

COMHAIRLE CHONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL



MEETING OF SOUTH DUBLIN COUNTY COUNCIL

Monday, 8th December 2025

HI-7 (a) (i) Report

LD 1636 Proposed disposal of common areas to Canal Bank, Clonburris Owners Management Company (OMC) in respect of mixed tenure housing development of 116 homes (56 social and 60 affordable purchase) at Canal Bank, Clonburris, Dublin 22

South Dublin County Council as landowner for the social and affordable housing development comprising of 24 no. houses, 69 no. apartments and 23 no. duplexes at Canal Bank, Clonburris. As the landowner we must transfer the common areas of the development to an Owners Management Company (OMC). Every owner of a property in the Canal Bank development is a member of the OMC. Common areas include car parking, external entrance halls, staircases and landings, permeable paving, garden areas and balconies for apartments and duplexes. This is set out in Section 3(1)(b) of the Multi-Unit Developments Act 2011 (MUD Act). The landowner must agree to transfer the common areas before any new property is sold. When the landowner transfers the common areas to the OMC, this allows the OMC to be registered as the legal owner of the common areas and allows the OMC to maintain and manage the common areas for the benefit of the property owners in the development. The subject areas are outlined in red on attached indicative drawing No. 21_06_00.

Accordingly, I recommend that the council disposes of its freehold interest in the plot of land outlined in red on indicative drawing No. 21_06_00, to the Canal, Clonburris Owners Management Company (OMC) in accordance with Section 211 & 212 of the Planning and Development Act, 2000 and subject to the provisions of Section 183 of the Local Government Act, 2001, subject to the following terms and conditions:-

1. That the Council disposes of its freehold interest in the plot of land outlined in red comprising 6,407 square metres or thereabouts, on drawing No. 21_06_00.

2. That in the event of any name change to Applicant prior to formal completion of the legal transfer, the Applicant must provide documentary evidence to the Council proving that the new named party is one and the same as the named Applicant heretofore to enable the transfer to complete.
3. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
4. That the Law Agent shall draft the necessary documents and include any further terms deemed appropriate in Agreements of this nature.
5. That no contract enforceable at law is created or intended to be created until such time as contracts have been exchanged.
6. That the disposal is subject to the necessary approvals and consents being obtained.

Colm Ward
Chief Executive