dealing with Public Realm, Water & Drainage, Housing, Community, Planning, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management

It was **NOTED** that there was **NO** Business under this Heading.

**d)** **Lucan/Palmerstown/North Clondalkin Area Committee**

Dealing with Public Realm, Water & Drainage, Housing, Community, Planning, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management

It was **NOTED** that there was **NO** Business under this Heading.

### **H3/0921 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - FOR APPROVAL**

It was **NOTED** that there was **NO** Business under this Heading.

### **H4/0921 STRATEGIC POLICY COMMITTEES - FOR NOTING**

It was **NOTED** that there was **NO** Business under this Heading.

### **H5/0921 REPORTS REQUESTED BY AREA COMMITTEES - FOR NOTING**

It was **NOTED** that there was **NO** Business under this Heading.

It was proposed by Councillor P. Kavanagh, seconded by Councillor C. O’Connor , and **RESOLVED**:

“That pursuant to Standing Order No. 13, Questions numbered Q1 – Q25 be **ADOPTED** and **APPROVED.”**

### **Q1/0921 QUESTION: Councillor T. Costello**

How many people are currently on the housing transfer list broken down by LEA. Is there estates that have higher number of requests and can these be identified?

**REPLY:**

There are currently 610 active applications for transfer to alternative accommodation from existing Council/AHB tenancies.  Given that we only operate two areas of housing preference, North and South of the Naas Road, the breakdown of the transfer list below is on those areas of preference rather than Local Electoral Areas:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Transfer List** | **1 Bed** | **2 Bed** | **3 Bed** | **4 Bed** | **Total** |
| North Naas Road only | 26 | 35 | 90 | 36 | **187** |
| South Naas Road only  | 64 | 81 | 120 | 44 | **309** |
| Both North & South NR | 15 | 23 | 48 | 28 | **114** |
| **Total** | **105** | **139** | **258** | **108** | **610** |

### **Q2/0921 QUESTION: Councillor T. Costello**

To ask the Chief Executive how much money has been spent this year on grass cutting v budget.

**REPLY:**

Expenditure to date on grass cutting is €2,298,318 from a total budget of €3,673,700 and this equates to 63% of the budget provided.  Expenditure on wages has been accounted for to around the middle of August in the figure provided.  Expenditure on other items such as plant hire and own machinery, fuel, materials and other items is account for to the end of July.

### **Q3/0921 QUESTION: Councillor M. Duff**

Can the Chief Executive advise this Council regarding documents relating to Housing Requests, Grants, Purchase Schemes etc, received from the general public, in the period 1st January 2021 to August 2021 have been fully accounted for and distributed to the Individual departments concerned? This request follows on from representations received from citizens who claim that they are advised that their documentation is missing or has gone astray.

  **REPLY:**

All documentation received relating to housing requests, grants, purchase schemes etc. are opened and reviewed daily for distribution to the relevant sections within the housing department.  All documentation as received during the period January to August 2021, has been accounted for with the exception of one housing adaptation grant and additional documentation in support of one Rebuilding Ireland Home Loan Application which was hand delivered to County Hall. This has subsequently been rectified with the applicants. The grants team also liaised with the grant applicant directly and received a copy of the application to progress accordingly.

While all post received by the private housing adaptations grants section is reviewed on a daily basis to prioritise applications for those in hospital/care homes needing a grant to facilitate their return to home and also grant payment requests following completion of works, there is currently a backlog of approximately five weeks in registration of applications received. Matters are in hand to reduce this backlog.

### **Q4/0921 QUESTION:** **Councillor M. Duff**

In view of recent reports about people associated with Ashton Dog Pound being charged before the Courts for animal cruelty, will the Chief Executive inform this Council if he has any plans to withdraw from the current contract and also to indicate if South Dublin County Council will join with the other three Dublin Councils in an initiative to open a Municipal Animal Shelter to serve the combined Dublin area

**REPLY:**

Midland Animal Care Limited will be appointed to provide a Dog Shelter and related services for South Dublin County Council commencing 1st October 2021.

Dog Warden services for South Dublin will continue to be provided by the Council’s two full time Dog Wardens.

The new pound facility is located at Hollygrove Kennels, Lyons Road, Newcastle, Co. Dublin. Midland Animal Care Ltd. will also provide dog shelter services at the facility for Dun Laoghaire Rathdown and Fingal County Councils.

Midland Animal Care Ltd. was established in 2014 to deliver dog shelter services for City and County Councils. The company currently provides this service for Meath, Roscommon, Carlow, Kilkenny, and Clare County Councils.

All Midland Animal Care staff members working with dogs on behalf of South Dublin County Council will be trained to veterinary nurse standard or equivalent. The company currently has working arrangements with four registered veterinary practices for the provision of veterinary and animal welfare services. They also proactively work with 15 rescue organisations across Ireland to rehome dogs.

The Council looks forward to working with the company to deliver effective, welfare driven dog shelter services for the County.

### **Q5/0921 QUESTION: Councillor P. Gogarty**

To ask the Chief Executive if the Council has a policy regarding the positioning of mobile retail outlets with recognisable branded logos and primarily selling junk food on its spaces being located directly opposite schools; whether contractual arrangements override health concerns where such outlets have been forced by renovation works to move; and if a statement can be made on the matter.

**REPLY:**

The South Dublin County Council Casual Trading Byelaws 2016, under the Casual Trading Act, 1995 were made by the Council at it's meeting held on the 20th June 2016. These byelaws came into effect on the 1st August 2016 and remain in effect.

Designated trading areas and appropriate fees are set out in the First Schedule of the Byelaws. Category D Licences are granted in respect of designated trading areas in carparks within public parks. Licences are granted for the sale of ice cream/confectionery or for the sale of tea/coffee/confectionery in the relevant designated trading area. All of the licence under category D were granted in 2021. All licence holders have complied fully with the application requirements set out in the Byelaws.

Following the July 2021 Council Meeting, the Casual Trading Bye-laws 2016 were referred to the Environment, Public Realm and Climate Change Strategic Policy Committee who will initiate a review.

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### **Q6/0921 QUESTION:** **Councillor M. Johansson**

To ask the Chief Executive to provide the detail of the number of voids in 2021 which have had the re-let works outsourced and how many voids have been completed by direct labour, and if he would make a statement on the matter?

**REPLY:**

To date approximately 130 homes in the Council’s housing stock have had re-let works completed or commenced in 2021. Essential works carried out on properties being re-let is delivered through a combination of the Council's direct labour team and specialist contractors as necessary.

Typically clearing the vacated houses of waste and previous tenants unwanted personal belongings is carried out by our direct labour team unless the level and type of waste contamination poses a health and safety risk and requires the expertise of external specialist trained contractors. Approximately 90% of properties are cleared by the Council's direct labour staff).

Repair works to relet properties are primarily carried out by a single specialist contractor who coordinates the essential craftworkers required to ensure the properties are delivered at the earliest opportunity whilst ensuring all site activities are carried out in accordance with health and safety and other requirements. A re-let typically requires multiple trades including, painters, carpenters, plumbers, heating engineers, plasterers, brick layers, electricians, roofers, glaziers, tilers, lock smiths etc.  Direct labour craft workers are utilised to conduct these works where the nature of the works permit and subject to availability of labour resources having regard to response and other maintenance duties.  It should be noted the level of activity on re-let works can fluctuate throughout the year and the primary function of our craft workers currently is to ensure prompt and effective responses to maintenance requests from tenants and also in carrying planned and programmed maintenance activities.

### **Q7/0921 QUESTION: Councillor M. Johansson**

To ask the Chief Executive what the average cost is of outsourced re-let works per unit?

**REPLY:**

The averaged expenditure on external contractor works to Council rented dwellings re-let in 2020 was €22,658 per unit. This average expenditure encompasses a wide variety of works including kitchen replacement/works, bathroom works, joinery, plastering, tiling, flooring works, mechanical and electrical works and external works within the curtilage of the property.

The figures do exclude costs of works to clear the vacant homes of waste and previous tenants unwanted personal belongings carried out by our direct labour team, unless the level and type of waste contamination poses a health and safety risk and requires the expertise of external specialist trained contractors.

### **Q8/0921 QUESTION: Councillor Peter Kavanagh**

To ask the Chief Executive if the Green Infrastructure Strategy will allow for any public consultation beyond the general Development Plan Consultation and if he will make a statement outlining the rationale for his answer.

**REPLY:**

Green infrastructure is a strategically planned network of natural and semi-natural areas with other environmental features designed and managed to deliver a wide range of ecosystem services such as water purification, air quality, space for recreation and climate mitigation and adaptation.

SDCC have commenced the delivery of a Green Infrastructure Strategy which forms the basis for the identification, protection, enhancement and management of the Green Infrastructure network within the County. The Green Infrastructure Strategy is being delivered in tandem with the review of the County Development Plan, which ensures information relating to Green Infrastructure is considered and incorporated at an early stage into the County Development Plan review process.

Public consultation of both the Draft County Development Plan and the Green Infrastructure Strategy are being carried out at the same time. This ensures that draft policies and objectives which relate to and interconnect with Green Infrastructure are considered as an integral part of the County Development Plan review. The Draft South Dublin County Development Plan 2022 - 2028 has been prepared in accordance with the provision of the Planning and Development Act 2000 (as amended) and is now on public display for 10 weeks.

The Draft Plan (Written Statement, including Appendices) and associated SEA Environmental Report and AA Natura Impact Report will be on public display and available for public inspection from 7th July to 15th September 2021 on this public consultation portal, at <https://www.sdcc.ie/en/devplan2022/> and at the following locations:

* Tallaght Civic Offices, Tallaght (09.00 -16.30) and at Clondalkin Civic Offices by appointment (the need for appointment may change) and;

at the following Council libraries during normal opening hours and subject to relevant Covid restrictions in place during the consultation period:

* County Library, Library Square, Tallaght, Dublin D24 A3EX
* Ballyroan Library, Orchardstown Avenue, Rathfarnham, Dublin D14 VY33
* Clondalkin Library, Monastery Road, Clondalkin, Dublin D22 XPO3
* Lucan Shopping Centre, Newcastle Road, Lucan, Dublin K78 V295
* North Clondalkin Library, Liscarne Close Rowlagh, Dublin 22

Hard copies of the Draft Plan [written statement, including appendices, environmental report and maps] are available to purchase.

At the commencement of the review of the County Development Plan process a series of webinars were held; these webinars included information on Green Infrastructure and invited questions and comments. During the review process the Green Infrastructure Strategy has been subject to regular and on-going updates to both the Environment, Public Realm and Climate Change Strategic Policy Committee and Land-use Planning & Transportation Strategic Policy Committee.

The consultation for the County Development Plan was advertised in a locally circulated newspaper and has been subject to regular updates and information on the Council’s social media. Weekly articles on the draft County Development Plan have appeared in local newspapers; including an article specifically on Green Infrastructure.

The public consultation process is currently underway and nearing completion; it is not intended to carry out an additional separate process. The inclusion of the Green Infrastructure Strategy as part of the County Development Plan process incorporates it as an integral part of a major strategic document and will give it a statutory basis. It also allows for it to be incorporated into the relevant environmental assessments and to inform indicators as part of the required Strategic Environmental Assessment monitoring following the adoption of the Plan. A key deliverable is to allow Green Infrastructure related policies and objectives, including zoning and GI mapping, to inform and be incorporated into the County Development Plan and be an integral consideration within new development.

By proceeding on this basis the Green Infrastructure Strategy will become a part of the adopted County Development Plan. Green Infrastructure policy and objectives will be evident throughout the County Development Plan and the strategy document will be incorporated as an individual chapter and as an appendix to the County Development Plan

### **Q9/0921 QUESTION: Councillor C. King**

"To ask the CEO to provide to the best of his knowledge with all the relevant information available to him at present when our local Community Centres can open fully to provide all of the essential services which were provided pre Covid in particular services for our Older population that are often the only social outlet for many and can he make a Statement on the matter".

**REPLY:**

Our Community Development team is liaising with community groups and boards of management of facilities across the County to support their plans and readiness, including the return of CE staff, for re-opening in accordance with the prevailing public health guidelines.  It is currently anticipated that all essential user groups and activities will be facilitated to return to centres by local boards of management by 20th September while continuing to adhere to current Government public health guidelines.

### **Q10/0921 QUESTION: Councillor C. King**

"To ask the Manager to provide a costing for an annual Junk Collection in one electoral area per year in an effort to reduce the significant tonnage of dumped materials in our Estates, Parks and Mountainous areas. The areas collected from would be done on a cyclical basis with a number of years between collections in any particular electoral area thus reducing costs on previous proposals for an annual County wide Collection as previously took place at significant cost to the Council and therefore the taxpayer. Can the Manager make a statement on the matter"

**REPLY:**

The Council's Environment Dept previously provided a mobile collection service for both bulky waste and large white goods, this service was terminated in 2008 due to the economic downturn.  The service was provided to households in RAPID areas once in every 3 years and to all other households once in 5 years, it was not provided to households on an annual basis.

The cost to provide the service was in the region of €500,000 to €600,000 per annum to service a total of 20,000 households, giving a cost per household of €25 to €30.  The total quantity of waste materials collected was on average 1,500 tonnes per year giving an average per household of 75kg per household.  The costs associated with the various elements of such a service (labour costs, provision of collection equipment, fuel, materials and waste recycling/disposal costs for example) have increased in recent years, the overall costs given above would be expected to have increased by 20% or more over the 13 years since the last collection.

The provision of a service on a pilot basis to approximately 5,000 households was examined, costed and reported on to the Council in recent years.  That report estimated the cost of such a pilot in one year to be in the region of €150,000 based on costs from the collections provided pre 2008, and this would exceed the cost of the Council's response to Halloween in recent years.  The proposal made now to provide a service to one electoral area per year on a cyclical basis would involve servicing approximately 15,000 households per year, once in every 6 years.  Using the costings available from before and applying a 20% increase to them, it is estimated that the yearly cost of such a service would be expected to be in the region of €500,000 and would therefore cost approximately €3m to complete the County wide cycle over a 6 year period.

It should be noted that the provision of a collection service for household bulky waste would have no impact on the illegal dumping of 'black bags' and burning of household black bag waste which forms the largest part of the illegal dumping problem in the County.

Another point to bear in mind in this regard is that the new waste management plan for a circular economy represents a very clear shift towards the need to re-use household items or to prepare them for re-use, rather than dispose or recycle them.  If this is to be achieved then it will involve the development of schemes and facilities where the preparation of items for re-use can happen, goods such as household furniture for example.  It will no longer be seen as acceptable that such items are either disposed of or recycled, as Ireland transitions towards a Circular Economy.

The Council's recycling centre at Ballymount Avenue continues to accept bulky household waste items, in 2020 a total of 6,879 tonnes of this waste type was accepted at the Ballymount CA facility, .  A mattress 'amnesty' was held again in 2020 and a total of 572 tonnes of mattresses was collected.  Recycle IT provide a WEEE collection and acceptance service on behalf of the Council, this can be arranged to take place as a community service for which no fee is charged, or alternatively a collection can be arranged for an individual household for which a fee is payable.  Household WEEE is also accepted at the Ballymount CA facility and these items are accepted free of charge there.

### **Q11/0921 QUESTION: Councillor C. King**

"To ask the CEO how many vacant Council owned homes are there currently throughout the County and what the average turnaround time is for the reallocation of same".

**REPLY:**

Our housing maintenance section is currently managing re-let works on a total of 95 vacant social housing properties as follows:

* 23 properties where works are complete and the allocations process is underway
* 48 properties where re-let works are in progress (of which 41 properties are scheduled to be completed within 4 weeks)
* 6 properties awaiting engineers' reports to allow confirm the scope and scale of works required
* 17 properties awaiting quotations from contractors (with a target works completion date of end October 2021)

In 2021, the average re-let time, up to and including July 2021, is 26.9 weeks with our housing allocations and maintenance teams engaged in a review of all related processes to improve the current turnaround time.  The review has been examining  areas including the surrender process, appointment of contractors, delivery schedule of works, the allocation of properties to tenants and the use of the new integrated housing system with a number of initial measures being implemented and which combined with the completion of the wider review will contribute to significantly reducing our average re-let times.

The most recent cumulative national study across all local authorities showed a national median period of vacancy (re-let time) of 46 weeks (Overview of Vacant/Void Social Housing in Local Authorities by the Local Government Audit Service VFM Unit, July 2021).

### **Q12/0921 QUESTION: Councillor C. King**

"To ask the CEO how many former Council Homes that were purchased by tenants became available for sale since 2019? With the answer in mind and given that the Council is entitled to first refusal on such Homes to be repurchased and taken into Council Housing stock for the purposes of allocating to Family's or individuals on our Housing list - How many of these Homes were purchased by SDCC for the aforementioned reasons".

**REPLY:**

Since 2019, the Council has received a total of 230 applications for consent to resale under the various tenant purchase schemes, broken down as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Year** | **Consents Granted** | **No Consent Required** | **Consent Refused** |
| 2019 | 34 | 67 | 8 |
| 2020 | 16 | 58 | 0 |
| 2021 | 12 | 34 | 0 |
| **Totals** | **62** | **159** | **8** |

Properties sold under the Incremental Tenant Purchase Scheme 2016 require that the purchaser provide notice to the Housing Authority if they are considering re-selling and if they re-sell their house while the incremental purchase charge is in place, they must get the written agreement from the local authority. They will also have to pay the current value of the outstanding incremental purchase charge to the local authority.  Since 2019, the Council has sold twelve properties under the Incremental Tenant Purchase Scheme 2016.  Only one potential purchaser to date has made an enquiry about the resale of the property back to the Council but did not proceed with their application. The Council does have first option to buy back the house only in those instances where the incremental purchase charge is in place under the Incremental Tenant Purchase Scheme 2016 but the vast majority of properties sold to tenants pre-dated this scheme under various previous Sales Schemes/Tenant Purchase Schemes.  Where consent to re-sale is requested and required, it is generally only granted where the subsequent purchaser is a first time buyer.

### **Q13/0921 QUESTION:** **Councillor Eoin Ó Broin**

## To ask the Chief Executive if the, Development Plans Guidelines for Planning Authorities Draft for Consultation, published in August 2021 by the Department of Housing, Local Government and Heritage, have any role in the creation of the SDCC County Development Plan for 2022-2028?

**REPLY:**

Draft Development Plan Guidelines issued from the Department of Housing, Local Government and Heritage on the 13th August 2021.  They will be on stakeholder consultation until the 8th October with the stated expectation that they will be finalised before the end of 2021.

Notwithstanding that the guidelines are in draft form the accompanying circular letter NRUP 04/2021 indicated that planning authorities should have regard to them. It is recognised in the circular that development plans are at different stages of the process and that questions will arise as to how they should be taken into account in ongoing review processes. In this regard, the following considerations arise:

* the stage of the review process the plan in question is at;
* the extent to which matters of process and methodology set out in the Draft Guidelines may apply to the plan under review (i.e. give rise to material addition and/or change), and
* whether there is reasonable scope to address any such applicability as part of the ongoing plan review process, taking into account remaining periods of public consultation, reporting and decision making and any need for environmental assessment.

It is recognised that where a plan is at an advanced stage of the review process it may be preferable to complete the process and make a variation following the completion should this be required. The determination of the way forward is a matter for the local authority.

The Planning Department is currently reviewing the draft guidelines to assess any implications it may have for the review process, noting that the Draft South Dublin Development Plan 2022-2028 is currently on display with only one further public consultation remaining for any amendments that may be made. Once the guidelines have been reviewed, Members will be advised of their implications, if any, for the development plan review.

### **Q14/0921 QUESTION:** **Councillor Eoin Ó Broin**

This Council notes the success of the 5KM weekly run known as a "Parkrun" across the county in Corkagh, Griffeen, Tymon, and Waterstown Parks pre pandemic. As the provider of regular access to parks for the event, SDCC has had a vital partnership role. This council requests an update from the manager on the SDCC perspective with regard to restarting Parkrun's, noting that they are scheduled to begin again in the parks of some counties bordering Dublin on Saturday, September 11th.

**REPLY:**

Following guidance received from Parkrun Ireland, South Dublin County Council are pleased to announce that Park Runs will recommence on Saturday 25th September in Corkagh, Griffeen, Tymon, and Waterstown Parks.

### **Q15/0921 QUESTION:** **Councillor C. O'Connor**

To ask the Chief Executive to confirm that he is satisfied with the level of water supplies in the County given the great weather and the demand on supplies and will he make a statement?

**REPLY:**

SDCC operates under a service level agreement with Irish Water which includes operation and maintenance of the water supply network within the County.  Irish Water is the national water services authority and are responsible for management of the water supply and for planning and providing for future needs.

Regular operations meetings take place with Irish Water and the Greater Dublin Region Local Authorities to best manage the supply within the region.  These meetings presently take place fortnightly, but are more often if required if there are issues arising such as drought conditions, water quality incidents or significant bursts which may lead to area outages.  There have been no significant issues with the water supply in summer 2021 due to weather conditions.

Irish Water are working on a National Water Resources Plan, which is a 25 year strategy to provide a sustainable, secure and reliable drinking water supply.  Information on this plan is available on Irish Water's website [www.water.ie](http://www.water.ie)

Members are reminded that Irish Water have established a Local Representative Support Desk.  This desk can be contacted at localrepsupport@water.ie Irish Water also hold Councillor Clinics, which typically take place quarterly.

### **Q16/0921 QUESTION:** **Councillor C. O'Connor**

To ask the Chief Executive to detail actions being taken under the Council's Litter Management Programme in respect of the continued problems throughout our County and will he make a statement?

**REPLY:**

The South Dublin County Council Litter Management Plan 2020-2022 proposes to address the negative impacts of litter on our county, improve the quality of life and sense of wellbeing of our residents, and enhance our commercial and tourism potential through effective and efficient enforcement of legislation and regulation, management and maintenance of our public realm and communication, education and awareness. The Litter Management Plan includes annual action plans. Progress on the annual action plans is reported twice yearly to each Area Committee. A full report will be presented to members at the upcoming September Area Committee Meetings.

### **Q17/0921 QUESTION:** **Councillor C. O'Connor**

To ask the Chief Executive for details of the current Housing/Homeless lists in each Electoral area and will he present an updated report?

**REPLY:**

The table below provides a summary of the most recent data held regarding households registered as homeless with the Council - such applications are not categorised by area given that they are in emergency and temporary accommodation.

|  |  |
| --- | --- |
| **Homeless Households** |  |
| Single Male | 228 |
| Single Female | 58 |
| Couples | 15 |
| Families | 152 |
| **Total** | **453** |

Families in homeless services continue to be supported in seeking Housing Assistance Payment (HAP) tenancies including through the enhanced HAP support.  In addition, the provision of emergency accommodation and other supports are ongoing in collaboration with the Dublin Regional Homeless Executive.

The Council continues to increase housing supply with our social housing build, acquisition and leasing programmes including through Part V delivery and collaboration with Approved Housing Bodies.  Additional housing options are also provided through the RAS and HAP schemes.

We operate an outreach service and multi-agency approach to address rough sleepers across the County.  The Outreach worker works closely with the HSE in particular in identifying rough sleepers and sourcing appropriate accommodation and support services. The needs of rough sleepers are often very complex and challenging and require a comprehensive and coordinated approach.

### **Q18/0921 QUESTION: Councillor C. O'Connor**

To ask the Chief Executive if he has proposals to publish a new Countywide Sports Plan; will he give details and confirm that funding will be made available and will he make a general statement giving assurances.

**REPLY:**

The Community Department have just commenced a process to develop a new and comprehensive Sport and Physical Activity plan for South Dublin that will all key stakeholders and funders as well as the relevant sections of the Council.  This strategic project will have many links to other Council departments and will aim to provide a medium and long-term roadmap for the development of physical activity and sports in the County to maximise the potential for all citizens to engage in physical activity.

Significant funding has been allocated for the process and associated initiatives and, as the process develops further, updates will be provided to relevant Strategic Policy Committees, members of which will be intrinsically involved in the policy development.

### **Q19/0921 QUESTION:** **Councillor C. O'Connor**

To ask the Chief Executive if he shares the worldwide concerns following the recent publication of the UN report on Climate Change and will he present an updated report on the Council's response to the crisis and make a statement?

**REPLY:**

The Intergovernmental Panel on Climate Change published the first report of AR6 on the 9th August 2021. This is the first of four reports by different working groups which when combined, will complete the IPCC Sixth Assessment Report.

The final report is expected to be published in 2022 and will contain the following suite of documents;

1. AR6 Climate Change 2021: The Physical Science Basis (August 2021)
2. AR6 Climate Change 2022: Impacts, Adaptation and Vulnerability (February 2022)
3. AR6 Climate Change 2022: Mitigation of Climate Change (March 2022)
4. AR6 Synthesis Report: Climate Change 2022 (September 2022)

The report was prepared by a Working Group (WGI) with contributions from 234 scientists from 66 countries. The 3,949 page report containing thirteen chapters was approved by 195 governments including Ireland.

WGI focused on the consensus of the climate science behind the cause and effects of anthropogenic greenhouse gas emissions. The report included additional detail on the regional effects of climate change and narrows the range of probable temperature rises to between 1.5 °C and 5 °C, with 1.5 °C rise likely to be reached before 2040. The outcomes of the rise in temperature will include sea level rises of between 0.5 and 1.0 metres by 2100  and an increase in extreme weather events and compound effects.
The reports warns that it is only possible to avoid warming of 1.5°C or 2.0°C if massive and immediate cuts in greenhouse gas emissions are made.

South Dublin County Council will continue to progress the actions outlined in the Climate Change Action Plan 2019-2024, however, our goals on energy efficiency improvements and carbon reduction will be updated to reflect our success on achieving our initial energy efficiency goal and updated legislation on carbon reductions.

Our current targets on climate action are;
• A 50% improvement in the Council’s energy efficiency by 2030 (revised from 33% by 2020)
• A 51% reduction in the Council’s greenhouse gas emissions by 2030 and carbon zero by 2050 (revised from 40% reduction by 2020) in line with the national Climate Action Plan 2019 targets legislated for in the Climate Action and Low Carbon Development (Amendment) Act 2021.

• Make Dublin a climate resilient region by reducing the impacts of future climate change related events.
• Actively engage and inform our citizens on climate change.

Many of actions presented in the CCAP relate to SDCC’s operations and our plans to decarbonise the Council's fleet and buildings and to improve the efficiency of our public lighting infrastructure by replacing incandescent bulbs with LEDs. Phase 1 of the replacement programme (2014-2020) has been completed. 9,689 SOX lighting units have been replaced with more efficient LEDs. Phase 2 of the programme is underway and SDCC plan to replace a further 1,500 units in 2021. The energy performance of public lighting has improved by 34.5% since the baseline. This represents and absolute reduction of 9.8GWh of primary energy and 3,450 tonnes of CO2.

The Tallaght District Heating Scheme is Ireland’s first large scale district heating project and is being spearheaded by South Dublin County Council. The scheme will also operate as Ireland’s first not-for-profit utility and will make a significant contribution to reducing carbon emissions in the area, with annual saving of almost 1,500 tonnes of CO2. The project, includes an underground network of highly insulated pipes that transfer low carbon heat from an energy source to buildings that have connected to the system, providing hot water and space heating. The nearby Amazon data centre will provide the initial source of heat on the network, however, the scheme can accommodate additional, alternative, energy sources. Phase one of the Tallaght District Heating Scheme connects South Dublin County Council’s office buildings and the TU Dublin-Tallaght campus. During normal operation, the heat demand will be fully covered from heat generated at the data centre. Subsequent phases of the project will facilitate the connection of other public, private and residential customers in the Tallaght area including new residential developments.

Decarbonising Zone
Under the Climate Action and Low Carbon Development (Amendment Bill) 2021, each Local Authority was required to submit to the DHLGH by April 30th a potential area suitable as a decarbonising zone, (i.e. to implement a range of measures to reduce carbon by a minimum of 51% by 2030).

The next steps include;
• Work with energy agency (CoDEMA) to review the Spatial Energy Demand Analysis;
• Define the DZ boundaries
• Develop a baseline for Carbon emissions
• Identify the key stakeholders
• Identify funding sources
• Identify Carbon reducing measures in each Decarbonising Zone
• Prepare an implementation plan to be submitted to DHLGH and to form part of our Climate Change Action Plan
Sustainable Energy Communities
SDCC support the Sustainable Energy Community programme run by the Sustainable Energy Authority of Ireland (SEAI). South Dublin County Council is working with Sustineo, the appointed mentor for communities in South Dublin and Codema, Dublin’s Energy Agency to facilitate and support homeowners, sports clubs, community centres, local businesses and churches transition to Sustainable Energy

Communities.

SDCC has agreed to provide bridging finance to communities to develop their Energy Masterplans. The cost will be recouped from the SEAI.

South Dublin County Council has also committed to providing financial support for sustainable energy projects identified in Energy Masterplans and deemed beneficial to communities under the SDCC Climate Innovation Fund.
Benefits of joining an SEC

• Lower Energy Bills
• Make homes and community buildings more comfortable
• Boost local employment opportunities
• Build community energy knowledge, confidence and capacity through experience
• Become a leader in sustainable energy and do your bit for the planet
There are currently 8 Sustainable Energy Communities in South Dublin, including groups that have already initiated projects and groups who are at an early stage in developing their objectives.

Public Lighting Upgrades
Phase 1 of the 55 W SOX replacement programme (2014-2020) has been completed. 9,689 SOX lighting units have been replaced with more efficient LEDs. Phase 2 of the programme is now underway and SDCC plan to replace 1,500 units in 2021. The energy performance of public lighting has improved by 34.5% since the baseline. This represents and absolute reduction of 9.8GWh of primary energy and 3,450 tonnes of CO2 (SDCC 2019 Energy review). Public lighting upgrades will be also included as potential works in our Decarbonising Zones.

Office Lighting Upgrade
Phase 1 of retrofitting LEDs in County Hall has been completed with a calculated annual saving of 37 tonnes of Carbon emissions.

Phase 2 of the replacement of office lighting with Energy Efficient LEDs is also complete with additional annual reductions in energy consumption of 40,189 Kwh and GHG emissions of 13.3 tonnes.

Phase 3 of the project is complete and phase 4 is currently being quantified.
The total annual reduction in CO2 emissions to date is 53 tonnes.

Energy Elephant
With funding from the Climate Innovation Fund, SDCC have initiated a 2-year pilot project with Energy Elephant. Energy Elephant are in the process of setting up an energy use monitoring system across all of the Councils facilities. This process will facilitate reporting M&R to SEAI and prove useful for identifying areas where additional improvements and savings can be made. It will be a benefit to SDCC when we move towards acquiring ISO 50,001 certification.

Active Travel Team
An active travel admin team has recently been established to work with and support a technical team of engineers working on a range very exciting active travel projects over the coming years including Cycle South Dublin. The team will provide support on finance, communications, admin, as well as delivering their own projects such as free cycle parking for Schools/Sports clubs and an active travel website.

Cycle South Dublin
The Programme of works to progress 260km of new and improved cycle lanes across the county was approved at South Dublin County Council April meeting. The ‘Cycle South Dublin’ programme includes 63 projects to deliver a 260km space for both cycling and walking - an increase of nearly 50km from a programme that was publicly consulted on in late 2020.

The timeline of the project has been revised to a delivery within 8 years. The original project timeframe was 10 years.

The project will be funded with support from the NTA and the Department of Transport. The NTA has committed to increase the council’s active travel fund from €8.9m in 2020 to €20.7m for 2021.

Flood Alleviation Schemes
Whitechurch - Leave for a Judicial Review has been granted to the Ballyboden Tidy Towns Group. The Court date is scheduled for 5th October 2021.
Poddle – The anticipated date for decision by An Bord Pleanala has been extended to 24th September, 2021.

Camac - Stage 1 Preliminary Design is ongoing. CCTV surveying of culverts and Hydraulic Modelling are close to completion.

Strategic Flood Risk Assessment
Consultants have been engaged to carry out Strategic Flood Risk Assessments (SFRA) for all Local Area Plans, SDZs and Development Plans. The SFRA is currently being prepared by Roughan O’Donovan for the County Development Plan. The SFRA includes a hydro geomorphological study to provide rational for a review of riparian buffer areas. The draft SFRA will inform relevant policies in the CE Draft CDP.

SuDS Guidance Documents and Training
South Dublin County Council are developing a SuDS Explanatory, Design and Evaluation Guide in accordance with international best practice, emerging international guidance, SDCC’s County Development plan objectives and under target action areas detailed in SDCC’s Climate Change Action Plan 2019-2024. The Guidance document will be an “easy to follow” document to explain and promote best practice Sustainable Drainage Systems (SuDS) to architects, engineers, developers and local authority stakeholders involved with developments within the county of South Dublin.

Pollinator bulb planting project
As part of our commitment to meet the objectives set out in our Climate Change Action Plan, our Biodiversity Plan and our Pollinator Action Plan, SDCC planted 290,000 bulbs throughout the county in autumn 2020. 85% of the bulb mix are pollinator friendly species. Daffodils are interplanted with pollinator friendly bulbs such as Tulips, Camtasia & Alliums to define the locations of the pollinator bulbs and reduce the likelihood of mowing the spring bulbs as they emerge in April/May. Daffodil planting also allows long grass, wildflowers/dandelions, etc to grow, which act as habitat hubs, food sources & ecological corridors for bees and other pollinators.
Bulbs were planted at the following locations;

Location 1: Junction of Kennelsfort Road Upper & R148
Location 2: Cloverhill/Fonthill Road beside Greenford estate
Location 3: Adamstown Link Road roundabout
Location 4: roundabout on N81 between new landscape works and wilder area at top of bank
Location 5: Spawell Roundabout and raised bank off R137 between Spawell Roundabout and graveyard
Location 6: Wide verge alongside junction of R112 and R137 at Templeogue Village
Location 7: Two Killinniny Road Roundabouts

SDCC manages over 1,500 hectares of parks and open spaces and have been implementing a decreased mowing regime over the past number of years. SDCC is establishing grassland management regimes which will help to establish habitats for wildlife and nesting birds. SDCC currently manage 136 Ha of Pollinator friendly meadows. SDCC have also signed up to the National Pollinator Plan, and are implementing actions in correlation with the SDCC Biodiversity Action Plan.

South Dublin County Council and the Local Enterprise Office South Dublin are aiming to work with businesses in the county to reduce their environmental impact and become more sustainable. A virtual information webinar was held on the 31st March 2021 to present details on the project and how local businesses can participate. Ten businesses will be able to apply for onsite environmental reviews and grants are available to businesses who carry out improvements highlighted in the review.

Climate Action Communications Strategy

The Climate Change Team has developed a Communications Strategy to document and promote the Council’s numerous actions being carried out through day-to-day work and the Climate Change Action Plan. The Communications strategy will inform elected members and members of the public of ongoing Climate Action related works and upcoming events.

The first edition of the Climate Change Newsletter was published in January 2021 focussing on energy. The second edition was published in May and with a focus on Transport.
Our social media hashtag (#SDCCClimateAction) is now being used on all South Dublin County Council climate action social media posts.

A SDCC Climate Action website is currently in development. The website will provide citizens direct access to the Climate Change Action Plan and it’s actions. The website will provide information and resources to citizens on current Climate Action projects and events. A web design company (PTools) has been engaged to deliver the website and provide training.

Climate Action Week
The first Dublin Climate Action Week (DCAW21) will take place between Monday 13th and Sunday 19th September 2021.
South Dublin County Council together with the other 3 Dublin Local Authorities, the Dublin Climate Action Regional Office (CARO) and Dublin’s Energy Agency Codema have come together to organise a great programme of online and physical events to showcase the Dublin region’s climate action progress, demonstrate the leadership role of the four Dublin Local Authorities and inspire action.
Registration is now open for events taking place during Dublin Climate Action Week.
Dublin Climate Action Week 2021 | Climate Change Events Dublin (codema.ie)

Climate Action Awareness Training
Under action 150 of The National Climate Action Plan a Local Authority Climate Action Training Programme is being delivered to all 29,000 Local Authority staff and elected members. The course is split into 3 modules, each 45-90min in duration. The training is mandatory to all staff and aims to increase knowledge, understanding and awareness of global climate change and the context for Ireland, for Local Authorities and for our citizens.

Limerick Institute of Technology have been appointed by the LASNTG to deliver the training programme to elected members and senior staff, including Chief Executives, Directors of Services, Senior Executive Officers, Senior Engineers/Planners and equivalent. Training for SDCC elected members and senior staff has been scheduled for 5th November 2021.

County Development Plan 2022-2028
South Dublin County Council is currently drafting the next iteration of County Development Plan. The draft Plan is currently on public display at Draft South Dublin County Development Plan 2022 - 2028 | South Dublin County Council's Online Consultation Portal (sdublincoco.ie) where the public are invited to make submissions. Climate Change is at the core of the new plan and all strategies contained within the plan will have Climate Change as a critical theme.

### **Q20/0921 QUESTION:** **Councillor D. O'Donovan**

To ask the Manager if he will be reviewing the rollout of the LED lighting programme, given recent reports that they have led to the decimation of pollinator insects in the UK.

**REPLY:**

*The study referred to was undertaken in fairly rural area of the UK. The UK was an early adopter of LED technology with Public-Private Partnerships generally used to fund wholescale, mass replacement of conventional lighting. This was often done with little site specific design and with cost and energy efficiency as the main drivers.*

*In contrast in Ireland generally, and at SDCC in particular, our LED installations have been fully designed with strong spill light controls, lower colour temperature and dimmable profiles ensuring that light levels are reduced along with traffic usage. This is done using our own in-house expertise, utilising external specialist designers where necessary.  Additionally, all lighting installed in environmentally sensitive areas has additional measures such as lower colour temperatures and dynamically controlled lighting. These lighting installations are designed to the best practice guidelines as published by the Bat Conservation Trust and to the approval of the National Parks and Wildlife Service.*

*As a result, we will not be reviewing our LED lighting programme. We have considered the environmental impact of night-time illumination as a fundamental design parameter even prior to the advent of LED Lighting and will continue to do so as lighting technology evolves.*

### **Q21/0921 QUESTION:** **Councillor F. Timmons**

To ask the Chief Executive for a detailed report into current Homelessness figures in SDCC that identifies current needs and numbers of rough sleepers and number of emergency beds provided and what will be needed going forward?

**REPLY:**

The table below provides a summary of the most recent data held regarding households registered as homeless with the Council

|  |  |
| --- | --- |
| **Homeless Households** |  |
| Single Male | 228 |
| Single Female | 58 |
| Couples | 15 |
| Families | 152 |
| **Total** | **453** |

There are currently a total of 301 singles and couples registered as homeless with South Dublin Co. Co. and these clients have been offered emergency accommodation.

The Council operates an outreach service and multi-agency approach to address rough sleepers across the County.  The Outreach worker works closely with the HSE in particular in identifying rough sleepers and sourcing appropriate accommodation and support services. The needs of rough sleepers are often very complex and challenging and require a comprehensive and coordinated approach.

SDCC provides hostel type accommodation in our own administrative area and through the Dublin Regional Homeless Executive Central Placement Services, and at present there is sufficient capacity in the system for any rough sleeper to be referred to emergency accommodation.

The Council is also committed to the Housing First programme which aims to provide a person sleeping rough, or someone who has been long-term homeless, with their own secure accommodation as well as access to intensive and specialised support services.

### **Q22/0921 QUESTION:** **Councillor F. Timmons**

To ask the Chief Executive for a detailed report into current family hubs figures in SDCC that identifies current needs and numbers of people waiting on a hub and demand for same and the estimated cost incurred annually for providing these hubs?

**REPLY:**

  Three family hubs are in operation in South Dublin County at present as follows:

* High Street Family Hub (Abberley) is a privately managed facility with 58 rooms (including 9 large family rooms);
* Firhouse Family Hub has 20 rooms and is managed by Respond Housing;
* Springfield Family Hub accommodates 12 families and is also managed by Respond Housing.

It is acknowledged that family hubs are not a long-term solution for families but they are an important response for families who become homeless and have no alternative other than self-accommodating because they provide more stable and appropriate accommodation that includes play space, cooking & laundry facilities and communal recreation space.  This relative stability allows families to pursue longer term accommodation through HAP supported private rented accommodation, with the assistance of on-site key workers or social housing tenancies.  For these reasons and with a further 20 households currently in self-accommodate options, we will continue to explore opportunities to provide additional family hub space across the County.

The Dublin Region Homeless Executive (DRHE) is provided by Dublin City Council as the lead statutory authority in the response to homelessness in Dublin and adopts a shared service approach across the Dublin region on behalf of South Dublin County Council, Fingal County Council and Dún Laoghaire-Rathdown County Council.  The costs of the provision of family hubs and other emergency accommodation is administered and paid for by DRHE.

### **Q23/0921 QUESTION**: Councillor F. Timmons

To ask the Chief executive for a detailed report into how someone can request a Tree Preservation order? and to identify what the process and who the section in SDCC and person in charge of TPOs in SDDCC is?

**REPLY:**

Provision for the making of Tree Preservation Orders is set out under Section 205 of the Planning and Development Acts, and is as follows:

**Section 205 of the Planning and Development Act:**

1. — (1) If it appears to the planning authority that it is expedient, in the interests of amenity or the environment, to make provision for the preservation of any tree, trees, group of trees or woodlands, it may, for that purpose and for stated reasons, make an order with respect to any such tree, trees, group of trees or woodlands as may be specified in the order.

(2) Without prejudice to the generality of *subsection (1)* , an order under this section may —

( *a* ) prohibit (subject to any conditions or exemptions for which provision may be made by the order) the cutting down, topping, lopping or wilful destruction of trees, and

( *b* ) require the owner and occupier of the land affected by the order to enter into an agreement with the planning authority to ensure the proper management of any trees, group of trees or woodlands (including the replanting of trees), subject to the planning authority providing assistance, including financial assistance, towards such management as may be agreed.

(3) ( *a* ) Where a planning authority proposes to make an order under this section, it shall —

(i) serve a notice (which shall include particulars of the proposed order) of its intention to do so on the owner and the occupier of the land affected by the order, and

(ii) cause notice of the proposed order to be published in one or more newspapers circulating in its functional area.

( *b* ) A notice under *paragraph (a)(i)* shall be accompanied by a map indicating the tree, trees, group of trees or woodland to be preserved.

(4) A notice under *subsection (3)* shall state that —

( *a* ) the planning authority proposes to make an order preserving the tree, trees, group of trees or woodlands,

( *b* ) submissions or observations regarding the proposed order may be made to the planning authority within a stated period of not less than 6 weeks, and that the submissions or observations will be taken into consideration by the planning authority, and

( *c* ) any person who contravenes an order or, pending the decision of a planning authority, a proposed order under this section, shall be guilty of an offence.

(5) The planning authority, having considered the proposal and any submissions or observations made in respect of it, may by resolution, as it considers appropriate, make the order, with or without modifications, or refuse to make the order, and any person on whom notice has been served under *subsection (3)* shall be notified accordingly.

(6) Where a planning authority intends to amend or revoke an order made under this section, the planning authority shall give notice of its intention to amend or revoke the order, as the case may be.

(7)   ( *a* )   A notice under *subsection (6)* (which shall include particulars of the proposed order) shall be —

(i) served on the owner and the occupier of the land affected by the order, and on any other person on whom a notice was served under *subsection (3)* , and

(ii) published in one or more newspapers circulating in the functional area of the planning authority.

( *b* ) A notice under *subsection (6)* shall be accompanied by a map indicating the tree, trees, group of trees or woodland to be affected by the amendment or revocation of the order.

(8) A notice under *subsection (6)* shall state that —

( *a* ) the planning authority proposes to amend or revoke the order, and

( *b* ) submissions of observations regarding the proposal may be made to the planning authority within a stated period of not less than 6 weeks, and that the submissions or observations will be taken into consideration by the planning authority.

(9) The planning authority, having considered the proposal and any submissions or observations made in respect of it, may by resolution, as it considers appropriate, revoke the order or amend the order, with or without modifications, or refuse to make the order, as the case may be, and any person on whom notice has been served under *subsection (7)* shall be notified accordingly.

(10) Any person who contravenes an order or, pending the decision of a planning authority, a proposed order under this section, shall be guilty of an offence.

(11) Without prejudice to any other exemption for which provision may be made by an order under this section, no such order shall apply to the cutting down, topping or lopping of trees which are dying or dead or have become dangerous, or the cutting down, topping or lopping of any trees in compliance with any obligation imposed by or under any enactment or so far as may be necessary for the prevention or abatement of a nuisance or hazard.

(12) Particulars of an order under this section shall be entered in the register.

### **Q24/0921 QUESTION:** **Councillor F. Timmons**

To ask the Chief Executive for a detailed report into planned step down accommodation in SDCC, when will part 8s be brought to council and what Part 8s are planned going forward by electoral area?

**REPLY:**

As outlined during the process of adoption of the County Age Friendly Strategy in late 2020, people in Ireland are living longer and healthier lives due to improvements in healthcare and lifestyles.  Census data and demographics for South Dublin show significant projected

Ageing population –local demographics and future projections

Best practice & policy development focusing on older people living in their communities for longer

County Age Friendly Strategy & associated commitment to deliver a range of age friendly housing developments across the County

(Presentations to Council & SPC in Sept 2020)

Rightsizing research / under-occupancy study / housing demands

Need to provide appropriate housing options to meet needs of older people

Develop liaison and support roles

### **Q25/0921 QUESTION: Councillor F. Timmons**

To ask the Chief Executive for a detailed report on big belly bins, has a cost analysis been done? when will they be rolled out in SDCC? has any other options been considered? would there be any staff loss of employment due to these bins or would staff be redeployed?

**REPLY:**

Solar powered, smart street litter bins were considered by the Environment, Public Realm and Climate Change SPC over the 2019/2020 period.  A limited trial of this bin type was carried out in the Rathfarnham area which consisted of the removal of existing standard litter bins in Rathfarnham Village, Rathfarnham Castle playground and at Rosemount shopping centre and replacement with a total of 8 solar powered litter bins in these locations.  The trial commenced in November 2019 and concluded in April 2020, with reports on the outcome of the trial presented to the May and September meetings of the SPC during 2020.

The first of those reports presented the findings from the trial in relation to the frequency of servicing required by the solar powered bins compared with the standard litter bin, and the potential to reduce the frequency of collection which would be expected to arise.  The second report presented a further exercise whereby different locations were examined and considered for the use of this bin type, in particular the replacement of standard bins in town and village locations was examined with some preliminary figures presented regarding likely costs, potential savings and the possibility of attracting income from advertising on these bins.

The estimated cost for a limited roll-out of 70 of these units to replace existing standard litter bins in town and village centre locations only is €420,000.  A project to replace all existing litter bins across the County, at a rate of one solar bin replacing 2 standard bins, would cost in the region of €2.5m.  The figures presented in the reports to the SPC indicate that savings could be achieved through improved management of the service made possible by the smart technology, the compaction potential of the equipment and the opportunity to change to a service which responds to the need to service bins rather than one which is planned to take place on a daily basis at the present time due to the lack of information on the status of the bin at any given time.  The savings would come in the form of reduced labour and machinery costs arising from the reduction in the number of operatives and vehicles required to provide the service, and also savings in the form of reduced fuel costs arising from the flexible and responsive nature of the service.

The following guideline figures can be provided at this time, however a full cost benefit analysis is being prepared at the present time for further consideration.

|  |  |  |
| --- | --- | --- |
| Item | Comment | Cost |
| Cost to provide 400 solar powered bins across the county | From trial | €2,500,000 |
| Annual savings arising from rationalisation of the service |   | €  180,000 |
| Annual maintenance costs, including telemetry and licences | Estimate | €  180,000 |

### **H6/0921 DECLARATION OF ROADS TO BE MADE PUBLIC ROADS - FOR APPROVAL**

It was **NOTED** that there was **NO** Business under this Heading.

### **H7a/0921 PROPOSED DISPOSAL OF PROPERTIES/SITES - FOR APPROVAL**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. C. Ward, Director of [Housing, Social and Community Development](http://intranet/Council/?d=12), and were **CONSIDERED:**

1. Proposed disposal of lands at Killinarden, Tallaght, Dublin 24 to The Arden Team DAC, Wilton Works, Naas Road, Dublin 22, for development comprising new residential homes, community/sporting and creche facilities, open space, infrastructure and services.

In October 2018, at a Special Meeting of the Council on Housing Matters, the

Elected Members noted a report outlining the proposal to progress a masterplan on

a site at Killinarden, Dublin 24. A masterplan for the site was subsequently

developed and presented to the Council meeting on 9th March 2020, at which the

Elected Members agreed the type and tenure mix as outlined in the masterplan,

* + to commence a competitive procurement process to appoint joint venture partner to bring the outline masterplan to planning stage, and
	+ to proceed to land disposal (s.183) following the procurement process.

On the 6th July 2020, SDCC sought expressions of interest to develop the 15.7 hectares site

at Killinarden, Dublin 24 in accordance with the masterplan. The masterplan site has an area

of 30.5 hectares and incorporates the 15.7 hectares of the site for residential development,

creche and associated open spaces. The location of the community centre is within the

Masterplan site, but not included in the development site.

The successful economic operator would be responsible for the delivery of infrastructure

enabling works required for the development which include the following –

• Main Avenue to serve the proposed new residential area, linking from the N81 to Killinarden Heights Ring Road, to include two signalised junctions and nine priority junctions.

• The provision of a wetland green infrastructure area to the south of the Development site.

• The provision of underground foul and surface water drainage.

• The provision of a new public open space to OS zoned lands to the east; and

• All other standard infrastructural provision to site including drainage, roadworks, associate site clearance works.

The required housing tenure mix for the site is 60% affordable purchase housing, 20% social housing, to be sold by the economic operator to SDCC and 20% private.

The whole process from commencement of the masterplan to recommending award of tender including complex technical and legal development has taken approximately three years.

It is proposed to enter into a legal agreement with the preferred Economic Operator to develop the site and to construct the housing units, community, and sporting facility, creche, park and associated enabling works in accordance with the objectives of the masterplan and in accordance with the plans.

Accordingly, I recommend that the Council dispose of lands on which affordable purchase units and private residential units will be built within the development site at Killinarden, Tallaght, Dublin 24 to The Arden Team DAC, Wilton Works, Naas Road, Dublin 22 in accordance with Section 211 of the Planning and Development Act 2000 and subject to the provisions of Section 183 of the Local Government Act 2001 as follows:

1.

i. SDCC is the freehold owner of the 30.5-hectare master-planned development site at Killinarden which includes a residential development site which is approximately 15.7 hectares. The Arden Team DAC will be responsible for development of the site. The Council will issue licences subject to planning permission to the Arden Team DAC to allow access and development of the master-planned site including compound licence(s) if required. In addition, should the Economic Operator require access to the development site to support the preparation of a planning application SDCC will permit access to the site by way of temporary licence(s) A development agreement will be entered into by both parties for the development of the site. The draft terms and conditions of the development agreement have been shared with the Arden Team DAC. The development of the site will include development of all infrastructure enabling works as documented in the form of tender issued by SDCC and also provision of a creche and a community and sports facility, which is to be located outside the residential development area but within the masterplan for the area. Title to the affordable purchase and private residential units along with the associated common areas within the residential development area of the masterplan site will transfer from SDCC upon completion of the units or phases of the development and subject to the Economic Operator having made all payments required as set out in term number 2. Title to the social units will not be transferred to economic operator, the land and units will remain in the ownership of the Council.

ii. That the lands being disposed will comprise of approximately 372 affordable purchase units, 123 private units and associated common areas. The precise numbers and boundaries have yet to be established, however the approximate area of the land is 7.06 hectares or thereabouts (+ or - 10%) and will be confirmed once planning permission for the development site has been achieved. In addition, a formal land registry compliant map shall be prepared by the Council for inclusion with the legal documents and furnished to the economic operator for inclusion with the legal documents but in the interim a draft plan for identification purposes drawing named “KMP1” is annexed showing the development site outlined in red with proposed affordable and private units for disposal shaded brown and blue.

2.

That the consideration due to SDCC by The Arden Team DAC (the Economic Operator) is €14,000,000 payable as follows: -

(a) €500,000 within six weeks of the Council approving a Section 183 of the Local Government Act. Such amount to be refunded in the event that the development proposed for the site does not receive full planning permission, and/or in the event of any of the terms and conditions of the disposal not having been satisfied.

(b) 5% (€700,000) of the Economic Operator’s Consideration within 10 working days of the date of the grant of planning permission.

(c) 10% (€1,400,000) of the Economic Operator’s Consideration, on the execution of the Development Agreement.

(d) 5% (€700,000) of the Economic Operator’s Consideration, not later than one Working Day before the date on which the Economic Operator is to be permitted to enter onto part of the development site for the purposes of commencing the development.

(e) 26.6% of the Developer’s Consideration (€3,724,000) on the date which is the earlier of eighteen months from the date on which the Developer is permitted to enter onto the Development Site for the purposes of commencing the Development or the date of Practical Completion of the third tranche of Social Units in accordance with the Developer’s Timetable and the Phasing Map.

(f) 26.6% of the Developer’s Consideration (€3,724,000) on the date which is the earlier of the 12-month anniversary of the due date for payment of the Developer’s Consideration referred to at D above or the date of Practical Completion of the fifth tranche of Social Units in accordance with the Developer’s Timetable and the Phasing Map.

(g) The balance (€3,252,000) of the Economic Operator’s consideration on the date which is the earlier of the twenty-four-month anniversary of the due date for payment of the Developer’s Consideration from the date the Developer was permitted to enter the site or the date of Practical Completion of the seventh tranche of Social Units in accordance with the Developer’s Timetable and the Phasing Map; The entire of the Developer’s Consideration shall be due and payable before the expiration of four years and ten months from the date of the Development Agreement.

(h) If planning permission when granted requires a greater or lesser number of social/affordable purchase or private units to be built then as set out in these heads of terms, the heads of terms may be varied to either increase or decrease the number of affordable purchase units and private units being disposed of as required by the planning permission with the consideration due by SDCC/the Economic Operator also may being varied as set out in the draft development agreement provided to the Economic Operator.

3.

That the economic operator and SDCC shall use all reasonable endeavours to obtain planning permission pursuant to the provisions of the Planning & Development (Strategic Housing Development) Regulations 2017 (or other applicable regulations under the Planning and Development Act 2000, as amended) as soon as practicable but within eighteen months of the heads of terms being agreed. Should the aforementioned planning scheme be replaced or amended the developer in discussions with SDCC will utilise the most appropriate and efficient planning mechanism to obtain planning permission for development of the site.

4.

The Economic Operator shall prepare a draft Environmental Impact Statement (EIS) for the Development and shall submit the draft EIS to SDCC for approval within two months of the signing of the development agreement. Not later than 10 Working Days after SDCC receives the draft EIS, SDCC shall notify the Economic Operator in writing whether it approves the draft EIS. SDCC shall give reasons if it does not approve the draft EIS. If SDCC requires modification of the draft EIS or seeks to impose conditions on its approval or rejects the draft EIS, it shall set out its reasons in writing and shall in good faith endeavour to agree any changes or alterations it believes are required with the Economic Operator. If SDCC does not approve the draft EIS, the Economic Operator shall submit a revised draft EIS to SDCC for approval. The Economic Operator in accordance with the timetable submitted in their tender response shall prepare the draft Planning Application considering the masterplan and the preliminary planning reports for the development site and SDCC’s Development Plan 2016-2022 and shall submit it to SDCC for approval within four months after the date of the signing of the development agreement (or within such later period as SDCC may, at its discretion, agree).

5.

Not later than one month after SDCC receives the draft Planning Application, SDCC shall notify the Economic Operator in writing whether it approves the draft Planning Application (such approval not to be unreasonably withheld or delayed). SDCC shall give reasons if it does not approve the draft Planning Application. If SDCC requires modification of the draft Planning Application or seeks to impose conditions on their approval or rejects the draft Planning Application, it shall set out its reasons in writing and shall in good faith endeavour to agree any changes or alterations it believes are required by the Economic Operator.

6.

For the purposes of complying with the requirements of the Planning & Development (Strategic Housing Development) Regulations 2017, the Economic Operator shall, while it is preparing the draft Planning Application for submission to SDCC also consult with An Bord Pleanála, and shall deliver to SDCC, with the draft Planning Application, the Opinion issued by An Bord Pleanála confirming its view that the Planning Application constitutes a reasonable basis for an application pursuant to the Planning & Development (Strategic Housing Development) Regulations 2017 and that no further consideration or amendment to the draft Planning Application is required.

7.

Within seven Working Days after receiving written approval to the Planning Application from SDCC, the Economic Operator shall submit the Planning Application to An Bord Pleanála in accordance with the requirements of the Planning & Development (Strategic Housing Development) Regulations 2017 and shall use all reasonable endeavours to obtain the Planning Permission as soon as practicable. 8. The Economic Operator shall pay all appropriate fees in respect of the Planning Application and shall thereafter take all reasonable steps to obtain the Planning Permission, including dealing in a timely manner with any requests from An Bord Pleanála in connection with the Planning Application.

9.

On or before the fifth Working Day after the day on which the Economic Operator shall receive formal written notice from An Bord Pleanála of the decision to grant or to refuse planning permission on foot of the Planning Application (the "Decision") the Economic Operator shall deliver a copy of the Decision to SDCC.

10.

Once planning permission has been obtained, SDCC shall permit the Economic Operator to enter on to the Development Site, in Phases and Economic Operator’s Timetable below, on foot of licences (the "Licence(s)") for each Phase, each such licence to be provided by SDCC for a period of 9 months from the date of the grant of Planning Permission to enable the Economic Operator to carry out the Development in accordance with the Plans, the Economic Operator’s Timetable, and the Planning Permission. The programme for the phased delivery is four years following planning permission as set out below. These dates are as per the tender submission and are indicative based on the current SHD process



The tender programme shows that the first social units in Phase 1 are to be delivered

2 months after the first private and affordable purchase units. The tenure mixes are

then being delivered together throughout Phase 1.

For Phase 2 all tenure mixes will commence delivery together, with the social units

complete 4 months ahead of the final affordable purchase and private units.

For Phase 3 the first social units will be delivered a month after the first affordable

purchase and private units, with all the social units being delivered 3 months ahead

of the final affordable and private units.

11.

The License or Licences (as appropriate) will be renewed by SDCC for further 3-

month periods (or such other period to be determined by SDCC) provided the

Economic Operator is in compliance with all its obligations contained herein.

12.

Unless otherwise agreed by SDCC, the development shall be carried out in

accordance with the Phasing schedule set out above. The Economic Operator shall

only be entitled to be granted a licence to commence work on a subsequent Phase if

SDCC is satisfied that:

* Not less than 50% of the Units in the Phase under construction are at eaves level or beyond.
* Any Economic Operator’s Consideration required to be paid to that date pursuant to development agreement has been paid in full.
* The Development Bond for that subsequent Phase has been delivered to SDCC.
* SDCC has granted a Licence to the Economic Operator for the relevant Phase; and
* No more than two Phases may be underway in the Development at any one time.

13.

If the Economic Operator proposes to commence work on a subsequent Phase, it

shall notify SDCC in writing no more than ten (10) Working Days before the date of

anticipated commencement of such work, identifying the subsequent Phase.

SDCC’s Architect shall, as soon as practicable thereafter, inspect the Units in the

Phase under construction and satisfy itself that 50% or more of the Units in the

Phase under construction are at eaves level or beyond. The decision of SDCC’s

Architect shall be final and binding in this regard.

14.

If SDCC’s Architect is satisfied that 50% or more of the Units in the Phase under

construction are at eaves level or beyond, then, subject to compliance, the Economic

Operator shall be entitled to commence work on the said subsequent Phase provided

however that work on the subsequent Phase shall not progress beyond completion of

ground-floor slabs, road substructures and underground pipework until all the units in

the preceding Phase are roofed and fully closed-in. In this regard, SDCC shall be

entitled to issue a notice requiring the Economic Operator to cease work on the

subsequent Phase if it is satisfied that the Units in the preceding Phase are not all

roofed and fully closed-in and/or that works in the subsequent Phase have

progressed to completion of ground-floor slabs, road structures and underground

pipework. If SDCC issues such a notice, the developer shall immediately cease work

on the subsequent Phase until such time as SDCC notifies the Developer that the

units in the preceding Phase are roofed and fully closed in.

15.

The Economic Operator shall not be permitted to have access to the Development

Site or any part thereof for the purposes of commencing the works in any Phase until

all payments required to be paid as part of the Economic Operator’s Consideration to

that date pursuant to development agreement have been paid in full to SDCC and

SDCC is furnished with and confirms in writing that it is satisfied it has been provided

with the following documents:

* A certified copy of the executed Building Contract including all appendices
* thereto.
* The Development Bond, duly executed, for the Works.
* Certified copy appointment of the Project Supervisor Design Process.
* Certified copy appointment of the Project Supervisor Construction Stage.
* Certified copy appointment of the Design Certifier.
* Certified copy appointment of the Assigned Certifier.
* Certified copy email/s of notice/s of validation confirming submission of the
* commencement notice/s for the Works in accordance with the Building
* Control Regulations.
* Copy Fire Safety Certificate (s) for the Works in the Phase.
* All insurances as required pursuant to required levels as set out in the tender
* documents issued by SDCC.
* The Health & Safety Plan.
* Certified copies of the Forms AF1 and AF2 duly completed and lodged with
* the Health and Safety Authority.

16.

If the Economic Operator fails to achieve practical completion of the works by the

expiration of the Term (as defined in the final Development Agreement) and written

notification has been provided by SDCC Architects to the economic operator, SDCC

shall be entitled to damages for non-completion at a rate of €5,000 per week or part

thereof (subject to the terms of the Development Agreement).

17.

Title to the lands on which the affordable purchase and private units will be constructed

in addition to the associated common areas will transfer following satisfactory

compliance and completion within the phasing as set out under the Development

Agreement.

18.

The book of title relating to the development and disposal lands including the file plan

and folios have been shared with the Economic operator so that they are aware and

accepts the burdens identified on the folios which will form part of this disposal. The

Economic Operator is also aware that they shall provide for and shall accommodate

all wayleaves and connections in respect of any existing services traversing the

Development Site and such new connections thereto as may reasonably be required

with statutory bodies and authorities.

19.

The Economic Operator will be responsible for all planning levies and contributions

payable in accordance with the Council’s Development Contribution Scheme made

under the Planning and Development Act 2000. The contributions under the scheme

are payable prior to entry on the site or as otherwise agreed by the Council. The

Economic Operator must satisfy themselves as to the capacity of all services to service

the proposed development.

20.

Commencement of the works (meaning site preparation and shell and core

construction) shall commence within 6 months of the date of final grant of planning

permission (including the expiration of any judicial review period or appeal period), or

such later date as agreed in writing with SDCC.

21.

That all site investigations, groundworks, overhead cable diversions, demolitions/site

clearance/septic site removal (such works are subject to regulations and to obtaining

the relevant statutory licences), service connections (but excluding service connection

charges for the Social Units) development and associated costs incurred in the delivery

of the entire completed development shall be borne by the Economic Operator.

22.

Prior to commencement of development on the development site the Economic

Operator shall at its own expense secure the development site with a fence or

boundary hoarding of a specification approved in advance by SDCC.

23.

During the building period the Economic Operator will provide all reasonably required

evidence of all risks, public liability and employer’s liability insurance cover maintained

by the economic operator (or procured by the Economic Operator) for the Construction

Period (as defined in the Development Agreement). The insurance shall contain an

indemnity to the principal’s clause and shall also keep SDCC indemnified from and

against all actions, proceedings, claims, demands, damages etc. howsoever arising.

24.

That South Dublin County Council reserves the right, only to be exercised by the

Council acting reasonably, to re-enter on the site and resume possession thereof

should the economic operator fail to commence and complete development of the site within the specified period within the Development Agreement or in the event of the

dissolution, bankruptcy or insolvency of the economic operator save in the case where

a financial institution which has been assigned by way of security the Economic

Operator’s interest for the purposes of financing the development of the site and

enforces its security against the site. South Dublin County Council shall provide written

notice of any intent to exercise this right.

25.

The Economic Operator has been advised that the sale of undeveloped sections of the

Development Site to investors not forming part of the Economic Operator is not

acceptable and will not be permitted.

26.

A social employment clause is set out in the agreement covering the period

commencing on the date of grant of planning permission up to the date of practical

completion of the development.

27.

That the Development Agreement is not transferrable save in the case of a financial

institution of good standing which has been assigned by way of security the Economic

Operator’s interest in the Development Agreement for the purpose of financing the

Economic Operator to undertake the development of the site.

28.

That the above proposal is subject to the necessary approvals and consents being

obtained in order to allow the signing of the agreement with The Arden Team DAC

and in order to allow full construction activities.

29.

That each party shall be responsible for their own professional (i.e., legal,

engineering, architects, and other required consultants’) fees in this case.

30.

The Economic Operator shall pay any VAT, Stamp Duty, or taxes arising at any

stage in this transaction (expect where any lawful exemption or relief therefrom

applies), including on the creation of a building licence (if any), or contract for sale.

31.

That the Council’s Solicitors shall draft the necessary legal agreements, substantially

in the forms previously provided to the Economic Operator for review and may

include further reasonable terms and conditions as deemed appropriate to give effect

to the heads of terms set out herein, including provision for use of an independent

expert(s) to settle any disputes arising, as appropriate, in order to achieve a

reasonable balance in the protection of the party’s interests in the matter.

32.

The applicant is asked to furnish a letter from their solicitors setting out the proper

name of the Economic Operator (the intended purchaser). In the event of any name

change to the Economic Operator (the intended purchaser) prior to formal completion

of the legal transfer, the Economic Operator must provide documentary evidence to

the Council proving that the new named party is one and the same as the named

Economic Operator heretofore to enable the transfer to complete.

33.

No agreement enforceable at law is created or is intended to be created until an

exchange of contracts has taken place.

The lands being disposed of were acquired as follows:

* Form part of the land acquired from the Dominican Fathers in 1991 for recreation and amenity purposes.
* Form part of the land acquired from Dublin City Council (Formerly Dublin Corporation) in 1997 as part of the Scheme of Transfer of Lands pursuant to the Local Government (Dublin) Act, 1993.
* Form part of the land acquired by Kelland Homes in 2016 for future development.

D. McLoughlin

Chief Executive

A discussion followed with contributions from Councillors M. Johansson, D. Richardson, D. McManus, L. Dunne, L. Donaghy, C. Bailey, W. Carey, J. Tuffy, F. Timmons, D. Ó Brádaigh, P. Gogarty, E. Ó Broin, L. O'Toole, M. Duff, C. O'Connor, G. O’Connell, and P. Kavanagh. Councillors welcomed the revised proposal of the development and raised queries in relation to mixed/blind tenure, timeframe for construction of the community/sports facility, percentage mix of affordable/social housing and long-term leasing. Opposition to the disposal of lands to private developers was raised.

Mr. C. Ward, Director of [Housing, Social and Community Development](http://intranet/Council/?d=12), responded to the members queries informing that the community/sports facility will be delivered in Phase 1 of the development and clarified the issues of blind and mixed tenures. He further informed that the social housing units will be in the ownership of South Dublin County Council.

The Mayor Councillor P. Kavanagh then called for a Roll Call vote on the item, the result of which was as follows:

**FOR: 27 (TWENTY-SEVEN)**

**Councillors C. Bailey, V. Casserly, Y. Collins, T. Costello, L. Donaghy, M. Duff, A. Edge, K. Egan, T. Gilligan, P. Gogarty, A. Hayes, P. Kavanagh, P. Kearns, B. Lawlor, L. McCrave, S. McEneaney, R. McMahon, D. McManus, E. Murphy, G. O'Connell, C. O'Connor, S. O'Hara, L. O'Toole, B. Pereppadan, D. Richardson, F. Timmons, and J. Tuffy.**

**AGAINST: 2 (TWO)**

**Councillors M. Johansson and E. Ó Broin**

**ABSTAIN: 4 (FOUR)**

**Councillors W. Carey, L. Dunne, D. Ó Brádaigh, and L. Sinclair.**

In view of the outcome of the roll call vote it was proposed by Councillor P. Kavanagh, seconded by Councillor B. Lawlor, and **RESOLVED**:

“That the proposed Disposal of lands at Killinarden, Tallaght, Dublin 24 to The Arden Team DAC, Wilton Works, Naas Road, Dublin 22, for development comprising new residential homes, community/sporting and creche facilities, open space, infrastructure and services be **ADOPTED** and **APPROVED.”**

### **H7b/0921 PROPOSED DISPOSAL OF PROPERTIES/SITES - FOR APPROVAL**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. C. Ward, Director of [Housing, Social and Community Development](http://intranet/Council/?d=12), and were **CONSIDERED:**

|  |  |
| --- | --- |
| 1. LD 1516 Proposed disposal of plot of land, Grant of Permanent Wayleaves, Temporary Wayleaves and Permanent Right of Way to Irish Water in respect to Pumping Station for Clonburris Strategic Development Zone (SDZ)
 |  |

The Clonburris Strategic Development Zone Planning Scheme was adopted by South Dublin County Council and approved, with modifications, by An Bord Pleanála in 2019. The Planning Scheme sets out a blueprint for the development of approximately 9,000 homes to accommodate approximately 23,000 residents, in addition to employment, retail, leisure, community and education uses, all focussed on delivering a sustainable community centred on proximity to two train stations.

South Dublin County Council has been collaborating with the three main private landowners on the delivery of strategic joint infrastructure across multiple land ownerships within the SDZ which are necessary to facilitate the opening of development land for housing construction. The strategic joint infrastructure broadly comprises of key link streets, bridges, surface water drainage, foul water drainage, water supply, public parks, and community facilities. The Department of Housing, Local Government and Heritage, has allocated funding from the Urban Regeneration and Development Fund to deliver this infrastructure. The subject pumping station will serve as one of the key pieces of strategic infrastructure. It is being progressed and funded via Irish Water, while the broader SDZ-wide network and other infrastructural projects are being progressed by SDCC and the main landowners.

All new developments within the Clonburris Strategic Development Zone will be required to utilise and connect to public wastewater infrastructure. The Planning Scheme broadly outlines how wastewater in the SDZ should discharge to the existing network. The Planning Scheme identifies the need for three pumping stations to serve the overall development of the Strategic Development Zone. The function of the subject pumping station is to pump foul discharge from the development lands to the south of the railway line northwards across the railway line towards the 9B sewer.

The subject pumping station is required to serve approximately 4,000 residential units in a geographical area broadly bounded by the railway line to the north, the Ninth Lock Road to the east, the Grand Canal to the south and the Outer Ring Road to the west. The pumping station does not serve any significant function beyond the SDZ lands. There are currently approximately 1,000 residential units at the pre-planning stage which are dependent on the subject pumping station. This includes SDCC owned lands to the south of the canal and to the west of the Outer Ring Road. Current plans by the landowners, including SDCC, are to commence construction of housing in 2022 and to begin occupying housing units from Q2 2023. These timelines can only be achieved if the Irish Water pumping station is delivered and operational in time for the occupation of housing. It is understood that the current Irish Water plan is for a 12-month construction programme to commence in Q1 2022. So subject to no delays, the pump station will be ready to allow housing occupation and the delivery of Clonburris SDZ.

I recommend that the Council dispose of the respective plot, wayleaves and right of way to Irish Water (IW) in accordance with Section 211 of the Planning and Development Act 2000 and subject to the provision of Section 183 of the Local Government Act 2001 subject to the following terms and conditions: -

1.That South Dublin County Council shall dispose of the unencumbered freehold title in Plot 001 which is shown outlined in red and shaded in white on drawing IW/10028331/ACQ/0001 and which extends to 0.0354 hectares. That a five-year option agreement be drawn up in this regard the purpose of which is to enable IW to obtain the necessary statutory consents for the project. IW to exercise the option agreements as soon as these consents are in place.

2. That a permanent wayleave shall be granted over Plots 004 and 005 (plot 005 will contain an underground storage tank) which are shown coloured yellow and hatched red on drawing IW/10028331/ACQ/0001 and which extend to 0.1321 hectares.

3. That a permanent wayleave shall be granted over Plot 014 shown coloured yellow on the attached copy drawing IW/10028331/WL/0005 and which comprises an area of 0.0455 hectares.

4. That a permanent right of way shall be granted over Plot 018 shown hatched red on the attached copy drawing IW/10028331/WL/0005 and which extends to an area of 0.0793 hectares.

5. That temporary wayleave, which are to be used as working areas during the construction of the pumping station, installation of the underground tank and laying of the pipeline, shall be granted over the lands, identified as follows:

(a) Plots 002 & 003 comprising an area of 0.0786 hectares and shown coloured green on drawing IW/10028331/ACQ/0001.

(b) Plots 015, 016 & 017 comprising an area of 0.0426 hectares and shown coloured green on drawing IW/10028331/WL/0005.

6. That the Irish Water shall compensate South Dublin County Council to the value of €170,000 (one hundred & seventy thousand euro).

7. The estimated cost of the Public Realm/Accommodation works being carried out by Irish Water is €150,000 and the Council is prepared to ameliorate this value against the compensation amount recommended by the Valuer of €170,000 (to €20,000). This ameliorated amount is subject to the proposed works being carried out by Irish Water and to the satisfaction of the Council. If the works are not completed to our satisfaction, then the Council will seek monetary compensation of €170,000 in respect to the consideration due.

8. That Irish Water shall pay any taxes payable on this transaction, including VAT and Stamp Duty if applicable.

9. That South Dublin County Council holds freehold title to all the subject plots.

10. That all accommodation/reinstatement works will be carried out in compliance with the terms set out in Irish Water’s Code of Practice.

11. That access to the wayleave area shall follow the standard set out in the Irish Water Deed of Easement.

12. That a Method Statement and Programme for the works is to be submitted to South Dublin County Council Development Department and Parks Department for agreement.

13. That Irish Water shall provide the standard indemnity included in the Deed of Easement which shall indemnify South Dublin County Council against any claim for compensation which may be made by any party arising out of works being carried out by Irish Water and agents/contractors working on their behalf on the subject plots and any access points thereto.

14. Irish Water shall provide the standard indemnity included in the Deed of Easement and indemnify South Dublin County Council against any claim for compensation which may be made by any party arising operation of the pumping station and related infrastructure.

15. That Irish Water shall pay €3,000 (three thousand euro) plus VAT towards SDCC’s Valuer’s fee This amount due is in addition to amount due as per term 6 of this letter.

16. That Irish Water shall pay a legal fees contribution of €1,500 (one thousand five hundred euro) plus VAT. This amount due is in addition to amount due as per term 6 of this letter.

17. That South Dublin County Council reserve the right to create other legal interests in wayleave areas, subject to them not interfering with the underground pipeline and subject to compliance with the terms of the Irish Water Deed of Easement.

18. That this proposal is subject to the necessary approvals and consents being obtained from South Dublin County Council.

19. That no agreement enforceable at law is created or intended to be created until necessary exchange of legal contracts/option agreements has taken place.

20. That the Council’s Solicitor shall draft the Contract for sale and may include further reasonable terms and conditions as deemed appropriate to give effect to the terms set out herein. Irish Water will provide their standard wayleave and temporary working area agreements.

The lands being disposed of form part of lands acquired from P. H. I Investments Limited in 1994 for road purposes, and form part of the land acquired from Dublin City Council (Formerly Dublin Corporation) in 1997 as part of the Scheme of Transfer of Lands pursuant to the Local Government (Dublin) Act, 1993.

**Daniel McLoughlin**

**Chief Executive**

A discussion followed with contributions from Councillors T. Gilligan, E. Ó Broin and L. O'Toole, who raised queries regarding access to the pumping station and the adjacent public open space.

Mr. J. Frehill, Director of Economic, Enterprise & Tourism Development responded to the members queries.

It was proposed by Councillor P. Kavanagh, seconded by Councillor M. Duff and **RESOLVED**:

“That the proposed Disposal of LD 1516 Proposed disposal of plot of land, Grant of Permanent Wayleaves, Temporary Wayleaves and Permanent Right of Way to Irish Water in respect to Pumping Station for Clonburris Strategic Development Zone (SDZ) be **ADOPTED** and **APPROVED.”**

### **H7c/0921 PROPOSED DISPOSAL OF PROPERTIES/SITES - FOR APPROVAL**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. C. Ward, Director of [Housing, Social and Community Development](http://intranet/Council/?d=12), and were **CONSIDERED:**

1. Disposal of fee simple in 46 Páirc Mhuire, Saggart, Co. Dublin.

The following have applied, in accordance with the provisions of the Landlord and Tenant (Ground Rent) (No 2) Act, to acquire the fee simple in the property

|  |  |  |
| --- | --- | --- |
| ADDRESS | LESSEE(S) | PURCHASE PRICE |
| 46 Páirc Mhuire, Saggart, Co. Dublin | Michael Callaghan and Ann Callaghan | €44.89 |

It is proposed, in accordance with the provisions of the landlord and Tenant (Ground Rents) (No 2) Act, 1978 and subject to the provisions of Section 183 of the Local Government Act 2001, to dispose of the fee simple in the site listed above.

**Daniel McLoughlin**

**Chief Executive**

It was proposed by Councillor P. Kavanagh , seconded by Councillor P. Kearns, and **RESOLVED**:

“That the proposed Disposal of fee simple in 46 Páirc Mhuire, Saggart, Co. Dublin be **ADOPTED** and **APPROVED.”**

### **H8/0921 MANAGERS REPORT** - **FOR NOTING**

The following reports by the Chief Executive, which had been circulated, were presented by Mr. D. Mc Loughlin, Chief Executive and were **CONSIDERED:**

[HI 8 a) Chief Executive's Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71963)

[HI 8 b) July 2021 Statistics Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71894)

[HI 8 c) August 2021 Statistics Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71896)

[HI 8 d) 2020 Totals and Jan - July 2021 local indicators](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71897)

[HI 8e) Finance Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71902)



 **Use of overdraft facility**

Department approved overdraft facility = €25,000,000

No of days in Overdraft from 1st January to 27th August 2021 = 1

A discussion followed with contributions from Councillors D. McManus and E. Ó Broin who raised queries regarding the commercial rates waiver and the Council’s swimming pools.

Mr. D. Mc Loughlin, Chief Executive, responded to the members queries informing of no update from Government in relation to commercial rates for Q4 2021 and of issues with maintenance/repairs of swimming pools due to COVID restrictions.

The Reports were **NOTED**.

### **H9a/0921 AGE FRIENDLY HOUSING SCHEMES PART 8 – FOR APPROVAL**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. C. Ward, Director of [Housing, Social and Community Development](http://intranet/Council/?d=12), and were **CONSIDERED:**

### [H9 (a) i) CE Report St. Ronan's Crescent Housing Part 8](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=72052)[H9 (a) ii) Architects Part 8 Report St. Ronan's Crescent](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=72064)

### Mr. D. McLoughlin, Chief Executive, advised the Members of discussions with Tallaght Hospital and other stakeholders in relation to Age Friendly Policies and acute care needs, highlighting that the Part 8s include supported shared services to enable those of 55+ years to remain living within their communities.

1. **RONAN’S CRESCENT, DUBLIN 22**

A discussion followed with contributions from Councillors A. Hayes, M. Johansson, D. Ó Brádaigh, J. Tuffy, G. O'Connell, L. O'Toole, R. McMahon, L. Donaghy and L. Dunne who welcomed the Part 8 in principle and raised queries regarding the allocation process and site location.

Mr. C. Ward, Director of [Housing, Social and Community Development](http://intranet/Council/?d=12), responded to the members queries informing of the allocation process, the Rightsizing Policy and clarified the process on site selection.

The Mayor, Councillor P. Kavanagh, then called for a Roll Call vote on the item, the result of which was as follows

**FOR: 30 (THIRTY)**

**Councillors C. Bailey, W. Carey, V. Casserly, Y. Collins, T. Costello, L. Donaghy, M. Duff, L. Dunne, A. Edge, K. Egan, T. Gilligan, P. Gogarty, A. Hayes, P. Kavanagh, P. Kearns, B. Lawlor, L. McCrave, D. McManus, E. Murphy, D. Ó Brádaigh, E. Ó Broin, G. O'Connell, C. O'Connor, S. O'Hara, L. O'Toole, B. Pereppadan, D. Richardson, L. Sinclair, F. Timmons, and J. Tuffy.**

**AGAINST: 1 (ONE)**

**Councillor R. McMahon**

**ABSTAIN: 2 (TWO)**

**Councillors M. Johansson and S. McEneaney**

In view of the outcome of the Roll Call vote it was proposed by Councillor F. Timmons, seconded by Councillor E. Ó Broin and **RESOLVED**:

“That this Council **APPROVES** the proposed social housing development of nine homes for older persons on undeveloped lands at St. Ronan's Crescent, Dublin 22, it being in accordance with the proper planning and sustainable development of the area.”

### **H9b/0921 AGE FRIENDLY HOUSING SCHEMES PART 8 – FOR APPROVAL**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. C. Ward, Director of [Housing, Social and Community Development](http://intranet/Council/?d=12), and were **CONSIDERED:**

### [H9 (b) i) CE Report Part 8 Age Friendly Housing Pearse Brothers Park](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=72053)[H9 (b) ii) Architects Part 8 Report Pearse Brothers Park](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=72065)

1. **PEARSE BROTHERS PARK, DUBLIN 16**

A discussion followed with contributions from Councillors A. Edge, C. Bailey, P. Kearns, E. Murphy, E. Ó Broin, D. O'Donovan, S. McEneaney, B. Lawlor, Councillor W. Carey, P. Kavanagh, and D. McManus, who welcomed the Part 8 in principle, queries were raised regarding adjournment of the Part 8, site selection and submissions received.

Mr. M. Mulhern, Director of Land Use Planning and Transportation, and Mr. C. Ward, Director of [Housing, Social and Community Development](http://intranet/Council/?d=12), responded to the members queries outlining the process for planning applications and informed that amendment to the proposal would entail a new planning application and adjournment would not result in proposal of an alternative site.

It was proposed by Councillor A. Edge and seconded by Councillor M. Duff to adjourn the Pearse Brothers Park Age Friendly Housing Part 8 for one month. A Roll Call vote on the adjournment was then proposed and the Members **AGREED** the result of which was as follows:

**FOR: 17 (SEVENTEEN)**

**Councillors C. Bailey, Y. Collins, T. Costello, M. Duff, A. Edge, T. Gilligan, P. Gogarty, M. Johansson, P. Kearns, L. McCrave, R. McMahon, E. Murphy, C. O'Connor, D. O'Donovan, L. O'Toole, L. Sinclair, and F. Timmons**

**AGAINST: 16 (SIXTEEN)**

**Councillors W. Carey, V. Casserly, L. Donaghy, L. Dunne, A. Hayes, P. Kavanagh, B. Lawlor, S. McEneaney, D. McManus, D. Ó Brádaigh, E. Ó Broin, G. O'Connell, S. O'Hara, B. Pereppadan, D. Richardson, and J. Tuffy.**

**ABSTAIN: 0 (ZERO)**

In view of the outcome of the Roll Call vote it was **AGREED** to **ADJOURN** Pearse Brothers Park Age Friendly Housing Part 8 for one month.

### **H9c/0921 AGE FRIENDLY HOUSING SCHEMES PART 8 – FOR APPROVAL**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. C. Ward, Director of [Housing, Social and Community Development](http://intranet/Council/?d=12), and were **CONSIDERED:**

[H9 (c) i) CE Report Part 8 Age Friendly Housing St. Aongus' Green](http://www.sdublincoco.ie/Meetings/ViewDocument/72103)
[H9 (c) ii) Architect Part 8 Report St. Aongus Green](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=72066)

1. **ST. AONGUS’ GREEN, DUBLIN 24**

A discussion followed with contributions from Councillors M. Duff, T. Costello and C. O'Connor who welcomed the Part 8 in principle and raised queries regarding the adjournment of the Part 8 on the grounds of relocating the units within the site or sourcing an alternative site.

Mr. C. Ward, Director of [Housing, Social and Community Development](http://intranet/Council/?d=12) responded to the members queries outlining the process for site selection, informed adjournment would not result in proposal of an alternative site and amendment to the proposal would entail a new planning application.

It was proposed by Councillor M. Duff and seconded by Councillor T. Costello to adjourn the St. Aongus Age Friendly Housing Part 8 for one month. A Roll Call vote on the adjournment was then proposed and the Members **AGREED** the result of which was as follows:

**FOR: 16 (SIXTEEN)**

**Councillors C. Bailey, Y. Collins, T. Costello, M. Duff, A. Edge, T. Gilligan, P. Gogarty, M. Johansson, P. Kearns, R. McMahon, E. Murphy, G. O'Connell, C. O'Connor, L. O'Toole, L. Sinclair, and F. Timmons.**

**AGAINST: 17 (SEVENTEEN)**

**Councillors W. Carey, V. Casserly, L. Donaghy, L. Dunne, K. Egan, A. Hayes, P. Kavanagh, B. Lawlor, L. McCrave, D. McManus, D. Ó Brádaigh, E. Ó Broin, D. O'Donovan, S. O'Hara, B. Pereppadan, D. Richardson, and J. Tuffy.**

**ABSTAIN: 0 (ZERO)**

In view of the outcome of the Roll Call vote the proposed adjournment of St. Aongus Age Friendly Housing Part 8 **FELL**.

The Mayor, Councillor P. Kavanagh, then called for a roll call vote on the item, the result of which was as follows

**FOR: 28 (TWENTY-EIGHT)**

**Councillors C. Bailey, W. Carey, V. Casserly, Y. Collins, L. Donaghy, L. Dunne, A. Edge, K. Egan, P. Gogarty, A. Hayes, P. Kavanagh, P. Kearns, B. Lawlor, L. McCrave, S. McEneaney, D. McManus, D. Ó Brádaigh, E. Ó Broin, G. O'Connell, C. O'Connor, D. O'Donovan, S. O'Hara, L. O'Toole, B. Pereppadan, D. Richardson, L. Sinclair, F. Timmons, and J. Tuffy**

**AGAINST: 4 (FOUR)**

**Councillors T. Costello, M. Duff, R. McMahon, and E. Murphy**

**ABSTAIN: 2 (TWO)**

**Councillors T. Gilligan and M. Johansson**

In view of the outcome of the Roll Call vote it was proposed by Councillor P. Kavanagh, seconded by Councillor B. Lawlor, and **RESOLVED**:

“That this Council **APPROVES** the proposed social housing development of twelve homes for older persons at St. Aongus’ Green, Dublin 24, it being in accordance with the proper planning and sustainable development of the area.”

### **H10/0921 S85 BETWEEN SOUTH DUBLIN COUNTY COUNCIL & KILDARE COUNTY COUNCIL - EASTBOUND BUS PRIORITY MEASURES - FOR APPROVAL**

**REPORT:**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. M. Mulhern, Director of Land Use Planning and Transportation, and were **CONSIDERED:**

[H10 b) S 85 - M4 Eastbound Bus Priority Measures Pilot - Agreement](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71881)
[H10 c) S 85 - M4 Eastbound Bus Priority Measures Pilot - Briefing](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71880)

The National Roads Office in Kildare County Council has advised this Council of a pilot targeting the provision of dedicated bus priority measures along the M4, in the eastbound direction, that can be used by buses and coaches to avoid congested traffic lanes. The bus priority measures will aim to identify a practicable and safe means of implementing priority for bus movement within the existing road constraints to the largest extent possible.

The pilot will consist of carrying out the appraisal and assessment of project options, procuring the necessary design work, carrying out and implementing all relevant statutory procedures, acquiring the land and carrying out of the construction works for the M4 Eastbound Bus Priority Measures Pilot.

The M4 Eastbound Bus Priority Measures Pilot extends from Junction 7 Maynooth to Junction 5 Leixlip/Junction 4A in the eastbound direction. The Pilot route is approximately 7.8km in length, with approximately 1.5km in the South Dublin County Council administrative area and the remainder in County Kildare.

Transport Infrastructure Ireland (TII) is the Approving Authority for the Pilot, which is being developed in conjunction with the National Transport Authority (NTA) and it is proposed that pilot will be undertaken by Kildare County Council.

[**Section 85 of the Local Government Act, 2001**](http://www.irishstatutebook.ie/eli/2001/act/37/section/85/enacted/en/html) allows for an agreement to be put in place regarding the carrying out of functions by one local authority on behalf of another.

Accordingly, pursuant to Section 85 of the Local Government Act 2001 as amended, an agreement between Kildare County Council and South Dublin County Council is required whereby Kildare County Council will be the lead authority, and will facilitate efficient progress of the Pilot through the relevant project phases.

As the making of an agreement under Section 85 of the Local Government Act 2001 is a reserved function, it will be necessary for the following motion to be passed by this Council.

“***That South Dublin County Council enters into an agreement under Section 85 of the Local Government Act 2001 with Kildare County Council for the purpose of the M4 Eastbound Bus Priority Measures Pilot*** “

A discussion followed with contributions from Councillors W. Carey and L. O'Toole who raised queries regarding the plan.

Mr. M. Mulhern, Director of Land Use Planning and Transportation responded to the members queries.

It was proposed by Councillor P. Kavanagh, seconded by Councillor L. O’Toole, and **RESOLVED**:

“***That South Dublin County Council enters into an agreement under Section 85 of the Local Government Act 2001 with Kildare County Council for the purpose of the M4 Eastbound Bus Priority Measures Pilot*** “

### **H11/0921 LOWER DODDER ROAD PART 8 – FOR APPROVAL**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. M. Mulhern, Director of Land Use Planning and Transportation, and were **CONSIDERED:**

[H11 a) Dodder Lower Road Part 8 drawing](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=72005)
[H11 b) Dodder Lower Road Part 8 report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=72003)

Discussion followed with contributions from Councillor’s Y. Collins and D. McManus who welcomed the Part 8.

It was proposed by Councillor P. Kavanagh, seconded by Councillor Y. Collins, and **RESOLVED**:

 That the Lower Dodder Road Part 8 be **ADOPTED** and **APPROVED**

### **H12/0921 DECISION ON APPLICATIONS RECEIVED UNDER DEPUTY MAYOR’S DISCRETIONARY FUND - FOR APPROVAL**

The following report by the Chief Executive, which had been circulated, was presented by Ms. L. Maxwell, Director of Corporate Performance and Change Management, and was **CONSIDERED**:

[H12 (B) Butterfield Residentâ€s Association - Wildflower Garden at the junction of Marian Road and Ballyroan Road](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=72028)
[H12 (C) Hermitage Residentâ€s Association â€' Estate Stone Name Marker](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=72029)

**REPLY:**

Two applications were received under the Deputy Mayor’s Discretionary Fund 2021:

1. Butterfield Resident’s Association - Wildflower Garden at the junction of Marian Road and Ballyroan Road. Estimated Cost €8,000
2. Hermitage Resident’s Association – Estate Stone Name Marker. Estimated Cost €2,000

These are now before the Council for approval or rejection.

A discussion followed with contributions from Councillor L. Dunne, P. Kearns, F. Timmons, C. Bailey, Councillor P. Kavanagh, L. Sinclair, B. Lawlor, L. O'Toole, and A. Edge.

At this point in the Meeting the Mayor, Councillor P. Kavanagh proposed and the Members **AGREED** to suspend Standing Orders No. 5 to allow the meeting continue past its subscribed time.

The discussion continued with contributions from Councillors J. Tuffy, W. Carey and D. McManus in relation to the procedures in the selection process.

The Mayor, Councillor P. Kavanagh then called for a Roll Call vote and the Members **AGREED** for Butterfield Resident’s Association - Wildflower Garden at the junction of Marian Road and Ballyroan Road, the result of which was as follows:

**FOR: 10 (TEN)**

**Councillors Y. Collins, A. Hayes, B. Lawlor, L. McCrave, R. McMahon, D. McManus, E. Ó Broin, D. O'Donovan, S. O'Hara, and B. Pereppadan.**

**AGAINST: 18 (EIGHTEEN)**

**Councillors C. Bailey, W. Carey, V. Casserly, T. Costello, L. Donaghy, M. Duff, L. Dunne, A. Edge, M. Johansson, P. Kavanagh, P. Kearns, S. McEneaney, D. Ó Brádaigh, G. O'Connell, C. O'Connor, L. O'Toole, L. Sinclair, and F. Timmons.**

**ABSTAIN: 2 (TWO)**

**Councillors P. Gogarty and J. Tuffy.**

Following the result of the Roll Call vote the Butterfield Resident’s Association - Wildflower Garden at the junction of Marian Road and Ballyroan Road **FELL.**

The Mayor, Councillor P. Kavanagh then called for a Roll Call vote and the Members **AGREED** for Hermitage Resident’s Association – Estate Stone Name Marker, the result of which was as follows:

**FOR: 10 (TEN)**

**Councillors Y. Collins, A. Hayes, B. Lawlor, L. McCrave, R. McMahon, D. McManus, E. Ó Broin, D. O'Donovan, S. O'Hara, and B. Pereppadan**

**AGAINST: 18 (EIGHTEEN)**

**Councillors C. Bailey, W. Carey, V. Casserly, T. Costello, L. Donaghy, M. Duff, L. Dunne, A. Edge, M. Johansson, P. Kavanagh, P. Kearns, S. McEneaney, D. Ó Brádaigh, G. O'Connell, C. O'Connor, L. O'Toole, L. Sinclair, and F. Timmons**

**ABSTAIN: 2 (TWO)**

**Councillors P. Gogarty, and J. Tuffy**

Following the result of the Roll Call vote the Hermitage Resident’s Association – Estate Stone Name Marker **FELL**

### **H13/0921 LOCAL GOVERNMENT AUDITORS REPORT ON THE 2020 AFS - FOR NOTING**

The following report by the Chief Executive, which had been circulated, was presented by Mr. R. Fitzgerald, Head of Finance, and was **CONSIDERED**:

[H13 a) 2020 AFS](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71940)
[H13 b) 2020 Audit Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=71942)

The Report was **NOTED**.

**H14/0921 COMMUNITY GRANTS - FOR NOTING**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. C. Ward, Director of [Housing, Social and Community Development](http://intranet/Council/?d=12), and were **CONSIDERED:**

Our Community & Sports Grants for 2021 opened for applications on 5th April 2021 for community, voluntary and sporting groups responding to locally identified needs within their communities.

It is intended that the online application system will be open on a rolling basis during 2021 to ensure responsiveness to community needs in the current circumstances.  Applications received to date have been assessed by the community development and sports teams under the following criteria:

* Impact on local community and local community involvement.
* Proven track record of project delivery and non-duplication of activities in the local area
* Sustainable & value for money projects with clear/accurate costings
* Existing funds available to the group/alternative funding source

In addition to previous grants approved in 2021, a further 47 grants are approved for funding at this time.

|  |  |  |
| --- | --- | --- |
| **Category** | **No.** | **Amount** |
| Community Development Grants | 12 | €14,517 |
| Sports Development Grants | 23 | €37,860 |
| Summer Project Grants | 12 | €17,300 |
| Total | 47 | €69,677 |

Applications for Community and Sports grants continue to be assessed as they are received.

The full list of approved grants approved for funding at this time along with the respective approved grant amounts is:

|  |  |  |
| --- | --- | --- |
| **Name of Group** | **Category** | **Amount** |
| 142nd Dublin Esker Scout Group | Major Equipment Grant | €5,000 |
| 158th Castleview Scouts | Running Costs Grant  | €500 |
| Adamstown Community Summer Camp | Summer Project Funding | €1,000 |
| Ballyboden Whitechurch Summer Programme | Summer Project Funding | €1,500 |
| Ballyroan Community and Youth Centre CLG | Minor Equipment Grant | €2,000 |
| Crosscare Bawnogue Summer Project | Summer Project Funding | €2,000 |
| Beechpark Football Club | Sports Development Grants | €3,272 |
| Citywise Education | Summer Project Funding | €2,000 |
| Clondalkin Global Garden | Running Costs Grant  | €295 |
| Crosscare Lucan Youth Service | Summer Project Funding | €1,600 |
| Dominic's Active Men's Social | Running Cost Grant                         | €500 |
| Esker Amateur Boxing Club | Sports Development Grant | €2,000 |
| Esker Woods Residents' Association | Running Costs Grant | €500 |
| Fforster Estate Residents Group Lucan | Running Cost Grant                         | €422 |
| Firhouse Notre Dame Ladies Basketball Club | Sports Development Grants | €1,000 |
| Foróige Stay Project | Summer Project Funding | €1,500 |
| Glenanne Sports Club | Sports Development Grant | €2,000 |
| Glenanne Sports Club | Sports Development Grants | €1,900 |
| Green Lane Manor Residents Association | Start Up Grant  | €500 |
| Killinarden Community Council | Summer Project Funding | €2,000 |
| Killinarden Family Resource Centre | Summer Project Funding | €700 |
| Kilnamanagh AFC | Sports Development Grants | €1,800 |
| Kilnamanagh AFC | Sports Development Grants | €1,000 |
| Kilnamanagh Family Recreation Centre | Summer Project Funding | €1,500 |
| Kingswood Football Club | Sports Development Grants | €630 |
| Ljays Elite Martial Arts | Sports Development Grants | €500 |
| Ljays Elite Martial Arts | Sports Development Grants | €500 |
| LJays Elite Martial Arts | Sports Development Grants | €1,000 |
| LJays Elite Martial Arts | Sports Development Grants | €500 |
| Lucan United Football Club | Sports Development Grants | €1,710 |
| Matthew Callinan Keenan | Sports Development Grants | €500 |
| Nadia Eltom Power | Sports Development Grants | €500 |
| Our Lady's Hockey Club Terenure | Sports Development Grants | €600 |
| Retired Active Men's Social (RAMs) | Minor Equipment Grant | €300 |
| Sacred Heart FC | Sports Development Grant | €2,000 |
| Saggart Village Residents Association | Running Costs Grant | €500 |
| Society for Old Lucan | Minor Equipment Grant                | €2,000 |
| South Dublin Panthers | Sports Development Grants | €1,000 |
| South Dublin Panthers | Sports Development Grants | €4,750 |
| St Kevins/ KIllians GAA Club | Sports Development Grants | €1,800 |
| St. Kevin's Family Resource Centre | Summer Project Funding | €500 |
| Tallaght Athletic Club | Sports Development Grant | €2,000 |
| Tallaght Martial Arts | Sports Development Grants | €5,000 |
| Tallaght Swim Team | Sports Development Grants | €1,898 |
| The Park Community Centre | Minor Equipment Grant                | €2,000 |
| The Park Community Centre | Summer Project Funding | €1,000 |
| The WEB Project | Summer Project Funding | €2,000 |

As stated above, the online application process remains open and available to local community, voluntary and sporting groups until further notice.

The Report was **NOTED**.

### **C1/0921 CORRESPONDENCE**

(a) Correspondence from Minister for Public Expenditure and Reform in response to Motion 8 (Directly Elected Mayor for Dublin) at the April 2021 Council Meeting

(b) Correspondence from Minister of State for the Department of Public Expenditure and Reform, Public Procurement, eGovernment with special responsibility for Communications and Circular Economy in response to Motion 2 (CCTV) at the Special July 2021 Council Meeting

(c) Correspondence from Minister for Social Protection in response to Motion 21 (Epilepsy Ireland) at the July 2021 Council Meeting

(d) Correspondence from Donegal County Council re. Various passed motions

(e) Correspondence from Fermanagh and Omagh District Council re. Right of Nature

(f) Correspondence from Kerry County Council re. Home School Liaison Officer

(g) Correspondence from Sligo County Council re. Wastewater Treatment Facilities

(h) Correspondence from Wicklow County Council re. National Maternity Hospital

Correspondence was **NOTED**.

Meeting Finished at 7:10pm.

**Items Not Reached:**

### **(M1)** [**WEEE COLLECTIONS**](http://intranet/cmas/documentsview.aspx?noinc=true&id=71935)

### **Councillor S. Moynihan**

That the Council initiate an annual electrical collection service/amnesty to allow people to dispose of electrical goods no longer required.

### **(M2)** [**SAFE INJECTION FACILITIES**](http://intranet/cmas/documentsview.aspx?noinc=true&id=71983)

**Councillor M. Duff**

This Council calls upon the Chief Executive to engage with the Tallaght and Clondalkin Drugs and Alcohol Task Forces, the HSE Addiction Services and the Community Drug Treatment Projects to explore the setting up of a Medically Supervised Safe Injection Facility, within our County, to provide a safe and secure environment for intravenous drug users, in an effort to reduce and ultimately eliminate deaths through accidental overdose.

### **(M3)** [**BOYCOTT OF ISRAELI GOODS**](http://intranet/cmas/documentsview.aspx?noinc=true&id=71882)

**Councillor C. King**

That this Council agrees to write to the Department of the Taoiseach, all other Local Authorities in the state and Retail Ireland calling on the Irish and International Supermarkets operating here to join the Boycott of all Israeli Goods as a response to the current and never ending Murderous Campaign against the Palestinian People including thousands of innocent Men, Women and Children.

### **(M4)** [**FACE MASKS**](http://intranet/cmas/documentsview.aspx?noinc=true&id=71968)

**Councillor Patrick Pearse Holohan**

That this council writes to An Taoiseach and the relevant bodies to highlight the importance of businesses using signage that adopts an inclusive approach with regards to face coverings / face masks with signage containing people with disabilities or exemptions or people unable to wear a face covering / face mask are welcome.

### **(M5)** [**COMMUNITY FACILITY GOVERNANCE**](http://intranet/cmas/documentsview.aspx?noinc=true&id=71980)

**Councillor D. Ó Brádaigh and Councillor F. Timmons**

That this Council recognise the value and importance of the huge voluntary commitment of the Voluntary boards that run community centres throughout SDCC and the Huge importance of community buy in and input from the community into the running of community centres and commit that all community centres will be community run with supports from SDCC and that a community led policy will be embedded in our county development plan with necessary supports from SDCC.

### **(M6)** [**ACCESSIBLE PARKING**](http://intranet/cmas/documentsview.aspx?noinc=true&id=71876)

**Councillor L. Sinclair**

That South Dublin County Council reiterates it's ambition of being a leader in the provision of accessible services. That, as a signal of this ambition, - An audit is carried out on the quality of accessible parking spaces and upgrades carried out where necessary. - The number of these spaces is increased by 50%, an increase of 39 spaces. These spaces should be prioritised in areas with a lower proportion of accessible spaces and modified in line with the IWA Best Practice Access Guidelines.

### **(M7)** [**INVINCIBLES YARD**](http://intranet/cmas/documentsview.aspx?noinc=true&id=71883)

**Councillor C. O'Connor**

South Dublin County Council calls on the Office of Public Works to carry out the necessary excavation works to recover the remains of Joe Brady, Daniel Curley, Michael Fagan, Thomas Caffrey and Tim Kelly, in what is commonly known as the Invincibles Yard at Kilmainham Gaol.The bodies of these five members of the Irish National Invincibles lie beneath the paving slabs of the yard where they were executed in 1883 for their part in the Phoenix Park assassinations. The families of the five men are represented by the National Graves Association and the wish of the families is for their relatives to be exhumed from Kilmainham Gaol and reinterred in consecrated ground at Glasnevin Cemetery.

### **(M8)** [**PART V**](http://intranet/cmas/documentsview.aspx?noinc=true&id=71977)

**Councillor D. O'Donovan**

That the Manager, wherever possible, acquires properties for social housing through Part V under all current and upcoming SHD developments, rather than agreeing to lease properties, and presents a report on the implication of Build to Rent planning permissions in relation to the delivery of social housing under Part V.

### **(M9)** [**SAFEPASS**](http://intranet/cmas/documentsview.aspx?noinc=true&id=71969)

**Councillor M. Johansson**

That the elected members of this council call for the reform of Safety awareness training and in particular the Safepass course delivery and pricing. This reform should include a consultation process with the pass holders, standardized pricing in line with the cost of processing, online facilities for renewal and flexibility and an end to current price gouging. We also call for the current extension on expired cards to continue until the conclusion of said reform. If this motion is passed a letter will be issued to Solas, the Minister for Further and Higher Education Simon Harris and the Minister of State for Skills and Further Education Niall Collins.

### **(M10)** [**PARENTAL ALIENATION**](http://intranet/cmas/documentsview.aspx?noinc=true&id=71970)

**Councillor P. Gogarty**

"That this Council calls on the Taoiseach and the Minister for Justice to ensure the State's legal framework makes Parental Alienation Disorder/Syndrome theory and related alienating "immersion" recommendations illegal as a tool in family law court cases in compliance with the recommendations of the United Nations Committee for the Elimination of Discrimination Against Women, the World Health Organisation and various women's aid federations; and also to examine through various channels and in the interests of transparency the necessity that family law cases be held in camera if there are options that would facilitate better scrutiny of court decisions subject to the protection of identities and privacy.'

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_