



Dublin City Council

Comhairle Cathrach Bhaile Átha Cliath

Dublin City Council
Development Contribution Scheme 2010 - 2017
(under Section 48, Planning & Development Act, 2000 as amended)

INTRODUCTION

1. Sub-section (1) of section 48 of the Planning and Development Act, 2000 enables a planning authority, when granting a planning permission under Section 34 of the Act, to include conditions for requiring the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority, and that is provided, or that it is intended will be provided, by or on behalf of a local authority (regardless of other sources of funding for the infrastructure and facilities).
2. (a) Subsection (2) of Section 48 requires that the basis for the determination of a contribution under subsection (1) shall be set out in a development contribution scheme made under this section.

(b) A scheme may make provision for payment of different contributions in respect of different classes or descriptions of development.
3. (a) Subsection (3) of Section 48 specifies that a scheme shall state the basis for determining the contributions to be paid in respect of public infrastructure and facilities, in accordance with the terms of the scheme.

(b) In stating the basis for determining the contributions to be paid, the scheme must indicate the contribution to be paid in respect of the different classes of public infrastructure and facilities which are provided or to be provided by any local authority and the planning authority shall have regard to the actual estimated cost of providing the classes of public infrastructure and facilities, except that any benefit which accrues in respect of existing development may not be included in any such determination.

(c) A scheme may allow for the payment of a reduced contribution or no contribution in certain circumstances, in accordance with the provision of the scheme.
4. Subsection (15)(a) specifies that a planning authority may facilitate the phased payment of contributions under Section 48 of the Planning and Development Act, 2000 and may require the giving of security to ensure payment of contributions.

DEFINITIONS

5. (i) Section 48 of the Planning and Development Act, 2000 ("The Act") gives the following meaning to "public infrastructure and facilities" -
 - (a) "the acquisition of land,
 - (b) the provision of open spaces, recreational and community facilities and amenities and landscaping works,
 - (c) the provision of roads, car parks, car parking places, sewers, waste water and water treatment facilities, drains and watermains,
 - (d) the provision of bus corridors and lanes, bus interchange facilities (including car parks for these facilities) infrastructure to facilitate public transport, cycle and pedestrian facilities, and traffic calming measures,
 - (e) the refurbishment, upgrading, enlargement or replacement of roads, car parks, car parking spaces, sewers, waste water and water treatment facilities, drains or watermains, and
 - (f) any matters ancillary to paragraphs (a) to (e)".
5. (ii) "scheme" means a development contribution scheme made under Section 48 of the Act.

BASIS FOR DETERMINATION OF CONTRIBUTION

- 6 The basis for determination of a contribution under the Dublin City Council Development Contribution Scheme 2010 - 2017 ("the Scheme") is as follows:-
- (a) The amount of the costs which are attributable, in the years to 2017 to the five classes of public infrastructure and facilities (listed in the table at Article 9 below). These costs are given in Table A of Appendix I which is annexed to this Scheme.
 - (b) The aggregated floor areas in square metres of projected development, in the years to 2017, in each of the classes or descriptions of development, namely, residential class and industrial/commercial class. These floor areas are given in Table B of Appendix I which is annexed to this Scheme.
 - (c) The development contributions payable per square metre of residential development, and of industrial/commercial development were determined upon consideration of a number of factors including:
 - Eligible costs of projects;
 - Expected quantum of development;
 - Level of existing contribution rates.

The result of this analysis is shown in Article 9 of this Scheme below.

DEVELOPMENT CONTRIBUTION SCHEME

7. This Dublin City Council Development Contribution Scheme 2010 - 2017 ("the Scheme") is made under Section 48 of the Planning and Development Act, 2000 ("the Act").
8. Under the Scheme, Dublin City Council will, when granting a planning permission under Section 34 of the Act, include conditions for requiring the payment of a contribution (the amount of which is indicated below under the heading Level of Contribution) in respect of public infrastructure and facilities benefiting development in the City and that is provided, or that it is intended will be provided, by or on behalf of Dublin City Council (regardless of other sources of funding for the infrastructure and facilities).

LEVEL OF CONTRIBUTION

9. Under the Scheme, the contributions to be paid (except where an Exemption or Reduction applies, see Article 10 below) in respect of the different classes of public infrastructure and facilities are as follows:-

Class of Public Infrastructural Development	€ per square metre of Residential Development	€ per square metre of Industrial/ Commercial class of Development
Class 1: Roads infrastructure & facilities	€46.99	€38.10
Class 2: Water & Drainage infrastructure & facilities	€78.31	€63.50
Class 3: Community facilities & amenities	€6.26	€5.08
Class 4: Parks and open space facilities	€17.23	€13.97
Class 5: Urban regeneration facilities & amenities	<u>€7.83</u>	<u>€6.35</u>
Total of Contributions Payable	€156.62	€127.00

Note 1: These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the Wholesale Price Index (Building and Construction Materials) (See Article 12 of the Scheme below). The above rates are effective from 1 January 2010.

Note 2: With the exception of ancillary non-residential surface car parking, the floor area of proposed development shall be calculated as the gross floor area. This means the area ascertained by the internal measurement of the floorspace on each floor of a building (including internal walls and partitions) and including mezzanine floors. In the case of multi-unit residential buildings, only the gross floor area of each residential unit will be included.

Note 3: New extensions to existing developments, including domestic extensions, will be charged at the above rates also.

EXEMPTIONS AND REDUCTIONS

10. The following categories of development will be exempted from the requirement to pay development contributions under the Scheme:
- The first 40sq metres of extensions to a residential development (subsequent extensions or extensions over and above 40 square meters to be charged at the residential rate per square meter);

- Social and Affordable housing units, including those which are provided in accordance with an agreement made under Part V of the Act (as amended under the Planning & Development (Amendment) Act, 2002) or which are provided by a voluntary or co-operative housing body, which is recognised as such by the Council.
- Ancillary surface car parking;
- Non-fee paying primary schools and secondary schools;
- Not-for-profit, community-run childcare facilities;
- The non-profit making/non-commercial element of community related developments by or on behalf of registered charities and/or voluntary organisations;
- The non-built elements of recreational facilities (eg. Playing pitches, golf courses);
- Development in receipt of a disabled persons grant;
- Open storage/hard surface commercial space development, other than car parking, shall be liable for development contributions at one third of the commercial rate
- Residential ancillary non-surface car parking
- Non-residential ancillary non-surface car parking shall be liable for development contributions at 50% of the commercial rate

PAYMENT OF CONTRIBUTION

11. Conditions requiring payment of the contributions provided for in the Scheme will be imposed in all decisions to grant planning permissions made following the making of the Scheme by the Council. The operative date of the scheme is from 1st January 2010.
12. The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed by the Council. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in the Note I to the table at Article 9 above.
13. The Council may facilitate the phased payment of contributions payable under the Scheme, and the Council may require the giving of security to ensure payment of contributions.

APPEAL TO AN BORD PLEANÁLA ("the Board")

14. An appeal may be brought to the Board where the applicant for planning permission under Section 34 of the Act considers that the terms of the Scheme have not been properly applied in respect of any conditions laid down by the Council.

REVIEW OF SCHEME

15. The Scheme may be reviewed from time to time by the Council having regard to circumstances prevailing at the time. After a review of the Scheme, a new Scheme may be made. The Scheme is effective from 1st January 2010 until 31st December 2017 unless a new scheme is made in the interim.

SPECIAL DEVELOPMENT CONTRIBUTIONS

16. A special development contribution may be imposed under Section 48 of the Act where exceptional costs not covered by the Dublin City Council Development Contribution Scheme 2010 - 2017 are incurred by the Council in the provision of a specific public infrastructure or facility. (The particular works will be specified in the planning conditions when special development contributions are levied). Only developments that will benefit from the public infrastructure or facility in question will be liable to pay the special development contribution. Conditions imposing special contributions may be appealed to An Bord Pleanála.

17. **This Scheme is effective in respect of permissions granted from 1st January 2010.**

APPENDIX I

TABLE A: COSTS INCLUDED IN SCHEME

Costs attributable in the lifetime of the scheme to the classes of infrastructure and facilities:-

	Cost Included in Scheme	Contributions Allocated	% Contributions Allocated
Class 1: Roads infrastructure & facilities	€95.7m	€57.7m	30%
Class 2: Water & Drainage infrastructure and facilities	€153.5m	€96.0m	50%
Class 3: Parks and open space facilities and amenities	€10.0m	€7.7m	4%
Class 4: Community facilities and amenities	€38.8m	€21.1m	11%
Class 5: Urban regeneration facilities and amenities	€21.9m	€9.6m	5%
Total costs included in Scheme	€319.9m	€182.1m	100%

TABLE B – PROJECTED DEVELOPMENT

Units of projected residential development and projected industrial/commercial development (in the years to 2017):-

<u>Residential</u>	<u>Industrial/Commercial</u>
10,200 units	356,000 sqm

APPENDIX II – PROJECT LISTS

Roads

1. Macken Street Bridge
2. Backup Control Room
3. Ratoath Road
4. Richmond Road
5. River Road
6. Cycle Infrastructure
7. Cycle/Pedestrian Bridges
8. Structural Refurbishment
9. Traffic Systems Upgrades
10. Pedestrian Improvements
11. Footpath Refurbishment
12. T21 Traffic Management
13. Malahide Road
14. Blackhorse Ave
15. Environmental and Street Improvements

Water & Drainage

Public Water Supply Schemes

1. Ballymore Eustace
2. Water Supply Project -- Dublin Region
3. Dublin Region Watermains Rehabilitation Project
4. Mainlaying
5. Telemetry/GIS Upgrade
6. Covered Reservoir, Saggart
7. North City Arterial Water
8. Dargle Valley Watermain Construction Stage
9. Leixlip Water Treatment Plant Expansion
10. Leixlip Ballycoolin Pipeline

Public Sewerage Schemes

11. Spencer Dock Pumping Station
12. Spencer Dock Sewage Scheme
13. Liffey Tunnel Services Installation Contract
14. Ringsend Wastewater Treatment Works -- Interim Sludge
15. Programme Management Unit
16. Dublin Bay Refurb Main Lift
17. Ringsend Wastewater Treatment Works Extension
18. Eastern River Basin District Environmental Projects
19. Local Flood Relief Schemes
20. Drainage Improvement Works – Contracts
21. Pumping Station Refurbishment – General
22. Sewer Relining
23. Upgrading /Replacement of Drainage Infrastructure
24. Regional WwTP & Orbital Sewer
30. City Centre Sewers

Flood Relief & Other Works

31. Dublin Coastal Flooding Initiative
32. Flood ResilienCity Project
33. River Dodder Flood Alleviation Phase 1 Ringsend

34. Clontarf Flood Relief
35. River Dodder Flood Study
36. South Campshires Flood Defence
37. River Liffey Catchment Flood Risk Assessment
38. Dodder Flood Works Phases 3 to 5
39. River & Rain Gauging
40. S2S Phase 1 -- Stage 1
41. North Campshires Flood Defence
42. Integrated Constructed Wetlands

Parks

1. Fairview Park
2. Pelletstown Park Improvements
3. St. Anne's Park Management Plan
4. Le Fanu Park
5. Martin Savage Park, Ashtown - Sports Development
6. Mellowes Park - development of all weather pitch
7. Johnstown Park Pavillion & All Weather Pitch
8. Kylemore Park
9. Belcamp Park, Priorswood - development of walled garden
10. Playgrounds in city parks
11. Liberty Park Upgrade & refurbishment
12. Bull Island Interpretative Centre - extension & upgrade
13. Springvale Park, Raheny - development of new park along Santry River

Community

1. Clongriffin Sports & Leisure Centre
2. Rathmines Leisure Centre
3. Ballyfermot Leisure Centre
4. City Library
5. Cromcastle Library
6. Donaghmede Library
7. Arts Facilities / Studios/ Exhibition Spaces
8. Ellis Court Arts Studio
9. Security Upgrade Charlemont House and Perimeter
10. O'Deveney Gardens Community Regeneration
11. St Michael's Estate Community Regeneration
12. Dominic Street Community Regeneration
13. St Teresa's Gardens Community Regeneration

Urban Regeneration

Implementation of River Corridor Study

1. Improvement works to Liffey Quays

Civic Spine Regeneration

2. Thomas Street
3. Cork St
4. St Lukes Church upgrading

Retail Core Improvement Works:

5. Grafton St & Environs

6. South Great Georges St
7. Moore St & Environs

Dublin City Public Amenities

8. "City Bike, Wayfinding System, Heritage Trails"

Public Realm/Civic Space Upgrading Works

9. Smithfield Phase II
10. City Walls/Ship St
11. Kilmainham Urban Space
12. Lutyens Gateway
13. Digital Hub Area Enhancement
14. Ballyfermot Civic Centre Space

Local Area Plan implementation -

15. "Liberties LAP, Phibsborough LAP"

Village Improvement Works

16. Coolock Village
17. Santry Village
18. Rialto Village
19. Inchicore Environmental Improvements
20. Neagh Road, Terenure
21. Edenmore & Donaghmede