

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL, GALWAY ON FRIDAY 14th FEBRUARY, 2014 @ 11.00 am

CATHAOIRLEACH:

Cllr. L. Carroll, Mayor of the County of Galway

I LATHAIR FREISIN:

Baill:

Cllrs. S. Canney, D. Connolly, M. Connolly, Comh. S. Ó Cuaig, T. Ó Curraoin, Cllrs. J. Cuddy, S. Cunniffe, M. Fahy, P. Feeney, G. Finnerty, M. Finnerty, M. Hoade, P. Hynes, Comh. S. Ó Laoi, Cllrs. M. Maher, E. Mannion, T. Mannion, J. McClearn, J. McDonagh, T. McHugh, M. Noone, P. Roche, K. Ryan, Comh. S. Ó Tuairisg, Cllrs. S. Walsh, T. Walsh & T. Welby.

Oifigigh:

M. Moloney, County Manager; Messrs. K. Kelly & J. Cullen Directors of Services; M. Raftery, A/Director of Service; M. Owens, County Secretary & Meetings Administrator; Ms. C. McConnell, Senior Planner, S. Kennedy, Senior Executive Planner, P. Ó Neachtain, Oifigeach Gaeilge; M. Donohue, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

On the commencement of the meeting, it was proposed by the Mayor, seconded by Cllr. Ryan and agreed to adjourn the meeting to 11.30 am to allow for the attendance of the Members nominated to the Regional Health Forum.

TO CONSIDER THE DRAFT GALWAY COUNTY DEVELOPMENT PLAN 2015 – 2021 AS PER SECTION 11(5)(A) AND (B) OF THE PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED) –

Report already circulated.

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The Mayor advised that this Meeting was an important meeting for the Elected Members to determine where we are in the County and agree an overall strategy for the proper planning and sustainable development for the functional area of the County of Galway.

Mr. Kelly said that this was an important Reserved function and acknowledged that the Members had already received and read the Draft Plan and said while the Draft Plan had a different look in terms of structure and text, it was by and large a continuation of the Policies and Objectives and balanced approach used in the existing Development Plan.

Mr. Kelly gave an overview of the timeline of the Plan process as follows: the Draft Plan to be prepared for public display within 2 weeks and the Draft Plan will be on public display for 10 weeks,

following which the Manager's Report on the Draft Submissions must be circulated within 12 weeks to the Members for their consideration and further discussion.

Mr. Kelly invited Ms. McConnell to give an overview on the Draft Plan and Ms. Kennedy to provide a high level summary of each Chapter of the Draft Plan.

Ms. McConnell provided an introduction on the Draft Galway County Development Plan 2015-2021 which outlined that the strategic direction of the Draft Plan was similar to the current Plan with an aim to protect the unique character and high quality environment of Galway with recognition of the Galway Gateway being an economic driver for the County. She said that the Plan would seek to foster strong and sustainable communities in our towns, villages and rural areas.

In respect of the Core Strategy, she said that the population targets were revised in line with National and Regional population figures and recognised Tuam as the Hub for Galway and Ballinasloe to be recognised as a commercial centre for the East of the County with the promotion of balanced development between urban and rural areas.

She said that the Draft Plan was supportive of enterprise and employment creation and would seek to build on the potential of our natural and clean environment by supporting tourism, recreation, walking and cycling routes and outdoor pursuit facilities. She advised that the Draft Plan would seek to address the needs of groups such as the aged, travelling community, people with disabilities and the Rural Housing Policy provisions would seek to continue an approach which limits development in areas of pressure, permits development generally in areas of decline and which seeks to facilitate genuine rural housing need in all areas.

In respect of Heritage and Culture, she said that the Draft Plan supports the development of Teach an Phiarsigh at Rosmuc as a major attraction and the Record of Protected Structures is extended to take account of the National Inventory and seeks to promote and preserve the Irish language and the Gaeltacht traditions.

Ms. McConnell said the Plan recognises the importance of infrastructure, and supports the provision of roads, water, wastewater, telecommunications and energy transmission infrastructure, including the Galway City Outer By-Pass as a priority project and a specific objective to complete the Galway Greenway and the Plan also addresses the issues of Environmental Protection, Flood Risk and Climate Change.

Ms. McConnell advised the Meeting of Section 177 of the Local Government Act 2001 which states that if a Member has a pecuniary or other beneficial interest in any aspect before the meeting, he or she shall take no part in the discussion or consideration of the matter and shall refrain from voting and it would be normal for them to leave the meeting for that item.

Ms. McConnell further advised that under Section 20 of the Planning & Development Act 2000, the Members should only consider the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

Ms. Kennedy advised the Meeting that the Draft Plan was prepared in accordance with the Planning & Development Act 2000 (as amended) and this Draft was circulated to each Member in January to allow the Members to consider the Draft Plan so as to ensure that each Member is happy with the content of the Draft Plan before it goes on public display. She said that a small number of minor

changes made to the Draft Plan since its circulation to the Members, was today circulated to the Members for their consideration.

Ms. Kennedy proceeded to provide a summary of the main points of each Chapter –

Chapter 1 - Introduction

Chapter 2 - Spatial Strategy, Core and Settlement Strategy

Chapter 3 - Urban and Rural Housing

Chapter 4 - Economic, Tourism and Retail Development

Chapter 5 - Roads and Transportation

Chapter 6 - Water, Wastewater, Waste Management and Extractive Industry

Chapter 7 - Energy/Renewable Energies & Communications Technology

Chapter 8 - Climate Change and Flooding

Chapter 9 - Heritage, Landscape and Environmental Management

Chapter 10 Cultural, Social and Community Development

Chapter 11 - Agriculture, Fishing, Marine Resources and Forestry

Chapter 12 - Implementation and Monitoring

Chapter 13 - Development Management Standards and Guidelines.

The Mayor complimented the Executive on the Draft Plan. In referencing the reduction in staff resources he sought assurances on the the ability of the local authority to implement the Plan within the constraints of available resources. He also referred to the need for the Plan to facilitate for provision of appropriate flood defences and in reference to Page 52 of the Plan noted that with over 100 small villages and settlements were under threat a huge emphasis was needed going forward to lift some threat from these villages and settlements in rural areas.

Comh. O'Tuairisg welcomed the Rights-of-Way objective but asked to what extent they could be established or mapped due to it being a contentious issue often subject to litigation. He said that a Coastal Protection Plan is required. In respect of the R336, he said that some mechanism needs to be put in place to allow planning to proceed. He said that the Islands are unique and a special Island Programme, to include transport, piers, air service, coastal protection, should be put in place as a high percentage of the nations islands population is within our jurisdiction.

Comh. O'Cuaig asked if Ross an Mhíl Harbour was included in the Draft Plan and explained that there was a Committee in place, reports undertaken and National funding agreed to develop this Harbour. He also said that a rural focus should be considered in the Draft Plan.

Cllr. Hynes complimented the Manager and staff involved in preparation of the Draft Plan and said that many changes had occurred since the Members adopted the current Development Plan. He referred to the Rental Accommodation Scheme (RAS) Housing scheme and asked if changes could be made to same with regard to an approved client who was offered employment to still be eligible for the RAS scheme. He asked for consideration to be given to the improvement of the R446. In respect of flooding, he said that the Aggard stream should be cleaned and widened and the Council should also proceed with the Dunkellin Drainage Scheme. He said that consideration should be given to completing the 10k Loughrea Lakeshore Walk. He referred to the importance of solar energy suggesting that its potential be examined as part of the Plan review. He noted the support for the utilisation of farm agricultural buildings for agri-industry but grant support would be required with a view to creating jobs and employment. He asked if the refurbishment of Loughrea Town Hall could be considered as a multi-cultural centre for Loughrea and County Galway.

Cllr. Cuddy sought clarification on the definition of 'family' and proposed that nephew or niece be included in the definition as a family member which was seconded by Cllr. McDonagh.

Cllr. Cuddy said that residential development with access onto a restricted road should be considered if there was no alternative and if sufficient sight lines are available. He expressed his concern that there was no provision for an airstrip of any type within the Draft Plan and said that an airstrip within the County should be included. He asked for clarification on the status of the 2010 Draft Operation Sludge Management Plan and if this was now under the remit of Irish Water.

Cllr. Fahy complimented the Director of Service and his staff on their work. He expressed his concern with regard to the flooding issue and said that the people of South Galway are again faced with an unimaginable situation as half of the Loughrea Electoral Area is currently under water. He said that the staff of the Council have done everything they possibly can to alleviate the situation but the current weather is hindering progress. He asked that it be included in this Draft Plan that the Irish Government and Europe work together to carry out works to release this water to the sea. With regard to Easement Clauses, he asked if a homeowner could rent their house if they had this clause on their house. In respect of the Proposed Additions to the Record of Protected Structures (RPS), he noted one house in the Ardrahan area, occupied by the late Dr. Patrick Joyce who died recently, was included as a proposed addition. He asked for clarification if buildings, such as the Ardrahan Garda Station, the Old Castle Wall, Loughnane and Quinn Memorial Hall which were within the Ardrahan area were already on the RPS. He also asked if the Irish flag could be placed within the Council Chamber to commemorate 1916.

Cllr. Noone referred to the level of housing sites in the countryside and said that if the road is resurfaced, the house level is then lower than the road which can lead to flooding. He asked if it could be examined if house levels at construction be raised above road level to alleviate this.

Cllr. McDonagh complimented Mr. Kelly, Ms. Kennedy and Ms. McConnell and staff on the Draft Plan. He referred to Section 6.12 (Table 6.4) and proposed that Lackagh Sewerage Scheme be included as an objective in Draft Plan. This was seconded by Cllr. Cuddy.

Cllr. T. Mannion expressed his concern with Ballinasloe Town losing its Urban Council status following the Local Elections in May and said that people need to be afforded the opportunity to make submissions on the Draft County Development Plan and asked for the timeframe of the review of the County Development Plan. He said that Ballinasloe fared very poorly in the National Spatial Strategy and Decentralisation and said that Ballinasloe Town is very important to East Galway and its hinterland. He asked that reference is made at 2.6.4 that Ballinasloe has a Marina and the town can be accessed by water. He said that consideration needs to be given to the weaker rural areas in the present economic environment and some leeway needs to be given to facilitate the start-up of family run businesses in rural areas as if people are required to set up only in settlement centres, this may lead to the abandonment of the enterprise due to increased financial costs. In respect of tourism, he said that many towns/villages in East Galway do not have coach parking facilities and these should be facilitated in the future. He asked for an update on the Ardaun Corridor and concurred with Cllr. Noone with regard to the building of houses in rural areas and flooding and said direction is needed in this regard. He asked if some reference should be made in the Draft Plan with regard to underground infrastructure for power as it is necessary that our power facilities are upgraded and said that the current power cuts being experienced by many homes is not only due to the wind but also overhead power lines. He also expressed his thanks to the Director of Planning and staff on the production of the Draft Plan.

Comh. O'Curraoin advised the meeting that a majority of the current flooding is manmade, due to non-drainage of land and rivers and streams not being cleaned, in addition to high tides. He said that many rivers and streams are overgrown with vegetation but European rules no longer allow

people to drain their land. He explained that local knowledge is very important when houses are being built in an area so one could advise on the location of culverts and drains on the site. He concurred with Cllr. T. Mannion and said that lay-bys' are required on roadways. He thanked the Manager and her staff for their work on the Draft Plan.

Comh. O'Laoi welcomed the Gaeltacht Policies and Objectives within the Draft Plan. He said that at a recent public meeting on Gaeltacht and Irish Language issues, it was said that the Irish language should be spoken more often in the Council Chamber. He explained that while he speaks as Gaeilge every day, he may have to speak in English in the Chamber in order to explain an issue or express his point of view to other Elected Members at the Council Meeting. He expressed his concern with the recent storm events and flooding and would like them to be considered in the Draft Plan. He complimented the Council workers, Council Engineers and Executive of Galway County Council who promptly visited the affected areas and who advised the Department of Environment (Roads and Marine) and the OPW of the areas and sites affected and damaged by the storms and flooding. He thanked Minister S. Coveney, Minister for Agriculture, Food and the Marine, and Minister L. Varadkar, Minister for Transport, Tourism and Sport, for the allocation of flood relief funds and for the funding secured to undertake works at Ros an Mhíl and the Causeway at Lettermore.

Cllr. Cunniffe welcomed the Rights-Of-Way objective but said that it was a very difficult and convoluted issue which is often only dealt with by the legal route. With regard to the RPS, he said that this was necessary but expressed his disappointment with the protection of heritage within Tuam with Millers Cottage destroyed and other items, all of regional significance which are now gone. He said that there were two competing forces within the County Council, the need for economic development and the need to protect our built heritage. He said that while economic development has to go ahead and everyone wants sustainable planning, Heritage is equally important in order to improve and enhance the enjoyment of an area and encourage people into an area. He suggested that the Heritage Officers should report directly to the Department of Environment as it would have both a National and local viewpoint. With regard to Digesters, he said that there should be a clear Plan put in place outlining where Digesters should be placed. He said that he had undertaken research on this area and Digesters can cause terrible foul smells and should not be sited in an urban area or on the cusp of an urban area. He said that in spite of Tuam being a Hub town, he felt that it was not included as part of a Regional Plan and received limited funding and was unable to apply for Galway Rural Development Funding due to the title of 'Hub town'. He referred to the Tuam to Claremorris railway line and said that it was not a matter of the Railway competing with the Greenway but that it was extremely unlikely that capital investment would be given for the railway based on a recent Government report. He advised the Meeting that whilst the road is currently in poor condition that when the new Motorway is built, this would lessen the priority for the Tuam – Claremorris Railway and hence the railway line should be considered favourably as a Greenway. He said that Greenways are a tourist phenomenon and he proposed that the possibility of using the Railway line as a Recreational Facility like a Greenway not be ruled out of the Draft Plan. This was seconded by Comh. O'Cuaig.

Cllr. Cunniffe in reply to a contribution from Cllr. Feeney noting that Tuam had received over €2 million in funding in recent years to allow valuable and worthwhile projects to be undertaken including improvements in the built environment, facilities and amenities, energy efficiencies and enhanced facilities for pedestrians and cyclists, stated that he was aware of the investment and projects referenced but that opportunities were lost to avail of other funding sources due to the hub status and that while waiting from the big projects the town missed out on a lot of small projects.

Cllr. Canney in referring to the contribution by Cllr. Cunniffe advised the Meeting that Tuam was 'alive and well' and said that funding of €2.8 m was received as it was a Hub town which allowed the

‘Walking and Cycling Strategy’ to be put in place and that it was important to communicate a positive message about the town while seeking to maximise funding opportunities.

Cllr. Cuniffe at the request of the Mayor agreed to withdraw his comment directed at Cllr. Canney relating to a conflict of interest during the course of their exchange on funding and the approach to development in Tuam.

The Mayor also referenced the investment of over €30 million in delivering the Tuam Main Drainage Scheme and the importance of this scale of investment and the standard of infrastructure available to the town to attract further investment and facilitate development.

Cllr. Feeney advised the Meeting that Cllr. Willers could not attend the Meeting as she had to move out of her house due to flooding and he said that flooding is now a recurring crisis and a comprehensive Plan is needed long-term to mitigate the worst effects of flooding on an ongoing basis. He referred to what was referenced as a 1 in 100 year event in 1987 and in 1990 and a 1 in 500 year event in 2009. He said this is now a regular occurrence and the coastal flooding experienced was also incredible. He said we need to examine our own Local Authority planning of the past and play a responsible role with regard to flooding and a comprehensive Flood Mitigation Plan is need to underpin the County Development Plan. He said that the Flood Plan could examine the micro-management of flood waters as if changes are made to the landscape (by filling up swallow holes etc), then a backlash is received with flooding so we need to put our own safeguards in place. With regard to rural enterprise, he said that we are focused on serving the rural area but we need to support anything that delivers a job. He said that asking people to move into villages and towns is adding another hurdle in their way and all enterprise should be allowed in a rural area. He said support needs to be given to every type of enterprise which is much more sustainable. He said that our Town Centres are dying and this should be the Council’s main focus for the next five years and that support is required from the DoEHLG. He said that the West Regional Authority has compiled a Small Towns Strategy and this is welcomed. He expressed his concern with parking charges and said that free parking needs to be examined. He said that paid parking was initially introduced to keep traffic moving but it is now more a revenue raising mechanism. He also said that Rates was an issue and a three tier system should be considered: 1. For big shops/industries, 2. Medium size businesses and 3. Small shops/services who should be charged a low rate as they are trying to provide a service. He suggested that these tiers could be based on either square footage of the business and /or turnover. He suggested that in order to encourage development into Town Centres, that development charges could be waived/lowered and that the Residential Property Tax be varied for people living on the Main Streets as there is very few people living on the Main Streets of our towns anymore. With regard to the finished floor level of houses being raised, he said that our roads are awash with runoff water and he said that consideration should be given at planning permission stage to include that a soak-way be constructed between the set back area from the edge of the road and the road. He complimented the Draft Plan and said that it was a very clear Plan, was very user-friendly and the focus is clear.

Cllr. Canney proposed that the Corofin Sewerage Scheme be added to the list of Sewerage Schemes that would be completed within the life of the Plan as An Bord Pleanala have advised that a Waste Water Treatment Plant is required before more development can be put in place. This proposal was seconded by Cllr. Hoade. He asked that the criteria for Masts and Pylons and their distance from residential development be located at least 250m more than what is presently allowed. He concurred with Cllr. Feeney with regard to soakways and consideration needs to be given to the inclusion of a condition that lay-by’s outside houses use a surface that can drain/soak water rather than resist water like tarmac. He was supported in this view by Cllr. M. Connolly.

Cllr. M. Finnerty welcomed the title County Town for Ballinasloe. He expressed his disappointment with the movement of beds from St. Brigid's Hospital to Galway City Hospital and said that it is likely that St. Brigid's Hospital would be closed before the County Development Plan was adopted. He noted that there was a mis-spelling on Page 27 (Section 26.4). He advised the meeting that number of septic tank inspections had taken place around Baile na hAbhainn and all had passed the test.

Cllr. T. Walsh asked if clarification could be given to the people of Glenamaddy to put them at ease with regard to the safety of the drinking water of Glenamaddy. He said that Glenamaddy water had made National headlines with the word 'potential' to contaminate being used and this has caused huge concern to the people of Glenamaddy. He explained that there was no danger to the public water supply and there has been very seldom a boiled water notice in place in Glenamaddy. He also expressed his concern with the decline of small towns and villages.

In reply to Cllr. T. Walsh, Mr. Cullen said that the national coverage seemed to suggest that there was a threat to the water quality in Glenamaddy but he confirmed to the Meeting that there was no threat and that the water was of very high quality and with no non-compliance for a very considerable length of time. He said that the requirement for an upgrade to the Waste Water Treatment Plant was also highlighted and the Council would continue to work with Irish Water to obtain the Upgrade to this Waste Water Treatment Plan that was so urgently required.

The Mayor adjourned the meeting for 30 minutes at 1.30 pm and the meeting resumed at 2.00 pm.

Cllr. D. Connolly welcomed the inclusion of the Irish language objectives and said that it was important that Ballinasloe is identified as a County Town as it has great potential to facilitate economic growth. He concurred with Cllr. Cuddy's proposal with regard to the airstrip. He suggested that the undertaking of a feasibility study and said that land outside of the city where land may be cheaper should be considered as a possible site, similar to Barcelona. With regard to Town Centres, he said that the Council had a huge remit to make them attractive again and concurred with Cllr. Feeney that development charges should be reduced. He said that the development of the large out of town Retail Centres had been to the detriment of Town Centres.

Cllr. Hoade sought clarification on the Draft Plan timeframe and asked if the Draft Plan could be on display in the libraries so as it would be accessible to all communities at large. She said she supported the other Members regarding the need for a comprehensive Plan on flooding. In respect of Rural Enterprise, she said that this needs to be examined more closely to promote areas where jobs can be created or where jobs already exist in rural areas and said small towns who are in decline needs to be supported. She expressed her concern with regard to the current Enurement clauses and asked for some flexibility to be considered.

Cllr. McHugh made reference to the Urban and Rural Housing Chapter and said that there would be a housing crisis in the County in a short period of time due to no construction in the past 6 years. He said there were many people currently living in apartments and 3 bedroom houses who would like to upgrade to larger 4 bedroom houses with secure gardens in urban areas. He said there would also be pressure on rural housing and said that the Plan would need to ensure that any housing demand in the coming years can be met.

Cllr. G. Finnerty said that the flooding was a serious issue in Gort and he referred to Section 4.12.4 where Galway County Council is exploring with Fáilte Ireland the re-instatement of Thoor Ballylee and he said that currently Thoor Ballylee is under 8ft of water. He expressed concern with regard to planning permissions granted where houses are now flooded, for example, Ann Flanagan's house in Skehana. He said that Gort is 'dying on its feet' as most of the shops units are vacant in the town.

He referred to Section 4.18 Retail Diversity and expressed the view that there cannot be a second town with a major retailer and other services along with it. He said that if a shop moves to the outskirts of town it should only be that shop and it should not have pop up shops inside it. With regard to Section 4.19 Local Shops & Services, he said that the local shop was almost gone, and that there was no co-ordination with retail signage in the town and this was taking from the heritage of the town. He asked for an update on the Gort Regional Water Scheme which was priced at €35m in 2000. He said while works have been undertaken on Water Treatment Systems, there are a number of GWS's that would like to be taken over. He also said that there was a sewerage problem in Gort and this needs to be examined.

Cllr. E. Mannion asked if a Coastal Study could be included in the Plan due to the recent storm damage. In respect of Tourism Infrastructure and Fáilte Ireland's investment on signage through the Wild Atlantic Way initiative, she said that toilet facilities are required on our beaches and bus shelters are required in the Connemara area. She expressed her concern with the environmental designations' and said that Connemara is now over 80% designated and the precautionary principle is applied to an area within a SAC in terms of planning. She proposed that an Objective be included in the Draft Plan as follows:

"that GCC (Galway County Council) engage with the National Parks and Wildlife to ensure Integrated Management Plans are prepared for all Natura sites to ensure that Plans are fully integrated with all land use and water management plans in the County, with the intention that such plans are practical, achievable, and sustainable and have regard to all relevant ecological, cultural, social and economic considerations and with special regard for local communities". This proposal was seconded by Comh. S. O'Laoui, and agreed.

Cllr. Welby asked if the Council would be notifying the owners of the Protected Structures that are listed in the Proposed Additions to the Record of Protected Structures (RPS) and when the notification would be issued. He also questioned the large number of bridges in the RPS and asked if this would cause problems for the Council if any upgrading works had to take place on them. In relation to the Leader programme which promotes rural development and which the Council would be taking over going forward, he said that co-ordination would be required where Groups approved for Leader funding are refused planning permission. He acknowledged the objective in relation to the Elderly and said the Plan needs to be elderly focused and buildings need to be more user-friendly and efficient. He asked that consideration be given to the treatment of our Archives in the Plan which are huge assets in relation to information and are part of our heritage. In respect of the R336, he said that there was no buy-in from the community and it was a serious issue for all the Members and this issue needs urgently to be addressed. He said that consideration could be given instead to the upgrade of the An Spidéal to Maigh Cuillinn. He concurred with Comh. O'Cuaig in that Ros an Mhíl Harbour should be considered for development as it has no environmental designations unlike the Galway Harbour. He said that Ros an Mhíl could be a central hub. In relation to EPA testing, he said that Galway County Council should only allow qualified EPA Assessors to do these tests, similar to Galway City, Clare and Mayo County Councils. He said that some reference should be made to Group Sewerage Schemes in the Draft Plan as these would work well for clean water systems. In relation to Rights-of-Ways, he said he hoped that something could be done as this would be beneficial to the Council as a whole. He sought clarification on Objective RHO1 2(b) – Rural Housing Zone 1 - as to whether it referred to the person with a disability or the person and his/her family as in the current Plan. In respect of RHO4 – Rural Housing Zone 4 (Gaeltacht), he sought clarification on the 15 year Language Enurement Clause when other enurement clauses were 7 years and in respect of RHO7 – Renovation of existing derelict dwellings/semi ruinous dwelling, he asked for clarification on the wording 'majority of its original features/walls in place' as to whether this meant 51% or 99% of the walls and said this was restrictive. Cllr. Welby also referred to the payment of Rates within

the County and stated that some businesses are paying substantial rates and receive nothing in return in terms of services such as lighting, water, and sanitary services. He said that rates should be linked to the services received and this topic should be considered at a National level. With regard to the new Building Control Regulations due to take effect from 1st March 2014, he said that there was limited information available on the execution of these Regulations and asked if there was a list of Chartered Architects and Engineers available. He said that while the idea behind these Regulations was good, they could increase building costs by up to €15,000.

Cllr. M. Connolly expressed his trepidation with the new Building Regulations and said that the increased costs of up to 20% extra, as certification will be required at different stages, will be borne by the client. He said that the Minister needs to delay the introduction as there is varying information available. He said that one is subjected to too much rigour already with AA (Appropriate Assessment), EIA (Environmental Impact Assessment) and now the Building Regulations. He said while the intention is good for better building standards and better quality building, further debate on the matter is required. He referred to the number of Environmental Regulations quoted in the Plan and said that it was near impossible to undertake any works. He referred to DM Standard 41 – Field Patterns, Stone Walls, Trees and Hedgerows and referred to AEOS (Agri-Environment Options Scheme), a new agri-scheme where one farms in an environmentally friendly way and said if a farmer plants trees etc on his farm, this is at variance with the Department of Agriculture's Area Aid finance rules. He explained also that ordinary individuals cannot cut turf yet Bórd na Móna and/or other state agencies can cut trenches on bogs and do what they wish and he asked if this was against environmental directives. He said that his understanding was that land acquired on bogs by CPO for a reason has to be used for that reason or else it should go back to the owner.

Cllr. Cuddy concurred with Cllr. Noone with regard to water flowing into low lying houses. He expressed his concern that the Roads Section no longer open water tables and this is a major cause of the flooding problems and the deterioration of our roads. He said that roads are being resurfaced and raised at such a level that is causing water to flow into the driveways of houses which have been built in accordance with planning. He advised the Meeting that European legislation can stop any flood works being undertaken if the area is within an SAC. He explained that approval was obtained from Minister, B. Howlin, Public Expenditure and Reform, for flood works in Claregalway/Carnmore and he hoped that these works would finally go ahead. He said that Clarenbridge was listed on the Water Services Programme but was dropped off the list for some reason. He said that Play areas were necessary in each Village and Town as residents had paid considerable levies and nothing has been done despite repeated representations being made. He also said that no large estate should be built without age friendly houses and wheelchair accessible being made available and also commercial buildings should be disabled approved.

In reply to the Members, Mr. Kelly said that he would address the issues directly related to the Draft County Development Plan.

With regard to the Infrastructural projects, Mr. Kelly said that these would be dealt with by (a) general objectives supporting a wide range of Infrastructural projects and (b) approved Schemes or those in progress are included in different lists within the Draft Plan. He said that the specific water and sewerage schemes raised by the Members are already covered in the general objectives and there is no requirement to list them individually as this will not move them up the ranking. In addition, he said that the East Galway Water Treatment Plant is mentioned and supported in the Draft Plan.

In respect of the R336, Mr. Kelly advised that while it is mentioned in a general way in the Draft Plan there is no specific route identified as the route selection process is outside of the Development Plan process.

He advised that the protection of the coastal zone is included in a number of objectives; T12, NHB8, NHB10 and that the Islands are included in objectives IS1 and IS2. He explained that Ros an Mhíl shall be promoted as a location of a 'maritime/marine cluster' under Objective AFF15. He said that the Plan recognises the strategic importance of Ros an Mhíl and Galway Harbour and it will facilitate and support their development as outlined in Objective T122 and Objective T123 which generally supports Ports, Harbours, Piers and Slipways.

With regard to the Rural Housing policies, he clarified that these were updated in line with the Rural Housing Guidelines. He said that by including nieces and nephews as family members, this would open up the rural housing policy to a large number of people in any scenario and this would reduce the certainty of the Plan. He explained that even by a Planning Authority granting a planning application, this decision could subsequently be refused on appeal to An Board Pleanála, therefore leaving decisions not appealed to Board with a grant of permission. He clarified that if nieces and nephews are from the area, they can demonstrate links to the area in their own right. He said that the policy included in the Draft Plan facilitates 99.9% of cases.

In reply to access on restricted roads, Mr. Kelly advised that it is stated in the Plan where there are no other lands available, the use of a combined access with the existing family home must be considered and if a new access is required, only one access shall be permitted. He said that while this offers protection to restricted roads, it does also allow for some flexibility and consideration, where this is necessary.

With regard to the Objective RHO1 2 (b), he clarified that in accordance with the Rural Housing Guidelines, this objective is to facilitate the person with the Disability.

He said that the 15 year Language Enurement Clause has not caused any difficulty in practice and no change is proposed.

In respect of RHO7 – Renovation of existing derelict dwellings/semi ruinous dwelling, he said that applications would continue to be dealt with in a logical and practical manner but proposals need to be realistic.

With regard to the level of houses in line with the road, he said that the Planning Authority had no requirement to build houses on lower ground but it is an issue that can be considered during the display period along with soakways in parking bays and consideration will be given to inserting a Policy to reflect all.

He said that the Plan supported Ardaun and advised that the Core Strategy identified a small population allocation for that area. He said that the Programme for Ardaun will be undertaken by the City Council in the immediate future with some input from the County Council but that development in the County area is not envisaged within the life-time of the Plan.

With regard to the distances from houses to telecommunication masts or under-grounding of services, Mr. Kelly said that he would be reluctant to add an objective that might limit progress and prevent projects going ahead in due course.

Mr. Kelly referred to Objectives FL2 – Surface Water Drainage and Sustainable Drainage Systems (SuDs) and FL3 – Protection of Waterbodies and Watercourses, which covers the maintenance and enhancement of the existing water drainage systems in the County and protection of waterbodies and watercourses within the County.

In respect of Rural Enterprise, he said that guidance was taken from consideration of applications over the past number of years and it is difficult to achieve the right balance to assist and promote rural enterprise whilst not affecting the residential amenity of the rural area. He said that while the receipt of rural enterprise planning applications was minimal, he felt that the Draft Plan provided sufficient scope and flexibility to deal with any reasonable project that came forward. He advised that he is also the Director of Community, Enterprise and Economic Development in addition to Planning and Sustainable Development and he agreed that consideration would need to be given to a number of different areas, including the Leader Programme to ensure alignment.

With regard to Rights-of-Way, he said these were dealt with in a general way in the Plan but if a Right-of-Way could be identified and agreed it would, but an extensive exercise could not be undertaken with limited resources.

He said that the Draft Plan was a facilitating Plan which would allow and support projects. In respect of Ballinasloe, he said that consultations are ongoing with the Chamber of Commerce and the Credit Union to examine the future of Ballinasloe's Town Centre and if this co-project was successful, it could extend to other areas.

With regard to Environmental constraints, he said that while a large volume of environmental legislation was referenced within the Plan, it is a legal requirement which the Planning Authority has no control over. He said that this Draft Plan moved away from aspirational objectives to specific objectives and included projects if they were already within a process, or else support was included as a general objective and if these projects were to move forward then the Plan would support them.

With regard to DM Standard 41 – Field Patterns, Stone Walls, Trees and Hedgerows, Mr. Kelly said there was a specific responsibility in legislation to include a specific objective in relation to this. In reply to Cllr. M. Connolly, he said that account would be taken of road-side planting to be kept to a minimum but a balance would be required to address the impact of house screening and shelter.

With regard to Enurement, Mr. Kelly said that this was a separate issue and is dealt with outside of the Development Plan process. He said that the Planning Authority had continued to address the issue and the Draft Plan protects the essence of Enurement clauses and he is satisfied that discretion has been used in the past to ensure a number of people could move on with their property and their lives, while not undermining the controls in place.

He said that there were a number of objectives /standards in different areas within the Draft Plan in respect of the elderly including requiring a variety of house types in developments.

With regard to engagement with the National Parks and Wildlife Service (NPWS), he said that this was already the case and he welcomed this objective. He said that the Plan does not go into the level of detail with regard to the provision of toilets on beaches and bus corridors, but he was satisfied that the Plan would support and not restrict development proposals in this regard. He said that EPA testing was not a Development Plan matter but he was aware that the approach taken by the other local authorities mentioned had led to a legal case for one local authority.

In respect of Group Water Schemes and Group Sewerage Schemes, he clarified that there was a general provision in the Plan to support these Schemes.

With regard to the new Building Control Regulations, he said that literature was produced by the DoEHLG in recent weeks. He said that the Department have provided no specific listing of Architects, Building Surveyors, Chartered Engineers but one needed to be a registered member of their relevant body in order to provide the relevant certification. He said that if required an overview of the Building Control (Amendment) Regulations could be given to the Members at a future meeting.

Mr. Kelly advised that the timeframe in respect of the Draft Plan process was as follows: the Draft Plan to be prepared for public display within 2 weeks and the Draft Plan will be on public display for 10 weeks, following which the Manager's Report on the Draft Submissions must be circulated within 12 weeks to the Members for their consideration and further discussion. He said that the Draft Plan would be made available in the Council's library network. In reply to Cllr. Welby, he said that the Planning Section had obtained the names and addresses of the owners of the Protected Structures in the proposed additions following a legal search but he could not confirm that the information obtained was 100% accurate. In respect of the bridges listed in the proposed additions to the Record of Protected Structures, Mr. Kelly said that works could still be carried out on them but it could mean additional requirements. He said there was a methodology involved and that the process was open to review at any time if it was felt that it was too restrictive.

On the proposal of Cllr. Feeney, seconded by Comh. O'Laoi, it was agreed to accept the minor amendments to correct grammatical, typographical and other corrections and also the Errata and amendments, (as circulated to the Members).

The following Motion was proposed by Cllr. Cuddy, seconded by Cllr. Welby 'that there is provision for an airstrip in close proximity to Galway City for the proper and sustainable development of the County'.

It was proposed by Cllr. D. Connolly, seconded by Comh. O'Laoi, and agreed to amend the Motion as follows 'that there is provision for an airstrip for the proper and sustainable development of the County'. Cllr. Cuddy and Cllr. Welby agreed to withdraw their original motion and the amended motion was agreed.

The following Motion was proposed by Cllr. Cuddy, seconded by Cllr. McDonagh, "that the definition of family member should include, father, mother, sons, daughter, brother, sister, nieces, nephew".

Mr. Kelly advised the Meeting of his concern with this proposal and the consequence of increased pressure on rural areas and the uncertainty if appealed to An Bord Pleanala. Cllr. Feeney also expressed his concern and asked if the motion could include niece or nephew in the case where the uncle/aunt, i.e. the landowner, had no children. Cllr. D. Connolly asked if it could be referred to the Planning SPC for further consideration. Cllr. Cuddy said that persons who have no family are not being catered for and nieces or nephews need to be considered in this instance.

Following discussion it was agreed on the proposal of Cllr. Cuddy, seconded by Cllr. McDonagh to allow the motion to be withdrawn.

A proposal by Cllr. Cuddy, seconded by Cllr. McDonagh was then agreed as follows: "Amend Objective RHO1 1B to include: Consideration shall be given to special circumstances where a landowner has no immediate family and wishes to accommodate a niece or nephew on family lands".

The following Motion was proposed by Cllr. Cuddy, seconded by Cllr. T. Welby “that where an applicant for planning of a one off house can only access their lands from a restricted road that planning will be considered where sight lines are sufficient”

In reply to Cllr. Cuddy, Mr. Kelly advised that the Draft Plan already covered this Motion as it is stated where there are no other lands available, the use of a combined access with the existing family home must be considered and if a new access is required, only one access shall be permitted. He said that while this offers protection to restricted roads, it also allows some flexibility.

It was agreed on the proposal of Cllr. Cuddy, seconded by Cllr. Welby to allow the motion to be withdrawn. A proposal by Cllr. Cuddy, seconded by Cllr. Welby was then agreed as follows: “Amend DM Standard 18 – remove “sons and daughters” and replace with family members”.

The following Motion was proposed by Cllr. Cuddy, seconded by Cllr. McDonagh, “Enurement Clause - I propose that where a property is the subject of an enurement clause and the property is to be sold as a result of a marriage breakdown court decision the enurement in such case should be lifted”

In reply, Mr. Kelly advised that the issue of Enurement is a provision which relates to the grant of planning permission which is an Executive function. He said that this provision in the County Development Plan would only give rise to a difference of opinion and dispute of what can be achieved. He said it was best dealt with it on a case by case basis as is currently done. Cllr. Cuddy explained that the situation arises following a court case decision and the family home has to be sold and with the enurement clause, the house can only be sold to a local person and the sale price is affected. In reply, Mr. Kelly said that the Planning Authority has considered similar cases, some with a successful conclusion, and while being facilitative, it can also maintain control. He said that the County Development Plan is not the process to deal with this but best to deal with them on a case by case basis. It agreed on the proposal of Cllr. Cuddy, seconded by Cllr. McDonagh to allow the motion to be withdrawn.

The following Motion was proposed by Cllr. McDonagh, seconded by Cllr. Cuddy, and agreed, “I wish to propose that a sewerage scheme for this growing village of Lackagh be included as an objective of the County Development Plan for the 2015-2021 period”.

The following Motion was proposed by Cllr. Canney, seconded by Cllr. Hoade and agreed, “that the proposed Waste Water Treatment Scheme for Corofin Village be included in the Table 6.4 as a project that will be carried out within the timeframe of this County Development Plan”.

The following Motion was proposed by Cllr. Cuddy, seconded by Cllr. Cuniffe and agreed, “I propose that there be an objective in the County Development Plan to progress a sewerage treatment plan for Clarenbridge”.

In reply, Mr. Kelly said that while the inclusion of these three Schemes will not impact negatively on the Plan, he advised that their inclusion in the Plan will not make any difference to their progression.

The following Motion was proposed by Cllr. D. Connolly, seconded by Cllr. Canney, “Galway County Council recognise the need for measures to address the regular and repeated flooding issues that arise along the River Shannon and related tributaries such as the River Suck, and GCC recognises that a maintenance programme for Aobhann Na Shonna, fo aibhneacha a théann isteach ann agus srutháin is essential. Also that a single agency be appointed for these management purposes.”

Mr. Kelly advised that the last sentence was not relevant to the County Development Plan.

It was agreed on the proposal of Cllr. D. Connolly, seconded by Cllr. Canney to allow the motion to be withdrawn. It was then proposed by Cllr. D. Connolly, seconded by Cllr. Canney and agreed, “Galway County Council recognise the need for measures to address the regular and repeated flooding issues that arise along the River Shannon and related tributaries such as the River Suck, and GCC (Galway County Council) recognises that a maintenance programme for Aobhann Na Shonna, fo aibhneacha a théann isteach ann agus srutháin is essential.”

The following Motion was proposed by Cllr. Cunniffe, seconded by Comh. O’Cuaig, ‘that Western Rail Corridor section in County Galway, as a significant stretch of land, free from motorised traffic, not be ruled out in the County Development Plan as having potential for outdoor activities including the provision of recreational and cycle greenway’

Cllr. McClearn asked if a general objective for a Greenway could be included without specifying a location.

In response, Mr. Kelly said that this matter was discussed at the Council Meeting to discuss the Manager’s Report on the Pre-Draft Submissions of the County Development Plan. He said that the approach taken in the Draft Plan is to preserve that route until a railway is ruled out. He said that the clear intent of the Plan is to protect that objective and said from a planning point of view.

Following an indication that the motion as detailed would be meet with agreement, it was agreed on the proposal of Cllr. Cunniffe, seconded by Comh. O’Cuiag to allow the motion to be withdrawn.

The following Motion was proposed by Cllr. D. Connolly, seconded by Cllr. Ryan, and agreed that “Ballinasloe plays as the County Town plays a significant part in the delivery of Local Government Services and that this Development Plan commits to continue and enhance the delivery of LG services in our County Town, Béal Átha na Slua”.

Mr. Kelly said that this Motion was not a Development Plan proposal as the County Development Plan does not deal with specific services in any location. Cllr. D. Connolly asked that recognition be given to Ballinasloe as our County town and that there is a site available within the town for the delivery of local government services.

The following Motion was proposed by Comh. O’Cuaig, seconded by Cllr. D. Connolly, and agreed, “that Galway County Council will commemorate the 1916 Easter Rising with due reference to all areas of the County”.

The Manager advised that this Proposal was agreed in principle but it was outside of the County Development Plan remit and would be dealt with under the Galway Commemorative Strategy for the Decade of Commemorations 2013 – 2023.

On the proposal of Cllr. D. Connolly, seconded by Comh. O’Cuaig, it was agreed “that Galway County Council recognise the significance of the Connemara Pony, the Galway Sheep breed and the Irish Draught as living breeds well recognised and identified with County Galway. Galway County Council comments and supports the efforts of Breeders, Societies and those promoting our nature breeds and encourages all efforts that positively enhance these native breeds.”

The following Motion was proposed by Cllr. E. Mannion, seconded by Comh. O’Laoi, and agreed “that GCC (Galway County Council) engage with the National Parks and Wildlife to ensure Integrated Management Plans are prepared for all Natura sites to ensure that Plans are fully integrated with all land use and water management plans in the County, with the intention that such plans are

practical, achievable, and sustainable and have regard to all relevant ecological, cultural, social and economic considerations and with special regard for local communities”.

On the proposal of Cllr. McDonagh and seconded by Cllr. Cuddy, it was agreed to put the Draft Galway County Development Plan 2015 – 2021, as amended, on public display, as per Section 12(1) of the Planning & Development Act 2000 (as amended).

The Manager thanked the Director of Service and the staff of the Planning Section on the mammoth task of producing the Draft Plan. She said that the Draft Plan was very clear and thanked also all the Elected members for their involvement and input.

Criochnaigh an Cruinniú Ansin
