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## Internal Memo – Environment Section

To: **Michael Moroney**, *Senior Executive Officer*

From: Kieran McKenna, A/S.E.E.

C.C. Louise Ryan A/E.S.; Orla Kelly A.O.

Date: 20<sup>th</sup> March 2023

**Subject Requirement to acquire lands at the Tipperary Town  
closed landfill site at Carrownreddy and Spittal-Land,  
Tipperary, Co. Tipperary**

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Dear Michael,

This memo sets out the requirement to compulsorily purchase lands comprising and adjoining the historic closed landfill (HCL) at Tipperary Town, considered to be necessary to ensure the orderly remediation of the HCL.

This memo supersedes my memo to Ms. Marion O'Neill, SEO, dated 10<sup>th</sup> May 2022.

### **BACKGROUND AND NEED FOR COMPULSORY PURCHASE ORDER (CPO)**

The HCL at Tipperary Town operated as the town dump from circa 1940 until it closed as a landfill in 1990. The HCL is situated within the townlands of Carrownreddy and Spittal-Land, Co. Tipperary, with the majority being located within Carrownreddy, immediately north of Tipperary Town. The former landfill site is approximately 1.8 hectares, within this area is a fenced off area of 0.2 hectares which was apparently used exclusively for the disposal of wastewater sludge. The other wastes accepted at the site are most likely to have been municipal and commercial waste. The southern portion of site is currently operated by Tipperary Municipal District as a depot for storage of road works materials, etc.

The lands adjoining the landfill appear to be used primarily for low intensity agriculture, grazing horses, etc. and at present there are no residences within 250m of the site. Immediately to the north, northeast and northwest is a marshy area (once the Lake). The lands of and surrounding the HCL are predominantly zoned for amenity and agricultural use with a small portion to the

southwest zoned for residential use, in the Tipperary Town & Environs Development Plan 2013 – 2019.

The HCL has been subject to an assessment of the risk of environmental pollution, in accordance with the Environmental Protection Agency's (EPA) Code of Practice for Environmental Risk Assessment (ERA) of Unregulated Waste Disposal Sites. Upon completion of the ERA an application for a Certificate of Authorisation (CoA) was sought (in Nov. 2011) from and granted (in Feb. 2019) by the EPA, under their register reference number H0004-01.

Due to the nature and extent of the waste deposited within HCL there is a risk of environmental pollution arising from transfer of leachate to surface water and from landfill gas migration. The ERA has confirmed the HCL is in the highest risk category 'Class A'.

Remedial measures are required to minimise the risk to surface water. Such measures include the provision of a low permeability cap over the waste to reduce rainfall infiltration that generates a leachate head within the waste.

Remedial measures are required to minimise the risk of landfill gas migration. Such measures include gas ventilation wells and a landfill gas cut-off trench along the southern boundary of the capped area.

Fehily Timoney & Company Consulting and Environmental Engineers is employed to secure the CoA and the design and implementation of the remediation works. The footprint of the site required for the remediation project is larger than the footprint of the landfilled area, with the overall site area required for remediation purposes being 2.3851Ha. This includes 23,168m<sup>2</sup> of land to be permanently acquired and a further 683m<sup>2</sup> of land to be temporarily acquired for construction works.

Tipperary County Council is the registered owner of the land in the centre of the closed landfill, the land of Folio TY12275F (ca. 1.19Ha) currently used as a grit depot, which is in addition to the 2.3851Ha necessary to remediate this site.

To address the risk of environmental pollution arising from the HCL and to comply with the conditions attached to the CoA H0004-01, Tipperary County Council needs to acquire the lands (i.e. Subject Lands) on which all of the HCL is situated and within its immediate vicinity that are necessary to ensure the orderly remediation of the HCL and consequently to remove the risk of environmental pollution arising.

During the CoA application the EPA 'screened-in' this project for Appropriate Assessment, in particular due to the potential impact on the Lower River Suir special area of conservation (SAC) 002137, and consequently a Stage 2 Natura Impact Statement (Appropriate Assessment) of the potential impact on the SAC

was carried out. Also, development consent for this project must be obtained from An Bord Pleanála under Section 177AE of the Planning and Development Act, as amended, and a development consent application will be submitted to the Bord for its consent to this project, in addition to this CPO notification.

### **SUBJECT LANDS AND LANDOWNERS**

Attached is a copy of the Fehily Timoney & Co drawing number P0563-CPO-0000 Rev. B, *Tipperary Town Closed Landfill Remediation Scheme, CPO of Folios TY27848, TY18396, TY27823, and lands not registered 1 & 2*, which graphically identifies lands totalling 23,851m<sup>2</sup> in area, outlined in red, considered necessary for the orderly landfill remediation (Proposed Site Boundary). Fehily Timoney & Co provide a series of drawings detailing each of the different areas to be acquired:

<b>Table 1 – Lands to be permanently acquired for the orderly remediation of the closed landfill</b>			
<b>Drawing number</b>	<b>Drawing title</b>	<b>Registered owner(s)</b>	<b>Area to be acquired</b>
P0563-CPO-0001 Rev. D	<i>Tipperary Town Closed Landfill Remediation Scheme, CPO of Folio TY27848</i>	St. Ailbe's National School trustees	3,182m <sup>2</sup>
P0563-CPO-0002 Rev. C	<i>Tipperary Town Closed Landfill Remediation Scheme, CPO of Folio TY18396</i>	Patrick Noel Fitzgerald & Mary Fitzgerald <i>FITZGERALD</i>	3,078m <sup>2</sup>
P0563-CPO-0003 Rev. C	<i>Tipperary Town Closed Landfill Remediation Scheme, CPO of Land not Registered 01</i>	Unknown	15,413m <sup>2</sup>
P0563-CPO-0004 Rev. C	<i>Tipperary Town Closed Landfill Remediation Scheme, CPO of Folio TY27823</i>	Ahmed Manzoor E.N.T. Limited	1,463m <sup>2</sup>
P0563-CPO-0005 Rev. C	<i>Tipperary Town Closed Landfill Remediation Scheme, CPO of Land not Registered 02</i>	Unknown	32m <sup>2</sup>

<b>Table 2 – Lands to be temporarily acquired for the orderly remediation of the closed landfill</b>			
<b>Drawing number</b>	<b>Drawing title</b>	<b>Registered owner(s)</b>	<b>Area to be acquired</b>
P0563-CPO-0001 Rev. D	<i>Tipperary Town Closed Landfill Remediation Scheme, CPO of Folio TY27848</i>	St. Ailbe's National School trustees	410m <sup>2</sup>
P0563-CPO-0006 Rev. A	<i>Tipperary Town Closed Landfill Remediation Scheme, CPO of Folio TY51557F</i>	Housing Agency	273m <sup>2</sup>

In order to maintain access into the lands of Folio TY27848, southwest of the HCL, it is necessary to temporarily acquire:

- 410m<sup>2</sup> of lands from the folio TY27848, and
- 273m<sup>2</sup> of lands from the folio TY51557F,

for the duration of the construction works. This is the reason for the change from my previous memo dated 10<sup>th</sup> May 2022 and the drawings and documentation have been updated since May 2022.

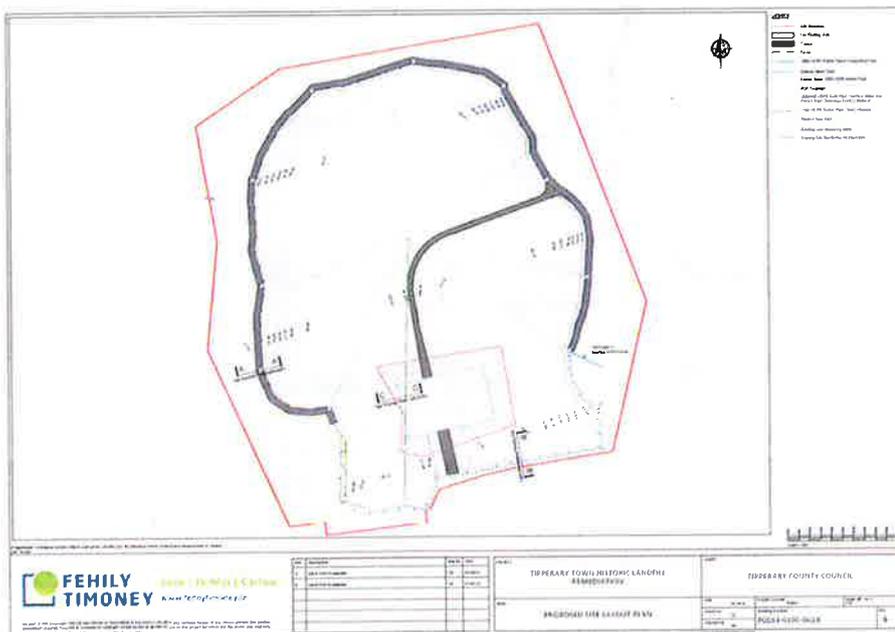
The previous Chief Executive Order 30242 dated 07<sup>th</sup> June 2022 will need to be updated to reflect these changes.

### **REMEDIATION OF THE CLOSED LANDFILL**

The remediation proposals for the site includes:

- Demolition of existing structures including an existing agricultural building, concrete walls and post and wire fencing.
- Clearance of dense vegetation and tree felling.
- Grading/profiling of existing profile.
- Installation of an engineered landfill capping system to include: a landfill gas venting system, a linear low-density polyethylene (LLDPE) barrier, a sub-surface drainage system, a geogrid layer, sub-soil and topsoil layers, a surface water drainage system, an access track and a shared access way to adjoining third party lands, fencing, a car park area, temporary works/mitigation measures, security fencing, landfill gas/leachate management infrastructure, landscaping and an anchor trench/gas barrier.
- Temporary site compound for the construction contractor.

The Site Layout Plan (P0563-0100-0014) shows the layout of the project (to be submitted with the development consent application to ABP).



The lands to be subject to this CPO are also needed to maintain the site following the completion of the proposed development works, namely for:

- ongoing environmental monitoring,
- oxidation of methane in landfill gas,
- maintenance of the engineered cap on-site,
- maintenance of surface water drainage system around the site.

### **COMPLIANCE WITH NATIONAL, REGIONAL AND LOCAL POLICIES**

I confirm the proposals comply with national, regional and local policies.

I have also consulted with the Mid-West National Road Design Office due to the HCL being partially situated within the Preferred Option Corridor May 2022 of the N24 Cahir to Limerick Junction Project but outside of the Design Update No.1 100m Corridor (January 2023). There is a potential active travel route along the Lake Road to the south of the Tipperary Town Closed landfill remediation scheme.

### **RECOMMENDATION**

I recommend Tipperary County Council proceed to the compulsory purchase of the minimum requirement of ca. 23,851m<sup>2</sup> lands, on permanent and temporary basis, as appropriate, that are necessary to ensure the orderly remediation of the HCL, the future maintenance of the HCL and to remove the risk of environmental pollution arising.

Signed:



Date: 20<sup>th</sup> March 2023

**Kieran McKenna, A/S.E.E.**

Approved:



Date: 22<sup>nd</sup> March 2023

**Michael Moroney, Senior Executive Officer**

**Attached:** Drawings P0563-CPO -0000 to -0006



27.03.2023





## Internal Memo – Environment Section

To: **Joe MacGrath**, *Chief Executive Officer*

From: Eamon Lonergan, Director of Services

Date: 24<sup>th</sup> March 2023

**Subject** **Compulsory Purchase Order (Environment) 2023 for the  
Tipperary Town closed landfill remediation scheme at  
Carrownreddy and Spittal-Land, Tipperary, Co. Tipperary**

Dear Joe,

The Environment and Climate Action Section of Tipperary County Council proposes to remediate the Tipperary Town closed landfill at Carrownreddy and Spital-Land, Co. Tipperary, in the north of Tipperary Town.

The closed landfill operated as a town dump from ca. 1940 until it was closed as a landfill in 1990. The majority of the closed landfill is located within Carrownreddy. The closed landfill site is approximately 1.8 hectares and is subject to a Certificate of Authorisation H0004-01 from the Environmental Protection Agency since 2019.

The land required for the remediation of the closed landfill is larger than the footprint of the landfilled area, with the overall site area required for remediation purposes being 2.3851Ha. This includes 23,168m<sup>2</sup> of land to be permanently acquired and a further 683m<sup>2</sup> of land to be temporarily acquired for construction works.

Tipperary County Council owns the land in the centre of the closed landfill, comprising a further 1.19Ha, and is currently used as a grit depot.

The acquisition of the subject lands is needed for the implementation of this closed landfills remediation, ongoing maintenance and ultimately the protection of public health.

I attach the report and recommendation, dated 20<sup>th</sup> March 2023, from Kieran McKenna, Acting Senior Executive Engineer, as approved by Mr. Michael Moroney, Senior Executive Officer, which sets out the following:

1. Background and need for the CPO, and
2. Subject lands

I confirm that the proposal complies with all national, regional and local policies. Having regard to the aforementioned report and recommendation, I recommend that Tipperary County Council immediately begin the process of acquiring the necessary lands to remediate the Tipperary Town closed landfill under Compulsory Purchase Order.

*M. J. Moroney*  
*22/3/2023*

Signed:



**Eamon Lonergan,**

**Director of services**

Environment & Climate Action Section

Date: <sup>24<sup>th</sup></sup> March 2023

Approved:



**Mr. Joe MacGrath,**

**Chief Executive Officer**

Tipperary County Council

Date: 27<sup>th</sup> MARCH, 2023

**ORIGINAL**

**TIPPERARY COUNTY COUNCIL**

**CHIEF EXECUTIVE'S ORDER No. 23340**

**Subject: Approval to prepare, Tipperary Town closed landfill remediation scheme, Compulsory Purchase Order (Environment) 2023**

**I, Joe MacGrath, Chief Executive by virtue of the powers assigned to me in accordance with the provisions of Section 149 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act, 2014:**

"That having regard to the recommendation of Mr Kieran McKenna, Acting Senior Executive Engineer dated 20<sup>th</sup> March 2023 and endorsed by Ms. Michael Moroney, Senior Executive Officer, and the recommendation of Mr. Eamon Lonergan, Director of Services for the Environment & Climate Action, **hereby order that:**

Tipperary County Council prepare the necessary Compulsory Purchase Order to be known as '*Tipperary Town closed landfill remediation scheme, Compulsory Purchase Order (Environment) 2023*'."

This Chief Executive's Order supersedes the CEO No. 30242 dated 7<sup>th</sup> June 2022.

Signed: \_\_\_\_\_

Joe MacGrath  
Chief Executive

Date: 27<sup>th</sup> MARCH, 2023

*W. Moroney*  
*22/3/2023*

*EL* *24/3/23*





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## Internal Memo – Environment Section

To: **Joe MacGrath**, *Chief Executive Officer*

From: Eamon Lonergan, Director of Services

Date: 24<sup>th</sup> March 2023

**Subject      Compulsory Purchase Order (Environment) 2023 for the  
Tipperary Town closed landfill remediation scheme at  
Carrownreddy and Spittal-Land, Tipperary, Co. Tipperary**

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Dear Joe,

The Environment and Climate Action Section of Tipperary County Council proposes to remediate the Tipperary Town closed landfill at Carrownreddy and Spital-Land, Co. Tipperary, in the north of Tipperary Town.

The closed landfill operated as a town dump from ca. 1940 until it was closed as a landfill in 1990. The majority of the closed landfill is located within Carrownreddy. The closed landfill site is approximately 1.8 hectares and is subject to a Certificate of Authorisation H0004-01 from the Environmental Protection Agency since 2019.

The land required for the remediation of the closed landfill is larger than the footprint of the landfilled area, with the overall site area required for remediation purposes being 2.3851Ha. This includes 23,168m<sup>2</sup> of land to be permanently acquired and a further 683m<sup>2</sup> of land to be temporarily acquired for construction works.

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The acquisition of the subject lands is needed for the implementation of this closed landfills remediation, ongoing maintenance and ultimately the protection of public health.

I attach the report and recommendation, dated 20<sup>th</sup> March 2023, from Kieran McKenna, Acting Senior Executive Engineer, as approved by Mr. Michael Moroney, Senior Executive Officer, which sets out the following:

1. Background and need for the CPO, and
2. Subject lands

I confirm that the proposal complies with all national, regional and local policies. Having regard to the aforementioned report and recommendation, I recommend that Tipperary County Council immediately begin the process of acquiring the necessary lands to remediate the Tipperary Town closed landfill under Compulsory Purchase Order.

*W. J. Moroney*  
*22/3/2023*

Signed: \_\_\_\_\_



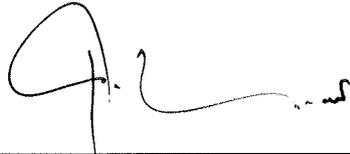
**Eamon Lonergan,**

**Director of services**

Environment & Climate Action Section

Date: <sup>24<sup>th</sup></sup> March 2023

Approved: \_\_\_\_\_



**Mr. Joe MacGrath,**

**Chief Executive Officer**

Tipperary County Council

Date: 27<sup>th</sup> MARCH, 2023

ORIGINAL

TIPPERARY COUNTY COUNCIL

CHIEF EXECUTIVE'S ORDER No. 33634

**Subject: Affixing of the Official Seal of Tipperary County Council to the Tipperary Town closed landfill remediation Scheme, Compulsory Purchase Order (Environment) 2023**

**I, Joe MacGrath, Chief Executive by virtue of the powers assigned to me in accordance with the provisions of Section 149 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act, 2014:**

"that for the purpose of the Tipperary Town closed landfill remediation Scheme, Compulsory Purchase Order (Environment) 2023, hereby order that:

the Official Seal of the Council shall be affixed to the Compulsory Purchase Order and Deposit Maps known as '*Tipperary Town closed landfill remediation Scheme, Compulsory Purchase Order (Environment) 2023*'.

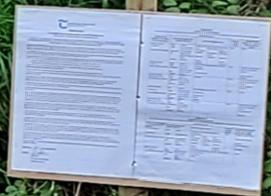
Signed: \_\_\_\_\_

Joe MacGrath  
Chief Executive

Date: 21<sup>st</sup> APRIL, 2023

*L. J. [unclear]*  
*CEO*  
*18/4/2023*

*Dáire Mallon A/Sec*  
*18/04/2023*





Comhairle Contae Thiobraid Árann  
Tipperary County Council

**PUBLIC NOTICE**

**TIPPERARY TOWN CLOSED LANDFILL REMEDIATION SCHEME**  
COMPULSORY PURCHASE ORDER (ENVIRONMENT) 2023

NOTICE OF A COMPULSORY PURCHASE ORDER FOR THE PURPOSES OF THE HOUSING ACT, 1966, PUBLISHED IN ACCORDANCE WITH ARTICLE 4 (a) OF THE THIRD SCHEDULE TO THE SAID ACT, AS AMENDED BY THE PLANNING AND DEVELOPMENT ACT 2000 COMPULSORY ACQUISITION OF LAND

**TIPPERARY COUNTY COUNCIL** (hereinafter referred to as "the local authority") in exercise of the powers conferred upon it by Section 76 of the Housing Act, 1966, and the Third Schedule thereto (as amended by the Planning and Development Act, 2000), has made an order entitled as above which is about to be submitted to An Bord Pleanála (hereafter "the Board") for confirmation.

If confirmed, the order will authorise the local authority to acquire compulsorily the land described in the Schedule for the purposes of the Housing Act, 1966 for the Tipperary Town Closed Landfill Remediation Scheme.

A copy of the order and of the map referred to in it is on public display and may be seen at all reasonable hours (9:30am to 4:30pm Monday to Friday, and excluding Saturdays, Sundays and public holidays) from Friday 12<sup>th</sup> May 2023 until Friday 30<sup>th</sup> June 2023 at:

- Tipperary County Council, Civic Offices, Emmet Street, Clonmel, Co. Tipperary, E91 N512, and
- Tipperary-Cahir-Cashel Municipal District, Rosanna Road, Tipperary, Co. Tipperary, E34 WD51.

A copy of the order and the deposit maps referred to in it may be inspected on our consultation portal at <https://consultations.tipperarycoco.ie/consultations>

Owners, lessees and occupiers of the land described in the Schedule will receive individual written notice.

Unknown owners and unknown lessees of the land described in the Schedule will be notified by way of a copy of this notice being erected on the lands.

Any objections to the order, to the compulsory acquisition of lands described in the Schedule Part II Land to be Permanently Acquired and Schedule Part III Land to be Temporarily Acquired, should be addressed in writing to An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902, so as to reach the Board before 5:30pm on Friday 30<sup>th</sup> June 2023.

The Board cannot confirm a compulsory purchase order in respect of the land if an objection is made in respect of the acquisition by an owner, lessee or occupier of the land, and not withdrawn.

An Bord Pleanála has an absolute discretion under Section 218 of the Planning and Development Act, 2000 (as amended) to hold an oral hearing.

Before making its decision on an application to confirm the Compulsory Purchase Order, the Board must consider any objection(s) made and not withdrawn, any additional submissions or observations made pursuant to a request by the Board under Section 217A of the Planning and Development Act, 2000 (as amended) and in the event of an oral hearing being held, any report of the person who conducted the hearing. An Bord Pleanála may confirm the Compulsory Purchase Order or any part thereof with or without modifications or may annul the Compulsory Purchase Order or any part thereof.

A person may question the validity of any decision by An Bord Pleanála to confirm a Compulsory Purchase Order by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts as provided for in Section 50 of the Planning and Development Acts 2000-2021. Further information can be obtained from An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 in respect of the judicial review procedure.

Further information in respect of the Judicial Review process can also be found on the Citizens Information web site at [www.citizensinformation.ie](http://www.citizensinformation.ie) and phone services at 0818 07 4000 or at your local Citizens Information Centre during its usual (opening) hours of operation.

An application is also being made to An Bord Pleanála under Section 177AE of the Planning and Development Act 2000 (as amended), for which separate notice has been given, and for which a Natura Impact Statement has been prepared in respect of the development which is proposed to be carried out on the lands.

Submissions and observations in relation to that application in relation to the implications of the proposed development for proper planning and sustainable development of the area concerned, the likely effects on the environment and the likely significant effects on a European Site, should be addressed in writing to An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902, to be received no later than 5:30pm on Friday 30<sup>th</sup> June 2023.

The person conducting any oral hearing that may be held in relation to the Compulsory Purchase Order which relates to a development under Section 177AE of the Planning and Development Act 2000 (as amended) is entitled to hear evidence on the likely effects on the environment, the likely consequences for proper planning and sustainable development and the likely significant effects on a European Site.

SCHEDULE PART II LAND TO BE PERMANENTLY ACQUIRED AND SCHEDULE PART III LAND TO BE TEMPORARILY ACQUIRED ARE ANNEXED HERETO.

Dated this 27<sup>th</sup> day of April 2023

Signed:

Ger Walsh  
Senior Executive Officer  
Corporate Services

Schedule Part II Land to be Permanently Acquired Land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense						
Number on map deposited at the offices of the Local Authority	Quantity, description and situation of the land	Owners or reputed owners			Lessees or reputed lessees	Occupiers (except tenants for a month or a lesser period than a month)
Portion from folio 'TY27848' on drawing P0563-CPO-0001	Area: 3,182 m <sup>2</sup> Type: Agricultural land and marsh Land Townland: Carrownreddy ED: Tipperary East Urban & Tipperary Rural County: Tipperary	Trustees of St. Ailbe's School Parents Trust Paul O'Callaghan Murgasty Kevin O'Reilly John Blackburn Ballinalard Glenpadeen County Tipperary County Tipperary	None	Owner		
Portion from folio 'TY18396' on drawing P0563-CPO-0002	Area: 3,078 m <sup>2</sup> Type: Marsh land Townland: Spital-Land (Tipperary Rural) ED: Tipperary Rural County: Tipperary	Patrick Noel Fitzgerald & Mary Fitzgerald Moanvaun Cappawhite County Tipperary	None	Tipperary County Council Tipperary Civic Offices Clonmel County Tipperary E91 N512		
Portion from lands 'Not Registered 01' on drawing P0563-CPO-0003	Area: 15,413 m <sup>2</sup> Type: Marsh Land Townland: Carrownreddy ED: Tipperary Rural County: Tipperary	Unknown	None	Tipperary County Council Tipperary Civic Offices Clonmel County Tipperary E91 N512		
Portion from folio 'TY27823' on drawing P0563-CPO-0004	Ha: 1,463 m <sup>2</sup> Type: Agricultural land and marsh land Townland: Carrownreddy ED: Tipperary Rural County: Tipperary	Ahmed Manzoor E.N.T. Limited 21 Ashmount Church Road Raheen Limerick	None	Owner		
Portion from lands 'Not Registered 02' on drawing P0563-CPO-0005	Ha: 32m <sup>2</sup> Type: Roadbed Townland: Carrownreddy ED: Tipperary East Urban County: Tipperary	Unknown	None	Tipperary County Council Tipperary Civic Offices Clonmel County Tipperary E91 N512		

Schedule Part III Land to be Temporarily Acquired Land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense						
Number on map deposited at the offices of the Local Authority	Quantity, description and situation of the land	Owners or reputed owners			Lessees or reputed lessees	Occupiers (except tenants for a month or a lesser period than a month)
Portion from folio 'TY27848' on drawing P0563-CPO-0001	Area: 410 m <sup>2</sup> Type: Agricultural land Townland: Carrownreddy ED: Tipperary East Urban County: Tipperary	Trustees of St. Ailbe's National School Parents Trust Paul O'Callaghan Murgasty Kevin O'Reilly John Blackburn Ballinalard Glenpadeen County Tipperary County Tipperary	None	Tipperary County Council Tipperary Civic Offices Clonmel County Tipperary E91 N512		
Portion from folio 'TYS1557F' on drawing P0563-CPO-0006	Ha: 273m <sup>2</sup> Type: Agricultural land Townland: Carrownreddy ED: Tipperary East Urban County: Tipperary	Housing & Sustainable Communities Agency Cumberland House Fenian Street Dublin 2	None	Owner		





Comhairle Contae Thiobraid Árann  
Tipperary County Council

**PUBLIC NOTICE**

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COMPULSORY PURCHASE ORDER (ENVIRONMENT) 2023**

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If confirmed, the order will authorise the local authority to acquire compulsorily the land described in the Schedule for the purposes of the Housing Act, 1966 for the Tipperary Town Closed Landfill Remediation Scheme.

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- Tipperary-Cahir-Cashel Municipal District, Rosanna Road, Tipperary, Co. Tipperary, E34 WD51.

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An Bord Pleanála has an absolute discretion under Section 218 of the Planning and Development Act, 2000 (as amended) to hold an oral hearing.

Before making its decision on an application to confirm the Compulsory Purchase Order, the Board must consider any objection(s) made and not withdrawn, any additional submissions or observations made pursuant to a request by the Board under Section 217A of the Planning and Development Act, 2000 (as amended) and in the event of an oral hearing being held, any report of the person who conducted the hearing. An Bord Pleanála may confirm the Compulsory Purchase Order or any part thereof with or without modifications or may annul the Compulsory Purchase Order or any part thereof.

A person may question the validity of any decision by An Bord Pleanála to confirm a Compulsory Purchase Order by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts as provided for in Section 50 of the Planning and Development Acts 2000-2021. Further information can be obtained from An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 in respect of the judicial review procedure.

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SCHEDULE PART II LAND TO BE PERMANENTLY ACQUIRED AND SCHEDULE PART III LAND TO BE TEMPORARILY ACQUIRED ARE ANNEXED HERETO.

Dated this 27<sup>th</sup> day of April 2023

Signed:

Ger Walsh  
Senior Executive Officer  
Corporate Services

Schedule Part II Land to be Permanently Acquired Land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense				
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Portion from folio 'TY27848' on drawing P0563-CPO-0001	Area: 3,182 m <sup>2</sup> Type: Agricultural land and marsh Land Townland: Carrownreddy ED: Tipperary East Urban & Tipperary Rural County: Tipperary	Trustees of St. Ailbe's School Parents Trust Paul O'Callaghan Murgasty Kevin O'Reilly John Blackburn Ballinalard Glenpadeen County Tipperary County Tipperary	None	Owner
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Schedule Part III Land to be Temporarily Acquired Land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense				
Number on map deposited at the offices of the Local Authority	Quantity, description and situation of the land	Owners or reputed owners	Lessees or reputed lessees	Occupiers (except tenants for a month or a lesser period than a month)
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Portion from folio 'TY51557F' on drawing P0563-CPO-0006	Ha: 273m <sup>2</sup> Type: Agricultural land Townland: Carrownreddy ED: Tipperary East Urban County: Tipperary	Housing & Sustainable Communities Agency Cumberland House Fenian Street Dublin 2	None	Owner

Mr. Kieran McKenna  
Tipperary County Council  
Civic Offices  
Clonmel  
Co. Tipperary  
E91 D5T7

Our Ref: P0563/Lett/CJC/MG/AMW

7 March 2023

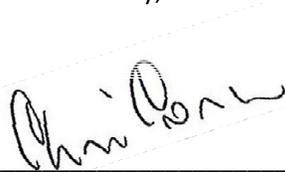
**Re: Certification of CPO**

Dear Kieran,

In relation to the compulsory acquisition of lands by Tipperary County Council in respect of the 'Tipperary Town Closed Landfill Remediation Scheme,' Fehily Timoney and Company would like to certify that, after diligent inquiry, we are satisfied that the particulars, as set out in Schedules 1 and 2 of the Form of Compulsory Purchase Order for the Tipperary Landfill Remediation Scheme are correct.

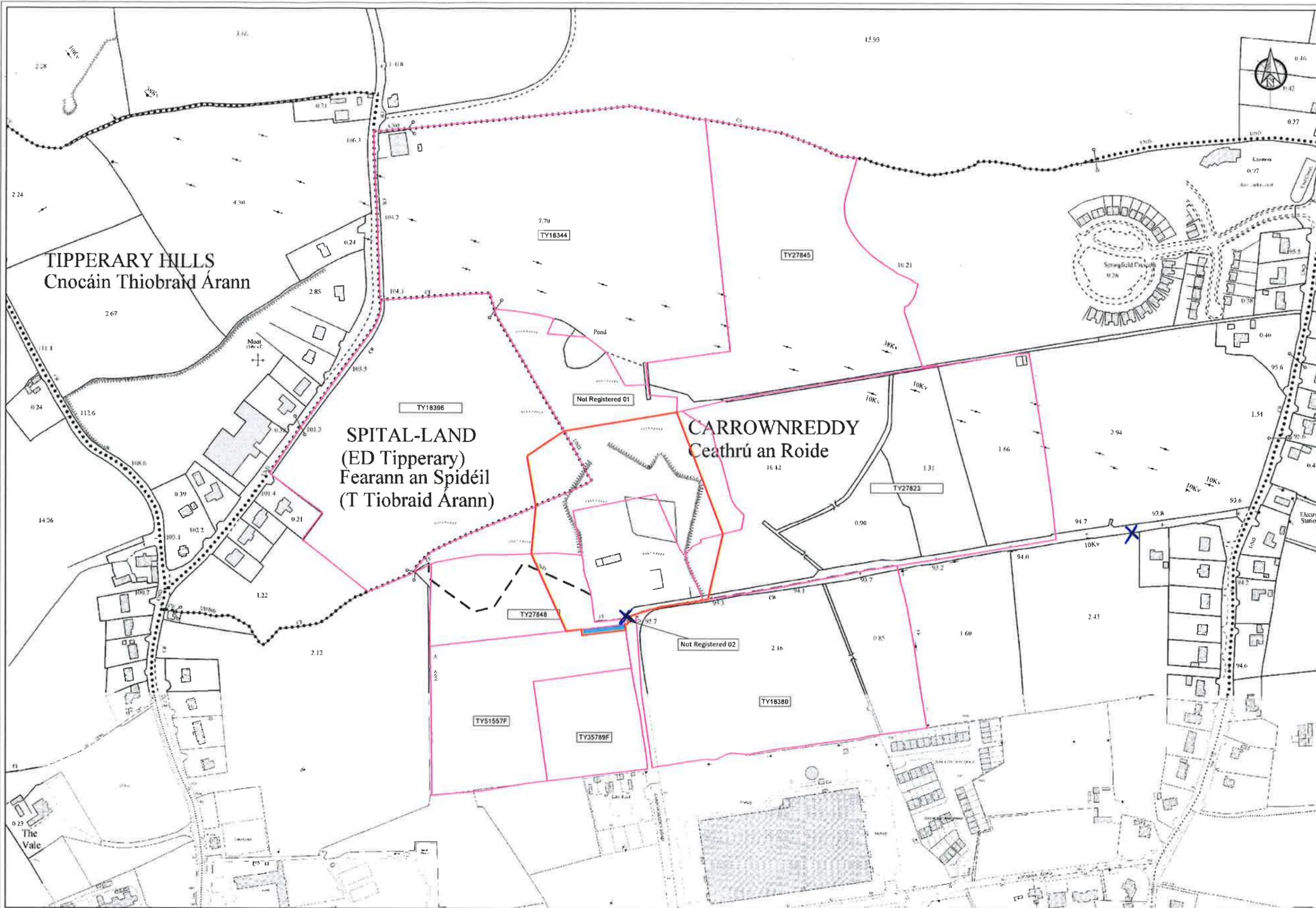
Insofar as the above Order relates, we hereby certify that the proposed acquisition by Tipperary County Council of the lands shaded in grey on the accompanying Compulsory Purchase Order Deposited Maps is suitable and necessary for the purposes of the provision of the 'Tipperary Town Closed Landfill Remediation Scheme' in the townlands of Carrownreddy and Spital-Land (Tipperary Rural), in the Electoral Districts of Tipperary East Urban and Tipperary Rural, County Tipperary.

Yours sincerely,



Chris Cronin  
for and on behalf of **Fehily Timoney and Company**

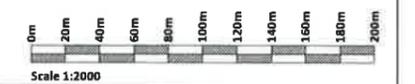
Encls.



**Legend**

- Proposed Site Boundary
- Folio Boundary
- Land Folio for CPO-Folio TY51557F 273m<sup>2</sup> required for Temporary Acquisition for Construction Works.

X = LOCATION OF SITE NOTICES



If Applicable : Ordnance Survey Ireland Licence No. EN 0001220 © Ordnance Survey Ireland and Government of Ireland OSI - 5116C

**FEHILY TIMONEY** Cork | Dublin | Carlow  
[www.fehilytimoney.ie](http://www.fehilytimoney.ie)

Rev.	Description	App By	Date
A	ISSUE FOR PLANNING	CJC	27.09.22

**PROJECT**  
**TIPPERARY TOWN HISTORIC LANDFILL REMEDIATION**

**SHEET**  
**Tipperary Town Closed Landfill Remediation Scheme, CPO of portion of lands from Folio TY51557F situated in the townland of Carrownreddy, Co. Tipperary**

CLIENT			
<b>TIPPERARY COUNTY COUNCIL</b>			
Date	27.09.22	Project number	PO563
Drawn by	CS	Drawing Number	PO563-CPO-0006
Checked by	RD	Scale (@ A1-)	1:2000
		Rev	<b>A</b>

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0:\ACAD\2018\PO563\PO563-CPO-0006

27 September 2022



Comhairle Contae Thiobraid Árann  
Tipperary County Council

Comhairle Contae  
Thiobraid Árann,  
Oifigi Cathartha,  
Cluain Meala,  
Co. Thiobraid Árann

Tipperary County Council,  
Civic Offices, Clonmel,  
Co. Tipperary

E91 N512

Comhairle Contae  
Thiobraid Árann,  
Oifigi Cathartha,  
An tAonach,  
Co. Thiobraid Árann

Tipperary County Council,  
Civic Offices, Nenagh,  
Co. Tipperary

E45 A099

t 0818 06 5000  
e customerservice  
@tipperarycoco.ie

[tipperarycoco.ie](http://tipperarycoco.ie)

7<sup>th</sup> March, 2023

Reference: Certificate

FAO Mr. Eamon Lonergan, Director of Services, Environment and Climate Action, Water Services and Human Resources.

Mr. Kieran McKenna,  
A/Senior Executive Engineer,  
Environment and Climate Action,  
Cahir/Cashel & Tipperary Municipal District,  
Civic Offices,  
Rosanna Road,  
Tipperary Town,  
Co. Tipperary

Re: Remediation of the Landfill at Tipperary Town

A Chara,

Mr. Jonathan Flood, A/Senior Executive Planner has examined the plans for the Remediation of the Landfill at Tipperary Town and the Planning Section would like to confirm that the proposal is in conformity with the Tipperary Town and Environs Development Plan 2013, as varied.

Mise le meas,

For Director of Services,  
Planning and Development.



**PUBLIC NOTICE**

**TIPPERARY TOWN CLOSED LANDFILL REMEDIATION SCHEME  
COMPULSORY PURCHASE ORDER (ENVIRONMENT) 2023**

**NOTICE OF A COMPULSORY PURCHASE ORDER FOR THE PURPOSES OF THE HOUSING ACT, 1966, PUBLISHED IN ACCORDANCE WITH ARTICLE 4 (a) OF THE THIRD SCHEDULE TO THE SAID ACT, AS AMENDED BY THE PLANNING AND DEVELOPMENT ACT 2000 COMPULSORY ACQUISITION OF LAND**

TIPPERARY COUNTY COUNCIL (hereinafter referred to as "the local authority") in exercise of the powers conferred upon it by Section 76 of the Housing Act, 1966, and the Third Schedule thereto (as amended by the Planning and Development Act, 2000), has made an order entitled as above which is about to be submitted to An Bord Pleanála (hereafter "the Board") for confirmation.

If confirmed, the order will authorise the local authority to acquire compulsorily the land described in the Schedule for the purposes of the Housing Act, 1966 for the Tipperary Town Closed Landfill Remediation Scheme.

A copy of the order and of the map referred to in it is on public display and may be seen at all reasonable hours (9:30am to 4:30pm Monday to Friday, and excluding Saturdays, Sundays and public holidays) from Friday 12th May 2023 until Friday 30th June 2023 at:

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- Tipperary-Cahir-Cashel Municipal District, Rosanna Road, Tipperary, Co. Tipperary, E34 WD51.

A copy of the order and the deposit maps referred to in it may be inspected on our consultation portal at <https://consultations.tipperarycoco.ie/consultations>

Owners, lessees and occupiers of the land described in the Schedule, will receive individual written notice.

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Before making its decision on an application to confirm the Compulsory Purchase Order, the Board must consider any objection(s) made and not withdrawn, any additional submissions or observations made pursuant to a request by the Board under Section 217A of the Planning and Development Act, 2000 (as amended) and in the event of an oral hearing being held, any report of the person who conducted the hearing. An Bord Pleanála may confirm the Compulsory Purchase Order or any part thereof with or without modifications or may annul the Compulsory Purchase Order or any part thereof.

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Ger Walsh, Senior Executive Officer, Corporate Services

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Comhairle Contae Thiobraid Árann  
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