**Minutes of Special Meeting held on 13th January, 2014 at 2.30p.m.**

**Chair:** Cllr. P. Dunphy

**Cllrs:** M H. Cavanagh, P. Millea, M. Shortall, J. Brennan, C. Connery, J. Coonan, M. Noonan, A. McGuinness, D. Fitzgerald, M. Doran, T. Maher, P. Crowley, J. Moran, T. Prendergast, M. O’ Brien, S. Treacy, T. Breathnach, E. Aylward, F. Doherty, M. Brett, P. Crowley, A.M. Irish.

**Officials:** J. Crockett, J. McCormack, D. Malone, B. Strappe and A.M. Walsh.

**Apologies:** Cllrs. B. Ireland, P. Cuddihy and C. Long

1. **Draft Managers Report on Draft Kilkenny County & City Environs Development Plans.**

Mr. Denis Malone advised members that 75 submissions were received and they are listed on Table 1 – Page 1 of the Manager’s report. It is recommended that members consider each submission. Members raised a number of queries in relation to general issues which relate to the draft plans. Cllr. Noonan asked if the Council will continue to do Local Area Plans (LAP). Mr. Malone advised that LAP will be done depending on staff resources. It is intended to engage with Leader for consultation purposes in the main towns.

Mr. Crockett advised members that a review of residential services land has been initiated.

A number of queries were raised in relation to future residential development in the Diageo site and the level of residential units at McDonagh Junction.

Mr. McCormack advised that approx 32 undeveloped sites have been identified in the City & Environs for review. These sites will be reviewed for provision of services and if planning permission exists.

Cllr. Dunphy requested members to consider each submission.

DOE 1 + DOE 2 – Manager’s Response and recommendation agreed by Members

SERA1 + SERA2 – Manager’s Response and recommendation agreed by Members

D1 + D2 – Manager’s Response and recommendation agreed by Borough Members and noted by Council Members.

D3 – Manager’s Response and recommendation agreed by Members

Mr. Denis Malone requested members to consider the submissions numbered D4, D14 and D15 in relation to Rural Housing Policy and referred member’s attention to Page. 147 of the Manager’s report. A number of amendments have been made in the draft plans compared to the last plan. A new category for long term ownership of land has been included. Local area is defined as being within 7km from the site. Definition of ribbon development is as per the Government Rural Development Guidelines.

Contributions were received from Cllr. P. Dunphy, M. Doran, E. Aylward, C. Connery, F. Doherty, T. Breathnach, M. Shortall, M. Noonan, S. Treacy, T. Maher, J. Coonan, D. Fitzgerald, M. Brett, M. O’ Brien, J. Brennan and P. Cuddihy.

Concerns were raised by the members in relation to the reduction in distance from 10km to 7km as the 7km is very restricted. Members wish to hold the 10km in the new plan. Clarification was requested in relation to definition on ribbon development whether it was 4 or 5 houses. Regeneration of rural areas must be a priority for the Council. Development cannot be concentrated on the City and the scheduled towns. Members requested information from other local authorities in relation to the restrictions on development in rural areas.

Cllr Connery raised wording of “excluding defined urban areas” in local area definition.

Mr Malone explained that the reason for the wording was to exclude people living in the defined urban areas from being included as part of the local area. It was not intended to restrict people from moving within the defined local area.

Mr. Malone responded to the issues raised and advised members that he had reviewed other local authority policies and our policy compares favourably. He stated that Kilkenny is a rural county, the policy does not prevent people from living in the country. There is a lack of investment in the villages and the Council must make villages attractive to live in.

It was proposed by Cllr. M. Brett, Seconded by Cllr. S. Treacy to leave the distance at 10km.

Cllr. M. O’ Brien proposed that 7km remain as proposed in the Manager’s Report. This was seconded by Cllr. M. Noonan. A vote was taken on the amendment (7km) as follows:-

4 Councillors Voted in favour of retaining 7km- Cllrs. Noonan, Prendergast, O’ Brien and A.M Irish.

18 voted against the amendment (7km) Cllrs. M. H. Cavanagh, P. Millea, M. Shortall, J. Brennan, C. Connery, A. McGuinness, J. Coonan, M. Brett, D. Fitzgerald, M. Doran, T. Maher, P. Crowley, J. Moran, S. Treacy, E. Aylward, F. Doherty, T. Breathnach and P. Dunphy.

A vote was taken in relation to the proposal to change the 7km to 10km.

18 voted in favour Cllrs. M. H. Cavanagh, P. Millea, M. Shortall, J. Brennan, C. Connery, A. McGuinness, J. Coonan, M. Brett, D. Fitzgerald, M. Doran, T. Maher, P. Crowley, J. Moran, S. Treacy, E. Aylward, F. Doherty, T. Breathnach and P. Dunphy.

4 voted against Cllrs. Noonan, Prendergast, O’ Brien and Irish.

The resolution to change the distance to 10km was passed.

Cllr. M. Doran raised a query in relation to ribbon development and requested that exceptions be made where there is a small landholding and restricted to a family member. Contributions were also received from Cllr. M. H. Cavanagh, T. Maher, P. Dunphy, M. Shortall, C. Connery, D. Fitzgerald, A.M Irish and M. O’ Brien. Issues raised by members also related to area under urban influence and occupancy clause.

Mr. Malone agreed following member’s contributions to draft up an amendment for the next meeting for members consideration. He referred member’s attention to Figure. 3.17. Rural Housing Strategy Map which outlines the areas in relation to urban influence, strategic rural area and area of population decline.

Mr. Malone advised members that a number of submissions have been received in relation to wind energy and referred to submissions No.D16, D36, D37, D38, D39, D48, D57, D60 and D61.

Mr. Crockett advised members that the Department is currently drafting a new wind policy and this should be published in the autumn. It is open to the Council to defer these submissions until the new wind policy/guidelines are in place. Cllr. Shortall asked can these submissions be put on hold pending the National Policy as the local authority will have to take on board new guidelines.

It was proposed by Cllr. M. Shortall, Seconded by Cllr. T. Maher: - “That submissions No. D16, D36, D37, D38, D39, D48, D57, D60 and D61 be considered again in the light of new government guidelines. .

Concerns were raised by Cllrs. S. Treacy, M. H. Cavanagh, M. Noonan and D. Fitzgerald in relation to adopting the draft Development Plans with the current wording on wind energy. Members asked if the wind energy strategy could be left out completely.

Mr. Crockett responded that a formal variation of the wind policy can be brought forward by the Council at a later stage. The existing policy could be put back in it and the new policy can be removed. He recommends that the draft be left as it is.

Mr. Malone advised that submissions No. 36, D37 and D38 could be taken now and submissions No. D.39, D48, D57, D61 and D62 be deferred and re-examined/considered at a later stage in light of the new policy. This was proposed by Cllr. M. H. Cavanagh and Seconded by Cllr. S. Treacy and agreed.

Cllr. Dunphy asked members approval to the following:-

D17- Agreed with Manager’s Response and Recommendation

D18- Agreed with Manager’s Response and Recommendation

D19- Agreed with Manager’s Response and Recommendation

D20- Agreed with Manager’s Response and Recommendation

D23- Agreed with Manager’s Response and Recommendation

D24- Agreed with Manager’s Response and Recommendation

D25- Agreed with Manager’s Response and Recommendation

D26- Agreed with Manager’s Response and Recommendation

D27- Agreed with Manager’s Response and Recommendation

D28- Agreed with Manager’s Response and Recommendation

D34- Agreed with Manager’s Response and Recommendation

D35- Agreed with Manager’s Response and Recommendation

D40- Agreed with Manager’s Response and Recommendation

D41- Agreed with Manager’s Response and Recommendation

D45- Agreed with Manager’s Response and Recommendation

Cllr. D. Fitzgerald requested details on surveys submitted on these lands at Ayresfield Granges Road Kilkenny

Cllr. D. Fitzgerald declared an interest in submission D46

D 46 Agreed with Manager’s Response and Recommendation

D47 Submission from Gael Gibson, Eirgrid.

Queries were raised by Cllr. S. Treacy, E. Aylward, P. Dunphy, T. Breathnach, F. Doherty, M. Noonan, M. O’ Brien, M. H. Cavanagh, P. Crowley, J. Coonan and A.M. Irish in relation to this submission.

The main issues arising from this submission is related to definition of urban areas, does it relate to populated rural areas and the following:

* Proposal for landscape character assessment
* Health views to be considered
* Engage consultants to advise
* Removal of words: consistent with not incurring excessive cost
* Delete: “Urban areas”
* Include “best practices and any new accepted research”.

Mr. Crockett advised members that the responsibility of the Council is to set out the broad policy in the Development Plan. The Council has already passed a notice of motion in relation to the Eirgrid project and a submission has been made to Eirgrid. It will be a matter for Bord Pleanala to make a decision on this project in due course.

Mr. Malone advised members that the Council does not have expertise to advise on the research in this area.

All members agreed to amend the Manager’s recommendation as follows:-

* Delete “consistent with not incurring excessive cost”
* Delete “in urban areas”
* Delete “that in urban areas”
* Add “ best practices and any new accepted research”

Cllr. P. Dunphy requested members to consider the following:-

D49- Agreed with Manager’s Response and Recommendation

D50 (a) - Agreed with Manager’s Response and Recommendation

D50 (b) - Agreed with Manager’s Response and Recommendation

D51- Agreed with Manager’s Response and Recommendation

D52- Agreed with Manager’s Response and Recommendation

D53- Agreed with Manager’s Response and Recommendation

D54- Agreed with Manager’s Response and Recommendation

Cllr. D. Fitzgerald asked for clarification on how long temporary car park would be for submission no. D55. Mr. Malone advised normally 5 years is granted.

D55- Agreed with Manager’s Response and Recommendation

D56- Agreed with Manager’s Response and Recommendation

D58- Agreed with Manager’s Response and Recommendation

D59- Agreed with Manager’s Response and Recommendation

D62- Agreed with Manager’s Response and Recommendation

D63- Agreed with Manager’s Response and Recommendation

D64- Agreed with Manager’s Response and Recommendation

D65- Agreed with Manager’s Response and Recommendation

Mr. Malone declared interest in D66

D66- Agreed with Manager’s Response and Recommendation

D67- Agreed with Manager’s Response and Recommendation

D68- Agreed with Manager’s Response and Recommendation

Cllr. M. H. Cavanagh proposed that the land referred to in submission No. 69 be included within the town boundary of Freshford. This parcel of land is suitable for residential development. It is adjacent to amenities such as school and church.

Cllr. T. Maher seconded the proposal as it is important that land is available for low density housing in towns and villages.

Contributions were also received from Cllr. M. Shortall, T. Breathnach in relation to existing zoned lands in Freshford which have not been developed.

Mr. Crockett advised that there is already a good balance of zoned land in Freshford and sufficient land for development.

Mr. Malone stated that the land is zoned based on existing services, land needs to be developed in the town centre rather than going out to the edge of the village. If members decide to add this land, it will require additional investment in services. There will also be an issue with traffic due to the condition of the road. Mr. Crockett requested the members of the Ballyragget area to meet with the planners and consider this submission.

Cllr. M. Shortall agreed to this request and advised that the members would discuss this in advance of the next meeting.

Mr. Crockett requested members to agree to meet on Monday 20th January, 2014 at 2.00p.m. to consider the outstanding issues and all the submissions on protected structures.

Cllr. Dunphy requested member’s approval on this, all members agreed.

Meeting then concluded.

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

 **Cathaoirleach**