

RESIDENTIAL ZONED LAND TAX

A supplemental map, prepared under Section 653F of the Taxes Consolidation Act 1997, identifying additions to the draft map previously published by Kerry County Council has been published on the website maintained by Kerry County Council and is available for inspection at its offices.

The supplemental map has been prepared for the purposes of identifying land, other than that included on draft maps, 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 supplemental 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 provides 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,
 - (iv) that is subject to a statutory designation that may preclude development, or

(v) on which the derelict sites levy is payable in accordance with the Derelict Sites Act 1990.

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

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

The supplemental 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 **until 1st June 2023**:

Tralee	Kerry County Council, County Buildings, Rathass, Tralee
Killarney	Town Hall, Killarney
Listowel	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, V92H7VT.

Email submissions will not be accepted.

Submissions by landowners should include a name and address, reasons for 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 June 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 June 2023.

Where land identified on the supplemental 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,

and where land is identified on the supplemental 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.

CÁIN TALAMH CRIOSAITHE CHÓNAITHE

Tá léarscáil fhorlíontach, arna hullmhú faoi Alt 653F den Acht Comhdhlúite Cánacha 1997, ina sainaithnítear breisithe leis an dréacht-léarscáil a d'fhoilsigh ag Comhairle Contae Chiarraí seo foilsithe ar an suíomh gréasáin arna chothabháil Comhairle Contae Chiarraí agus tá sí ar fáil lena hiniúchadh ag a chuid oifigí.

Ullmhaíodh an léarscáil fhorlíontach d'fhonn talamh a aithint, seachas an talamh a áirítear ar dhréacht-léarscáileanna, a chomhlíonann na critéir iomchuí agus atá le bheith faoi réir na cánach talún criosaithe cónaithe.

Ní bheidh réadmhaoine chónaithe, d'ainneoin go bhféadfar iad a áireamh ar an léarscáil fhorlíontach, inmhuirearaithe i leith na cánach talún criosaithe cónaithe.

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 fhisiciúil, ag ábhair air a mhéid sin a chuirfeadh bac ar sholáthar teaghaisí, lena n-áirítear éilliú nó láithreach fothracha aithnide seandálaíochacha 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 díomhain,
- (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 phoiblí 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 fuíolluisce,
 - (VI) bonneagar bainistithe agus diúscartha dramhaíola, nó
 - (VII) bonneagar áineasa, lena n-áirítear saoráidí spóirt agus áiteanna súgartha,

- (iv) atá faoi réir ainmniú reachtúil a d'fhéadfadh cosc a chur ar fhorbairt, nó
- (v) a bhfuil tobhach ar láithreáin thréigthe íoctha lena aghaidh de réir an Achta um Láithreáin Thréigthe, 1990.

Féadfar aighneachtaí maidir leis an léarscáil fhorlíontach a chuir chuig Comhairle Contae Chiarraí i scríbhinn tráth nach déanaí ná an **1^ú Meitheamh 2023**, maidir le—

- (I) láithreáin shonracha a eisiáimh ón léarscáil dheiridh, nó
- (II) an dáta a shásaigh láithreán na critéir iomchuí den chéad uair.

Beidh an léarscáil fhorlíontach ar taispeáint ar líne ag <https://consult.kerrycoco.ie/>, i ngach leabharlann phoiblí i gCiarraí i rith uaireanta oscailte na leabharlann faoi seach, agus ag na suíomhanna seo a leanas i rith gnáthuaireanta oifige **go dtí 1^ú Meitheamh 2023**:

Trá Lí	Comhairle Contae Chiarraí, Áras an Chontae, Ráth Teas, Trá Lí
Cill Airne	Halla an Bhaile, Cill Airne
Lios Tuathail	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, V92H7VT.

Ní ghlacfar le haighneachtaí trí r-phost.

Ba cheart go n-áireofaí in aighneachtaí ó úinéirí talún ainm agus seoladh, cúiseanna le tailte a eisiáimh, chomh maith le léarscáil de scála 1:1,000 (limistéar uirbeach) nó 1:2,500 (limistéar tuaithe) ina sainaitheann go soiléir an limistéar talún is ábhar don aighneacht.

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

I gcás ina mbeidh talamh atá sainaitheanta ar an léarscáil fhorlíontach ar áireamh i bplean forbartha nó i bplean limistéir áitiúil de réir alt 10(2)(a) nó 19(2)(a) d'Acht 2000 arna chriosú—

(i) chun críocha úsáide cónaithe amháin nó go príomha, nó

(ii) do mheascán úsáidí, lena n-áirítear úsáid chónaithe,

agus i gcás ina n-aithneofar talamh ar an léarscáil fhorlíontach mar thalamh atá faoi réir na cánach talún criosaithe cónaithe, féadfaidh duine, i leith talún ar leis an duine sin, aighneacht a dhéanamh chuig Comhairle Contae Chiarraí ag iarraidh athrú ar chriosú na talún sin. Ba cheart go n-áireodh aon aighneacht den sórt sin fianaise ar úinéireacht, cúiseanna mionsonraithe le haon iarratas ar athchriosú, chomh maith le léarscáil ar scála 1:1,000 (uirbeach) nó 1:2,500 (tuaithe) ag sainithint an píosa talún ábhartha go soiléir. Déanfaidh an tÚdarás Áitiúil gach iarratas ar athchriosú a mheas ag féachaint do phleanáil chuí agus d'fhorbairt inbhuanaithe an cheantair.