

COMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF FINANCE MEETING HELD AT ÁRAS AN CHONTAE,
PROSPECT HILL, ON MONDAY, 26th SEPTEMBER, 2005.**

CATHAOIRLEACH: Mayor Pat Hynes

I LATHAIR FREISIN:

Baill:

Cllrs. W. Burke S. Canney, C. Cannon,
S. Connaughton, Comh. S.O’Cuaig,
Cllrs. D.Connolly, M.Connolly, J.Cuddy, M.
Fahy, P. Feeney, F. Healy Eames, M.
Hoade, J. Joyce, C. Keaveney, S. Kyne,
T.Mannion, J. McDonagh,
M.Mullins, Comh. Ni. Fhatharta
S.O’Tuairisg, Cllrs. M. Regan, T. Reilly,
S. Walsh, T. Walsh, T. Welby, B.
Willers.

Oifigigh:

Mr. P. Gallagher, Co Manager; Messrs. J. Cullen,
K. Kelly, P. Ridge, F. Dawson, Directors of
Services; G. Mullarkey, Head of Finance, T.
Murphy, County Secretary; A. Comer, Senior
Executive Officer; P. Carroll, Jean Brann A. Farrell,
Administrative Officers; L. Gavin, Senior Engineer;
C. McConnell, V. Loughnane, Senior Executive
Planners; R. Burke, K. Fitzgerald, Assistant
Planners, J Keane, B. Donnellan, Staff Officers.

Thosaigh an cruinniú leis an paidir

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Mr. Mullarkey referred to his report dated 20th September 2005, which had already been forwarded to each Member.

He said stated that, with half of the financial year having elapsed, both actual expenditure and income were in line with expectations and he then summarized the financial position under each of the Programme Groups. With regard to Programme Group 1, Housing & Building, Programme Group 6, Recreation & Amenity, Programme Group 8, Miscellaneous Services, he stated that both expenditure and income were in line with expectations. With regard to Programme Group 2, Road Transportation & Safety, he stated that work carried out was in line with the works programme with activity set to increase between now and September / October when the majority of Grant funded

activity will be completed. He indicated that in relation to some Clár funded projects, expenditure was behind budget due to late notification of 2005 actual allocations but that he expected these funds to be incurred in the second half of 2005. With regard to Programme Group 3, Water Supply & Sewerage, he stated that the software problems being experienced in the first quarter had now been resolved and bills in relation to Water Supply & Sewerage have been issued to all customers. He outlined that the collection of water charges continues to be difficult but that collection of monies due was being actively pursued in advance of the commencement of the water metering project. With regard to Programme Group 4, Development Incentives & Control, he stated that planning income had increased in the second quarter and that it was in line with budgeted levels at the end of June. He stated that income from the Map Shop is continuing to grow and that the only main variance on the income budget arose under the Urban and Village Renewal heading where projects had not yet commenced. With regard to Programme Group 5, Environmental Protection, he stated that expenditure is in line with expectations once allowance is made for the fact that retained fire fighter payments are loaded towards the second half of the year. He indicated that the main variance on the income budget was due to delays in receiving funding in connection with the Bring Banks scheme. With regard to Programme Group 7, Agriculture, Education & Health, he stated that the main headings in this programme were VEC pensions and Higher Education Grants which were 100 per cent recoupable.

He also stated that income received under the headings of County Demand, Local Government Fund and County Rates had been accrued evenly on a quarterly basis.

Cllr. Regan stated that the proportion of the shortfall each year at Budget time being met from levying of County Rates on business people was unfair and that the Council should investigate whether any other charge other than rates on commercial properties could be introduced.

Mr. Mullarkey stated that each year submissions are made by each Directorate on their proposed income and expenditure programmes. He outlined that the shortfall between income and expenditure is funded from the Local Government Fund and through the levying of commercial rates.

Cllr. Regan asked whether there was any indication as to what the rate would be in 2006. In reply Mr. Mullarkey stated that the Budgetary process had commenced and that he expected the first Draft to be prepared by end of October with presentation to CPG in early November and to full Council before Christmas.

Cllr Welby queried the level of Rates written off of €1.4 million as disclosed on page 34 of the AFS. In reply Mr. Mullarkey said that the figure written off related largely to unoccupied premises.

Cllr. Hoade questioned the level of collection of Development contributions and whether this income was reflected under Programme Group 4. She stated that it seemed to be the business sectors who are constantly burdened with the various charges such as rates and

development contributions. In reply Mr. Mullarkey stated development contributions are not reflected through the income and expenditure accounts but that they are reflected in the capital accounts which have no direct impact on the Budget. He added that the Development Contribution Fund was in existence to provide for capital expenditure on various Water, Wastewater and Recreation and Amenity projects which are not taken into account when striking the rate. He stated that if the Development Contribution Fund was not in place it would mean striking a higher rate.

Cllr. Welby asked whether any of the monies collected from Development Contributions had been paid out. In reply Mr. Mullarkey stated that a three year rolling Capital Plan was in place which includes the proposed allocations for Development Contributions and that these proposals are now forming part of the current budgetary process which is underway.

Cllr Welby stated that there were lots of community groups set up in areas where substantial Development Contributions had been collected and where no monies had been allocated and he queried as to when access to these funds would be possible.

In reply the County Manager stated that in his 3 year Capital Programme report as part of the Budgetary process he proposes to outline to the members how the Development Contribution Scheme is performing and to what purposes these funds are being applied.

Cllr. Kyne queried the value of commercial rates being collected from Island Properties. Mr. Mullarkey in reply outlined that he would establish the exact collection figure and revert back to him before the end of the meeting.

Cllr. Healy-Eames stated that she was aware of a figure of €1.8m being collected by the Council from a particular community and there seemed to be very little return on these funds to the community. She added that there was a serious need for the Council to show a link between monies collected from the communities and reallocation of the funds back into the communities.

Cllr. Joyce stated that the Development Contribution Scheme which was adopted specified the charges to be levied and how those funds were to be allocated and that it would be beneficial if this document could be circulated to all members.

The County Manager stated in reply that his report on Development Contributions would be made available as part of the Budgetary process through the 3 year Capital Programme Report and that this will be made available to all members.

In reply to Cllr. Healy-Eames he said that it was only monies collected under the current Development Contributions Scheme that the requirement to allocate 50% to the electoral area in which it was collected applied.

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Cllr. Cuddy stated that in the region of €2m had been collected to date in Development Contributions from the Claregalway area alone and that to date none of that money had been reinvested back into the community.

Cllr Joyce stated that he had previously outlined at the Budget meeting in December 2004 that the Council should investigate new sources of finance as it was counter productive year on year levying increased rates on businesses in the smaller towns and villages. He added that increased rates were placing a huge financial burden on these type of businesses.

The County Manager stated that the Council was using all avenues to raise money and that the current revenue base was too narrow. He stated that as part of the local government financing review that the Council had made a submission to the DOEHLG on how the revenue base could be broadened. He stated that this report is due for publication by the DOEHLG shortly and that he was hopeful that more revenue raising options would be made available to local authorities.

In reply to Cllr. T. Walsh, Mr. Mullarkey said that the Local Government Fund comprised 25.6% of the income received in 2004.

Criochnaigh an cruinniu ansin.

Offsigh

Submitted, Approved & Signed

24.10.05

J. C. Hyne S.
Date

Tuairim an cruinniu leis an paidir.

RESOLUTION OF SYMPATHY

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A Resolution of Sympathy was extended to the following: -

Purcell Family, Tuam, Co. Galway.

Maureen Walsh, Caherlea, Claregalway, Co. Galway.

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ARAS AN CHONTAE, ON MONDAY, 5th SEPTEMBER, 2005

CATHAOIRLEACH

Mayor Pat Hynes

Baill:

Cllrs. W. Burke S. Canney, C. Cannon, Comh. S.O’Cuaig, Cllrs. J. Conneely, D.Connolly, M.Connolly, J.Cuddy, M. Fahy, P. Feeney, F. Healy Eames, M. Hoade, J. Joyce, C. Keaveney, S. Kyne, T.Mannion, J. McDonagh, T. McHugh, M.Mullins, Comh. Ni. Fhatharta S.O’Tuairisg, Cllrs. M. Regan, T. Reilly, J.Tierney, S. Walsh, T. Walsh, T. Welby, B. Willers.

Oifigigh

Mr. P. Gallagher, County Manager, Messrs. J. Cullen, F. Gilmore, P. Ridge, F. Dawson, Directors of Services, Mr. G. Mullarkey, Head of Finance, Mr. T. Murphy, County Secretary, Messrs. D. Barrett, A. Comer, Senior Executive Officers, Messrs. L. Gavin, R. Killeen, Senior Engineers, Mr. P. O’Neachtain, Irish Officer, Ms. Roisin Burke, Planner, Ms. M. McGrath, Senior Staff Officer, B. Donnellan, Staff Officer.

Thosnaigh an cruinniu leis an paidir.

RESOLUTION OF SYMPATHY

565

A Resolution of Sympathy was extended to the following: -

Purcell Family, Tuam, Co. Galway.

Maureen Walsh, Caherlea, Claregalway, Co. Galway.

TO CONSIDER THE MANAGER'S REPORT ON THE SUBMISSIONS RECEIVED ON THE AMENDMENTS AND MATERIAL ALTERATIONS TO THE DRAFT MAIGH CUILINN (MOYCULLEN) LOCAL AREA PLAN PREPARED IN ACCORDANCE WITH SECTION 20 OF THE PLANNING AND DEVELOPMENT ACT 2000 AS AMENDED BY SECTION 9 OF THE PLANNING AND DEVELOPMENT ACT 2002.

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The Mayor invited Mr Gavin to present the Manager's report on the submissions received on the Amendments and Material Alterations to the Moycullen Local Area Plan to the Members.

Mr Gavin explained that 32 submissions were received on the amendments and material alterations, 2 of which did not relate to the material alterations and therefore could not be considered. He added that the submissions are grouped into 12 various issues.

Mr Gavin stated that the Draft plan showed 258 acres of residential zoning which would be in excess of the requirements of the County Development Plan settlement framework but would allow a degree of flexibility in promoting development if some lands were not presented for development. However the Members have directed an additional residential zoning of 47 acres in the Amended Plan, giving a total of 303, which is making the Plan far exceed the settlement objectives of the County Development Plan. He recommended that the Council reduce the extent of Residential zoning by reverting to the zonings shown in the original Draft Plan.

Mr Gavin presented the Manager's Report and began with Issue No.1.

Issue 1 – Objection to Additional Residential Zoning, (MA 1, 2, 5, 6, 8, 9, 10, 11, 12, 14)

Submitted by:

Geraldine D'Arcy, Gerard D'Arcy, Udaras na Gaeltachta

Recommendation:

It is recommended to reduce the extent of Residential zoning by reverting to the zonings shown in the original Draft Plan.

On the proposal of Cllr Kyne and seconded by Cllr Walsh it was agreed to zone the lands the subject of MA1, 2, 5, 6, 8, 9, 10, 11, 12, and 14 as residential as they appeared in the Material Alterations and Amendments to the Moycullen Draft Local Area Plan.

Issue 2 – MA3 Proposed to zone lands from Industrial & Enterprise to Inner Residential

Submitted by:

Geraldine D'Arcy, Gerard D'Arcy, Anne Downey Monaghan, Paul Monaghan
Udaras na Gaeltachta

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Recommendation:

Reduce the extent of Residential zoning by changing MA3 from Inner Residential to Enterprise, like the land adjacent.

Mr Gavin stated that zoning these lands for enterprise would create an ideal opportunity to provide much needed sites in Moycullen for economic development.

On the proposal of Cllr Kyne and seconded by Cllr Walsh it was agreed to zone the lands the subject of MA 3 as inner residential

Issue 3 - MA4 Proposed to zone lands from Industrial & Enterprise to Enterprise

Submitted by: Geraldine D'Arcy, Gerard D'Arcy, Seamus Langan, Maire Aingel Bean Ui Mac Liam, Anne Downey Monaghan, Paul Monaghan, John C. Wilson, Udaras na Gaeltachta

Recommendation:

It is recommended that the land in question remains Enterprise.

Cllr Kyne requested a buffer of 5 metres around the enterprise zoning. Mr Gavin recommended that the buffer be omitted and that the screening of the site should be dealt with at the development control stage.

On the proposal of Cllr. Kyne and seconded by Cllr Walsh it was agreed to retain the enterprise zoning on the lands the subject of MA4 but to include a buffer of 5 metres all around the enterprise area.

Issue 4 - MA5 Proposed to zone lands from Agricultural to Outer Residential

Submitted by:

Maire Aingel Bean Ui Mac Liam, John C. Wilson

Recommendation:

It is recommended that this land reverts to its original Agricultural zoning.

Mr Gavin stated that he was totally opposed to this residential zoning in a primarily agriculturally zoned area.

On the proposal of Cllr Kyne and seconded by Cllr Walsh it was agreed to zone the lands the subject of submission MA5 as outer residential.

Submitted by:

Issue 5 – MA7 Proposed to zone lands from Agricultural to Community Facilities

Submitted by: Udaras na Gaeltachta

Recommendation:

Recommendation:

No change to the Local Area Plan.

On the proposal of Cllr Kyne and seconded by Cllr Welby it was agreed to accept the recommendation in the Manager's Report, to zone the lands the subject of MA7 from Agricultural to Community facilities

Issue 6 – MA13 Proposed to zone lands from **Village Centre (Mixed Dev.) to Community Facilities.**

Submitted by: John & Maureen Cox, Irene Cummins, Tar Isteach, Udaras na Gaeltachta

Recommendation:

No change to the Local Area Plan.

On the proposal of Cllr Kyne and seconded by Cllr Welby it was agreed to zone the lands the subject of MA 13 to Community facilities

Issue 7 – MA15 Proposed to zone lands from **Inner Residential to Community Facilities**

Submitted by:

Andrew Barber, on behalf of Pairc Na gCaor Residents Association, John Byrne Ray & Eadaoin Crotty, Brendan D'Arcy, Brid Dillon, Mary Dowd Hofler, Anne Howe, Julie Keady, Brid NicDomhnaill, Tomas O'Cadhain, Ursula Timmins & Grace Kenna, Oliver Wyne, Sadie Wyne, Udaras na Gaeltachta

Recommendation:

Change from Community Facilities zoning to Residential.

On the proposal of Cllr Kyne and seconded by Comh. O'Cuaig it was agreed to zone the lands the subject of MA 15 from inner residential to Community Facilities.

Mr Ridge stated that he accepted what has been proposed but added that when this estate together with other estates are being examined for the 15% open space requirement that the lands the subject of MA 15 will be taken as part of the open space requirement for the Pairc na gCaor housing estate.

Issue 8 – MA16 Proposed to delete **primary access objectives** and replace with additional **primary access objectives.**

Submitted by:

Anne Downey Monaghan, Paul Monaghan, Maire Aingel Bean Ui Mac Liam, John C. Wilson, Udaras na Gaeltachta

Recommendation:

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No change to the Local Area Plan.

On the proposal of Cllr Kyne and seconded by Cllr O Tuairisg it was agreed to accept the recommendation in the Manager's Report

Mr Gavin recommended calling it a buffer rather than a recreational & Amenity strip.

Issue 9 - MA17 Proposed addition of **Local Access Objective (UD4)** to link the proposed Inner Relief Road to the Kylebroughlaun road.

Submitted by:
Udaras na Gaeltachta

Recommendation:

Delete if necessary.

On the proposal of Cllr Kyne and seconded by Cllr O'Tuairisg it was agreed to link the Inner Relief Road to the Kylebroughlaun road.

Issue 10 - MA18 Proposed addition of **Amenity Corridor Objectives** to cross the proposed Inner Relief Route & **MA20** Proposed deletion of location of **Specific Objective RA1** at Gortyloughlin to be replaced by additional **Specific Objectives RA1** at Cill Ráine and proposed junction of An Spidéal road and proposed Inner Relief Road.

Submitted by:
Udaras na Gaeltachta

Issue 12 - Text Changes

Recommendation:

No change to the Local Area Plan.

On the proposal of Cllr Kyne and seconded by Cllr Welby it was agreed to add the Amenity Corridor Objectives to cross the proposed Inner Relief Route and agreed to delete the location of Specific Objective RAI at Gortyloughlin and replace it by the addition of Specific Objectives RAI at Cill Raine and proposed junction of An Spideal road and proposed Inner Relief Road

Issue 11 - MA19 Proposed deletion of **Urban Design Framework of Village Centre area** to be replaced by additional **Urban Design Framework of Village Centre area**

Submitted by:

Bernard Faherty, John Power, Rhatigan Developments, C/O AP McCarthy, Dermot Rush, Woodlands Park Residents Association, Udaras na Gaeltachta

Recommendation:

1. Remove Amenity Corridor between Woodlands Park and Killrainey Woods.
2. Amend maps to scale.

Cllr Kyne proposed an amenity corridor of 5 metres around the Woodlands Park area

Mr. Gavin recommended calling it a buffer rather than a recreational & Amenity strip.

Cllr Kyne stated that he wanted a 5 metre strip free of development.

Cllr Walsh suggested putting an objective into the plan to ensure 1-11/2 metres of screening in this area.

Mr Ridge stated that this was getting into the operational side of development control. He further added that a particular site and planning application was been focused on and that this was not in accordance with the principles of proper planning and sustainable development. He suggested putting an objective into the plan to provide for appropriate screening between different zonings.

This would also ensure that the impact on amenity in residential areas is minimised

Cllr Kyne stated that due to the possibility of a carpark development being open for consideration in an area zoned recreational and amenity he would agree to a buffer.

On the proposal of Cllr Kyne and seconded by Cllr Walsh it was agreed to accept the recommendation in the Manager's Report but to include a buffer, a minimum 5 metres along the north eastern boundary and a portion of the north western boundary of the site the subject of MA 19.

Issue 12 – Text Changes

Submitted by:

Irene Cummins, Tar Isteach, Kevin Rogers, Western Regional Fisheries Board, Cllr Sean Kyne, Cllr. Thomas Welby

Recommendation:

Amend as suggested.

On the proposal of Cllr O'Tuairisg and seconded by Cllr.Kyne it was agreed to accept the changes in Responses 1 &2 and that in relation to response no. 3 that residential development is Open for Consideration" in lands zoned Agriculture.

On the proposal of Cllr Kyne and seconded by Cllr S.Walsh it was agreed to adopt the Moycullen Local Area Plan.

No change recommended.

On the proposal of Cllr Burke and seconded by Cllr Willers it was agreed to zone the lands the subject of 1B from solely amenity and open space to residential.

TO CONSIDER THE MANAGER'S REPORT ON THE SUBMISSIONS RECEIVED ON THE ATHENRY LOCAL AREA PLAN PREPARED IN ACCORDANCE WITH SECTION 20 OF THE PLANNING AND DEVELOPMENT ACT 2000 AS AMENDED. 567

Mr. Ridge explained to the Meeting that Athenry was one of the only towns for which Planning Consultants were appointed to carry out the preparation of a Local Area Plan. He said that Athenry was a key town in the future development of County Galway and that it was an extremely challenging location for a development plan. He stated that it also has unique heritage values and it is very important to protect those heritage values. He further added that it would play a major role in the development of Strategic Economic Corridor which would benefit the whole County and that it was very important to plan properly and to retain what was valuable. He then invited Ms. O'Keefe of KASS to present the Manager's Report on the submissions that were received on the Draft Athenry Local Area Plan

Ms O'Keefe stated that there were 531 acres zoned residential of which there were 337 acres undeveloped at the moment. She stated that the maximum that was required for the life of the plan was an additional 150 acres. She strongly recommended that there were sufficient lands zoned for residential, that it was well in excess of that required to facilitate the future housing requirements and development of Athenry over the period of the Plan. She stated also that it would lead to imbalance in the land zonings.

Ms O'Keefe proceeded to present the Manager's Report and began with Issue 1

Issue 1: Requests for Residential Zoning

1A Ronan Waldron

Recommendation:

No change recommended

On the proposal of Cllr Burke and seconded by Cllr Willers it was agreed to zone the lands the subject of 1A from primarily community facilities to residential

1B Gabriel Holland

Recommendation:

No change recommended.

On the proposal of Cllr Burke and seconded by Cllr Willers it was agreed to zone the lands the subject of 1B from solely amenity and open space to residential.

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Ms.O'Keefe advised against the rezoning as she explained that the lands were currently zoned for transitional agricultural uses. Therefore uses such as nursing homes, etc. were permitted as these would effectively protect the transition between the built up area and the rural hinterland of Athenry. She advised that residential development on these lands was not appropriate.

Recommendation:

No change recommended.

1C Ann and PJ Garry

Recommendation:

No change recommended.

It was proposed by Cllr. Feeney, seconded by Cllr. Burke that

- (a) *the lands as indicated by the Members, proposed to be zoned from solely amenity and open space in the Draft Plan, by the Rail line be zoned residential and*
- (b) *that the lands immediately south of the proposed residential zoning be zoned solely amenity and openspace and the lands north east of these zoned lands be zoned solely industrial uses*

1D Anne Gibbons and Others

Recommendation:

No change recommended.

On the proposal of Cllr Burke and seconded by Cllr Willers it was agreed to zone the lands the subject of 1D from primarily agricultural to residential

On the proposal of Cllr Burke and seconded by Cllr Willers it was agreed to accept the Manager's Report.

1E Eamon Madden

Recommendation:

No change recommended.

On the proposal of Cllr Feeney and seconded by Cllr Burke it was agreed to zone the lands the subject of 1E from primarily community facilities to residential

On the proposal of Cllr Fahy and seconded by Cllr Willers it was agreed to extend the area boundary and to zone the lands the subject of 1J residential

1F Alphonsus Madden

Recommendation:

An amendment to the amenity zoning to residential zoning is recommended.

Recommendation:

No change recommended.

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It was proposed by Cllr. Burke, seconded by Cllr. Willers, and agreed to accept the recommendation in the Manager's Report.

1G Denis Coen

Recommendation:

No change recommended.

On the proposal of Cllr Burke and seconded by Cllr Willers it was agreed to accept the recommendation in the Manager's Report.

On the proposal of Cllr Burke and seconded by Cllr Willers it was agreed to zone the lands the subject of submission 1G from transitional Agricultural to Residential

1H Willie Melia

Recommendation:

No change recommended.

On the proposal of Cllr Burke and seconded by Cllr Willers it was agreed to extend the plan boundary and zone the lands the subject of submission 1H Residential to within 20 metres of the final road line.

1I Michael Quinn

Recommendation:

The subject lands – as shown on the attached map (**Reference 1I**), should be re-zoned industrial.

On the proposal of Cllr Burke and seconded by Cllr Willers it was agreed to accept the Manager's Report.

1J Aidan M Doyle

Recommendation:

No change recommended.

It was noted that this submission was mis-mapped and Ms. O'Keefe took note of same.

On the proposal of Cllr Fahy and seconded by Cllr Willers it was agreed to extend the town boundary and to zone the lands the subject of 1J residential

1K Frank Sweeney

Recommendation:

No change recommended.

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On the proposal of Cllr Cannon and seconded by Cllr Fahy it was agreed to zone the lands the subject of submission 1K from agricultural to residential.

On the proposal of Cllr Cannon and seconded by Cllr Feeney it was agreed to zone the lands the subject of submission 1P from commercial to residential

1L John Hickey

Recommendation:

No change recommended.

1Q Gabriel Gardner

On the proposal of Cllr Feeney and seconded by Cllr Willers it was agreed to accept the recommendation in the Manager's Report.

No change recommended.

1M John Hickey

On the proposal of Cllr Feeney and seconded by Cllr Cannon it was agreed to zone the lands the subject of 1R from amenity and open space to residential

Recommendation:

No change recommended.

On the proposal of Cllr Fahy and seconded by Cllr Willers it was agreed to zone the lands the subject of 1M residential

Recommendation:

No change recommended.

1N Kevin Burke

Burke and seconded by Cllr Willers it was agreed to zone the lands the subject of 1K from transitional agricultural uses to residential to within 20m

Recommendation:

Map to be amended as per the 2003 Town Plan.

It was proposed by Cllr. Cannon, seconded by Cllr. Willers to accept the recommendation in the Manager's Report.

Recommendation:

Map 2 and 3 modified to show an equal buffer area.

No other changes to either to land use zoning or the buffer area between the walls and development area, are proposed.

1O Peter Gilhooley

On the proposal of Cllr Feeney and seconded by Cllr Burke it was agreed to accept the

Manager's Report but to include a minimum 30m buffer with

No change recommended.

On the proposal of Cllr Cannon and seconded by Cllr Fahy it was agreed to extend the plan boundary and to zone the lands the subject of submission 1O residential to within 20 metres of the final road line.

1T FMQ Developments

Recommendation:

1P Kevin Burke and Martin Maloney

Recommendation:

No change recommended.

On the proposal of Cllr Cannon and seconded by Cllr Feeney it was agreed to zone the lands the subject of submission 1P from commercial to residential

Recommendation:
No change recommended.

1Q Gabriel Gardner

Recommendation:
No change recommended.

On the proposal of Cllr Feeney and seconded by Cllr Cannon it was agreed to zone the lands the subject of 1Q from amenity and open space to residential

It was noted by the Members that no map had been included with the submission.

1R TJ Divilly and Gabriel Holland

Recommendation:
No change recommended.

On the proposal of Cllr Burke and seconded by Cllr Willers it was agreed to zone the lands the subject of 1R from transitional agricultural uses to residential to within 20m of the final road line.

It was noted that this was the same submission as 1U, 7 acres of the total of submission

1S John Joe Brady

Recommendation:
Map 2 and 3 modified to show an equal buffer area.

No other changes – either to land use zoning or the buffer area between the walls and development area, are proposed.

On the proposal of Cllr Feeney and seconded by Cllr Burke it was agreed to accept the recommendation in the Manager's Report but to include a minimum 30m buffer with appropriate design framework.

On the proposal of Cllr Willers and seconded by Cllr Fahy it was agreed to accept the recommendation in the Manager's Report.

1T FMQ Developments

Recommendation:
No change recommended.

On the proposal of Cllr Feeney and seconded by Cllr Cannon it was agreed to zone the lands the subject of 1T from solely amenity and open space to residential

Additional Amendment proposed.

1U Martin Kennedy

On the proposal of Cllr Willers and seconded by Cllr Fahy it was agreed to zone lands owned by Cllr Willers at the Loughrea area committee meeting on the

Recommendation:

No change recommended.

On the proposal of Cllr Burke and seconded by Cllr Feeney it was agreed to extend the plan boundary and to zone as residential the area as indicated by Cllr Feeney at the Meeting ,a portion of 7 acres within submission 1U.

1V: Teagasc

Recommendation:

No change recommended.

It was noted by the Members that no map had been included with the submission.

On the proposal of Cllr Burke and seconded by Cllr Willers it was agreed to accept the recommendation in the Manager's Report.

1W: Martin Kennedy

Recommendation:

No change recommended.

It was noted that this was the same submission as 1U. 7 acres of the total of submission 1W was zoned residential.

1X Martin Coffey Construction

Recommendation:

No change recommended.

Ms O'Keefe explained that no specific site was identified with this submission and there fore no assessment was possible.

On the proposal of Cllr Willers and seconded by Cllr Fahy it was agreed to accept the recommendation in the Manager's Report.

1Y Martin Rabitte

Recommendation:

No change recommended.

On the proposal of Cllr Burke and seconded by Cllr Willers it was agreed to extend the town boundary to zone residential within 20 metres of the final road line/

Additional Amendment proposed.

On the proposal of Cllr Willers and seconded by Cllr Fahy it was agreed to zone lands at Ballydavid identified by Cllr Willers at the Loughrea area committee meeting on the 12/8/2005 as residential

Cllr Feeney requested an update as to the situation in relation to the site at Gortnahown identified by the Department of the Environment, Heritage & Local Government for affordable housing and also the mixed use residential, retail and commercial neighbourhood.

Mr Gilmore stated that these lands were owned by the Department of Agriculture and were proposed to be developed for affordable housing under the Affordable Housing Initiative by Galway County Council. The exact process by which these lands were to be developed for housing had been agreed with the Department of Environment, Heritage and Local Government but in mid August 2005 there were indications from the Department that these lands might be developed in a manner which might not yield any affordable housing at this location or in County Galway.

Mr Ridge stated that the Council were involved currently in the preparation of a town plan for Athenry which must be done in accordance with the principles of proper planning and sustainable development and that the only issue here should be whether it is appropriate to zone the lands owned by the Department of Agriculture for residential development or not.

Cllr Feeney stated this was an important issue as a very valuable site owned by the Government may be swapped causing the town of Athenry to be left without Affordable housing, a type of housing that is in great demand in the town.

The Manager stated that while he accepted the difficulty regarding the delivery method for affordable housing he recommended retaining the zonings on these lands, as they appear in the draft plan.

Mr Ridge stated that these lands should be zoned in accordance with the principles of proper planning and sustainable development and account should only be taken of planning issues.

Cllr Feeney stated that if these lands are zoned residential to-day then the Council have lost them.

On the proposal of Cllr Feeney and seconded by Cllr Cannon it was agreed to retain the mixed use residential, retail and commercial neighbourhood zoning, to downzone the residential zoning to agricultural and to downzone the solely industrial uses to agricultural on the lands currently in the ownership of the Department of Agriculture.

Cllr Cuddy enquired as to when the Council were notified of the plans in relation to this site.

Mr Gilmore stated the he was notified by e-mail of the possibility of a land swap in connection with these lands last June.

He was notified that a small scheme of 40-50 units as Part of a Part 8 application would be retained but that the remainder of the site would be considered for a land swap.

The Department requested a report on the land value of this site on the 15 August but Mr Gilmore stated that he informed the DOEHLG that the Council were in the

process of preparing a local area plan for the town of Athenry and that this report could not be done until the plan was adopted.

Issue 2: Population Projections

2A Coffey Construction Ltd.

2B Peter Gilhooley

Recommendation:

No change recommended.

Cllr Feeney requested details on the status of the Waste Water Treatment Facility for Athenry.

Mr Cullen stated the details of the Waste Water Treatment Facility were being finalised and would be available shortly.

On the proposal of Cllr Feeney and seconded by Cllr Cannon it was agreed to accept the recommendation in the Manager's Report.

Issue 3: Roads

3A Athenry Community Council Trust Limited

3B Coffey Construction Ltd.

3C Prospect Swangate Residents Association

Recommendation:

Added reference to the roads levy under Section 3.3.4 as P-TL23 of the Plan, stating: P-TL23 – to fund the development of road improvement works outlined in this Plan through the imposition of a special levy of €30 per square meter of new development.

On the proposal of Cllr Burke and seconded by Cllr Cannon it was agreed to accept the recommendation in the Manager's Report.

Recommendation:
Cllr Feeney expressed concern over the provision of amenity zoned lands without actually acquiring same. Mr Ridge accepted the importance of the need to acquire amenity lands particularly adjacent to the town walls.

He recommended the introduction of a special levy and proposed a levy based on the provision and buy back of open space lands within Athenry.

On the proposal of Cllr Feeney and seconded by Cllr Connolly it was agreed to include as a policy in the Athenry Local Area Plan the following:

Require developers to provide a minimum of 25% open space, 15% of which must be bought out by the developer. Funds acquired through this special agreement will be used to acquire and develop recreational and amenity facilities for Athenry. Lands acquired will be used for recreational and amenity facilities. Alternatively developers may enter into an

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agreement with the Planning Authority to provide lands appropriate to the needs of the Planning Authority zoned Recreational and Amenity or Community Facilities in the Athenry Local Area Plan 2005 - 2011 in lieu of the 15%.

Issue 4: Water Supply and Sewerage Services

4A Kevin Rogers, Western Regional Fisheries Board

4B Athenry Community Council Trust Limited

4C Coffey Construction Ltd.

Recommendation:

Recommend insertion of a policy to state that the design of the sewerage system will be undertaken in consultation with statutory agencies in regard to any impact arising upon receiving waters.

On the proposal of Cllr Feeney and seconded by Cllr Burke it was agreed to accept the recommendation in the Manager's Report.

Issue 5: Residential Development Policies

5A Coffey Construction Ltd.

Recommendation:

No change recommended.

On the proposal of Cllr Feeney and seconded by Cllr Cannon it was agreed to accept the recommendation in the Manager's Report.

Issue 6: Natural Environment

6A Kevin Rogers, Western Regional Fisheries Board

6B Spatial Policy Unit, DOEHLG

6C Department of Communications, Marine and Natural Resources

Recommendation:

Add a policy statement to **Section 3.3.1** stating that the Council will endeavour to ensure that sediment releases to the river during excavation, construction and operational phases will not occur.

Amend policies as listed in Manager's Report on submissions received on Draft Athenry Local Area Plan.

On the proposal of Cllr Feeney and seconded by Cllr Burke it was agreed to accept the recommendation in the Manager's Report.

Issue 7: Recreation and Amenities

7A: Athenry Community Council Trust Limited

Recommendation:

No change recommended.

On the proposal of Cllr Feeney and seconded by Cllr Cannon it was agreed to accept the recommendation in the Manager's Report.

Issue 8: Archaeological and Architectural Heritage

8A: Prof. Etienne Rynne

8B: Athenry Arts and Heritage Company

Recommendation:

Amendments are listed in Manager's Report on submissions received on Draft Athenry Local Area Plan.

Maps 1A and 1B to be amended to show reference numbers of protected sites and monuments.

On the proposal of Cllr Feeney and seconded by Cllr Willers it was agreed to accept the recommendation in the Manager's Report.

Forward Planning Amendments

Editorial changes

- Any text, spelling, grammatical and mapping errors will be corrected in the amended Plan
- Change the Land Use zoning matrix to read 'solely amenity and open space' rather than 'active recreational or amenity'; and 'mixed use residential and commercial development' rather than 'mixed use commercial and retail'.

Architectural Heritage

- 'Statement of Significance' in relation to the Architectural Conservation Area added to Section 2.2; reading....

Natural "Athenry's principle significance lies in its degree of survival as a medieval fortified town, embracing a number of fine monuments and archaeological remains. The street pattern, plot sizes, buildings and architectural coherence visibly emerge directly from

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- this historic role. The majority of buildings span the late 19th Centuries and share many characteristics. Surviving traditional shop fronts are important features. The open fields and pastures within the walls are of the utmost significance. Athenry contains a number of buildings of national or regional significance. The form, attractiveness and uniqueness of the town as a whole is of international significance and a potentially greater cultural tourism attraction. From the 2000 Heritage Appraisal carried out by David Tyldesley Associates:
 - P-NH14: add policy to ensure that all trees planted adjacent to the Town Walls are of international significance. Not only does the town exhibit one of the most outstanding Anglo-Norman medieval settlement forms and features, but the overall structure and heritage value is far more than the sum of the component parts... Few towns in Western Europe exhibit such a remarkably intact assemblage... The juxtaposition of walls, towers, castle, fosse, ramparts, priory, market place, street layout, mature trees, and open spaces, together with views in and out of the town is exceptional. Perhaps above all it is one of only a handful of towns in Western Europe which still has significant amounts of agricultural land within the town walls... the potential for major archaeological investigation is considerable because so many of the historic features still lie in open ground, relatively undisturbed by development."
- Para 2.2: reorganisation of text including removal of reference to international significance of the Northgate, etc.; and reference to 'heritage buildings' replaced with structures of archaeological or architectural merit.
- Para. 3.3.3: Aim – omit 'built and' from first sentence.
- Replace 'listed' with 'included' with regard to Protected Structures.
- AHC2: amend policy omitting to read: To work with local and statutory agencies to improve understanding of the architectural heritage.

Archaeological Heritage

- Throughout Draft plan: 'Sites and Monuments Record' replaced with 'Record of Monuments and Places'.
- Para 2.2: Amend typos and paragraph to read more clearly.
- Para. 3.3.2: P-AH2: insert reference to underwater archaeology.

Natural Heritage

- Section 2: Description of the Clarin River to refer to its eventual discharge into the Clarin Bridge River which flows on into Galway Bay.

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- Table 2.1: Habitat code omitted and definition provided for 'low local significance'; 'moderate local significance' and 'high local significance'.
- Para. 3.3.1 – Natural Heritage: include reference to Table 2.1
- P-NH10: correct to read: to ensure the retention and enhancement of green corridors in the area and minimise any interruption to these important ecological habitats.
- P-NH14: add policy: to ensure that all trees planted adjacent to the Town Walls are appropriately selected to avoid any adverse impacts on the integrity of that structure arising from damage due to root or tree growth;
- Objective NH5: add objective: to protect and enhance green corridors and local habitats in the area;

Tourism

- Para. 3.3.14 add reference to Galway East Tourism located in Athenry.
- T1: amend objective to stage: in-line with other policies for Council works in the area and the designation of an ACA in the historic core, to adopt a strategy for increasing heritage awareness throughout the Town.

Urban Design Framework

- Para. 4.1.3: Enhancement of Market Square: bullet point 2: add reference to the
- requirement that works to a Protected Structure will be subject to planning permission.

Public Open Space Development Standards

- Add a reference stating that the Council will encourage the provision of active green areas including sand based grass systems, goal posts, etc. to ensure that open areas are usable and provide a high level of amenity to the local community.

Landscaping Works Development Standards

- Additional detail for native species list indicating biodiversity value – Appendix 3.

Shop Front Development Standards

- Amend bullet no. 1 to state that the partial or complete removal of older, traditional shop fronts of significance will be strongly resisted.
- Amend bullet no. 5 omitting last sentence.

Amenities and Open Areas

- Para 3.3.10: AOA4: amend objective to state: provision of walking trails in the areas around the town walls.

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On the proposal of Cllr Willers and seconded by Cllr Feeney it was agreed to accept the recommendation in the Manager's Report

It was agreed to put the Amendments and Material Alterations to the Draft Athenry Local Area Plan on public display.

On behalf of the Councillors, Cllr. Feeney thanked the Officials for the time and effort that had been put in to the Draft Athenry Local Area Plan.

MATERIAL CONTRAVENTION

568

of The Development Plan of Oranmore for permission for a Science and Technology park to include an advance Manufacturing facility to accommodate a Biopharmaceutical Manufacturing & Research Facility and site development works to facilitate future office, research and manufacturing activities at Carrowmoneash, Frenchfort, and Deerpark Townlands, Oranmore Co. Galway. The biopharmaceutical manufacturing facility will consist of; a three storey administration and laboratory building 4,068sqm approx; a three storey secondary production and packaging building 4,850sqm approx; a five storey primary production building sized 10,520sqm approx; a two storey production/warehouse and material management building 3,720sqm approx; a two storey waste water treatment building sized 1,300sqm approx; two number two storey Utility Buildings sized 1,426sqm each approx; a two storey water treatment facility sized 1,300sqm approx; two storey general engineering facility sized 1,300sqm approx; and a single storey security hut together with external switchgear, external cooling towers, tank farms and tanks, pipe bridges, drum stores, external stacks (20 metres high approx) and items of plant and equipment, an electrical sub station, a pumping station for domestic foul sewer. The production buildings shall include facilities for research and development. The biopharmaceutical facility will comprise a series of modularized components that will be built according to need during the ten year permission lifetime sought by this application. The site development works will consist of; earthworks in the form of cutting and filling to provide level sites for roads and landscaping, the construction of earth mounding, the construction of an entrance road works from the N18 Road, the construction of an internal distribution road network, a water main, separate foul and surface water drainage systems and storm water attenuation ponds and swales, ducting for telecommunications, gas and electricity supply, a single storey control building 10sqm for a mechanical and electric switch-room, the works include site fencing and tree protection fencing, landscaping to include tree planting, shrub, groundcover and wetland planting, car parking and a temporary decking area, entrance features, footpaths, cycle paths, lighting, covered cycle parking, site furniture and signage and miscellaneous site works. The IDA, propose to develop the site initially with infrastructure, road works services and landscaping. Permission will be sought to develop the science and technology park; both buildings, infrastructure and landscaping, in phases in accordance with a ten year master plan. The development consists of an activity for which a licence under part IV of the

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Environmental Protection Agency Act, 1992 is required. The site area is 27.4 hectares. An Environment Impact Statement accompanies this application. (Report Attached)

Planning Reference No. 05/2030

APPLICANT: IDA Ireland.

Ms McConnell read out the development description for the Material Contravention, referring to the report dated 30th August 2005 which was circulated to each member.

PROPOSED DEVELOPMENT: Permission for the erection of a Science and Technology Park to include an advance Manufacturing Facility to accommodate a Biopharmaceutical Manufacturing and Research Facility and site development works. (Development description as above). The site has a total area of 27.4 Hectares and is accompanied by an Environmental Impact Statement. The development consists of an activity for which a licence under part IV of the Environmental Protection Agency Act, 1992 is required.

LOCATION: The site is located in the townlands of Carrowmoneash, Deerpark and Frenchfort to the north of the N6 and Oranmore village.

PLANNING HISTORY:

No previous planning applications on this site.

ASSESSMENT: The proposed development is a generic Science and Technology Park to facilitate the location of a typical Biopharmaceutical Manufacturing and Research facility. The locational requirements of such a facility are extremely specific. The site of the proposed development fulfils all these requirements. The location of the site adjacent to existing industrial / commercial lands at Oranmore and at a location which can be easily accessed via the confirmed new N6 and the proposed new N17 and N18 and where public transportation links can be developed complies with the principles of proper planning and sustainable development and fully accords with the provisions of the National Spatial Strategy and Western Planning Guidelines with regard to the location of strategic industrial development.

ZONING: The site is partially zoned for Airport Related Uses and partially zoned for use as a Business, Technology and Retail Park in the current Development Plan for Oranmore.

SUBMISSIONS: Submissions could be accepted up to and including 20/08/05. No submissions to the proposed Material Contravention were received.

RECOMMENDATION: The development as proposed is generally in

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accordance with the wider objectives of the National Spatial Strategy and the Western Regional Planning Guidelines. The development, if permitted, would represent a significant economic investment in the Region with potential to attract similar, clean industries, stimulate ancillary development on a region-wide basis and consolidate Galway City and environs as the Gateway for investment in the region. The necessary infrastructure is available in both Galway Local Authorities to service the development in the immediate to short term. It is recommended that the zoning objectives of the current Oranmore Development Plan are contravened.

It is recommended to grant with appropriate conditions.

STATUTORY CONSIDERATION: A decision to grant permission cannot be made unless a resolution is passed by the members requiring that such a decision be made in accordance with Section 34(6)(a) of the 2000 Planning Act.

Public notice of the Council's intention to consider deciding to grant permission was given on 23rd July 2005 and the notice invited members of the public to submit representations or objections.

If a resolution is passed requiring that a decision to grant permission be made, such a decision will issue with suitable conditions, otherwise a decision to refuse permission must issue.

The latest date for a decision on this application is 16/09/2005.

Cllr Healy Eames proposed that having considered the planning application made by IDA Ireland and having considered the report dated 30th August 2005, Galway County Council in accordance with the provisions of section 34(6) of the Planning and Development Act 2000 as amended hereby require that a decision to grant permission be made in the case of this application. Cllr. Cuddy seconded this proposal.

A vote was taken on this proposal and the result of the vote was as follows:

AR SON: Clls. W. Burke, C. Cannon, J. Conneely, D. Connolly, M. Connolly, J. Cuddy, Cllr. M. Fahy, P. Feeney, F. Healy Eames, M. Hoade, P. Hynes J. Joyce, S. Kyne, T. Mc Hugh, M. Mullins, Comh C Ni Fhatharta, S. O' Cuaig, S. O' Tuairisg, M. Regan. T. Reilly, S. Walsh, T. Walsh, T. Welby, B. Willers. (24)

IN AGHAIDH: (0)

GAN VOTÁIL: (0)

The Mayor declared the proposal carried

In reply to queries from Councillors regarding the lack of industrial development in other parts of the County the County Manager said that the Council work with all the relevant agencies with a view to maximising opportunities for all areas of the County.

He said that a comprehensive programme of Economic Development in the County will be submitted for the Councils' consideration before the end of the year.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – UPGRADE, OPERATION AND MAINTENANCE OF THE PRODUCTION FACILITIES ON 12 PRIVATE GROUP WATER SCHEMES IN COUNTY GALWAY. 569

Report dated 30th August 2005 was already circulated to each Member.

On the proposal of Cllr. M. Connolly, seconded by Cllr. Mullins, and agreed, that the upgrade, operation and maintenance of the production facilities on 12 private group water scheme in Co. Galway.

Mr. Cullen confirmed that Cllr. T. Walsh was correct in saying that it is the understanding of Galway County Council that both Milltown and Dalgin have accepted the result of the survey carried out by Galway County Council, and that Galway County Council is assisting both sides in the implementation of the results of the survey on the ground.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 - CONSTRUCTION OF PUBLIC LIBRARY AND 1 NO. 1 – BEDROOMED APARTMENT OVER AT HIGH STREET, DUNMORE, CO. GALWAY. 570

Report dated 26th August 2005, was already circulated to each Member.

On the proposal of Cllr. Mc Hugh, seconded by Cllr. Mullins, and agreed, that the construction of public library and 1 no. 1-bedroomed apartment over at High Street, Dunmore, Co. Galway.

MAYOR'S BUSINESS

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All Ireland Hurling Final.

A discussion took place regarding the allocation of All Ireland Hurling Final tickets to Councillors. A discussion also took place regarding the arrangements for the homecoming of the Minor and Senior teams taking part in the finals and it was agreed that Mr. Murphy would contact the Hurling Board in relation to these matters.

Swimming Pool – Connemara.

In reply to Comh O’Cuaig, Mr. Murphy said that the Council had invited submissions from Consultants with a view to doing a feasibility study on the need for a Swimming Pool in the Connemara area. He said that the latest date for receipt of submissions was 16th September 2005.

N59 at Clydagh Bridge.

Cllr. Kyne expressed his dissatisfaction with the quality of the section of the N59 from Clydagh Bridge to where the footpath begins in Moycullen village. He stated that it was an extremely dangerous stretch of road with poor sight lines, no road margin and no footpaths and asked for immediate action to alleviate this problem.

The County Manager said that this matter has been brought to the attention of the NRA and he undertook to do so again.

MANAGER'S BUSINESS

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City & County Liaison Committee.

Mr. Murphy said that a meeting of the City & County Liaison Committee was held on 13th September 2005. He said that the Council had nominated five members to that Committee at its meeting held on 28th February 2005. It was proposed by Cllr. Feeney, seconded by Cllr. Cannon and agreed that the Mayor would also be a member of the City & County Liaison Committee.

CRIOCHNAIGH AN CRUINNIÚ ANSIN

Submitted, Approved & Signed

26.09.05
Pat Hynds
Date