

## COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL  
HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON MONDAY 27<sup>th</sup>  
MARCH, 2006.

**CATHAOIRLEACH:** Mayor P Hynes

**ILATHAIR FREISIN:**

**Baill:**

Cllrs. W. Burke, S. Canney, C. Cannon, S. Connaughton, J. Conneely, D. Connolly, M. Connolly, Comh. S. O’Cuaig, Cllrs. 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. C. Ni Fhatharta, S. O’Tuairisg, Cllrs. M. Regan, T. Reilly, J. Tierney, S. Walsh, T. Walsh, T. Welby, B. Willers.

**Oifigh:**

Mr. P. Gallagher, County Manager; Messrs. J. Cullen, F. Dawson, F. Gilmore, P. Ridge, K. Kelly, Directors of Service; G. Mullarkey, Head of Finance, L. Gavin, M. Dolly, M. Ni Chionna, Senior Engineers; T. Murphy, County Secretary; A. Comer, D. Barrett, G. Scully, Senior Executive Officers; P. Carroll, D. Mahon, Administrative Officers; V. Loughnane, Senior Executive Planner; R. Burke, Graduate Planner, J. Collins, Architectural Technician Grade 2; M. McGrath, Senior Staff officer; P. O’ Neachtain, Oifigeach Gaelige; G. Healy, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

### **RESOLUTIONS OF SYMPATHY**

790

A Resolution of Sympathy was extended to the following:-

Mrs. Ann Treacy & Family, Glenafosha, Tuam, Co. Galway  
Maire & Einne O Goill, Cill Ronáin, Inis Mór, Arainn  
Nicolas O Concubhair, Leitir Móir, Co. na Gaillimhe  
Dr. Michael McGloin, Kiltullagh, Athenry, Co. Galway  
Mrs. Colie Moylan & Family, Roo, Gort, Co. Galway



Kevin & Tony Mitchell, Roo, Gort, Co. Galway  
Mary Treacy, Gurteen, Ballinasloe, Co. Galway

The Mayor extended a welcome to a group of pupils from Dunmore Community School who were present at the meeting and he wished them success in their studies.

Cllr. Burke proposed that a reception be held at the April Meeting to honour of the Portumna Senior Hurling Team who won the All Ireland Club Hurling Final on St. Patrick's Day and this was agreed.

**CONFIRMATION OF MINUTES OF THE FOLLOWING MEETINGS** 791

The Minutes of the Monthly Meeting held on 27<sup>th</sup> February, 2006 were approved by the Council and signed by the Mayor on the proposal of Cllr. Mullins and seconded by Cllr. Cuddy.

It was agreed that reference to "Cllr. Kyne" on page 3 and again on page 7 of the Minutes should read "Cllr. Keaveney".

**REPORTS OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION** 792

The report of the Conamara Electoral Area Meeting held on 2<sup>nd</sup> November 2005 was considered. It was adopted by the Council on the proposal of Comh Ni Fhatharta and seconded by Cllr Conneely.

The report of the Environment Water & Emergency Services, SPC Meeting held on 15<sup>th</sup> February 2006 was considered. It was adopted by the Council on the proposal of Cllr. Mullins and seconded by Cllr Willers.

**TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.31ACRES AT BALLYQUIRKE WEST, MOYCULLEN, CO. GALWAY TO HEALTH SERVICE EXECUTIVE – WESTERN DIVISION (FORMERLY THE WESTERN HEALTH BOARD).** 793

Report dated 17<sup>th</sup> February, 2006 was already circulated to Each Member

On the proposal of Cllr Mullins, seconded by Comh. Ni Fhatharta, the proposal to dispose of 0.31 acres to the Health Service Executive – Western Division was approved.

**TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.52 HECTARES AT**



**No.1, No.2, No.3, No.4, No.5, No.6, No.7 EAGLE HILL, ABBEY, LOUGHREA, CO. GALWAY.**

794

Report dated 17<sup>th</sup> March, 2006 was already circulated to Each Member

On the proposal of Cllr Willers, seconded by Cllr Feeney, the proposal to dispose of 0.52 hectares at No.1, No.2, No.3, No.4, No.5, No.6, No.7 Eagle Hill, Abbey, Loughrea, Co. Galway was approved.

**TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.47 HECTARES AT No.1, No.2, No.3, No.4, No.5, No.6, No.7, No.8, No.9, No.10, No.11, No.12, No.13, No.14, No.15, No.16 AN TUAIRIN, TUAM, CO. GALWAY.**

795

Report dated 17<sup>th</sup> March, 2006 was already circulated to Each Member

On the proposal of Cllr Mullins, seconded by Cllr Welby, the proposal to dispose of 0.47 hectares at No.1, No.2, No.3, No.4, No.5, No.6, No.7, No.8, No.9, No.10, No.11, No.12, No.13, No.14, No.15, No.16 An Tuairin, Tuam, Co. Galway was approved.

**MATERIAL CONTRAVENTION OF THE COUNTY DEVELOPMENT PLAN FOR GALWAY – FOR PERMISSION FOR THE CONSTRUCTION OF 13 NO. RESIDENTIAL UNITS, 13 NO. DOMESTIC GARAGES AND ANCILLARY ROADS AND SERVICES TO INCLUDE A FOUL SEWER CONNECTION TO AN EXISTING TREATMENT PLANT PERMITTED UNDER PLANNING REFERENCE NO. 01/2035.**

796

Report dated 15<sup>th</sup> March, 2006 was already circulated to Each Member.

Ms. Loughnane presented the planner's report in relation to this Material Contravention as follows:

**Application Planning Register Reference:** 05/2856

**Applicants Name:** Thomas Flynn

**Proposed Development:** Full permission for the construction of 13 no. residential units, 13 no domestic garages and ancillary roads and services to include a foul sewer connection to an existing treatment plant permitted under planning ref no 01/2035.

**Material Contravention:** This proposal is a material

contravention of Section 2.6: Settlement Strategy of the County Development Plan 2003-2009. The proposed development exceeds the number of households proposed for Lackagh Village in the settlement hierarchy and if permitted would be contrary to the County Development Plan.



**Development Location:** The proposed development is located to the south of Lackagh Village, within the village boundary.

**Planning History:** 01/3341: Permission withdrawn for outline permission for the construction of 66 Residential units & crèche and permission for the construction of access roads, services & an effluent treatment system

**Description of Development:** The total area of the site is 1.9ha. Permission is sought for 13 dwellings. This equates to a density of 2.7 dwelling per acre. This is considered to be an acceptable density for a rural village setting. Twelve of the proposed dwellings are located in a cul-de-sac. One dwelling is separately located to the north of the site. There are 4 house types proposed. The design of the proposed dwelling units are considered to be acceptable to the Planning Authority.

**Roads:** It is proposed to access the site via a laneway that serves other existing dwellings.

**Water:** It is proposed to connect to the group water scheme. This scheme has been taken in charge by the Council.

**Effluent:** It is proposed to have a foul sewer connection to an existing treatment plant permitted under planning ref no 01/2035. This treatment plant is located to the north of the proposed site and was granted to the same applicant. A right of way is indicated to access the treatment plant on the site layout submitted. Details of the treatment plant have been submitted.

**Submissions:** Submissions could be accepted up to and including 13/03/06. No submissions have been received.

**Statutory Considerations:** 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 13/02/06 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 the 9<sup>th</sup> April 2006.

Cllr. Mannion proposed that, having considered the Planning Application made by Thomas Flynn, and having considered Mr. Ridges Report, Galway County Council, in accordance with the provisions of Section 26(3) of the Local Government (Planning and Development) Act 1976, as amended by Section 45 of the Local Government Act 1991 hereby require that a decision to grant permission be made in the case of his application.



Cllr. Mc Donagh seconded this proposal

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

**ARSON:** Cllr. Burke, Cllr. Canney, Cllr. Connaughton, Cllr. Cannon, Cllr. Conneely, Cllr. D. Connolly, Cllr. M. Connolly, Cllr. Cuddy, Cllr. Fahy, Cllr. Feeney, Cllr. Healy Eames, Cllr. Hoade, Cllr. Hynes, Cllr. Joyce, Cllr. Keaveney, Cllr. Kyne, Cllr. Mannion, Cllr. McDonagh, Cllr. McHugh, Cllr. Mullins, Comh Ni Fhatharta, Comh. O’Cuaig, Comh. O’Tuairisg, Cllr. Regan, Cllr. Reilly, Cllr. Tierney, Cllr. S. Walsh, Cllr. T. Walsh, Cllr. Welby, Cllr. Willers. (30)

**IN AGHAIDH:** (0)

**GAN VOTAIL** (0)

The Mayor declared the proposal carried.

**TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – DEVELOPMENT OF WALLACE QUAY, CASHEL, CO. GALWAY.**

797

Report was circulated to Each Member .

On the proposal of Cllr Conneely, seconded by Comh. O Cuaig, the proposal for the development of Wallace Quay, Cashel, Co. Galway was approved.

**TO CONSIDER THE MANAGERS REPORT ON SUBMISSIONS RECEIVED ON THE DRAFT ORANMORE LOCAL AREA PLAN PREPARED AS PER SECTION 20(3)(d)(i) OF THE PLANNING AND DEVELOPMENT ACT 2000 AS AMENDED.**

798

Report already circulated to Each Member

At the invitation of the Mayor, Mr. Ridge addressed the meeting as follows: “Because place is so important to people they should be involved in preparing the plans that decide how their locality develops. This involvement should not be based on narrow self-interest. It should address local needs whilst at the same time recognizing the contribution that each locality can and should make to the broader community. The line between participation in the process and taking it over is a fine line. I am not able to say where that line exists but in my opinion any attempt, by any group, however well intentioned to usurp the development plan process should be actively resisted, by all parties.

In preparing development plans it must be recognized that planning is a regulatory process and like any regulatory process, it must be efficient, consistent, accountable and transparent. It must also comply with underlying legislation and regulations.



Development Plans are a major influence in determining how the County develops. This influence should be exercised through a framework of accountability to users, stakeholders and the wider community. In order to facilitate this, checks and balances are built into the system to ensure that the powers granted by the planning system are properly exercised and are seen to be properly exercised. These checks and balances include public consultation, processes designed to enhance transparent decision making and separation of powers. There is, in the legislation, a clear separation between the making of policy and the implementation of that policy. Although the making of a development plan is a matter for the elected members, the process must have regard to the advice given by the officials and it must abide by the provisions of the relevant legislation.

In considering Development Plans the members should only take into account matters that relate to the proper planning and development of the area.

Although the Oranmore Electoral Area has considered the Manager's report and the Draft Plan in some detail that consideration was informal. This is the formal consideration of the plan and any submissions made by members at the Area meeting must be formally re-submitted.

Because of difficulties experienced by other authorities I wish to bring to the members attention the requirements of Section 177 of the Local Government Act 2001 regarding conflict of interest."

Cllr Cuddy stated that prior to the preparation of any draft development plan all landowners and adjoining landowners whose lands are affected in the process should be notified in order for the process to be transparent.

In response to Councillor Cuddy's objection to persons making submissions on lands that they do not own Mr Ridge stated that it is very much an essential part of the local area plan process, that individuals or groups can make their opinions known on how they consider that their area should develop.

The Mayor invited Mr. Gavin to present the Manager's Report on the submissions received on the Draft Oranmore Local Area Plan.

Mr Gavin stated that 306 submissions were received on the Draft Local Plan which were divided into 22 Issues in The Manager's Report. He commenced with Issue 1.

### **Issue 1: Request for residential zoning.**

**1A Ned Forde c/o AP McCarthy Planning Consultants Ltd.**

#### **Recommendation:**

No change to the Draft Plan.

**On the proposal of Cllr Mc Donagh and seconded by Cllr Healy Eames it was agreed to accept the recommendation in the Manager's Report.**



**1B Donal Dooley c/o AP McCarthy Planning Consultants Ltd.**

**Recommendation:**

No change recommended.

Mr Gavin stated that the lands in question were fronting onto a National Primary Route and close to a busy roundabout and advised strongly against zoning these lands.

Cllr McHugh asked if there was a roads safety issue in relation to the access to these lands

Mr Gavin stated that there was a serious road safety issue as with Submission 1A

***It was proposed by Cllr Cuddy and seconded by Cllr Healy Eames not to accept the recommendation in the Manager's Report and to extend the Plan boundary and zone the lands the subject of Submission 1B residential.***

***A vote was taken on Cllr Cuddy's proposal and the result of the vote was as follows:***

***AR SON: Cllr. M Connolly, Cllr Cuddy, Cllr Fahy, Cllr Healy Eames, Cllr Hoade, Cllr McDonagh, Cllr Mullins, Cllr. Regan Cllr O'Reilly, Cllr Tierney, Cllr S Walsh, (11)***

***IN AGHAIDH Cllr. Burke, Cllr Canney, Cllr. Connaughton, Cllr Conneely, Cllr D Connolly, Cllr Feeney Cllr Joyce Cllr Keaveney, Cllr Kyne, Cllr Mannion, Cllr McHugh, Comh Ní Fhartharta, Comh. O'Cuaig Comh O'Tuairisg, Cllr Willers, (15)***

***Gan Votáil: Cllr Cannon, Cllr. Hynes Cllr T Walsh, Cllr Welby (4)***

***The Mayor declared Cllr's Cuddy's proposal lost and the Manager's recommendation accepted.***

---

**1C Alphonse O'Halloran, Thomas Corbett, Thomas Flynn, & Gerard Moylan c/o A. Gerard Moylan & Co.**

**Recommendation:**

No change to the Draft Plan.

***On the proposal of Cllr Healy Eames and seconded by Cllr Cuddy it was agreed to accept the recommendation in the Manager's Report.***

---

**1D Mssrs. Considine, Sweeney, Malone, Finn and Trayers c/o AP McCarthy Planning Consultants Ltd**

**Recommendation:**

No change recommended.

Cllr Keaveney proposed to accept the recommendation in the Manager's Report.

Cllr Healy Eames stated that the lands in question are currently zoned residential in the Oranmore Development Plan 2001-2006 and added that these lands are the subject of on going discussions and appeals in order to



remove the proposed Natural Heritage Area, the candidate Special Area of Conservation and a Special Protection Area designations.

Mr Gavin advised the members that the Manager's recommendation is based on the proposed designations and advised strongly that these lands should not be zoned.

Mr Ridge added that strong and consistent advice was given at the Oranmore Electoral Area Committee Meetings not to zone designated lands

Mr Ridge also referred to Section 6.10 in the Galway County Development Plan where it states that "the most important and valuable habitats are afforded protection under European and National Legislation by way of designations...." He added that we are now undermining this protection and putting the whole process into disrepute. He added that once a SAC is proposed it enjoys the same status as National Policy.

Cllr Healy Eames stated that she sought legal advice in relation to this and added that the Members were legally entitled to zone these lands. She stated that the landowners cannot get Planning Permission without getting approval from NPWS and suggested that landowners should be given this opportunity to fight for the removal of the proposed designations as they appear to be just arbitrary lines placed on maps by Duchas.

Mr Ridge stated that it was not a question of whether it was legal or illegal and he referred The Members to Section 9 (6) of the Planning and Development Act 2000, "a development plan shall in so far as is practicable be consistent with such national plans, policies or strategies as the Minister determines relate to proper planning and sustainable development. He stated that the Council are obliged under legislation to protect these sites and he referred to Section 10 (2) (c) "a development plan shall include objectives for the conservation and protection of the environment including, in particular, the archaeological and natural heritage and the conservation and protection of European sites and any other sites which may be prescribed for the purposes of this paragraph. Mr Ridge added that the Council cannot send out the wrong message to the public.

Cllr Healy Eames referred to the fact that these lands are currently zoned residential and the same designations are in place.

Mr Ridge stated that the residential zoning in the current plan is irrelevant and that the Galway County Development Plan has since been adopted.

Cllr. Walsh stated that large tracks of lands are zoned residential in this plan with very little zoned for community facilities and recreational and amenity.

Cllr Healy Eames stated that if the designations are lifted on the lands in question that 25 acres would be given over to Recreation and Amenity.

***It was proposed by Cllr Healy Eames and seconded by Cllr Cuddy not to accept the recommendation in the Manager's Report and to zone the section of the lands the subject of Submission 1D that are zoned residential in the current Development Plan for Oranmore 2001-2006 residential and the remainder of the subject lands Amenity-Environment***

***A vote was taken on Cllr Healy Eames's proposal and the result of the vote was as follows:***

***AR SON: Cllr Cannon, Cllr Conneely, Cllr. M Connolly, Cllr Cuddy, Cllr Fahy, Cllr Healy Eames, Cllr Hoade, Cllr Joyce, Cllr McDonagh, Cllr McHugh, Cllr Mullins, Cllr. Regan, Cllr O'Reilly, Cllr Tierney, Cllr S Walsh, Cllr T Walsh, Cllr Welby (17)***

***No change recommended.***



**IN AGHAIDH Cllr. Burke, Cllr Canney, Cllr D Connolly, Cllr Feeney Cllr Keaveney, Comh. O'Cuaig, , (6)**

**Gan Votáil: Cllr. Connaughton, Cllr. Hynes, Cllr Kyne, Cllr Mannion, Comh Ní Fhartharta, Comh O'Tuairisg, Cllr Willers (7)**

***The Mayor declared Cllr Healy Eames's proposal carried.***

---

**1E Pat & Liam Malone c/o AP McCarthy Planning Consultants Ltd**

**Recommendation:**

No change recommended

***Submissions 1E,1F,1G,1H,1I,and 1K have been dealt with as per submission1D. It was agreed that the section of the lands the subject of Submissions 1E,1F,1G,1H,1I,and 1K that are zoned residential in the current Development Plan for Oranmore 2001-2006 be zoned residential and the remainder of the subject lands Amenity-Environment***

---

**1F Tom Considine & Paddy Sweeney c/o Stephen Dowds Associates**

**Recommendation:**

No change recommended.

***Submissions 1E,1F,1G,1H,1I,and 1K have been dealt with as per submission1D. It was agreed that the section of the lands the subject of Submissions 1E,1F,1G,1H,1I,and 1K that are zoned residential in the current Development Plan for Oranmore 2001-2006 be zoned residential and the remainder of the subject lands Amenity-Environment.***

---

**1G Vincent Finn c/o AP McCarthy Planning Consultants Ltd**

**Recommendation:**

No change to the Draft Plan.

***Submissions 1E,1F,1G,1H,1I,and 1K have been dealt with as per submission1D. It was agreed that the section of the lands the subject of Submissions 1E,1F,1G,1H,1I,and 1K that are zoned residential in the current Development Plan for Oranmore 2001-2006 be zoned residential and the remainder of the subject lands Amenity-Environment.***

---

**1H James & Mary Trayers c/o AP McCarthy Planning Consultants Ltd**

**Recommendation:**

No change recommended.

***Submissions 1E,1F,1G,1H,1I,and 1K have been dealt with as per submission1D. It was agreed that the section of the lands the subject of Submissions 1E,1F,1G,1H,1I,and 1K that are zoned residential in the current Development Plan for Oranmore 2001-2006 be zoned residential and the remainder of the subject lands Amenity-Environment***

---

**1I James Burke**

**Recommendation:**

No change recommended.



*Submissions 1E,1F,1G,1H,1I,and 1K have been dealt with as per submission1D.  
It was agreed that the section of the lands the subject of Submissions  
1E,1F,1G,1H,1I,and 1K that are zoned residential in the current Development Plan for  
Oranmore 2001-2006 be zoned residential and the remainder of the subject lands  
Amenity-Environment*

---

1J Brendan Lohan

**Recommendation:**

No change recommended.

*On the proposal of Cllr Cuddy and seconded by Cllr Healy Eames it was agreed to  
accept the recommendation in the Manager's Report.*

---

1K John F Greally

**Recommendation:**

No change recommended.

*Submissions 1E,1F,1G,1H,1I,and 1K have been dealt with as per submission1D.  
It was agreed that the section of the lands the subject of Submissions  
1E,1F,1G,1H,1I,and 1K that are zoned residential in the current Development Plan for  
Oranmore 2001-2006 be zoned residential and the remainder of the subject lands  
Amenity-Environment.*

---

1L Padraic Keane c/o Stephen Dowds Associates

**Recommendation:**

No change to the Draft Plan.

*Submission 1L have been dealt with as per submission1D.*

*On the proposal of Cllr Healy Eames and seconded by Cllr Hoade it was agreed that the  
section of the lands the subject of Submission 1L that are zoned residential in the  
current Development Plan for Oranmore 2001-2006 be zoned residential and the  
remainder of the subject lands Amenity-Environment.*

---

1M Gerry & Margaret McNulty c/o JP McHugh & Co.

Note: Part of this land is also included in Submission 1N, Tom McEvaddy

**Recommendation:**

No change recommended.

*It was proposed by Cllr Healy Eames and seconded by Cllr Hoade to zone the lands  
the subject of Submission 1M residential.*

*A vote was taken on Cllr Healy Eames's proposal and the result of the vote was as  
follows:*

*AR SON: Cllr Cannon, Cllr. Connaughton Cllr Conneely, Cllr. M Connolly, Cllr Cuddy,  
Cllr Fahy, Cllr Feeney Cllr Healy Eames, Cllr Hoade, Cllr. Hynes, Cllr McDonagh, Cllr  
McHugh, Cllr Mullins, Cllr. Regan, Cllr Tierney, Cllr S Walsh, Cllr T Walsh, Cllr. Welby,  
Cllr Willers (19)*

*IN AGHAIDH (0)*

*Gan Votáil: Cllr Canney Cllr Joyce Cllr Keaveney Cllr Kyne, Cllr Mannion, Comh. Ní  
Fhartharta, Comh. O'Cuaig, Comh O'Tuairisg, Cllr O'Reilly (9)*

*The Mayor declared Cllr's Healy Eames's proposal carried*



*San Votáil: Cllr. Connaughton, Cllr Mullins Comh. Ní Fhartharta, Comh. O'Cuaig, Comh O'Tuairisg, (9)*  
*The Mayor declared Cllr's Cuddy's proposal carried*

---

**1N Tom McEvaddy c/o AP McCarthy Planning Consultants Ltd**

**Note:** this land is also partly included in submission 1M Gerry & Margaret McNulty

**Summary:**

**Recommendation:**

No change to the Draft Plan.

**On the proposal of Cllr Healy Eames and seconded by Cllr Regan it was agreed to zone all the lands the subject of Submission 1N from proposed part Amenity-Environment and part Residential to Residential.**

**A vote was taken on Cllr Healy Eames's proposal and the result of the vote was as follows:**

**AR SON: Cllr Cannon, Cllr Conneely, Cllr. M Connolly, Cllr Cuddy, Cllr Fahy, Cllr Healy Eames, Cllr Hoade, Cllr. Hynes, Cllr Joyce, Cllr McHugh, Cllr Mullins, Cllr. Regan, Cllr O'Reilly, Cllr Tierney, Cllr S Walsh, Cllr T Walsh, Cllr. Welby, Cllr Willers (18)**

**IN AGHAIDH: Cllr Keaveney (1)**

**Gan Votáil: Cllr Canney, Cllr. Connaughton, Cllr Feeney, Cllr Kyne, Cllr Mannion, Comh. Ní Fhartharta, Comh. O'Cuaig, Comh O'Tuairisg, (8)**

**The Mayor declared Cllr's Healy Eames's proposal carried**

**Recommendation:**

---

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

---

**10 Gerry Guinane c/o AP McCarthy Planning Consultants Ltd**

**Recommendation:**

No change recommended.

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

---

**1P John F Greally**

**Recommendation:**

No change to the Draft Plan.

**It was proposed by Cllr Cuddy and seconded by Cllr McDonagh to zone the lands the subject of Submission 1P residential.**

**A vote was taken on Cllr Cuddy's proposal and the result of the vote was as follows:**

**AR SON: Cllr Cannon, Cllr Conneely, Cllr. M Connolly, Cllr Cuddy, Cllr Fahy, Cllr Healy Eames, Cllr Hoade, Cllr. Hynes, Cllr McDonagh, Cllr McHugh, , Cllr. Regan, Cllr O'Reilly Cllr Tierney, Cllr S Walsh, Cllr T Walsh, Cllr. Welby (16)**

**IN AGHAIDH Cllr Burke, Cllr Canney Cllr D Connolly Cllr Feeney Cllr Joyce Cllr Keaveney Cllr Kyne, Cllr Mannion, Cllr Willers (9)**

**IN AGHAIDH , Cllr. M Conneely, Cllr Joyce, (2)**



**Gan Votáil: Cllr. Connaughton, Cllr Mullins Comh. Ní Fhartharta, Comh. O’Cuaig, Comh O’Tuairisg, (5)**  
**The Mayor declared Cllr’s Cuddy’s proposal carried**

---

**1Q Representatives of the late Patrick Nally c/o Geraghty & Co. Solicitors**

**Recommendation:**

No change recommended.

**On the proposal of Cllr Healy Eames and seconded by Cllr Cuddy it was agreed to accept the recommendation in the Manager’s Report.**

---

*It was proposed by Cllr. Cuddy, seconded by Cllr. McDonagh, and agreed to suspend Standing Orders to allow the meeting continue after 6.00p.m.*

**Issue 2: Requests for Commercial and Town Centre Zoning**

**Introduction:**

The following issues relate to Commercial and Town Centre zoning requests. Map 2 illustrates where each request relates to.

**2A George Clark, C/O Leo Wilson, Consulting Engineers**

**Recommendation:**

No change recommended.

**On the proposal of Cllr Cannon and seconded by Cllr Healy Eames it was agreed to accept the recommendation in the Manager’s Report.**

---

**2B James Furey**

**Recommendation:**

No change recommended.

**It was proposal by Cllr Healy Eames and seconded by Cllr Cuddy to zone the section of the lands the subject of Submission 2B that do not impinge onto the floodplains from proposed residential to town centre (mixed development) and to include objective to protect area between the floodplain area and any new development as indicated on Map 3.**

Mr Ridge enquired as to why the floodplain area is being protected here but not in the Creganna Marsh area.

Cllr Healy Eames stated that she was not made aware of the fact the Creganna Marsh area was a floodplain.

Mr Gavin stated that 3 indicative floodplains were identified on Map 3 in the Draft Oranmore Local Area Plan.

**A vote was taken on Cllr Healy Eames’s proposal and the result of the vote was as follows:**

**AR SON: Cllr Canney, Cllr Cannon, Cllr Conneely, Cllr D Connolly, Cllr Cuddy, Cllr Feeney, Cllr Healy Eames, Cllr Hoade, Cllr. Hynes, Cllr Kyne, Cllr McDonagh, Cllr Mullins, Comh. O’Cuaig, Cllr. Regan, Cllr O’Reilly, Cllr Tierney, Cllr S Walsh, Cllr. Welby, Cllr Willers. (19)**

**IN AGHAIDH , Cllr. M Connolly, Cllr Joyce, (2)**



**Gan Votáil:, Cllr Keaveney, Comh. Ní Fhartharta, Comh O'Tuairisg, (3)**

**The Mayor declared Cllr Healy Eames's proposal carried**

Cllr Regan introduced a submission on behalf on John Curley to the meeting. He presented a map to the meeting identifying lands and he proposed to zone the southern section of the lands as identified by him at the meeting town centre and this proposal was seconded by Cllr Walsh.

**On the proposal of Cllr Healy Eames and seconded by Cllr Cuddy it was agreed to retain the residential zoning on the subject lands as in the Draft Oranmore Local Area Plan.**

**A vote was taken on Cllr Regan's proposal and the result of the vote was as follows:**

**AR SON: Cllr Conneely, Cllr Joyce, Comh O'Tuairisg, Cllr. Regan, Cllr O'Reilly, Cllr S Walsh (6)**

**IN AGHAIDH: Cllr Canney, Cllr Cannon, Cllr Connaughton, Cllr D Connolly, Cllr. M Connolly Cllr Cuddy, Cllr Healy Eames, Cllr Keaveney Cllr Kyne, , Cllr McHugh, Cllr Mullins, Comh. O'Cuaig, , Cllr Tierney, Cllr T.Walsh, Cllr. Welby.. (15)**

**Gan Votáil:, Cllr Hoade, Cllr. Hynes, Cllr McDonagh, Comh. Ní Fhartharta Cllr Willers (5)**

**The Mayor declared Cllr Regan's proposal lost**

---

**2C Shane Connolly & Gerry Rabbitt c/o A.P. McCarthy Planning Consultants Ltd**

**Recommendation:**

No change to the Draft Plan

**It was proposed by Cllr Hoade and seconded by Cllr Cuddy to zone the lands the subject of Submission 2C from proposed residential to Town Centre (Mixed Development)**

**A vote was taken on Cllr Hoade's proposal and the result of the vote was as follows:**

**AR SON: Cllr Canney, Cllr Cannon, Cllr. Connaughton, Cllr Conneely, Cllr Cuddy, Cllr Feeney, Cllr Healy Eames, Cllr Hoade, Cllr. Hynes, Cllr Joyce, Cllr Kyne, Cllr McDonagh, Cllr McHugh, Cllr Mullins, Cllr. Regan, Cllr O'Reilly Cllr Tierney, Cllr T Walsh, Cllr. Welby, Cllr Willers (20)**

**IN AGHAIDH Cllr Keaveney, (1)**

**Gan Votáil:, Cllr D Connolly Comh. Ní Fhartharta, Comh. O'Cuaig, (3)**

**The Mayor declared Cllr Hoade's proposal carried.**

---



**2D Coffey Construction, C/O O'Cuimin McCallion Architects.**

**Recommendation:**

No change recommended.

**It was proposed by Cllr Healy Eames and seconded by Cllr Feeney to zone the lands the subject of Submission 2D from proposed residential to Town Centre (Mixed Development)**

Mr Gavin stated this site was in an unsuitable location for town centre zoning as it was located at a busy junction and it was also pulling out the town centre thereby weakening the town centre core of Oranmore.

**A vote was taken on Cllr Healy Eames's proposal and the result of the vote was as follows:**

**AR SON: Cllr. Connaughton, Cllr Conneely, Cllr Cuddy, Cllr Feeney, Cllr Healy Eames, Cllr Hoade, Cllr. Hynes, Cllr Kyne, Cllr McDonagh, Cllr McHugh, Cllr Mullins, Cllr. Regan, Cllr Tierney, Cllr T Walsh, Cllr. Welby, Cllr Willers (16)**

**IN AGHAIDH: Cllr D Connolly Cllr Joyce, Cllr Keaveney, Comh. O'Cuaig (4)**

**Gan Votáil:, Comh. Ní Fhartharta, , (1)**

**The Mayor declared Cllr Healy Eames's proposal carried**

---

**2E John & James Cannon c/o A.P. McCarthy Planning Consultants Ltd**

**Mary Howley, Scoil Iosaif Naofa**

**Fidelma Healy-Eames**

**Recommendation:**

No change recommended.

Cllr Healy Eames informed the meeting that she had no financial interest in the lands the subject of Submission 2E.

**It was proposed by Cllr Healy Eames and seconded by Cllr McDonagh to zone the lands the subject of Submission 2E from proposed residential to Town Centre (Mixed Development) (9.2 acres) and Community Facilities (4.5 acres) as indicated on a map presented to the meeting by Cllr Healy Eames.** Cllr Healy Eames added also that she had an undertaking by the Cannons to gift free a 2.5 acre site for the boy's National School in Oranmore.

Mr Gavin stated that the Department of Education was fully aware of the County Council's Plans for Oranmore. The Land use zoning matrix allows for proposals for schools on most zonings. It is not just confined to a Community Facilities Zoning. The Department of Education is also fully aware of this

He also stated that it is the Board of Management of the school that should make the decision on a site for their school and not the County Council. It is the responsibility of the County Council to zone lands.

Mr Ridge stated that the question of lands been offered as part of a deal cannot be taken into account.

Mr Gallagher also stated that it is important that the Local Area Plan sends out the correct signals as to what the Planning Authority want for Oranmore.

**It was proposed by Cllr Regan and seconded by Cllr Reilly to zone a portion of the lands the subject of submission 2E Community Facilities ( 4.5 acres ) and the remainder (9.2 acres ) to be retained as residential.**

**A vote was taken on Cllr Healy Eames's proposal and the result of the vote was as follows:**



**AR SON:** Cllr Healy Eames, Cllr Hoade, Cllr. Hynes, Cllr McDonagh, Cllr Mullins, Cllr Tierney, (6)

**IN AGHAIDH:** Cllr Cannon, Cllr Conneely, Cllr D Connolly Cllr Joyce Cllr Keaveney Comh. O'Cuaig Cllr. Regan Cllr O'Reilly , Cllr. Welby (9)

**Gan Votáil:** Cllr. Connaughton, Cllr Cuddy Cllr Feeney Cllr Kyne, Cllr. McHugh, Comh. Ní Fhartharta, Cllr T Walsh, Cllr Willers (8)  
The Mayor declared Cllr Healy Eames proposal lost

A vote was taken on Cllr Regan's proposal and the result of the vote was as follows:

**AR SON:** Cllr Cannon, Cllr Conneely, Cllr. D Connolly, Cllr Cuddy, Cllr Hoade, Cllr. Hynes, Cllr Joyce Cllr Keaveney Cllr Kyne Cllr McDonagh, Cllr Mullins Comh. O'Cuaig, Cllr. Regan, Cllr O'Reilly Cllr Tierney, Cllr. Welby, Cllr Willers (17)

**IN AGHAIDH:**, (0)

**Gan Votáil:** Cllr. Connaughton, Comh. Ní Fhartharta(2)  
The Mayor declared Cllr Regan's proposal carried.

---

**2F** Mr Michael McDonagh & Tim Bohan c/o AP McCarthy Planning Consultants Ltd  
Parents Action Group, Gaelscoil de hÍde, C/O John O'Regan  
Oranmore Community Development Association, C/O Thomas Broderick

**Recommendation:**

Accordingly, it is recommended that the designated lands remain Amenity – Environment and the remainder is zoned Town Centre (Mixed Development).

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

---

**2G** Mike Finn c/o A.P. McCarthy Planning Consultants Ltd

**Recommendation:**

No change recommended.

**It is proposed by Cllr McDonagh and seconded by Cllr Healy Eames to zone 2.5 acres of the lands the subject of submission 2G Town centre( Mixed Development) and the remainder of the subject lands Amenity –Environment and to include an objective that a coastal amenity walkway be developed for the Oranmore community.**

A vote was taken on Cllr McDonagh's proposal and the result of the vote was as follows:

**AR SON:** Cllr. Cannon, Cllr Conneely, Cllr Cuddy, Cllr Feeney, Cllr Healy Eames, Cllr Hoade, Cllr. Hynes, Cllr Kyne, Cllr McDonagh, Cllr Mullins, Cllr. Regan, Cllr. Reilly, Cllr Tierney, Cllr. Welby, Cllr Willers (15)

**IN AGHAIDH:** Cllr D Connolly, (1)



**Gan Votáil, Comh. Ní Fhartharta, , (1)**

**The Mayor declared Cllr Mc Donagh's proposal carried.**

---

**2H Tesco Ireland Ltd. c/c DTZ Piedad Consulting**

**Recommendation:**

No change recommended.

**On the proposal of Cllr Cuddy and seconded by Cllr Healy Eames it was agreed to accept the Manager's Report.**

**Issue 3: Requests for Business Technology & Retail Park Zoning**

**Introduction:**

The following issues relate to Business Technology & Retail Park zoning requests. Map 3 illustrates where each request relates to.

**3A Seamus Grealish c/o AP McCarthy Planning Consultants Ltd**

**Recommendation:**

No change recommended.

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

---

**3B Bernie Finn c/o Oliver Higgins Consulting Engineers Ltd.**

**Recommendation:**

No change recommended.

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

---

**3C Thomas Moggin c/o AP McCarthy Planning Consultants Ltd**

**Recommendation:**

No change recommended.

**On the proposal of Cllr Cuddy and seconded by Cllr Healy Eames it was agreed to accept the recommendation in the Manager's Report.**

---

**3D Coffey Construction Ltd  
Michael McNamara**

**Recommendation:**

No change to the Draft Plan.

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

---

**Issue 4: Requests for Industrial Zoning**

**Introduction:**



The following issues relate to Industrial zoning requests. Map 3 illustrates where each request relates to.

**4A Edel O'Shaughnessy, Fintan Lalor, John O'Shaughnessy, Helen O'Shaughnessy, Declan O'Shaughnessy, Liam O'Shaughnessy & G. Leonard**  
c/o AP McCarthy Planning Consultants

**Recommendation:**

No change recommended.

*It was proposed by Cllr Cuddy and seconded by Cllr Regan to extend the plan boundary and zone the lands the subject of submission 4A Business Technology and Retail Park This proposal also included lands of Mr Michael Shaughnessy and Mr Pat Burke as indicated on maps presented to the meeting by Cllr. Hoade.*

Mr Gavin recommended strongly against this and stated that nothing should be done that could potentially hinder the proposed IDA development.

Cllr Keaveney stated that there were a number of residences involved here and that they would be impacted on greatly by the IDA development. This was supported by Cllr Cuddy, Cllr Regan and Cllr Hoade.

*A vote was taken on Cllr Cuddy's proposal and the result of the vote was as follows:*

*AR SON: Cllr. Cannon, Cllr Connaughton, Cllr Conneely, Cllr Cuddy, Cllr Feeney, Cllr Healy Eames, Cllr Hoade, Cllr. Hynes, Cllr Keaveney, Cllr Kyne, Cllr McDonagh, Cllr Mullins, Cllr. Regan, , Cllr Tierney, Cllr. Welby, Cllr Willers (16)*

**IN AGHAIDH: (0)**

*Gan Votáil: Cllr D Connolly, Comh. Ní Fhartharta, Cllr O' Cuaig , (3)*  
*The Mayor declared Cllr Cuddy's proposal carried.*

Cllr Hoade introduced a new submission to the meeting on behalf of Mr Brendan Carroll. *She proposed that the lands the subject of this submission identified by her at the meeting be zoned from proposed residential to town centre (Mixed Development) and cognisance to be taken of the old well. This proposal was seconded by Cllr Cuddy.*

Mr Gavin recommended that the residential zoning be retained at this location as a town-centre zoning at this location would weaken Oranmore's existing town centre.

*A vote was taken on Cllr Hoade's proposal and the result of the vote was as follows:*

*AR SON: Cllr. Cannon, Cllr Connaughton, Cllr Conneely, Cllr D Connolly Cllr Cuddy, Cllr Feeney, Cllr Healy Eames, Cllr Hoade, Cllr. Hynes, Cllr Keaveney, Cllr Kyne, Cllr McDonagh, Cllr Mullins, Comh. Ní Fhartharta, Cllr O' Cuaig, Cllr Tierney, Cllr. Welby, Cllr Willers (18)*

**IN AGHAIDH: (0)**

*Gan Votáil: (3)*  
*The Mayor declared Cllr Hoade's proposal carried.*

## **Issue 5: Additional Zoning Requests**

**Introduction:**

This issue relates to additional zoning requests. Map 4 illustrates where each request relates to.

**5A Parents for Action, Gaelscoil de hlde, C/O John O'Regan**