

# COMHAIRLE CONTAE CHIARRAÍ KERRY COUNTY COUNCIL



## RESIDENTIAL ZONED LAND TAX

A draft map, prepared under Section 653C of the Taxes Consolidation Act 1997, has been published by Kerry County Council.

The draft map has been prepared for the purposes of identifying land that satisfies the relevant criteria and is to be subject to the residential zoned land tax.

**Residential properties, notwithstanding that they may be included on the draft map, shall not be chargeable to the residential zoned land tax.**

Land which satisfies the relevant criteria is a reference to land that—

- (a) is included in a development plan, in accordance with section 10(2) (a) of the Act of 2000, or local area plan, in accordance with section 19(2)(a) of the Act of 2000, zoned—
  - (i) solely or primarily for residential use, or
  - (ii) for a mixture of uses, including residential use,
- (b) it is reasonable to consider may have access, or be connected, to public infrastructure and facilities, including roads and footpaths, public lighting, foul sewer drainage, surface water drainage and water supply, necessary for dwellings to be developed and with sufficient service capacity available for such development, and
- (c) it is reasonable to consider is not affected, in terms of its physical condition, by matters to a sufficient extent to preclude the provision of dwellings, including contamination or the presence of known archaeological or historic remains, but which is not land—
  - (i) that is referred to in paragraph (a)(i) and, having regard only to development (within the meaning of the Act of 2000) which is not unauthorised development (within the meaning of the Act of 2000), is in use as premises, in which a trade or profession is being carried on, that is liable to commercial rates, that it is reasonable to consider is being used to provide services to residents of adjacent residential areas,
  - (ii) that is referred to in paragraph (a)(ii), unless it is reasonable to consider that the land is vacant or idle,
  - (iii) that it is reasonable to consider is required for, or is integral to, occupation by—
    - (I) social, community or governmental infrastructure and facilities, including infrastructure and facilities used for the purposes of public administration or the provision of education or healthcare,
    - (II) transport facilities and infrastructure,
    - (III) energy infrastructure and facilities,
    - (IV) telecommunications infrastructure and facilities,
    - (V) water and wastewater infrastructure and facilities,
    - (VI) waste management and disposal infrastructure, or
    - (VII) recreational infrastructure, including sports facilities and playgrounds,
    - (VIII) that is subject to a statutory designation that may preclude development, or
    - (IX) on which the derelict sites levy is payable in accordance with the Derelict Sites Act 1990.

Submissions on the draft map may be made in writing to Kerry County Council not later than **1st January 2023**, regarding—

- (I) either the inclusion in or exclusion from the final map of specific sites, or
- (II) the date on which a site first satisfied the relevant criteria.

The draft map will be on display online at <https://consult.kerrycoco.ie/>, in all Kerry public libraries during the respective library opening hours applicable, as well as at the following locations during normal office hours from **Tuesday 1st November 2022 to Sunday 1st January 2023**:

<b>Tralee</b>	Kerry County Council, County Buildings, Rathass, Tralee
<b>Killarney</b>	Town Hall, Killarney
<b>Listowel</b>	Listowel Municipal District Office, Arás an Phiarsaigh, Charles Street, Listowel

Submissions may be made in one of the following ways:

**1. Online Via our Public Consultation Portal:** <https://consult.kerrycoco.ie/>  
**OR**

**2. In writing to:** RZLT, Planning Policy Unit, Kerry County Council, Rathass, Tralee,  
Co. Kerry, V92H7BT.

**Email submissions will not be accepted.**

Submissions should include a name and address, reasons for inclusion or exclusion of lands, along with a map of scale 1:1,000 (urban area) or 1:2,500 (rural area) where the submission is made by a landowner, clearly identifying the area of land subject of the submission.

Any such written submissions received by 1st January 2023 other than such elements of a submission which may constitute personal data, shall be published on <https://consult.kerrycoco.ie/> not later than 11th January 2023.

Where land identified on the draft map is included in a development plan or local area plan in accordance with section 10(2)(a) or 19(2)(a) of the Act of 2000 zoned—

- (i) solely or primarily for residential use, or
- (ii) for a mixture of uses, including residential use,

Where land is identified on the draft map as being subject to the residential zoned land tax, a person may, in respect of land that such a person owns, make a submission to Kerry County Council requesting a variation of the zoning of that land. Any such submission should include evidence of ownership, detailed reasons for any rezoning request, along with a map to a scale of 1:1,000 (urban) or 1:2,500 (rural) clearly identifying the relevant plot of land. All rezoning requests made will be considered by Kerry County Council having regard to the proper planning and sustainable development of the area.

**Siniú: Pádraig Corkery**  
**Senior Executive Officer/Feidhmeannach Sinsearach**  
**Corporate Affairs/Gnóthaí Corparáideacha**



# COMHAIRLE CONTAE CHIARRAÍ KERRY COUNTY COUNCIL



## CÁIN TALAMH CRIOSAITHE CHÓNAITHE

Tá dréachtléarscáil, ullmhaithe faoi Alt 653C d'Acht um Chomhdhlúite Cánacha, 1997, foilsithe ag Comhairle Contae Chiarraí.

Ullmhaíodh an dréachtléarscáil chun críche talamh a shainaitint a chomhlíonann na critéir ábhartha agus a bheidh faoi réir na cánach talamh criosaithe chónaithe.

### Ní bheidh réadmhaoin chónaithe, d'ainneoin go bhféadfaí iad a áireamh ar an dréachtléarscáil, inmhuirearaithe don cháin talamh criosaithe chónaithe.

Talamh a chomhlíonann na critéir ábhartha, is ionann é agus tagairt do thalamh—

- (a) atá san áireamh i bplean forbartha, de réir alt 10(2) (a) d'Acht 2000 nó plean ceantair áitiúil, de réir alt 19(2)(a) d'Acht 2000, criosaithe—
- (i) lena úsáid d'aon toisc nó go príomha chun críocha cónaithe, nó
  - (ii) le haghaidh meascán úsáidí, úsáid chónaithe san áireamh,
- (b) ar réasúnach a bhreithniú go bhféadfadh rochtain a bheith aige ar nó go bhféadfadh sé a bheith nasctha le, bonneagar agus saoráidí poiblí, lena n-áirítear bóithre agus cosáin, soilsiú poiblí, draenáil séaraigh bhreáin, draenáil uisce dromchla agus soláthar uisce, atá riachtanach chun teaghaisí a fhorbairt agus acmhainn seirbhíse leordhóthanach a bheith ar fáil d'fhorbairt dá leithéid, agus
- (c) ar réasúnach a bhreithniú nach bhfuil aon tionchar, chomh fada is a bhaineann le riocht fhísiciúil, ag ábhair air a mhéid sin a chuirfeadh bac ar sholáthar teaghaisí, lena n-áirítear éilliú nó láithreach fothracha aithnide seandálaíochta nó stairiúla, ach talamh—
- (i) nach dtagraítear dó i mír (a)(i) agus, ag féachaint díreach d'fhorbairt (laistigh de bhrí Acht 2000) nach forbairt údaraithe í (laistigh de bhrí Acht 2000), atá in úsáid mar áitreabh, ina bhfuil ceird nó gairm á cleachtadh, atá faoi dhliteanas rátaí tráchtála a íoc, ar réasúnach a bhreithniú atá in úsáid chun seirbhísí a sholáthar do chónaitheoirí i gceantair chónaithe ina aice láimhe,
  - (ii) nach dtagraítear dó i mír (a)(ii), mura bhfuil sé réasúnach a bhreithniú go bhfuil an talamh folamh nó díomhaoin,
  - (iii) a bhfuil sé réasúnach a bhreithniú atá ag teastáil le haghaidh, nó ina chuid dhílis de, áitiú ag—
- (I) bonneagar agus saoráidí sóisialta, pobail nó rialtais, lena n-áirítear bonneagar agus saoráidí a úsáidtear chun críche riaracháin poiblí nó chun oideachas nó cúram sláinte a sholáthar,
  - (II) saoráidí agus bonneagar iompair,
  - (III) bonneagar agus saoráidí fuinnimh,
  - (IV) bonneagar agus saoráidí teileachumarsáide,
  - (V) bonneagar agus saoráidí uisce agus fuolluisce,
  - (VI) bonneagar bainistithe agus diúscartha dramhaíola, nó
  - (VII) bonneagar áineasa, lena n-áirítear saoráidí spóirt agus áiteanna súgartha,
  - (VIII) atá faoi réir ainmniú reachtúil a d'fhéadfadh cosc a chur ar fhorbairt, nó
  - (IX) a bhfuil tobhach ar láithreáin thréigthe íoctha lena aghaidh de réir an Achta um Láithreáin Thréigthe, 1990.

Féadfar aighneachtaí maidir leis an dréachtléarscáil a chuir faoi bhráid Chomhairle Contae Chiarraí i scríbhinn tráth nach déanaí ná an **1 Eanáir 2023**, maidir le—

- (I) iniamh nó eisiámh ón léarscáil deiridh de láithreáin shonracha, nó
- (II) an dáta ar chomhlíon láithreán na critéir ábhartha ar dtús.

Beidh an dréachtléarscáil ar taispeáint ar líne ag <https://consult.kerrycoco.ie/>, i ngach leabharlann poiblí i gCiarraí i rith uaireanta oscailte na leabharlann faoi seach, agus ag na suíomhanna seo a leanas i rith gnáthuaireanta oifige idir **Dé Máirt, an 1 Samhain 2022 - Dé Domhnaigh, an 1 Eanáir 2023**:

<b>Trá Lí</b>	Comhairle Contae Chiarraí, Áras an Chontae, Ráth Teas, Trá Lí
<b>Cill Airne</b>	Halla an Bhaile, Cill Airne
<b>Lios Tuathail</b>	Oifig Cheantar Bardasach Lios Tuathail, Áras an Phiarsaigh, Sráid Shéarlais, Lios Tuathail

Is féidir aighneachtaí a dhéanamh trí aon cheann de na bealaí seo a leanas:

**1. Ar Líne Trínár dTairseach Comhairliúcháin Phoiblí:** <https://consult.kerrycoco.ie/>

**NÓ**

**2. Seol i scríbhinn chuig:** RZLT, An tAonad Pleanála Beartas, Comhairle Contae Chiarraí, Ráth Teas, Trá Lí, Co. Chiarraí, V92H7BT.

### Ní ghlacfar le haighneachtaí trí r-phost.

Ba cheart go mbeadh ainm agus seoladh, cúiseanna le hiniámh agus eisiámh tailte, léarscáil ag scála 1:1,000 (ceantar uirbeach) nó 1:2,500 (ceantar tuaithe) den áit a bhfuil an aighneacht á déanamh ag úinéir talún maidir léi i dteannta le haighneachtaí, agus ba cheart an limistéar talún ar ábhar na haighneachta é a shainaitint go soiléir.

Foilseofar aon aighneachtaí i scríbhinn dá leithéid a fhaightear faoin 1 Eanáir 2023 seachas gnéithe d'aighneacht a bhféadfaí glacadh leo mar shonraí pearsanta, ar <https://consult.kerrycoco.ie/> tráth nach déanaí ná an 11 Eanáir 2023.

Sa chás go bhfuil talamh atá sainaitheanta ar dhréachtléarscáil san áireamh i bplean forbartha nó i bplean ceantair áitiúil de réir alt 10(2)(a) nó 19(2)(a) d'Acht 2000 criosaithe—

- (i) lena úsáid d'aon toisc nó go príomha chun críocha cónaithe, nó
- (ii) le haghaidh meascán úsáidí, úsáid chónaithe san áireamh,

Sa chás go bhfuil talamh sainaitheanta ar an dréachtléarscáil faoi réir na cánach talamh criosaithe chónaithe, féadfaidh duine, i ndáil leis an talamh atá faoi úinéireacht a leithéid de dhuine, aighneacht a chur faoi bhráid Chomhairle Contae Chiarraí ag lorg leagan malartach de chriosú an talaimh sin. Ba cheart go mbeadh fianaise maidir le húnéireacht, cúiseanna mionsonraithe d'aon iarratas athchriosaithe, mar aon le léarscáil ag scála 1:1,000 (uirbeach) nó 1:2,500 (tuaithe) curtha ar fáil ar a sainaitheantar go soiléir an plota ábhartha talamh. Breithneoidh Comhairle Contae Chiarraí gach iarratas athchriosaithe a fhaightear ag féachaint do phleanáil chuí agus d'fhorbairt inbhuanaithe an cheantair.

**Siniú: Pádraig Ó Corcora**  
**Senior Executive Officer/Feidhmeannach Sinsearach**  
**Corporate Affairs/Gnóthaí Corparáideacha**

