

From: [Redacted]
 Sent: [Redacted]
 To: RZLT
 Subject: Folio [Redacted] Residential Zoned Land Tax ("RZLT")
 Attachments: Folio [Redacted] Location Map.pdf

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Classified as Private (Amber)

To whom it may concern,

My name in [Redacted] I submit this email on behalf of my father, [Redacted] the land owner. The email relates to the proposed residential zoned land tax on land held under Folio [Redacted]

[Redacted] wishes to seek a correction to the annual draft Residential Zoned Land Tax map as the land included on the map does not meet the criteria. Below I set out the clear reasons why the lands should not be included.

I attach the Folio of the farmland in [Redacted] Co. Mayo with evidence of ownership from the Land Registry. Below is also a screenshot of the farmland as shown on the Land Registry website.

- **Majority of the land is within a Special Area of Conservation ("SAC") next to the river Moy so cannot be built upon in any event and the remainder is a winter feeding ground for migrating birds and has extensive habitat features. This therefore rules out any development on the lands in any event. Retaining the residential zoning directly conflicts the with the provisions of the SAC. Proposing a land tax on land that cannot be built upon simply does not make sense.**
- [Redacted] has farmed and continues to farm the land since 10/08/1979.
- [Redacted] is a full-time farmer, with this land essential for his livelihood and that of his spouse with the European subsidy payments apportioned to the land vital to their financial well-being. They have no income arising from any other source. The land makes up c. 25% of his total farmland, a material figure for his existence and income generation.
- The existing residential zoning on the folio was never sought by him and is at odds to the current agricultural use of the land.
- A lifetime of hard work has gone into producing the quality of the farmland in situ today, developing the land for residential use is not and will not be a consideration.
- Holding the land for a short-term gain, site assembly or hoarding land is not applicable in this case as [Redacted] has farmed the land continuously for c. 45yrs.
- [Redacted] is not a land speculator, builder, developer but a small farmer reliant on this land for his livelihood.

In summary,

1. Active farmers should not be forced to pay this 'Land Hoarding tax'. Lands that are genuinely farmed and used as an integral part of the farm business should not be liable for the proposed Residential Zoned Land Tax, in a

manner similar to the exemption provided for in the Vacant Site Levy (or variant thereof) and for lands zoned 'Mixed-Use' (including Residential) within the existing legislation

2. 2. At a minimum, intent of purpose involving potentially impacted lands should ultimately determine liability, with no RZLT liability accruing until all other potentially available lands are fully utilised; an imminent housing need and credible commercial demand at a local level is evident.
3. 3. 'A right to be unzoned' without justification provided for farmers wishing to change the zoned status of their land back to 'agricultural use'.

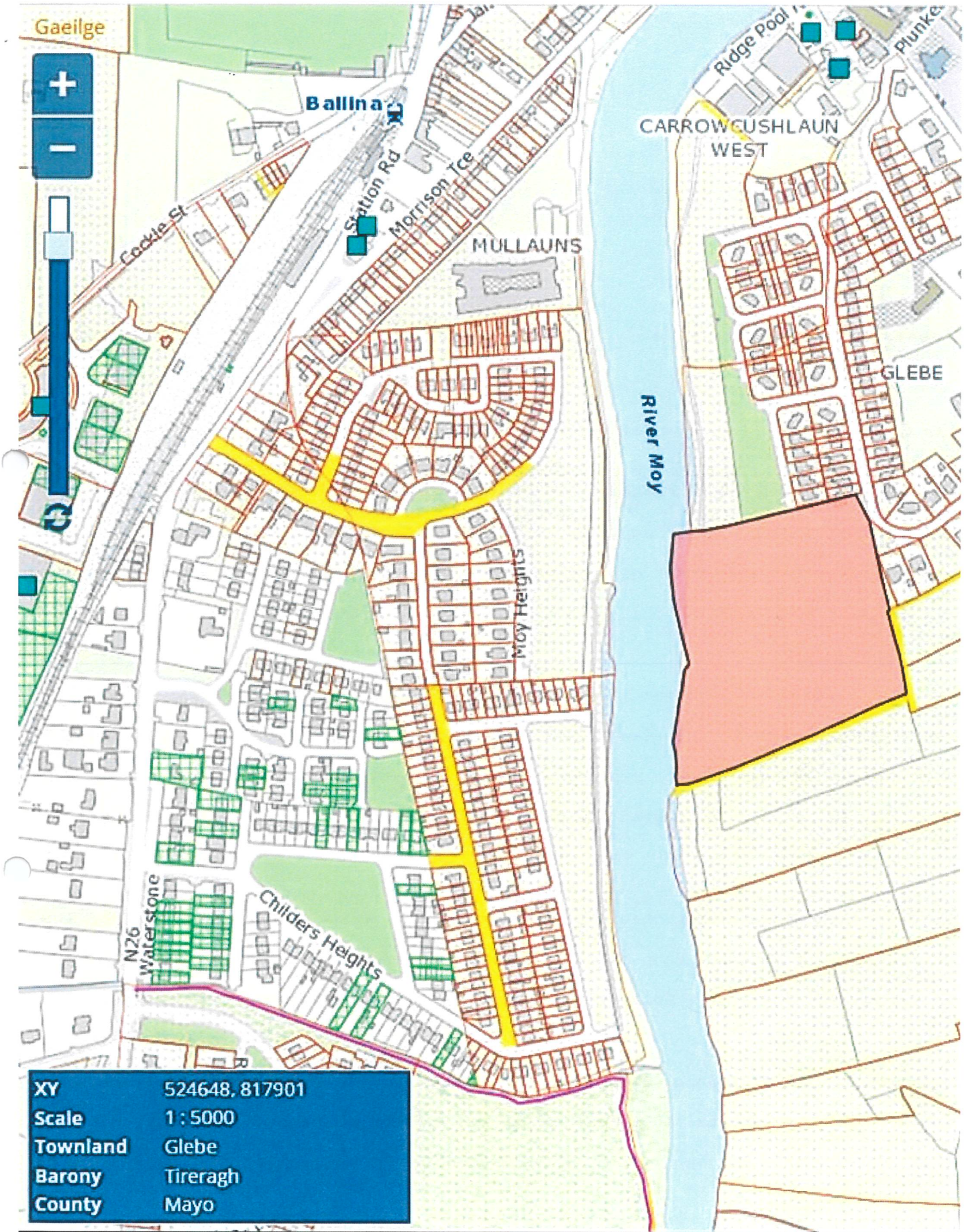
It is in the interest of proper planning and sustainable development of the area for the following reasons also need to be considered.

- An appropriate assessment means the scientific investigation of the implications of a plan or project on sites that are designated for protection of birds other species or habitats under the EU Birds or Habitats Directives. As the folio is an over-wintering location for migratory birds any plans to retain the existing residential zoning contradicts and adversely affects the integrity of this location as a site for the over wintering of birds for the long term. Protecting such habitats is a key concern for the Green Ministers in government.
- The land is bordered by the river Moy and the majority of the land falls within a Special Area of Conservation ("SAC"). Therefore, under the current zoning if development of the land was even considered, it is not possible for the current residential zoning to apply as it is not permitted to build within a SAC.
- The change of zoning would have a positive impact on the future safety of the area with no air pollution issues arising from the land that could impact the surrounding areas should the zoning not be changed.
- The amendment to agricultural zoning is in the interests of proper planning as it prevents an overdevelopment of this part of Ballina and [REDACTED] will be seeking this before the May deadline. Amending the current zoning alleviates the potential for excessive demands on infrastructure and services in the area alongside the knock on impacts of traffic entering the already congested Church Road.
- Agricultural use is essential for the retention of the local character of the area. There is a right of way through the lands that is used extensively by recreational walkers and their dogs that would be negatively impacted by any changes to the current land use. The land is a key local amenity.

Kind Regards,

[REDACTED]

[REDACTED]



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The Property Registration Authority

An tÚdarás Clárúcháin Maoine

Official Property Registration Map

This map should be read in conjunction with the folio.

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(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- SubLeasehold
- 'S' Register

(see Section 8(b)(ii) of Registration of Title Act 1964 and Rule 224 & 225 Land Registration Rules 1972 - 2010).

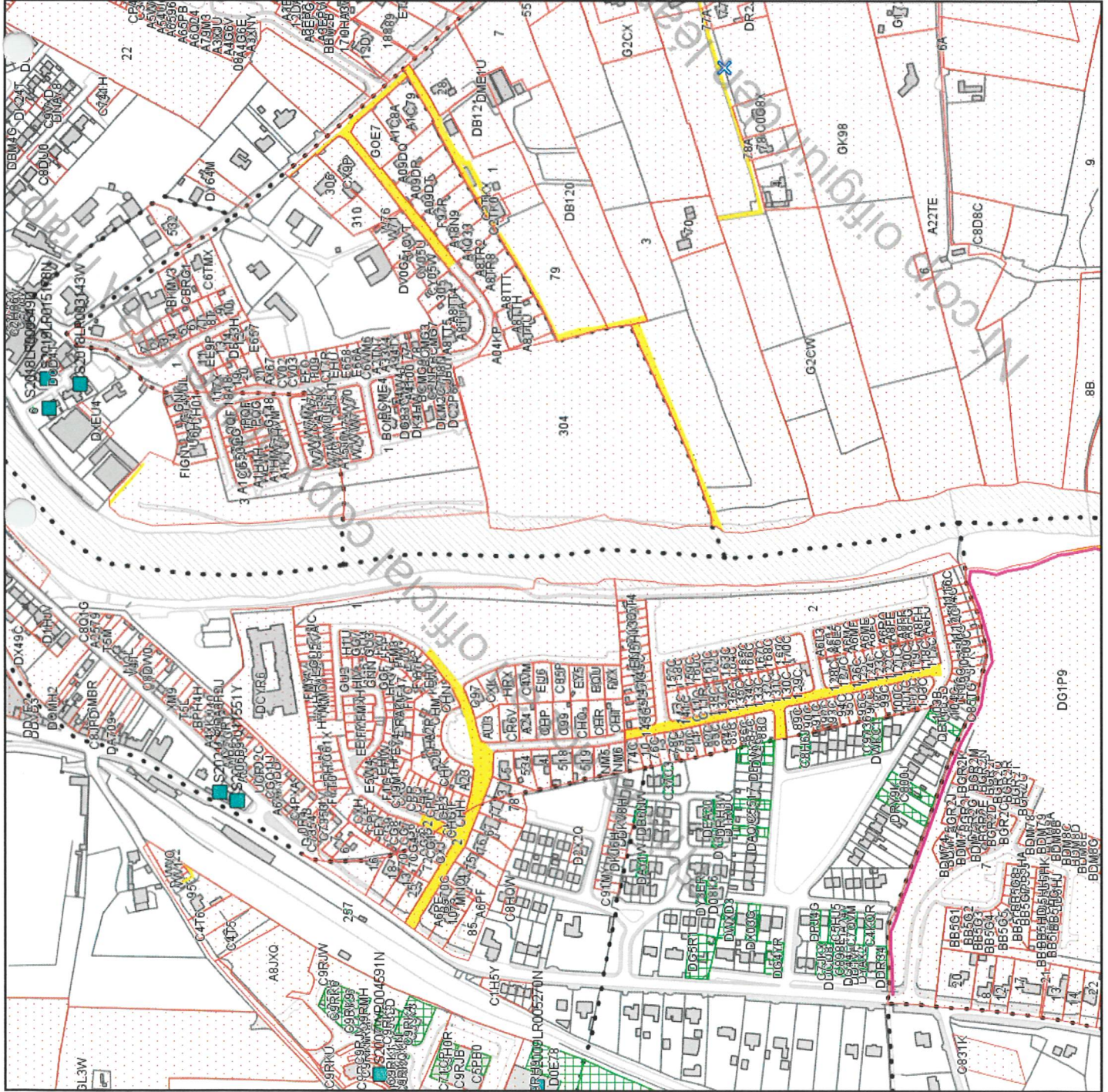
Burdens (may not all be represented on map)

- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- Septic Tank
- Soak Pit

A full list of burdens and their symbology can be found at: www.landdirect.ie

The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent.

(see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.



Land Registry

County Mayo

Folio [REDACTED]

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent





No.	For parts transferred see Part 1(B) Description	Official Notes
1	<p>The property shown coloured Red as plan(s) 304 on the Registry Map, situate in the [REDACTED], in the Townland of [REDACTED] known as GLEBE [REDACTED], in the Electoral Division of ARDNAREE SOUTH URBAN containing 6.0371 hectares.</p> <p>The Registration does not extend to the mines and minerals</p> <p>Plans [REDACTED] transferred Plan [REDACTED] added 28th October, 1997 Instrument Number [REDACTED]</p>	Instrument FR [REDACTED]

Land Registry

County Mayo

Folio 

Part 1(B) - Property Parts Transferred

No.	Prop No:	Instrument:	Date:	Area (Hectares):	Plan:	Folio No:
1	1		13-JUL-1999		305 GOE7 A04KP	
2	1		28-OCT-1997	0.6850	F97R	

Land Registry

County Mayo

Folio [REDACTED]

Part 2 - Ownership

Title ABSOLUTE

No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965
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1	10-AUG-1979 [REDACTED] FR [REDACTED] County Mayo is full owner.
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