

**MINUTES OF THE SPECIAL MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS AN
CHONTAE ON THE 25TH OF JUNE 2012 TO CONSIDER THE DRAFT GRAIGUCULLEN
LOCAL AREA PLAN 2012 – 2018 AND RELATED JOINT MANAGER’S REPORT**

PRESENT:	Councillors	John Bonham	In the Chair
		Rotimi Adebari	William Aird
		Pat Bowe	Patrick Bracken
		Ben Brennan	Ray Cribbin
		James Daly	James Deegan
		John Joe Fennelly	Catherine Fitzgerald
		Padraig Fleming	David Goodwin
		Alan Hand	John King
		Michael Lalor	Jerry Lodge
		Seamus McDonald	Paul Mitchell
		John Moran	Tom Mulhall
		Kathleen O’ Brien	Brendan Phelan
		Martin Phelan	Mary Sweeney

IN ATTENDANCE:

Messers Peter Carey, County Manager, Gerry Murphy, Head of Finance, Ms. Anna Marie Delaney, Director of Services, Mr. Michael O’ Hora, A/Director of Services, Ms. Irene Delaney, Administrative Officer, Ms. Michelle McCormack, Executive Secretary, Ms. Angela McEvoy, Senior Planner & Ms Gormla O’Corrain, Executive Planner.

PART 15 OF THE LOCAL GOVERNMENT ACT, 2001

Ms. Anna Marie Delaney, Director of Services drew the Members attention to the requirement of Part 15 of the Local Government Act, 2001 in relation to Disclosure of Interest. Any member or any connected person who has a pecuniary or other beneficial interest on any item in the subject matter before the members today must disclose the nature of that interest and then withdraw fully from the meeting for as long as the matter is being discussed or considered.

INTRODUCTION

Ms. Angela McEvoy, Senior Planner informed the Members of their role in this process as Elected Members as follows:-

Deciding whether to adopt or to propose amendments to the Draft Local Area Plan is a function reserved for the Elected Members of Laois County Council. On foot of the submissions received and on review of the content of the Draft Graiguecullen Local Area Plan 2012-2018, prepared as part of a Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area with Carlow Town Council and Carlow County Council , the Manager has recommended a number of material alterations to the Draft. If the Members decide that these, or other material alterations should be made to the Draft Plan, the proposed amendments must go on public display for a period of four weeks

Ms. Gormla O’Corrain, Executive Planner outlined progress to date. She described the structure and principal elements of the Draft Graiguecullen Local Area Plan 2012 – 2018 and indicated that Draft Plan was on public display from the 16th of March 2012 until the 27th of [April](#) 2012, along with Draft Environmental Report, Appropriate Assessment and Flood Risk Assessment. Public Meetings were held in Graiguecullen Parish Centre on March 28th and April 11th 2012. The Managers report was then prepared. During the public consultation period 121 submissions were received. Some petitions bring participation number to 199.

SUBMISSIONS

The submissions were dealt with as laid out in the Managers Report submitted to the Councillors on the 1st of June 2012.

SUBMISSION No 96 - THE DEPARTMENT OF THE ENVIRONMENT, COMMUNITY & LOCAL GOVERNMENT

Proposed by Councillor Ray Cribbin
Seconded by Councillor James Daly

AND AGREED

To include the following Amendments

Amendment No. A

Mapping presentation changes recommended

Amendment No. D

Display Flood Zone mapping on the land use zoning maps for the Joint Spatial Plan Area

Amendment No. E

Insert the following commentary of the opportunity site briefs 1, 2, 4, 6, 7, 8, 11, 12, 15, 18: less vulnerable types of development are suitable on the lands (less vulnerable types of development are described in the Flood Risk Guidelines and include retail, office use, showroom and storage uses); residential uses may be acceptable to upper floors subject to emergency flood-risk considerations. This statement relates to flood risk considerations only zoning, retail policy and wider policy consideration will be applied separately in relation to planning application assessments

SUBMISSION No 116 – MIDLAND REGIONAL AUTHORITY

No suggested changes and the members agreed with the Managers Recommendations in relation to this submission

SUBMISSION No 89- DEPARTMENT OF EDUCATION AND SKILLS

No suggested changes and the members agreed with the Managers Recommendations in relation to this submission

SUBMISSION No 97- OFFICE OF PUBLIC WORKS

No suggested changes and the members agreed with the Managers Recommendations in relation to this submission

SUBMISSION No 90- ENVIRONMENTAL PROTECTION AGENCY

Proposed by Councillor John Moran
Seconded by Councillor Paul Mitchell

AND AGREED

To include the following Amendment F

ENV 003 to be supplemented as follows: and to ensure the implementation of this Plan does not conflict with the overall objectives of the Water Framework Directive

Add to policy HER P07 as follows “Local Biodiversity Plan for the Area, including the consideration and designation of ecological networks and buffer zones as per HE 006 and HER P9, HER P10

Add to TRANS 005 and reduce traffic congestion and associated emissions

Add to TRANS P003, 06, 07, 23 as well as cumulative or in combination effects

Add to TRANS P14 providing the above projects will not have significant adverse effects as environmental receptors including cumulative or in-combinations effects

Add to HER P01 and ensure application of Environmental Impact Assessment Directive

SUBMISSION NO 8 – NATIONAL ROADS AUTHORITY

Proposed by Councillor Jerry Lodge
Seconded by Councillor Ray Cribbin

AND AGREED

To include the following Amendment G

Add to DBF 18: subject to TRANS P15

Amend TRANS P16 – exceptional circumstances following consultation with the N.R.A. and in accordance with Spatial Planning & National Roads Guidelines 2012

Amend TRANS P21 as follows - (TTA) and Road Safety Audits (RSA) in relation to significant development proposals, to be carried out by suitably qualified consultants in accordance with Traffic and Transport Assessment Guidelines (N.R.A.), Traffic

Management Guidelines (DOELG/DOT/DTO) and HD 19/09 Road Safety Audit Standards (NRA DMRB)

Add to DBF 29 (and having regard to the NRA policy provision of Tourist and Leisure Signage on National Roads

Add ENV 31 and having regard to Environmental Noise Regulations (SI No. 140 of 2006)

SUBMISSION No 103 – CARLOW CHAMBER OF COMMERCE

No suggested changes and the members agreed with the Managers Recommendations in relation to this submission

SUBMISSION No 95 – RGDATA

No suggested changes and the members agreed with the Managers Recommendations in relation to this submission

SUBMISSION No 84 – THOMPSON HOLDINGS

No suggested changes and the members agreed with the Managers Recommendations in relation to this submission

SUBMISSION No 82 – NAUS INVESTMENT LTD

No suggested changes and the members agreed with the Managers Recommendations in relation to this submission

SUBMISSION 40,45,47 AND 85 - MAEVE MCDERMOT, CLLR MURNANE O' CONNOR, CLLR. LACEY & CLLR AHERN

Proposed by Councillor John Joe Fennelly

Seconded by Councillor James Daly

AND AGREED

To include the following Amendment I

Add text to PI29: and ensure telecommunication masts are sited to minimise visual instruction and encourage mast-sharing

SUBMISSION NO 1 - STEPHEN O' LEARY FUNFAIR AMUSEMENTS

Proposed by Councillor Paul Mitchell

Seconded by Councillor John Moran

AND AGREED

To include the following Amendment J

Amendment of zoning matrix to remove referral to Amusement Arcade/Casino/Card Club and instead refer to 'Gaming Uses (Commercial or Member's Clubs)' as term gaming is defined in Gaming and Lotteries Act, 1956, also replace first floor with upper floors

SUBMISSION NO 110- MONACO PROPERTIES

Proposed by Councillor Brendan Phelan
Seconded by Councillor John Joe Fennelly

AND AGREED

To include the following Amendment T

Delete term 'small supermarket' and insert general grocery shop with floorspace of less than 500 sq metres

SUBMISSIONS RELATING TO PART 4 GRAIGUECULLEN

SUBMISSION NO 47, 113, 115 - CLLR. FLEMING, LACEY, MURNANE O' CONNOR

Proposed by Councillor Pdraig Fleming
Seconded by Councillor James Daly

AND AGREED

To include the following Amendment P

Recommend add to policy GLP 1 and alleviate traffic congestion on the Killeshin and Numbers Road

SUBMISSION NO 101 AND 111 - GRAIGUECULLEN COMMUNITY DEVELOPMENT GROUP

Proposed by Councillor Pdraig Fleming
Seconded by Councillor Jerry Lodge

AND AGREED

To include the following Amendment Q

- Add to GL P2: As well as improving pedestrian facilities and provide cycleways along Northern Relief Road, on the Portlaoise Road (within the NRR) and along Church Road
- insert allotment as a use in the zoning matrix

SUBMISSIONS RELATING TO ZONING AND OBJECTIVES MAPS

SUBMISSION NO.91 – BRUCE FENNELL, CARLOW GOLF RANGE

No suggested changes and the members agreed with the Managers Recommendations in relation to this submission

SUBMISSION NO 60 and 118 - ROSEMARY JULIAN

An amendment to the original motion was proposed by Councillor John Moran and seconded by Councillor Ray Cribbin that the lands proposed as unzoned lands on the Northern Relief Road opposite Sleaty District Centre be zoned as Strategic Reserve

SUBMISSION NO: 106 – JOHN BRENNAN

No suggested changes and the members agreed with the Managers Recommendations in relation to this submission

SUBMISSION 107 - MR. JAMES DUNNE & SUBMISSIONS 112 – JENNIFER MURRANE O’CONNOR , SUBMISSION NO 114 - LOCAL RESIDENTS (AS LISTED IN APPENDIX 8 OF THE MANAGERS REPORT)

Manager’s Recommendation was

Proposed by Councillor Pdraig Fleming
Seconded by Councillor Ben Brennan

A counter proposal was then proposed by Councillor James Daly and seconded by Councillor Paul Mitchell

“That the lands proposed as unzoned lands on the Portlaoise Road in the Draft be zoned for Community, Educational and Institutional use”

A roll call vote was taken which resulted as follows:-

COUNCILLOR		FOR	AGAINST	ABSTENTION
FIRST NAME	SURNAME			
Rotimi	ADEBARI		✓	
Willie	AIRD	✓		
John	BONHAM		✓	
Pat	BOWE		✓	
Paddy	BRACKEN		✓	
Ben	BRENNAN		✓	

Raymond	CRIBBIN		✓	
James	DALY	✓		
James	DEEGAN	✓		
John Joe	FENNELLY		✓	
Catherine	FITZGERALD		✓	
Padraig	FLEMING		✓	
David	GOODWIN	✓		
Alan	HAND		✓	
John	KING	✓		
Michael	LALOR	✓		
Jerry	LODGE		✓	
Seamus	MCDONALD	✓		
Paul	MITCHELL	✓		
John Robert	MORAN	✓		
Tom	MULHALL	✓		
Kathleen	O'BRIEN	✓		
Brendan	PHELAN		✓	
Martin	PHELAN	✓		
Mary	SWEENEY	✓		

As a result of the Roll Call Vote, there was 13 votes in favour of Councillor James Daly's Motion, 12 against with 6 absent.

SUBMISSION NO 63 – MARY DUNNE & CATHERINE NOLAN

No suggested changes and the members agreed with the Managers Recommendations in relation to this submission

SUBMISSION NO 50 and 102 – GREENCORE

No suggested changes and the members agreed with the Managers Recommendations in relation to this submission

SUBMISSION NO: 117 – MR. & MRS. J. JULIAN

No suggested changes and the members agreed with the Managers Recommendation in relation to this submission

CONSIDERATION OF THE DRAFT GRAIGUECULLEN LOCAL AREA PLAN 2012 – 2018 AND RELATED JOINT MANAGER’S REPORT AND RESOLUTION TO AMEND THE DRAFT PLAN AS AGREED PURSUANT TO SECTION 20 OF THE PLANNING AND DEVELOPMENT ACT, 2000 AS AMENDED

Proposed by Councillor James Daly
Seconded by Councillor Ben Brennan

AND AGREED

‘Having considered the Draft Graiguecullen Local Area Plan 2012 - 2018, along with the Draft Environmental Report, Appropriate Assessment and Flood Risk Assessment & the County Manager’s recommendations contained in the report and taking account of the proper planning and sustainable development of the area, the statutory obligations of the local authority and any relevant policies or objectives for the time being of the Government or of any Minister of the Government that the amendments be made to the Draft Graiguecullen Local Area Plan 2012 – 2018’. It was noted that the amendments go back out on public display for a period of four weeks’

This concluded the business of the meeting

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF CORPORATE AFFAIRS