

**MINUTES OF SPECIAL MEETING OF LAOIS COUNTY COUNCIL HELD ON THE  
5<sup>th</sup> JANUARY 2007 IN ÁRAS AN CHONTAE, PORTLAOISE AT 11.00 A.M. TO  
DISCUSS THE COUNTY MANAGER'S REPORT IN RELATION TO SUBMISSIONS  
RECEIVED ON THE DRAFT MOUNTMELICK LOCAL AREA PLAN**

<b>PRESENT:</b>	Councillor	Michael Lalor	In the Chair
<b>ALSO PRESENT:</b>	Councillors	William Aird Paddy Bracken James Daly Bill Delaney Catherine Fitzgerald John D Turley Michael Lalor Seamus McDonald Dick Miller John Moran Martin Phelan Mary Sweeney	John Bonham Ray Cribbin James Deegan John Joe Fennelly David Goodwin Thomas Jacob Jerry Lodge Michael Maloney Paul Mitchell Brendan Phelan Michael Rice

**IN ATTENDANCE:**

Messers Peter Carey, County Manager, Anna Marie Delaney, Director of Services John Daly, Director of Services, Gerry Gibson, Director of Services, Peter Dolan, Senior Planner, Angela McEvoy, Senior Executive Planner, Dermot Dunne, Technician, Gerry Gillen, Senior Executive Officer, Frances Emerson, Clerical Officer & Michelle McCormack, Assistant Staff Officer, Corporate Affairs

**WELCOME**

The Cathaoirleach, Councillor Michael Lalor welcomed those present to the Special Meeting and expressed his thanks to the Members for their co-operation in the process to date. The meeting was then adjourned until 11.40am.

**COUNTY MANAGER'S REPORT ON SUBMISSIONS - DRAFT MOUNTMELICK LOCAL AREA PLAN**

Mr. Peter Carey, County Manager welcomed those present to the Special Meeting. The County Manager indicated that his report on the Draft Mountmellick Local Area Plan was prepared and presented to the Council in accordance with the provisions of the Planning & Development Act, 2000. The report lists the submissions, summarises the issues raised in the consultative process and gives the County Manager's

response to the issues and recommendations on the policies which are included in the draft Plan.

He stated that the response and recommendations contained in his report are reflective of:

- (a) The issues emerging from the submissions
- (b) The issues emerging from individual departments of the Council
- (c) The statutory requirements of the Planning & Development Act 2000
- (d) The proper planning and sustainable development of the County
- (e) The statutory obligations placed on Laois County Council
- (f) The relevant policies and objectives of the Government or any Minister of the Government such as National Spatial Strategy, the Midlands Regional Planning Guidelines, the Sustainable Rural Housing Guidelines and other relevant binding Guidelines and Directives

The Settlement Strategy reflects the need to provide for balanced and sustainable growth patterns. The proposed priority zoning - Primary and Secondary, have been proposed with a view to phasing development which will assist in managing growth at a reasonable rate and protect the ethos of the villages and towns. This renders it compliant with the National Spatial Strategy and Regional Planning Guidelines. The proposed zoning will facilitate the development of residential, community and local services, which will allow for a range of uses to be considered within the villages and towns. This will allow for flexibility, given the existing size, characteristics and ethos of villages and towns within the County.

Consideration of the County Manager's Report must by today 05<sup>th</sup> January 2007, in order to facilitate the commencement of the next statutory phase in the process. This involves the placing on public display of the amendments to the draft which result from the consideration of the Manager's Report by the Members. The Member's consideration of the County Manager's Report must be restricted to considering:-

- (a) Proper planning and sustainable development of the area to which the Development Plan relates
- (b) The statutory obligations placed on the Council
- (c) Any relevant policies or objectives of the Government or any Minister of the Government

#### **PART 15 OF THE LOCAL GOVERNMENT ACT, 2001**

The Members were advised of the following which was circulated at the meeting:-

Under Part 15 of the Local Government Act, 2001, Councillors are required to comply with the requirements of the Act in relation to disclosure of pecuniary or other beneficial interests at Council Meetings.

A Member must disclose:-

- (a) any pecuniary or other beneficial interests of which he or she has actual knowledge
- (b) that he or she or a connected person has or which is material to any matter proposed or otherwise arising for discussion at this special Meeting or at any meeting reconvened as a result of the adjourning of this Special Meeting

For the purposes of this legislation a connected person is a member of a Company or any other body which has a beneficial interest in land or property which arises for discussion at this Special Meeting and who is connected to any Member of Laois County Council.

A connected person is a person who is in partnership with or is in the employment of a person who has a beneficial interest in any land or property which arises for discussion at this Special Meeting.

A Member of the Council who is a party to any arrangement or agreement whether or not enforceable concerning land which relates to any matter which is being discussed at this Special Meeting must declare their interest. A Member of the Council or a connected person in a capacity as a trustee or as a beneficiary of a trust who has a beneficial interest in land or property which arises for discussion at this Special Meeting must declare their interest.

A Member or a connected person who is acting with another person to secure or exercise control of a Company which has a beneficial interest in land or property which arises for discussion at this Special Meeting must declare their interest.

For the purposes of the legislation, a connected person means a brother, a sister, a parent, a spouse of a Member of the Council or a child of a Member of the Council or a child of the spouse of a Member of the Council. A spouse includes a person with whom a Member of the Council is cohabiting.

If you, as a Member of the Council, have a pecuniary or other beneficial interest, you must disclose the nature of your interest or the fact of the connected persons interest at the meeting before a discussion or consideration of the relevant matter begins and you must then withdraw fully from the meeting for so long as that matter is being discussed or considered by the Council.

A Member of the Council shall neither influence nor seek to influence a decision of the Council in respect of any matter of which he/she has actual knowledge. A Member of the Council shall neither influence nor seek to influence a decision of the Council in respect of any matter in respect of which a connected person has a pecuniary interest or other beneficial interest.

## **PROTECTED STRUCTURES**

### **DMLAP/29**

Gerry Gibson, D.O.S. outlined the first chapter of the Draft Report which detailed the submission received in relation to Protected Structures. He stated that we must have regard to list of protected structures and to the Departments recommendations. He stated that the removal of this building would create serious damage to the architectural integrity of O'Connell square and it is recommended that it remains on the list of the Record of Protected Structures. On the issue of the zoning, while it is desirable to get access to the lands at the rear, the access should be attained from another location and this issue is addressed in the Draft Plan.

On the proposition of Councillor James Deegan and seconded by Councillor Catherine Fitzgerald, the County Manager's Report as presented was agreed.

## **ROADS**

### **DMLAP/25, DMLAP/26, DMLAP/34, DMLAP/43, DM/LAP48, DMALP/51.**

Gerry Gibson D.O.S. outlined the submissions which were received in relation to roads issues in the Draft Portlaoise Local Area Plan. Seven submissions were received in total.

### **DMLAP/25**

This submission was from Cllr Michael Maloney. It proposes a new road from O'Moore Street to Emmet Street. Gerry Gibson outlined that the proposal to open up the backlands to the south of Patrick Street was included in the Draft Plan. He also stated that the introduction of revised by laws and a traffic management plan for the section of the town will address much of the traffic issues in the immediate area.

On the proposition of Councillor Michael Malone and seconded by Councillor Catherine Fitzgerald, the County Manager's Report as presented was agreed.

### **DMLAP/26**

This submission is from Cllr Michael Maloney. It suggests an alternative route for the inner relief road. Gerry Gibson outlined that the suggested location on the western side of Mountmellick has already been examined in the context of the selection of the Mountmellick inner relief road. It is recommended that these additional lines not be included.

On the proposition of Councillor Michael Maloney and seconded by Councillor Willie Aird, the County Manager's Report as presented was agreed.

#### **DMLAP/34**

This submission is from the Roads Section of Laois County Council. It deals with accesses to lands adjoining the proposed Mountmellick Inner Relief Road. It recommends that the Plan should be amended to include these indicative access locations.

On the proposition of Councillor James Daly and seconded by Councillor Michael Maloney, the County Manager's Report as presented was agreed.

#### **DMLAP/43**

This submission objects to the orbital route going through lands belonging to Cyril Morris. Peter Dolan outlined that the route is very much diagrammatic at this state. A detailed design must go through the Part 8 process during which the process will be discussed with the landowners concerned.

On the proposition of Councillor John Moran and seconded by Councillor Catherine Fitzgerald, the County Manager's Report as presented was agreed.

#### **DMLAP/46**

This submission objects to the orbital route going through lands belonging to Joanne Hourigan. Peter Dolan outlined that the route is very much diagrammatic at this state. A detailed design must go through the Part 8 process during which the process will be discussed with the landowners concerned.

On the proposition of Councillor James Deegan and seconded by Councillor Catherine Fitzgerald, the County Manager's Report as presented was agreed.

#### **DMLAP/48**

This submission is from the National Roads Authority and sets out the concerns regarding the proposed rezoning of lands adjacent to the line to the southern section of the route for the proposed inner relief road, which may increase significantly land acquisition costs. Peter Dolan outlined that the delivery of the Inner Relief Road was essential for the economic, industrial, commercial, cultural and social development of Mountmellick. He stated that the lands within the designated buffer zone shall be preserved free from development until such time as the compulsory purchase order has been confirmed.

On the proposition of Councillor James Deegan and seconded by Councillor John Moran, the County Manager's Report as presented was agreed.

#### **DMLAP/51.**

This submission relates to an objection from Mr Gordan Lalor to route 4 as a preferred option of the Northern By-Pass. Peter Dolan stated that the routes are indicative and at this stage not final route has been selected. A detailed design must go through the Part 8 process during which the process will be discussed with the landowners concerned.

On the proposition of Councillor Willie Aird and seconded by Councillor John Moran, the County Manager's Report as presented was agreed.

## **GENERAL**

### **DMLAP, 01,09,15,16,18,21, 23,27,35,39,42,45,47,49,**

Gerry Gibson DOS outlined the fourteen submissions received marked as 'general'. The issues raised relating to operational matters were being forwarded to the relevant sections of the Local Authority. He spoke about the projected population base on residential units granted since 2004. He stated that the design capacity of the waste water treatment works is 5,000PE and the current loading was 6,844PE. He stated also that there was 117HA of land zoned residential under the 2000 Plan which had not yet been development and requests under the Draft Plan amounted to an additional 119 HA of land to be zoned for residential development. He asked that the elected members be aware of these figures when dealing with zoning submissions in the Draft Plan.

### **DMLAP/01**

This submission was from the Department of Communications, Marine and Natural Resources. It stated that whilst the Department has no major concerns about the environmental issues as a result of the plan, it took the view that this was subject to the provision of upgraded wastewater treatment facilities of sufficient capacity to treat the anticipated increased loadings. Gerry Gibson outlined that control on the amount of residential zoned land was imperative, if pollution of the Owenass River is to be prevented. Councillor Paddy Bracken pointed out the implications facing population of Mountmellick with the lack of waste water, and delay in infrastructure. He asked the Director the position of achieving the goal regarding sewage and waste water. Mr Gibson outlined that there is funding of €2.8million to upgrade the treatment works. Cllr. Paul Mitchell stated that growth shouldn't be stumped because of lack of services. Cllr Michael Maloney stated that the delay in provision in infrastructure was due to inaction on the Departments behalf.

On the proposition of Councillor Paddy Bracken and seconded by Councillor John Moran, the County Manager's Report as presented was agreed.

### **DMLAP/09**

This submission was from the Mountmellick Town Council. It requests that Laois County Council allocate money in next years budget to purchase land for the provision of a town park. Peter Dolan outlined that the submission relates to operational matters, and that due consideration has been given in the Draft Plan to the provisions of open space, riverside walks and amenities.

On the proposition of Councillor James Deegan and seconded by Councillor Mary Sweeney, the County Manager's Report as presented was agreed.

### **DMLAP/15**

This detailed submission is from Development Planning Partnership on behalf of LBJ and Tesco Ireland. The submission dealt with access to backlands, the preparation of a master plan and sought clarification with regards to retail strategy.

Gerry Gibson stated that clarifying the policy regarding retail can only be good and it is the intention of Laois County Council to carry out a masterplan for the central area of Mountmellick.

On the proposition of Councillor James Deegan and seconded by Councillor Mary Sweeney, the County Manager's Report as presented was agreed.

#### **DMLAP/16**

This submission was from Laois Vocational Committee. It outlined additional information in relation to educational establishments in the town. It also wished to have Laois Vocational Committee amended to read Laois Vocational Education Committee. Cllr Mary Sweeney welcomed the submission and stated that it is paramount that Education be included in the title.

On the proposition of Councillor Tom Jacob and seconded by Councillor Mary Sweeney, the County Manager's Report as presented was agreed.

#### **DMLAP/18**

This submission is from Noreen Savage, Derryguile. This submission makes suggestions for including specific objectives to be included in the plan. The submission deals with integrated design, waste management, overhead cables, parking, and external lighting, public address systems and litter. Gerry Gibson outlined that most of the issues raised in this submission relates to operational matters and the remainder are covered by policies in the Plan and under Legislation. He also stated that paragraph 2.4.5.6 in the Draft Plan be amended to include the change recommended in the Manager's Report.

On the proposition of Councillor Brian Stanley and seconded by Councillor Mary Sweeney, the County Manager's Report as presented was agreed.

#### **DMLAP/21**

This submission is from the Health Service Executive and relates to the expansion of health services on their lands and requests flexibility of planning objectives and zoning to accommodate the future infrastructure of the Health Services in Mountmellick. The submission focuses on much of the "Quality of Life" issues which is currently beginning to be addressed in Planning in County Laois. It also requests the zoning of adjacent lands to services and accommodation uses compatible with health facilities and the provision of adequate space, cycle lanes, footpaths and recreational facilities. Peter Dolan stated that this submission was very a detailed and useful submission referring to many of the matters which are becoming fundamental to the approach of planning in Mountmellick and County Laois as a whole. The matters can be summed up as relating to the "Quality of Life". He stated that the Local Area Plan have addressed the issues and it is intended to continue the ongoing discussions with the HSE and other relevant bodies, associations and community groups to improve the delivery of quality planning service in Mountmellick.

The operational matters referred to in the submission, have been referred on to the relevant departments of Laois County Council. He recommended that the zoning matrix be amended to include a definition of Health Care Facilities to meet the demands of modern health services. He also recommended that the category of "Health Centre" in the Draft Plan be expanded to accommodate these demands.

On the proposition of Councillor Tom Jacob and seconded by Councillor Michael Maloney, the County Manager's Report as presented was agreed.

#### **DMLAP/23, 27**

These two submissions were from Cllr Michael Malone and were dealt with together. Submission DMLAP 23 dealt town centre improvement requests such as improving traffic calming at Patrick St, Emmett St and O'Moore St and opening of a new street from the junction running to the back of Patrick St going down to a car park at the rear of O'Connell Sq from roundabout on a new street and a second road going west to an opening on to Manor St and/or O'Moore St. Submission DMLAP/27 relates to social requirements for Kirwan Park, Silverwood, Silverglen, Harbout Court, Ballincollig and Bay View. Cllr Michael Maloney stated for the record that he wished that the public be made aware that the two submissions were quite detailed. Cllr Brian Stanely was in agreement with the submission in relation to Kirwan Park and the need to work with the community there. Peter Dolan commended the submissions and stated that discussions are being held with various Departments in relation to social issues arising in local communities in Mountmellick. Cllr Marty Phelan asked if school impact reports were standard in planning applications. Peter Dolan stated that any application for ten or greater units required a school impact report. Cllr Mary Sweeney welcomed the approach that Forward Planning were in discussion with the Department of Education. Peter Dolan stated that the Draft Plan would be amended to included various guidelines.

On the proposition of Councillor Tom Jacob and seconded by Councillor Brian Stanley, the County Manager's Report as presented was agreed.

#### **DMLAP/35**

This submission is on behalf of Business Mountmellick Group and in general the comments are supportive of the Plan and again, refer to the Quality of Life issues facing Mountmellick in the face of housing development. Gerry Gibson stated that the comments and concerns raised in this submission are noted. He stated that the issues raised are outlined as policies and objectives in the Draft Plan and in addition are also taken into account when dealing with planning applications for Mountmellick. Cllr Marty Phelan asked what the situation was in regards to Derelict sites. Gerry Gibson stated that Planning enforcement were updating a register of derelict sites and were targeting worst examples.

On the proposition of Councillor Tom Jacob and seconded by Councillor Brian Stanley, the County Manager's Report as presented was agreed.



### **DMLAP/39**

This submission is on behalf of Owenass Developments Ltd. It requests the widening of uses of the matrix of industrial to include other uses. Peter Dolan stated that the Council recognised that the traditional activities associated with industrial zoning is changing and many of the industrial park areas are moving towards the 'Business Type' park. The type of activities carried on there are expanding into office based, leisure based, health based, education based, appropriate retail uses and so on. It is recommended Draft Plan be amended to accommodate this change and also recommended that the Matrix be amended to reflect this. After a detailed discussion it was agreed to return to this submission at the end of the meeting.

### **DMLAP42**

This submission was received from the residents of Derryguile. It suggested a number of changes to the Draft Plan i.e Retention of development within existing boundaries and on existing zoned land, objection to Industrial zoning of lands near Derryguile requests balancing of areas of Industrial lands; rezone undeveloped residential land as industrial; provision of affordable housing, good housing mix, and appropriate design; provision of good quality water to existing areas prior to expansion of services to new developments; request small scale high intensity job creation through regeneration of derelict sites; rezone lands near new inner relief road to industrial; maintenance of town heritage; objection to rezoning at Derrycloney, objection to housing aimed at the Dublin commuting market; focus road building on the west north link of the orbital route and questions justification for West South East Link. Gerry Gibson outlined that the detailed submission covered a wide range of issues on how development plan can improve the quality of life for people in Mountmellick. Cllr James Deegan sought an adjournment of this submission as the issues related to submission DMLAP/39.

### **DMLAP/47**

This submission is from Cllr Paddy Bracken and relates to two issues. One issue relates to a request for more affordable housing in Mountmellick and a request for larger houses to attract a greater selection of people. The second issue is a zoning issues which will be dealt with in the zoning chapter. Peter Dolan accepted the concerns of Cllr Bracken and they were duly noted. He stated that Forward Planning section are continuing to developing standards and procedures in dealing with residential developments. Cllr Bracken stated that these issues were very important and should be noted.

On the proposition of Councillor Tom Jacob and seconded by Councillor Michael Malone, the County Manager's Report as presented was agreed.

### **DMLAP/45**

This submission was received on behalf of Glanbia. It requests expansion of the town centre zoning on the site, it welcomes the residential zoning on the remainder of the site. Gerry Gibson stated that the Glanbia site occupies a strategic location in Mountmellick and the current use is no longer acceptable in this town centre

location. The site has the potential to provide access to backlands at the rear of Patrick St. and also has the potential to link into other roads. The development of this site for town centre use would be a major advantage for Mountmellick. It is recommended that the town centre zoning be increased in accordance with the submission.

On the proposition of Councillor Paddy Bracken and seconded by Councillor Seamus McDonald, the County Manager's Report as presented was agreed.

#### **DMLAP/49**

This submission is from the Department of Environment, Heritage & Local Government, Spatial Policy Section. The Department expresses concerns in relation to Section 1.8 of the Draft Plan and suggested that references be made to the following: assimilative capacity of the Owenass River, wider River Barrow catchments, the impact of new development on the capacity of key aspects of social infrastructure such as schools and achieving a reasonable balance between the development of the town and the wider County. The submission also suggested that a 'Natural Section' should be included in Section 4. The Department made observations and recommendations in relation to the Archaeological, Architectural Heritage, Strategic Environmental Assessment, the Environmental Impact Statement Sections of the Draft Plan (Section 4). Cllr Michael Maloney reiterated that the making of the plan is a function of the elected members. Peter Dolan outlined that the comments and recommendations from the Department have been considered in making the plan and that sections be amended accordingly.

On the proposition of Councillor Paddy Bracken and seconded by Councillor Seamus McDonald, the County Manager's Report as presented was agreed.

Cllr Michael Lalor adjourned the meeting for lunch.

Gerry Gibson outlined the submissions which were received in relation to zoning requests. Cllr Michael Maloney requested that the council return to submission DMLAP/39. However, the members elected to continue with the format presented.

Gerry Gibson requested that the members consider the following in making their decisions regard zoning additional lands in Mountmellick. He stated that the Department of the Environment have made it clear that the level of zoned lands already provided for in the current Mountmellick development plan is such that there is more than ample provision to accommodate any reasonable projected level of population and housing growth for the town and that the full development of even the existing development envelope may have implications for matters such as water quality, the quality of life of the local community and achieving balanced regional growth in the midlands and in Laois.

Effectively, the Department has called for the phased growth of the town along the parameters of the existing development plan and has indicated that adding to the

existing landbank would not be consistent with a strategy for proper planning and sustainable development.

Mountmellick is designated as a Service Town in the Midlands Regional Planning Guidelines.

These towns perform important retail, residential, service and amenity functions for essentially local hinterlands and support nearby gateway and principal towns. Many of these towns have experienced high levels of population growth over the last census period and as a result, the Guidelines envisage that the development of these towns needs to be increasingly aimed at consolidating growth and better matching to the development of relevant supporting physical and social infrastructure.

The population of Mountmellick at the 2006 Census was 3,156. This represents an increase of 631 persons or 25% over the Census of 2002, a period of 4 years.

Since January 1<sup>st</sup> 2002 Planning Permission has been granted for 827 housing units. There are an additional 611 houses currently undecided in the planning system.

There is 142 hectares of land zoned in the Draft Plan which has not been developed. The 611 houses currently in the system equates to 25 hectares of land, deducting this from the land zoned in the Draft Plan leaves 117 hectares of land zoned residential. At a conservative density of 25 houses/hectare, this means that 2,925 housing units could result on this 117hectares.

As a result of submissions received, there are requests to zone 119ha of additional land for residential development. Using the same conservative figure of 25 houses/hectare this would result in 2,995 houses.

Taking the land already zoned residential in the Draft Plan together with that requested in the submission and including the permissions granted but not constructed gives the following projections:

Shows zoning and population projection.

	Undeveloped Hectares	Potential Density/Ha.	Potential Units	Potential Persons/Unit	Potential Population
Existing Zoned Land	117	25	2,925	3	8,775
Requests Zoning	119	25	2,995	3	8,985
Applications Granted 2005			523		1,569
<b>Total</b>	<b>236</b>		<b>6,443</b>		<b>19,329</b>

Using a housing occupancy figure of 3 persons per unit, this gives a total potential population increase of 19,329 for the lifetime of the plan. Even allowing for that granted and only 50% take up of residentially zoned land this would represent a

population increase of 10,449 over the 6 year plan period. Neither the Engineering nor Social Infrastructure of the town has anything near the capacity to deal with this population.

The Regional Planning Guidelines have set out projected population targets for the region and have allocated population growth to specific development areas. The sub area of southern development region is made up of Co Laois. The projected growth in this area, which include all towns, villages and rural areas is 18,000 - 22,000 between now and the year 2020. These projections have been taken into account in preparing The Settlement Strategy contained in The County Development Plan 2006-2012. Care needs to be taken in managing this population growth.

## **Waste Water**

### **Pump Stations**

All foul sewer pump stations in Mountmellick are overloaded. There is no attenuation or storage mechanism installed to deal with storm conditions; this causes in overflows to the Owenass River, public areas and also causes surcharging of sewer network. Greater pump capacity and storage tanks must be provide to relieve these issues.

### **Network**

Elements of the pipe network are in a very poor structural condition or have gradients and diameters that cause the sewer network to surcharge and flood. A number of pipe sections were identified in 2000 and 2004 as requiring refurbishment and/or replacement.

### **River Capacity**

The maximum population equivalent that the river can support using the existing WWTP technology has already been exceeded. The Assimilative Capacity (AC) of the river has been estimated at 2850PE using the current WWTP technology performance. Any future development may further damage the river through excessive BOD and nutrient loads.

### **WWTP Treatment Capacity**

Due to the hydraulic limitations of the WWTP, flooding of untreated waste water to the river occurs on a frequent basis. Due to these limitations, Laois County Council has been summonsed to appear in court for pollution to the Owenass river in 2006. In order to reduce the frequency of flooding to the river an attenuation tank and an upgrade to the inlet works of the WWTP is required.

### **Current WWTP Treatment Standards**

At present, the WWTP regularly under-performs in terms of treatment standards due to the high load placed on the Aeration system. To adequately treat the effluent form the existing population in Mountmellick, improvements are required to the aeration system installed at WWTP.

## **Future WWTP Treatment Standards**

The Assimilative Capacity (AC) of the river determines the upper limit on the population equivalent that can be treated. As this limit has already been reached, future increased in the PE of the town will require that a WWTP with a higher treatment standard must be constructed.

## **Mountmellick Sewerage Improvement Scheme - Phase 1**

The €2.8million funding granted by the DEHLG for the Mountmellick Sewerage Scheme Project Phase 1 will address the hydraulic issues of the network, pump stations and WWTP outlined in sections 1.2, 1.2, 1.4 and 1.5. The project will reduce the level of sewer flooding in the town and will reduce the frequency of overflows to the Owenass River. The project will also provide screen overflows and an improvement to the treatment performance WWTP, reducing the concentration of the waste entering the Owenass River. The estimated timescale for the completion of phase 1 is Quarter 2, 2008.

## **Mountmellick Sewerage Improvement Scheme - Phase 2**

Phase 2 of the Mountmellick Sewerage Improvement Scheme will increase the capacity of the WWTP to cater for an increased town population. The project will also look at the network upgrades and extensions required by the revised town development boundaries. This project is currently on the Assessment of Needs and will appear on the Water Services Investment Programme 2007-2009. It will be approximately 5-6 years for the scheme to be completed.

## **Water Supply**

### **Supply**

The Surface Water source and treatment system currently in operation are not capable of achieving the Drinking Water Standards. The Water Treatment Plant (WTP) is operating at capacity and during periods of dry weather, water supply barely meets the demand of the existing population.

### **Quality**

The drinking water suffers from a number of quality issues that need to be addressed by the provision of new water sources and alternative treatment technologies.

## **ZONING**

**DMLAP, 02, 03, 04, 05, 06, 07, 08, 10, 11, 12, 13, 14, 17, 19, 20, 22, 24, 28, 29, 30, 31, 32, 33, 36, 37, 38, 40, 41, 42, 44, 47,**

### **DMLAP/02**

This submission is from Cyril Morris, Debbicot, Mountmellick. It is a request to have 10.360ha of land zoned for residential development. Gerry Gibson recommended that this land should not be zoned. The reasons outlined earlier sets out the implication of incremental zoning. The future development of Mountmellick including social impacts is dependent on a responsible approach particularly in relation to residential zoning.

The County Manager, Peter Carey stated that a responsible approach to zoning of lands in Mountmellick was needed. The amount of land proposed to be zoned in the Draft Plan would lead to an extra 10,000 population if all the lands were developed. Cllr Michael Maloney queried the situation regard to sewage treatment capacity in Mountmellick and the issue of the €3.5m which has been allocated for improvements. Cllr Seamus McDonald agreed with Cllr Maloney. Cllr Paddy Bracken wanted to know when these basic services were going to be provided, whilst acknowledging what the Manger had done for Mountmellick. Cllr Gerry Lodge said that he was aware of the issues regarding the treatment works but that the Department of Environment were using a "very restrictive tone" with regard development in Mountmellick and they had done this in the County Development Plan and the Portlaoise Local Area Plan. He stated that he didn't agree with the Managers Report on this occasion. Cllr Paul Mitchell wanted to know why the upgrade of the system hadn't taken place. Cllr Willie Aird stated that competition in zoned lands would lead to lower house prices which affect first time buyers. Cllr Mary Sweeney disagreed and stated that the zoning of additional lands wouldn't affect the price of lands. Gerry Gibson pointed out that there adequate lands already zoned in Mountmellick.

On the proposition of Councillor John Bonham and seconded by Councillor Mary Sweeney the County Manager's Report as presented was agreed.

A roll call vote was taken on Councillor Bonham's 'proposal which resulted as follows:

COUNCILLOR	FOR	Against	Absent
Name			
William Aird		✓	
John Bonham			
Patrick Bracken	✓	✓	
Raymond Cribbin		✓	
James Daly	✓		
James Deegan	✓		
Bill Delaney	✓		
John Joe Fennelly	✓		
Catherine Fitzgerald	✓	✓	
David Goodwin			
Thomas Jacob	✓		
Michael Lalor	✓		
Jeremiah Lodge		✓	
Seamus McDonald		✓	

Dick Miller	✓		
Paul Mitchell	✓		
Michael Moloney		✓	
John Moran			
Brendan Phelan		✓	
Martin Phelan		✓	
Michael Rice			✓
Brian Stanley		✓	
Mary Sweeney	✓		
John D. Turley			✓
<b>TOTAL</b>	<b>12</b>	<b>10</b>	<b>3</b>

The result of the Roll Call was 12 votes for the proposal and 10 against. The Cathaoirleach declared the recommendations by Cllr John Bonham for Submission DMLAP/02 as presented by Managers Report to have been adopted.

### **DMLAP/03,**

This submission is on behalf of Gerry Gorman. It is a request to have 8.9 hectares of land on the western side of Mountmellick zoned for residential purposes it also relates to submission DMLAP/10 . Cllr Paddy Bracken requested that the lands be zoned, that it would lead to quality developing and Cllr Seamus Mc Donald also stated the Mountmellick was 'crying out' for development. Gerry Gibson recommended that this land should not be zoned for the reasons outlined earlier as regards implication of incremental zoning. The future development of Mountmellick including social impacts is dependent on a responsible approach particularly in relation to residential zoning. Cllr John Bonham and seconded by Cllr James Deegan recommended the Managers Report on submission DMLAP/03.

On the proposition of Councillor Paddy Bracken and seconded by Councillor Seamus McDonald the County Manager's Report as presented be rejected.

A roll call vote was taken on Councillor Bonham's proposal which resulted as follows:

<b>COUNCILLOR</b>	<b>FOR</b>	<b>Against</b>	<b>Absent</b>
Name			
William Aird		✓	
John Bonham		✓	
Patrick Bracken	✓		
Raymond Cribbin	✓		
James Daly		✓	

James Deegan		✓	
Bill Delaney		✓	
John Joe Fennelly		✓	
Catherine Fitzgerald		✓	
David Goodwin	✓		
Thomas Jacob		✓	
Michael Lalor		✓	
Jeremiah Lodge		✓	
Seamus McDonald	✓		
Dick Miller		✓	
Paul Mitchell		✓	
Michael Moloney	✓		
John Moran		✓	
Brendan Phelan	✓		
Martin Phelan		✓	
Michael Rice			✓
Brian Stanley		✓	
Mary Sweeney		✓	
John D. Turley			✓
TOTAL	6	16	3

The result of the Roll Call was 16 votes for the proposal and 6 against. The Cathaoirleach declared the recommendations as presented by Managers Report to have been adopted.

#### **DMLAP/04**

This submission is on behalf of Messrs Joe and Vincent Byrne. It requests to have the zoning of lands at the junction of Davitt Road and Connolly Street changed from Industry and Enterprise to General Business. The submission lists the benefits of the change as traffic safety, parking, employment and commercial opportunities for Mountmellick. Gerry Gibson stated that this industrial zoning not be changed because of the likely impact that this change of zoning would have on the town centre. The zoning matrix in the Draft Plan provides a wide range of activities and uses that could take place on industrially zoned land and these can be dealt with in terms of planning applications. Cllr Dave Goodwin and seconded by Cllr Michael Maloney stated that the managers report be rejected. There were no dissenting voices.



#### **DMALP/05**

This submission is on behalf of Mr Aidan Daly. It is a request to have 7.72HA (19.08 acres) of land at Ballycullenbeg on the Emo Road, zoned residential. Gerry Gibson stated that these lands should not be zoned. For the reason as outlined earlier by Gerry Gibson in relation to the implication of incremental zoning The future development of Mountmellick including social impacts is dependent on a responsible approach particularly in relation to residential zoning.

On the proposition of Councillor John Bonham and seconded by Councillor Marty Phelan the County Manager's Report as presented was agreed.

#### **DMLAP/06**

This submission is from Aidan & Colette Daly. It is a request to have 1.650ha of lands at Graigue zoned residential. Gerry Gibson stated that these lands should not be zoned. For the reason outlined earlier in relation to the implication of incremental zoning. Cllr Gerry Lodge stated that it was only in the region of three acres and recommended the change in zoning. Cllr Brendan Phelan stated by zoning the lands it wouldn't necessary be build on and people should be given the opportunity to buy at a reasonable price. Gerry Gibson stated that the Draft Plan has already zoned enough land.

On the proposition of Councillor John Bonham and seconded by Councillor James Daly the County Manager's Report as presented was agreed.

#### **DMLAP/07**

This submission is from Richard Whelan. It requests that lands at Debbicott be zoned for residential development of 'one-off' housing. . Gerry Gibson stated that these lands should not be zoned as outlined earlier in relation to the implication of incremental zoning. He also stated that these lands should not be zoned as zoning provisions can not be practically applied to "one off housing" on the edge of large urban areas.

On the proposition of Councillor John Moran and seconded by Councillor Mary Sweeney the County Manager's Report as presented was agreed.

#### **DMLAP/08, DMLAP/12**

This submission is from Ger Dunne. It requests that the town centre zoning be extended to include additional lands at Emmet Street. Gerry Gibson stated that this submission is linked to DMLAP/12 and the submission requests that the town centre zoning be extended along Emmet St. and it is recommended that the area zoned be extended.

On the proposition of Councillor Dave Goodwin and seconded by Councillor Brian Stanley the County Manager's Report as presented was agreed.

### **DMLAP/10**

This submission is from Gerry Gorman. It is a request to have 8.9 hectares of land on the western side of Mountmellick zoned for residential purposes, (relates to submission DMLAP/03). Gerry Gibson stated that these lands should not be zoned for the reasons outlined earlier in relation to the implication of incremental zoning. On the proposition of Councillor James Deegan and seconded by Councillor Mary Sweeney the County Manager's Report as presented was agreed.

### **DMLAP/11**

This submission is on behalf of Mr Gordon Lalor. It requests the zoning of 7.79HA of land at Starhard, Portarlinton Road, be zoned for residential use. The submission states that land is fully serviced and inside the speed limits. Gerry Gibson stated that these lands should not be zoned for the reasons outlined earlier in relation to the implication of incremental zoning. The future development of Mountmellick including social impacts is dependent on a responsible approach particularly in relation to residential zoning. Cllr Paddy Bracken stated that the proposal as outlined in the Managers Report was unreasonable. Cllr Seamus McDonald supported Cllr Bracken.

On the proposition of Councillor John Moran and seconded by Councillor John Bonham the County Manager's Report as presented was reasonable.

A roll call vote was taken on Councillor John Moran's proposal which resulted as follows:

<b>COUNCILLOR</b>	<b>Against</b>	<b>For</b>	<b>Absent</b>
Name			
William Aird		✓	
John Bonham	✓		
Patrick Bracken		✓	
Raymond Cribbin		✓	
James Daly	✓		
James Deegan	✓		
Bill Delaney		✓	
John Joe Fennelly		✓	
Catherine Fitzgerald		✓	
David Goodwin		✓	
Thomas Jacob	✓		
Michael Lalor	✓		
Jeremiah Lodge		✓	
Seamus McDonald		✓	

Dick Miller		√	
Paul Mitchell	√		
Michael Moloney	√		
John Moran	√		
Brendan Phelan		√	
Martin Phelan		√	
Michael Rice			√
Brian Stanley	√		
Mary Sweeney	√		
John D. Turley			√
<b>TOTAL</b>	<b>9</b>	<b>13</b>	<b>3</b>

The result of the Roll Call was 13 votes for the proposal and 9 against. The Cathaoirleach declared the recommendations as presented by Managers Report to have been adopted.

### **DMLAP/13**

This submission is on behalf of Frank Delaney. It requests that 20.5 acres of land at Debbicot be zoned for residential use. Gerry Gibson stated that these lands should not be zoned for the reasons outlined earlier. The future development of Mountmellick including social impacts is dependent on a responsible approach particularly in relation to residential zoning. Cllr Tom Jacob asked the members to consider zoning the lands industrial. Gerry Gibson informed the council that this was a legal submission and can only deal with the request which was submitted during the display period. Cllr Michael Maloney stated that it was a good submission and that the lands were situated near the motorway and that the members should consider rezoning the lands.

Cllr Tom Jacob stated that the proposal as outlined in the Managers Report was unreasonable. Cllr Brian Stanely supported Cllr Jacob.

A roll call vote was taken on Councillor Tom Jacob's proposal which resulted as follows:

<b>COUNCILLOR</b>	<b>FOR</b>	<b>Against</b>	<b>Absent</b>
Name			
William Aird	√		
John Bonham	√		
Patrick Bracken	√		
Raymond Cribbin	√		

James Daly	✓		
James Deegan	✓		
Bill Delaney	✓		
John Joe Fennelly	✓		
Catherine Fitzgerald			abstain
David Goodwin	✓		
Thomas Jacob	✓		
Michael Lalor	✓		
Jeremiah Lodge	✓		
Seamus McDonald	✓		
Dick Miller	✓		
Paul Mitchell	✓		
Michael Moloney	✓		
John Moran	✓		
Brendan Phelan			abstain
Martin Phelan	✓		
Michael Rice			✓
Brian Stanley	✓		
Mary Sweeney	✓		
John D. Turley			✓
<b>TOTAL</b>	<b>20</b>		<b>2</b>

The result of the Roll Call was 20 votes for the proposal and 2 abstentions. The Cathaoirleach declared the recommendations by Cllr Tom Jacob for Submission DMLAP/13 as presented by Cllr Jacob to have been adopted.

#### **DMLAP/14**

This submission is from Kilgallen & Partners on behalf of Eamonn Wall. It requests that two parcels of land 1.7 hectares and 0.89 hectares respectively between the Birr Road and Manor Street be zoned for Residential Development. Gerry Gibson stated that these lands should not be zoned. For the reasons outlined earlier it sets out the implication of incremental zoning. The future development of Mountmellick including social impacts is dependent on a responsible approach particularly in relation to residential zoning.

Cllr David Goodwin stated that the proposal as outlined in the Managers Report was unreasonable. Cllr Paddy Bracken supported Cllr Goodwin.

A roll call vote was taken on Councillor David Goodwin's proposal which resulted as follows:

<b>COUNCILLOR</b>	<b>Against</b>	<b>For</b>	<b>Absent</b>
Name			
William Aird		✓	
John Bonham		✓	
Patrick Bracken	✓		
Raymond Cribbin		✓	
James Daly	✓		
James Deegan		✓	
Bill Delaney	✓		
John Joe Fennelly		✓	
Catherine Fitzgerald		✓	
David Goodwin	✓		
Thomas Jacob	✓		
Michael Lalor		✓	
Jeremiah Lodge	✓		
Seamus McDonald		✓	
Dick Miller		✓	
Paul Mitchell		✓	
Michael Moloney		✓	
John Moran			✓
Brendan Phelan		✓	
Martin Phelan		✓	
Michael Rice		✓	
Brian Stanley		✓	
Mary Sweeney			✓
John D. Turley			✓
<b>TOTAL</b>	6	16	

The result of the Roll Call was 16 votes for the proposal and 6 against. The Cathaoirleach declared the recommendations by Cllr David Goodwin for Submission DMLAP/14 as presented by Cllr Goodwin to have been adopted.

### **DMLAP/17, DMLAP/20, DMLAP/24, and DMLAP/42**

This is a detailed submission is from Gary Falkner. It objects to the zoning of industrial lands at Derrycloney/Derryguile. Concern is expressed that the site will be used for retail distribution. The submission considers that there is an excess of industrial zoned land in Co. Laois. In the context of employment and development the submission elaborates on the industrial zoning of Derryguile and expresses opposition on the grounds of proper planning and development stating that it represents 'an uncoordinated planning approach based on the needs of individual land owners rather than a balanced plan'. In terms of residential development the point is made that a good mix of density and house size and type, 'focussing on the needs of affordable housing rather than encouraging commuters moving out of Dublin'. The submission suggests rezoning residential land for industrial purposes rather than zoning land at Derrycloney. In terms of Roads and Transportation, the submission supports the Orbital Routes however it suggests that West-North-East Link would take motorway traffic going to Tullamore and beyond out of town

Cllr James Deegan stated that this submission was linked directly to submissions DMLAP/20, DMLAP/24, and DMLAP/42 and that they should be taken together.

Peter Dolan outlined that this submission deals with many of the Quality of Life issues which are being addressed in the policies and objectives of the plan and the ongoing work of the Forward Planning Section. He also stated that there is a strong possibility that development may occur on these lands, which would increase much needed employment in Mountmellick and would help stop the exodus to the Greater Dublin Area and lead to sustainable development. Cllr Paddy Bracken and seconded by Cllr Seamus McDonald supported the Managers response to the submission. Cllr Paddy Bracken welcomed the zoning of the lands at Derryguile and stated that is had great prospects and was a well needed boost for Mountmellick.

Cllr Michael Maloney stated that the proposal as outlined in the Managers Report was unreasonable. Cllr John Bonham supported Cllr Maloney.

A roll call vote was taken on Councillor Maloney's proposal which resulted as follows:

<b>COUNCILLOR</b>	<b>Against</b>	<b>For</b>	<b>Absent</b>
Name			
William Aird		✓	
John Bonham		✓	
Patrick Bracken	✓		
Raymond Cribbin	✓		
James Daly		✓	
James Deegan	✓	✓	
Bill Delaney	✓		
John Joe Fennelly	✓		

Catherine Fitzgerald	✓		
David Goodwin		✓	
Thomas Jacob		✓	
Michael Lalor		✓	
Jeremiah Lodge	✓		
Seamus McDonald	✓		
Dick Miller		✓	
Paul Mitchell		✓	
Michael Moloney		✓	
John Moran		✓	
Brendan Phelan	✓		
Martin Phelan		✓	
Michael Rice			✓
Brian Stanley		✓	
Mary Sweeney		✓	
John D. Turley			✓
<b>TOTAL</b>	<b>9</b>	<b>13</b>	

The result of the Roll Call was 13 votes for the proposal and 9 against. The Cathaoirleach declared the County Manager's recommendations for Submissions DMLAP/17, DMLAP20, DMLAP24, DMLAP42 as presented by Cllr Michael Maloney to have been adopted.

#### **DMLAP19**

This submission is from the Parents Council of Scoil Phadraig Naofa. It objects to the amount of land zoned residential on Davitt Road and expresses serious concerns about overcrowding issues in schools at present and express their difficulties in relation to expansion plans for the school. Peter Dolan outlined that the concerns were noted and was very much part of the focus currently being given to the provision of social infrastructure for towns and villages in the county. He stated that ongoing discussions were taking place with the Department of Education and other State organisations with regard to devising mechanisms under which social infrastructure can be provided.

On the proposition of Councillor John Moran and seconded by Councillor John Bonham the County Manager's Report as presented was agreed.

#### **DMLAP/22**

This submission is from Cllr Michael Maloney. It requests to designate lands at Ballycullenbeg for service sector, distribution and warehousing services. He

suggested that the outer boundary of the zoning be part of Mountmellick Orbital Route with a section of the road to be built by the developer outright or jointly with Central Local Government funding. He also stated that a detailed master plan should be integral to the zoning of these lands. Peter Dolan stated that there were sufficient lands zoned in Mountmellick to cater for service sector, distribution and warehousing.

On the proposition of Councillor Dick Miller and seconded by Councillor Paddy Bracken the County Manager's Report as presented was agreed.

#### **DMLAP/28**

This submission is on behalf of Mr Joe Culliton and Mr John Horrigan. It requests that lands off Davitt Rd to be rezoned for the purpose of residential, commercial, recreational and institutional development and some to be rezoned for residential development. Peter Dolan stated that it is not recommended that these lands be zoned. He stated that this is a proposal to zone a large tract of land outside the development boundary and development of the scale envisaged in the submission would have serious consequences for the physical and social infrastructure of Mountmellick.

On the proposition of Councillor John Moran and seconded by Councillor James Daly the County Manager's Report as presented was agreed.

#### **DMLAP/29**

This submission is from Daniel Keane on behalf of a client in relation to rezoning of lands as town centre to residential. Peter Dolan stated that the land lies within a Special Area of Conservation and the issue of designation of Special Areas of Conservation is a matter for the department of Environment. Therefore he said that no recommendation is required.

On the proposition of Councillor John Bonham and seconded by Councillor Marty Phelan the County Manager's Report as presented was agreed.

#### **DMLAP/30**

This submission is on behalf of Gerard and Fergal Rochford. It requests that zoning of 6.32 acres of land at Townspark be changed from Industry/Enterprise to residential. Peter Dolan recommended that these lands should not be zoned. As outlined earlier in the introduction to the zoning submissions, it sets out the implication of incremental zoning.

On the proposition of Councillor John Bonham and seconded by Councillor James Daly the County Manager's Report as presented was agreed.

#### **DMLAP/31**

This submission is on behalf of Gerard and Fergal Rochford. It requests 8.77 acres of land at Bay Rd to be zoned for Industry/Enterprise. Peter Dolan stated that this area is an extension of the existing enterprise area on Bay Rd., and recommended the zoning.



On the proposition of Councillor John Bonham and seconded by Councillor James Daly the County Manager's Report as presented was agreed.

### **DMLAP/32**

This submission is from Liam McEvoy. It requests that two plots of lands, 14.6 hectares and 6 hectares, be zoned residential. Peter Dolan recommended that these lands should not be zoned. As outlined earlier in the introduction to the zoning submissions, it sets out the implication of incremental zoning. Gerry Gibson went on record to state by zoning this amount of land is equivalent to a potential population of 350 persons and the services were inadequate. Peter Carey also stated that this would be bad planning from every aspect. Cllr Willie Aird sought an adjournment to study the submission. Cllr Bill Delaney and seconded by Cllr John Moran supported the Managers response to the submission.

Cllr Paddy Bracken stated that the proposal to zone the 6 Ha of lands was reasonable. Cllr Seamus McDonald supported Cllr Bracken.

A roll call vote was taken on Councillor Bracken's proposal which resulted as follows:

<b>COUNCILLOR</b>	<b>FOR</b>	<b>Against</b>	<b>Absent</b>
Name			
William Aird	✓		
John Bonham	✓		
Patrick Bracken	✓		
Raymond Cribbin	✓		
James Daly	✓		
James Deegan	✓		
Bill Delaney		✓	
John Joe Fennelly		✓	
Catherine Fitzgerald		✓	
David Goodwin	✓		
Thomas Jacob	✓		
Michael Lalor		✓	
Jeremiah Lodge	✓		
Seamus McDonald	✓		
Dick Miller		✓	
Paul Mitchell	✓		
Michael Moloney	✓		
John Moran		✓	

Brendan Phelan	√		
Martin Phelan	√		
Michael Rice			√
Brian Stanley	√		
Mary Sweeney	√		
John D. Turley			√
<b>TOTAL</b>	16	6	

The result of the Roll Call was 16 votes for the proposal and 6 against. The Cathaoirleach declared Councillor Brackens recommendations for Submissions DMLAP/32 to zone the 6HA as presented by Cllr Bracken to have been adopted.

### **DMLAP/33**

This submission is on behalf of Sean Horan. It requests the changing of lands at Irishtown zoned from general business to residential whilst retaining some zoning of general business. Gerry Gibson stated that these lands should not be zoned. For the reasons outlined earlier.

On the proposition of Councillor John Moran and seconded by Councillor John Bonham the County Manager's Report as presented was agreed.

### **DMLAP/36**

This submission is from Gerry Savage. It requests that lands zoned industrial be changed to residential/mixed use at Derryguile. . Gerry Gibson stated that these lands should not be zoned. for the reasons outlined earlier.

On the proposition of Councillor James Deegan and seconded by Councillor Mary Sweeney the County Manager's Report as presented was agreed.

### **DMLAP/37**

This submission is from DP Cleary Surveying Consultant on behalf of Aidan Daly. It requests that land of 1.477 hectares be zoned residential at Graigue. Gerry Gibson stated that these lands should not be zoned. For the reasons outlined earlier it sets out the implication of incremental zoning.

On the proposition of Councillor Mary Sweeney and seconded by Councillor John Bonham the County Manager's Report as presented was agreed.

### **DMLAP/38**

This submission if from Patrick J Knowles on behalf of PJ Kearns. It requests that lands of 8.06 acres be zoned residential at Acragar. Gerry Gibson stated that these lands should not be zoned. For the reasons outlined earlier it sets out the implication of incremental zoning.

Cllr Dave Goodwin stated that the proposal as outlined in the Managers Report was unreasonable. Cllr James Daly supported Cllr Goodwin.

A roll call vote was taken on Councillor Goodwin's proposal which resulted as follows:

COUNCILLOR	FOR	Against	Absent
Name			
William Aird	✓		
John Bonham		✓	
Patrick Bracken	✓		
Raymond Cribbin	✓		
James Daly	✓		
James Deegan	✓		
Bill Delaney		✓	
John Joe Fennelly	✓		
Catherine Fitzgerald	✓		
David Goodwin	✓		
Thomas Jacob	✓		
Michael Lalor		✓	
Jeremiah Lodge	✓		
Seamus McDonald	✓		
Dick Miller	✓		
Paul Mitchell		✓	
Michael Moloney		✓	
John Moran	✓		
Brendan Phelan	✓		
Martin Phelan	✓		
Michael Rice			✓
Brian Stanley	✓		
Mary Sweeney	✓		
John D. Turley			✓
<b>TOTAL</b>	17	5	

The result of the Roll Call was 17 votes for the proposal and 5 against. The Cathaoirleach declared Councillor Goodwin's recommendations for Submission DMLAP/38 as presented by Cllr Goodwin to have been adopted.

#### **DMLAP/40**

This submission is from Patrick J Knowles on behalf of PJ Kearns. It requests that lands be zoned residential at Acragar. Gerry Gibson stated that these lands should

not be zoned. For the reasons outlined earlier it sets out the implication of incremental zoning. Cllr Goodwin stated that this was similar to submission DMLAP/38 and the lands should be zoned. Cllr Maloney stated that money need to be spent on services. Peter Carey stated that the lands were land locked and was not in favour of the zoning. Cllr Fitzgerald was in favour of the Managers Report and was seconded by Cllr Sweeney.

Cllr Dave Goodwin stated that the proposal as outlined in the Managers Report was unreasonable. Cllr James Daly supported Cllr Goodwin.

A roll call vote was taken on Councillor Goodwin's proposal which resulted as follows:

COUNCILLOR	FOR	Against	Absent
Name			
William Aird	✓		
John Bonham		✓	
Patrick Bracken	✓		
Raymond Cribbin	✓		
James Daly	✓		
James Deegan	✓		
Bill Delaney	✓		
John Joe Fennelly	✓		
Catherine Fitzgerald		✓	
David Goodwin	✓		
Thomas Jacob	✓		
Michael Lalor		✓	
Jeremiah Lodge	✓		
Seamus McDonald	✓		
Dick Miller	✓		
Paul Mitchell		✓	
Michael Moloney		✓	
John Moran	✓		
Brendan Phelan	✓		
Martin Phelan	✓		
Michael Rice			✓
Brian Stanley	✓		
Mary Sweeney	✓		
John D. Turley			✓
<b>TOTAL</b>	17	5	

The result of the Roll Call was 17 votes for the proposal and 5 against. The Cathaoirleach declared the Managers Report recommendations for Submission DMLAP/38 as presented by to the Councillors to have been adopted.

**DMLAP/41, DMLAP/47**

Submission DMLAP/41 is from Fr Francis McNamara. It requests that all 9 acres of lands at Smiths Field rezoned from recreational to residential. Submission DMLAP/47 was from Cllr Patrick Bracken. It objects to the zoning of lands at Smiths Field. It was agreed that these two submissions would be taken together. Gerry Gibson stated that these lands should not be zoned. He stated that the lands are adjacent to the most deprived area in Mountmellick and would be saddened to see the lands zoned. Cllr Paddy Bracken stated that these lands should remain as open space. Cllr Seamus McDonald agreed with Cllr Bracken He said he understood both sides of the argument but that zoning this land would lead to social depravation in the area. He further added that no guarantee that the lands, if zoned, would be used for what it was supposed to be. Cllr Goodwin stated that Fr McNamara was not a speculator and he had great belief in what Fr McNamara was requesting. He said he would be very happy to see the lands zoned as it would be an extension of further development. Cllr Michael Maloney was in favour of zoning the land but that six acres could only be zoned for residential and three acres left as open space. Cllr John Bonham stated that there was a need for voluntary housing in Mountmellick and an over 55's programme was needed. He said the idea was a good one but not to zone the total nine acres for residential. Cllr Stanley stated also it was a good idea to integrate returning immigrants to the area but only to zoned some of the land residential. He suggested a masterplan should be produced for the area. Cllr Dave Goodwin stated that the proposal as outlined in the Managers Report was unreasonable. Cllr Michael Malone supported Cllr Goodwin.

A roll call vote was taken on Councillor Goodwin's proposal which resulted as follows:

COUNCILLOR	FOR	Against	Absent
Name			
William Aird	✓		
John Bonham	✓		
Patrick Bracken		✓	
Raymond Cribbin		✓	
James Daly	✓		
James Deegan	✓		
Bill Delaney	✓		
John Joe Fennelly		✓	
Catherine Fitzgerald		✓	

David Goodwin	✓		
Thomas Jacob	✓		
Michael Lalor	✓		
Jeremiah Lodge		✓	
Seamus McDonald		✓	
Dick Miller	✓		
Paul Mitchell	✓		
Michael Moloney	✓		
John Moran	✓		
Brendan Phelan	✓		
Martin Phelan	✓		
Michael Rice			✓
Brian Stanley	✓		
Mary Sweeney	✓		✓
John D. Turley	16	6	
<b>TOTAL</b>			

The result of the Roll Call was 16 votes for the proposal and 6 against. The Cathaoirleach declared Cllr Goodwin recommendation for Submission DMLAP/41, to have six acres zoned residential and remainder zoned as recreational as presented by to the Councillors to have been adopted.

#### **DMLAP/44**

This submission is on behalf of Mr Donal William. It requests that lands be zoned residential. Gerry Gibson stated that these lands should not be zoned.

On the proposition of Councillor Mary Sweeney and seconded by Councillor John Bonham the County Manager's Report as presented was agreed.

#### **DMLAP/39**

The council agreed to deal with this submission on behalf of Owenass Developments Ltd. It requests the widening of uses of the matrix of industrial to include other uses. Cllr John Bonham stated that any matrix in use by the Council, be it for the County Development Plan or the town should be consistent with each other. Cllr. James Daly supported Cllr Bonham. Cllr Michael Maloney expressed concerns about public houses and hotel type being allowed. On the proposition of Councillor James Daly and seconded by Councillor John Bonham the County Manager's Report as presented was agreed.

County Manager, Peter Carey acknowledged that this stage of making the Draft Plan for Mountmellick was now completed. He stated that some good decisions had been made and some not so good. He acknowledge the planning department in making the plan.

This concluded the business of the meeting.

**Signed:**

\_\_\_\_\_ **Cathaoirleach**

\_\_\_\_\_ **Director of Corporate Affairs**