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**MIONTUAIRISCÍ NA CRUINNITHE SPEISIALTA PLEANÁLA DE COMHAIRLE  
CONTAE CHIARRAÍ A THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN  
CHONTAE, TRÁ LÍ, AR AN DEARDAOIN 1 MEAN FÓMHAIR 2014.**

**MINUTES OF THE SPECIAL PLANNING MEETING OF KERRY COUNTY  
COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE,  
TRALEE ON THURSDAY 1<sup>ST</sup> SEPTEMBER 2014.**

**PRESENT/I LÁTHAIR**

**Counillors/Comhairleoirí**

J. Brassil	R. Beasley	M. Cahill
P. Connor-Scarteen	B. Cronin	J.J. Culloty
P. Daly	T. Ferris	J. Finucane
S. Fitzgerald	J. F. Flynn	N. Foley
M. Gleeson	D. Grady	D. Healy-Rae
J. Healy-Rae	N. Kelleher	M. Kennelly
S. Locke	D. McCarthy	P. McCarthy
T. McEllistrim	J. Moloney	N. Moriarty
D. Nolan	T. O'Brien	B. O'Connell
M. O'Shea	D. Quigg	J. Sheahan
G. Spring	A. Thornton	

**IN ATTENDANCE/I LÁTHAIR**

Ms. M. Murrell, Chief Executive	Mr. M. McMahon, Dir.Job C./Sust. Ec. Dev.
Mr. C. O'Sullivan, Dir. Op., H&S	Mr. P. Stack, SE Planning
Mr. O. Ring, IW Operations	Mr. J. Breen, Dir. Sus. Comm./Quality of Life
Mr. G. O'Brien, Meetings Admin.	Mr. D. O'Malley, Sen. Exec. Planner
Mr. E. Fleming, Executive Planner	Mr. A. Doyle, Executive Planner
Mr. D. Burke, Assistant Planner	Ms. C. Fisher, Biodiversity Officer
Mr. E. Kelleher, Assistant Planner	Mr. P. Corkery, Press & Comm. Off.
Ms. B. Reidy, SSO Corporate Affairs	Ms. N. O'Connor, A.S.O. Planning
Ms. M. Galvin, C.O. Corp. Affairs	

The meeting commenced at 2.05 pm.

The Cathaoirleach, Cllr. J. Brassil took the Chair.

**Vote of congratulations to the Kerry Senior Football Team**

The Cathaoirleach congratulated the Kerry Senior Football Team on their magnificent win the previous Saturday in the All Ireland Semi Final and he wished them well for the Final.

### **Start time of the Budget Meeting on LPT**

The Cathaoirleach informed the meeting it was previously agreed to commence the Budget Meeting on LPT at 10.30am and he suggested that the start time would be 2pm.

Cllr. J. Finucane PROPOSED that this meeting would commence at 2pm.

Cllr. J. Sheahan SECONDED this proposal.

Cllr. D. Healy-Rae said the Budget Meeting should commence in the morning as it is a very important meeting.

Cllr. J. Healy-Rae said the Municipal District meetings are getting priority over full Council meetings. The fact that next Monday is the day after the All Ireland Final is irrelevant. He added that the Special Planning Meeting should have commenced in the morning.

Mr. G. O'Brien said there is a clear distinction between Electoral Area Meetings and Municipal District Meetings as statutory business must be dealt with at Municipal District Meetings.

Cllr. D. Grady said 2pm is too late and all full Council meetings should commence in the morning.

The Cathaoirleach said there is an incredibly busy schedule of meetings for September and it is proposed to commence the Budget Meeting at 2pm.

Cllr. J. Healy-Rae said he wanted all full Council meetings to commence at 10.30am and other meetings can fit around that. He PROPOSED that Mondays would be ring fenced for full Council meetings.

Mr. G. O'Brien pointed out that members set the days and dates for Municipal District meetings.

Following a discussion it was agreed that the Budget Meeting in relation to LPT would be held on Monday 22<sup>nd</sup> September, 2014 commencing at 2pm.

### **14.09.01.02 Date for a further Special Planning Meeting**

Cllr. N. Foley PROPOSED that the Special Planning Meeting to conclude consideration of the Chief Executive's Report on submissions received to the Draft Kerry County Development Plan 2015 -2021 would be held on Thursday 11<sup>th</sup> September, 2014.

Cllr. M. Kennelly SECONDED this proposal.

Cllr. J. Healy-Rae PROPOSED that the Special Planning Meeting would be held on Friday 11<sup>th</sup> September, 2014 as planned.

Cllr. D. Healy-Rae SECONDED this proposal.

The Chief Executive said it will be necessary to hold a CPG Meeting on the 12<sup>th</sup> September as legislation on the Budget requires that the CPG is consulted. Therefore the Special Planning Meeting would have to commence later in the day.

Mr. G. O'Brien informed the meeting that a vote would be taken on whether the Special Planning Meeting would be held on Thursday 11<sup>th</sup> September as proposed by Cllr. N. Foley and seconded by Cllr. M. Kennelly or on Friday 12<sup>th</sup> September as proposed by Cllr. J. Healy-Rae and seconded by Cllr. D. Healy-Rae.

The vote resulted as follows:

- For 11<sup>th</sup> Sept.:** Cllrs. Beasley, Cronin, Culloty, Finucane, Flynn, Foley, Gleeson, Kelleher, Kennelly, P. McCarthy, McEllistrim, Moloney, Moriarty, Nolan, O'Connell, O'Shea, Quigg, Sheahan, Spring, Thornton **(20)**
- For 12<sup>th</sup> Sept.:** Cllrs. Connor-Scarteen, Daly, Ferris, Grady, D. Healy-Rae, J. Healy-Rae, Locke, D. McCarthy, O'Brien, Brassil **(10)**
- Not Voting:** None **(0)**

The Cathaoirleach declared that the Special Planning Meeting would be held on Thursday 11<sup>th</sup> September at 10.30am.

### **Training for elected members**

Mr. G. O'Brien referred members to Item 3 on the Agenda and said the reason approval is required for members to attend these training events is that the first training event will be held prior to the September Council Meeting. He asked that members would notify their interest in attending any of these events to Ms. M. Galvin before the end of the meeting. The events to be held in October and November will appear on the September Agenda.

### **Members Duties under Ethics Legislation**

The Cathaoirleach informed members that he wished to remind them of their duties under Part 15 (Ethics Framework) of the Local Government Act 2001 and the Code of Conduct for councillors. He then read the following statement into the record of the meeting.

"Councillors should be aware that the onus for complying with the requirement of the Act and the Code of Conduct lies with each individual councillors. Under the beneficial interest provision and should that provision apply, a councillor must

- (1) Disclose the nature of his/her interest or the fact of a connected persons interest at the meeting and before discussion or consideration of the matter commences and

- (2) Withdraw from the meeting for so long as the matter is being discussed or considered, and accordingly, he/she shall take no part in the discussion or consideration of the matter and shall refrain from voting in relation to it.”

In conclusion the Cathaoirleach informed members that there could be no interaction with members of the public during the meeting.

#### **14.09.01.01 Consideration of the Chief Executive’s Report on submissions received on the Draft Kerry County Development Plan 2015 – 2021**

The Cathaoirleach said they would start at Chapter 3 Settlement Strategy and he called on Mr. P. Stack to brief members on this Chapter.

### **Chapter 3 Settlement Strategy**

Mr. Stack briefed members on this Chapter as follows:

The submissions have been divided into the main headings of **3.1** Settlement Hierarchy, **3.3** Rural Settlement Strategy and **3.4** Urban Settlement Strategy.

#### **3.1 Settlement Hierarchy / 3.3 Rural Settlement Strategy**

A number of submissions (but principally submissions (21, 40, 78, 87, 132, 150, 151, 303, 326) address the **Settlement Hierarchy and Rural Settlement Strategy**, as follows:-

- It is essential that planning permission is granted to individual one-off housing for immediate family members on family farms and land holdings, subject to compliance with normal planning criteria and environmental protection considerations. This must include not only immediate family members operating the family farm but also family members that had migrated for educational and/or work requirements and now wish to live and work in their local area.
- Facilitate young families from Killarney Town who want to move outside of the town to build a house for themselves near their families in rural areas.
- Villages and towns should be developed in a design led fashion and the speculation in housing to be replaced by innovation of design. It should be a priority to develop the villages and towns rather than compounding the mistakes with non stop sprawl into the countryside.
- It is stated that objective RS-10 is far too restrictive and should be amended to provide dwellings for persons who were raised in the rural community or can otherwise show ties to, or a need to live in, that community.

- It is suggested that Section 3.3.4 regarding Holiday Homes should be amended to include any person who is either a son/ daughter of a person permanently resident in the area for more than 10 years.
- Give favourable consideration to applicants who want to build permanent residences for themselves in rural areas that have become seriously depopulated.
- There should be a provision to allow Golf Clubs to develop limited Holiday Home developments on land owned by the Clubs for the purpose of generating finance for golf club infrastructural projects.
- It is submitted that the policies relating to the settlement provisions in Chapter 3 be altered so that the Draft Plan complies with the Dept. of Environment Circular SP5/08 (and associated EU Law) and gives better support to returning emigrants, migrants and retirees as per the demands of the Sustainable Rural Housing Guidelines.
- In line with the principles of sustainable development, sustainable communities and sense of place, it is suggested that any future housing development provision would not be for holiday homes.
- Rural Vibrancy is very important which means people need to live in the countryside. This has to be managed in terms of sustainable housing development.
- It is stated that towns and villages have been in decline because of the obsession with building houses in the open countryside. There is little distinction between town and countryside. This has led to an abandonment of the streets, urban sprawl, an increase in car dependency and a breakdown in social interaction.

### Chief Executives Response

- ❖ It is the aim of the Rural Settlement Strategy to sustainably manage the development of rural parts of the County by sustaining and enhancing established rural communities and conserving the qualities of the rural environment. The policy relating to immediate family members on family farms relates only to those areas under strong urban influence. In stronger rural areas it is the policy to facilitate the provision of dwellings for persons who are an intrinsic part of the rural community in which they were raised, while in structurally weak areas the Plan accommodates demand for permanent residential development as it arises. These policies are considered appropriate.

- ❖ Returning emigrants and retirees with links to a rural area are facilitated in the construction of a dwelling-house by Section 3.3.4 and those without links to the area, but occupying the house as a permanent place of residence, fulfil the 'need requirement' in weak rural areas. Otherwise, the oversupply of houses in the rural countryside along with the option of renovating/replacing a derelict house, addresses the demand from this category of people.
- ❖ In accordance with The Sustainable Rural Housing Guidelines (2005) the Plan identifies three different types of rural areas. With respect to Rural Areas under Strong Urban Influence, Objective RS-7 aims to ensure that favourable consideration is given to individual one-off house developments for immediate family members (sons, daughters or favoured niece/nephew) on family farms and land holdings, subject to compliance with normal planning criteria and environmental protection considerations. In Structurally Weaker Areas Objective RS-12 aims to accommodate a demand for permanent residential development as it arises.
- ❖ Objective RS-10 relates to Stronger Rural Areas and facilitates the provision of dwellings for persons who are an intrinsic part of the rural community in which they are raised. It is considered that the scale of dispersed rural housing is unsustainable and is uneconomical in terms of infrastructure provision and quality of life. Therefore the Plan encourages people without an intrinsic link who wish to reside in the countryside to live in existing settlements or development nodes where there are services available.
- ❖ Young families living in towns like Tralee and Killarney, who wish to live in the rural area in the environs of the towns, have the option of purchasing a new house or renovating an existing house in those rural areas and have a significant number of such properties to choose from. These heavily developed areas Under Strong Urban Influence cannot sustain significant further development and it is critical that remaining sites are protected for family members from the area. Otherwise the cumulative effect of on-site waste water disposal units, new entrances and visual impact could mitigate against family members who subsequently seek planning permission in later years.

Of the **11,700** empty housing units in Kerry, available for occupation, approx. **50%** of them are in rural areas which will more than facilitate the demand from urban dwellers seeking the option of relocating to the countryside. This Draft Plan must be about learning from past mistakes, consolidating and developing the employment potential of the County and protecting its primary asset which is the unspoilt landscape and clean environment. Without these latter assets, the Kerry 'brand' will be fundamentally damaged.

- ❖ It is apparent from the Census 2011 that the level of holiday homes in some areas far exceeds the local indigenous population. The overall result of this sporadic one-off development is a deterioration of the visual and ecological qualities of the landscape. For this reason it is the policy not to permit such holiday homes in the rural landscape. This policy does not apply to people who have family ties to rural areas in the County and who return on a frequent basis for weekends, holidays etc.

There are approx. **8,200** holiday homes in the County and Section 3.3.4 greatly facilitates a son or daughter of a landowner who was reared in the area to construct a holiday home. It is not proposed to amend section 3.3.4.

- ❖ It is the policy of the Council not to permit holiday/second homes in the rural landscape. The Council promotes agri-tourism, and consideration is given to units for holiday accommodation on agricultural holdings.
- ❖ The previous County Development Plan (2009-2015) did include a provision for Golf courses (which were member owned) to construct holiday home developments in order to finance work on the courses and some courses did avail of this. However, with over 8,000 holiday homes in the County and most vacant for extended periods throughout the year, it is considered that the County has an oversupply of such homes. Experience has also shown that holiday homes constructed ancillary to golf courses have not been financially viable and have been of little or no benefit to the community in which they were constructed or indeed the golf course that constructed them.
- ❖ It is the policy to protect the fabric of settlements by restricting development on the outskirts of towns and villages. The plan encourages and stimulates the sustainable redevelopment of the town and village cores while supporting the development of infill sites and encouraging the use of upper floors of retail premises as residential accommodation as a means of providing additional housing and revitalising settlements.
- ❖ The protection of the rural countryside from over development of one-off houses is critical to the future development of the County and the protection of its visual amenities and natural resources.

### Chief Executives Recommendation

No amendment to the Draft Plan.

### 3.4 Urban Settlement Strategy

A number of submissions (40,132, 150,151,303) address the **Urban Settlement Strategy** as follows:-

- Village Groups and individuals make a number of suggestions for village improvements. A number of specific projects are listed including improved signage, road improvements, environmental and public realm improvements etc.
- Urgent attention and action is needed to be taken to do something to occupy all the empty houses in villages and towns. A plan needs to be devised to deal with these vacant houses before they become derelict and unsightly.
- There are a large number of derelict buildings around the County and especially in towns and villages.
- It is suggested that the County Council can repossess unwanted property or require some level of maintenance by owners.

### Chief Executives Response

- ❖ It is an objective of the Draft Plan (US-10) to facilitate and support the implementation of Village Design Statements and other community led projects, in a sustainable manner, in order to enhance village environments that have been prepared through a public consultation process.
- ❖ It is the policy of Kerry County Council to protect the fabric of towns and villages by restricting development on the outskirts of towns and villages. The Plan encourages the sustainable redevelopment of the town and village cores and the development of infill sites.
- ❖ Section 3.4 relates to urban settlement strategy and policies. It is the aim of the Plan to support and enhance the role of towns and villages and to protect their diversity, economic vitality and environmental attributes.
- ❖ The plan encourages the sustainable re-development of towns and villages, while encouraging the use of upper floors of retail premises as a means of revitalizing settlements.
- ❖ It is considered appropriate to amend objective US-6 to include reference to derelict sites and to include an additional paragraph in Section 3.4.3 regarding the regeneration of derelict sites.
- ❖ Is considered appropriate to include an additional objective regarding the inclusion of the principles of Age Friendly Counties & Towns in the village design plans.



- ❖ Specific local projects cannot be considered within the context of this Draft County Plan but can be considered in the context of the review of the Municipal Area Plan.

### Chief Executives Recommendation

It is recommended that an additional paragraph is included in Section 3.4.3 to read as follows:-

Sustainable development practices require vacant or derelict sites within urban areas to be developed prior to greenfield sites on the outskirts of urban areas. The development of derelict sites and under utilised sites and buildings will be encouraged in urban areas in the interest of achieving the most efficient use of urban lands and to stimulate regeneration. It is a policy of the plan to identify sites in a poor state of repair or neglect under the Derelict Sites Act.

It is recommended that Objective US-6 is amended to read as follows:-

Regeneration & Renovation	
<i>It is an objective of the Council to:-</i>	
<b>US-6</b>	Support the sustainable development of <i>derelict sites</i> and infill sites in towns and villages and encourage the use of upper floors of retail premises as residential accommodation as a means of providing additional housing and revitalising settlements.

It is recommended that an additional Objective is included in section 3.4.5:-

Village Design & Enhancement	
<i>It is an objective of the Council to:-</i>	
	Facilitate the inclusion of the principles of Age Friendly Counties & Towns in the village design plans.

Cllr. S. Locke said it is alarming that there are 11,700 vacant houses in the county while there is a growing housing list. He said that the fact that vacant houses are available should be advertised in the local areas. He referred to Objective US – 6, which encourages the use of upper floors of retail premises as residential accommodation and he expressed concern regarding this proposal unless proper waste disposal facilities are provided.

Cllr. D. Healy Rae said he wanted people from Killarney town to be allowed to build a home outside the town where they own land. He asked if this issue is being addressed in the Draft Plan. There must be freedom to move outwards for younger families and inwards for the elderly, if they wish. He referred to Clonkeen, the Clydagh Valley and Shandrum Valley and said it is a stipulation in the County Development Plan that you must be from an area to get permission. No one has lived in these areas for the past 20 years therefore no applicants will qualify for permission. He wanted to ensure these areas are revitalised as people cannot afford sites and houses in other areas. He asked if this is being addressed in the Draft Plan. People in East Kerry working in Munster Joinery should be allowed to build a home near their workplace. Many villages are becoming dilapidated and voluntary housing organisations should be encouraged to develop vacant houses for the elderly where they could be looked after. There are vacant houses in every village and this would be an appropriate use for them. He asked if the Plan would facilitate this.

Cllr. J. Healy Rae said there are derelict houses in every village in the county and this presents an ideal opportunity for Kerry County Council to acquire them for social housing. These houses are near shops, Post Offices etc. In the past he requested the Council to buy an estate in Castlemaine, but this did not happen. Other local authorities put a plan in place and secured funding from the Department. The housing list is under severe pressure and if the Council acquired a housing estate like this it would help matters greatly. In rural areas where numerous families lived in the past, planning applications will not be considered now and this is ridiculous. These applications should not be prohibited because the applicant has no links to the area. Cllr. Healy Rae referred to the submissions and asked why members were not given a copy of the submissions.

Cllr. M. Gleeson said that the recent Census shows we have an ageing population. He applauded the submission that called for an emphasis on Age Friendly Towns and Villages and said he hoped this proposal would be dealt with in a realistic way. The lives of the elderly should be enhanced through the provision of suitable walkways and graded footpaths etc. He called on the Council to liaise with local development groups in villages to ensure this proposal can be brought to fruition. Cllr. Gleeson also referred to traffic flow and the confusion caused by Satnav and said this is creating a hazard for older people. A number of years ago he submitted a notice of motion on derelict houses and how they could be dealt with and he said the owners of these houses should be actively encouraged to renovate them. On Monday, 8 September the 2014 Tidy

Towns winners will be announced and he commended all the Tidy Towns groups who do fantastic work for their towns and villages. Cllr. Gleeson then referred to road signage and said he had numerous notices of motion on this topic. There are two roundabouts on the Bypass in Killarney, with contrasting signage which is very confusing for motorists. In the past many families moved from landholdings into Killarney town and now their children want to return to these landholdings and they should be facilitated where possible.

Cllr. B. Cronin supported the submission in relation to the facilitation of young families in Killarney town who want to move outside of the town to build a family home in a rural area. In some instances families own sites for 10 to 20 years and they now want to give the sites to a family member. When they apply for permission they are told the area is an urban area under pressure and they are not granted permission. These families feel discriminated against and he asked if they would be accommodated in the new County Development Plan. It is critically important that newly built houses that have not been completed are utilised and he asked that they would be made accessible through the Banks and NAMA at a reasonable cost. Cllr. Cronin referred to the submissions of which there are in excess of 300 and said in the past each submission was listed and summarised. In the Chief Executive's report he looked for particular submissions but he could not find them and this is a cause for concern. The Chief Executive's Report is very complicated and difficult for members to understand. He then referred to the second paragraph on Page 83 which reads "*it is the policy to protect the fabric of settlements by restricting development on the outskirts of towns and villages*". He pointed out the fabric of any community is its people who support schools, local shops, football teams etc. and the paragraph on Page 83 contradicts this.

Cllr. P. Daly said if you look at the 2011 Census, there is a population of 400 people living in Rock Street. This is good for social interaction and he welcomed the proposal to utilise the upper floors of commercial buildings for residential use. He drove to Clonmel in February and many shops in villages he drove through were closed down. Incentives should be offered to rate payers to encourage them to utilise their buildings including the letting of the upper floors for residential use. This could include a discount on rates, as is the case in Canada.

Cllr. T. Ferris welcomed the Chief Executive, Ms. Murrell to her first meeting. She referred to the Settlement Strategy and said of the 11,700 vacant properties a substantial number are former local authority houses. Many are being offered for sale for as little as €30,000 - €40,000 and the Council should consider purchasing them. In relation to village design and enhancement she PROPOSED an amendment that an objective would be included that our towns and villages would be inclusive and accessible and that Age Friendly Design plans would be prepared for them.

Cllr. M. O'Shea **SECONDED** this proposal. He referred to agri-tourism and Paragraph 4 on Page 83 of the Chief Executive's Report and requested clarification on it. In the past mistakes were made by allowing massive developments in small villages which was wrong as the density permitted was inappropriate. He **PROPOSED** that in future the density permitted in villages would be 8 houses per housing estate. Smaller estates would be more family friendly and compatible with the environment. He asked that an objective to this effect would be included for villages and smaller towns. The biggest problem in many towns is derelict sites and this is a major problem for Tidy Towns groups. More must be done to address this and he accepted that there are penalties in place that must be paid when premises are sold but in the meantime it is an ongoing problem. This was a problem in Milltown but the Council took over the site and built houses. He called on the Council to take a proactive approach to this issue and he added that many of these properties are in NAMA etc.

Cllr. R. Beasley said it is not sustainable for Golf Clubs to be dependent on residential development into the future. We have an ageing population and if the owners of commercial properties are to be encouraged to let the upper floors for residential development it would be helpful. The larger supermarket is the hub of any village however they have destroyed small shops and they are no longer viable. A village with four pubs ten years ago now only has two pubs. Many Tidy Towns groups are preoccupied with derelict sites and this is unfair to them.

Mr. McMahon referred to the query on the Chief Executive's report and said legislation provides a period of 10 weeks for the making of submissions. Following this the planning authority has 12 weeks to prepare a report on submissions received. Legislation provides that a list of persons who made submissions must be compiled and the issues raised summarised in the report and the Chief Executive would issue a response to them. It would be impossible to deal with the submissions individually. The submissions were dealt with on the basis of each of the chapters they related to. The submissions are bound in eight volumes of large ring binders and it took staff weeks to read through them. Any member who wants to see a particular submission can do so in the Planning Department. The legal requirement is to summarise the issues raised in the submissions.

In response to queries on one-off housing Mr. Stack said this is a hugely emotive issue. There is a housing stock of approximately 72,000 houses in Kerry with approximately 38,000 of these one-off houses in the countryside. Between 2002 -2007 (6 years) approx. 17,600 were built in County Kerry with 7,600 being one offs in the countryside i.e enough for 46,000 people yet the population increased by only 6,000 in that period. A recent joint report presented by the HSE and the EPA indicated that almost 1 in every 3 private wells in the country is contaminated with the potentially fatal form of E-coli. That represents approx. 50,000 private wells contaminated. There are approx. 7,500 wells in County Kerry and we need to be very careful to ensure one-off houses do not contaminate groundwaters. The other issues arising in relation to one off

housing is traffic safety and visual impact. Visitors to the county said that Kerry is at a “tipping point” in relation to the visual impact on the tourism sector from one off housing. The Settlement Strategy is the same as in the last County Development Plan. The Planning Department is hugely supportive of anyone who wants to build a home who has links to an area or who wants to build in a weak rural area. Most of the applications for one off housing are bona fide and many are granted if there is not an issue in relation to waste disposal etc. It should be noted that the quantity of effluent emanating from 38,000 one-off houses is approximately 4m gallons per day discharging to groundwater. Consequently any easing of restrictions in relation to the Settlement Strategy proposed is not recommended. Mr Stack referred to the issue of sites near Tralee and Killarney and he displayed a map which indicated where the vacant houses are located, and also where houses are for sale. Anyone in Killarney town who wishes to live in the countryside can purchase a house or indeed a derelict house and refurbish it. The difficulty relates to the development of greenfield sites and the more permissions granted the greater the impact on groundwater. He could see in the future there will be greater restrictions on family members. Mr Stack referred to Cllr. D. Healy Rae’s comments on the Clydagh Valley which was referred to as being depopulated and said a portion of it is identified as a weak rural area and an applicant does not need to have ties to the area in order to apply for permission. However it must be their primary place of residence. Mr Stack then displayed a map and explained each of the categories as explained in the Draft Plan. Areas under strong urban pressure are areas where the groundwater is most at risk from contamination by onsite effluent disposal systems. Traffic in these areas is also coming close to saturation. A further portion of the Clydagh Valley is not identified as a weak rural area as the population has not declined in the last two Censuses. Mr. Stack said very few applications for permission in the Clydagh Valley were received in the last twelve months. He assured members that they would be willing to talk to applicants prior to an application being submitted. In relation to the facilitation of workers in Munster Joinery Mr Stack said there are a lot of vacant houses in the Gneeveguilla area and these should be utilised first. He agreed with the views expressed by Cllr. Beasley in relation to Golf Clubs. Anyone interested in developing agri-tourism should first engage in a pre-planning meeting.

Cllr. J. Healy-Rae again referred to the eight volumes of submissions and said the way Kerry County Council interprets them may not be the way the members would. He requested that the submissions would be given to him on a disc and he was not satisfied to vote until he had seen copies of the submissions.

Mr. McMahon said the legal requirement is to deal with the issues raised in the submissions and this has been complied with. The legislation does not require the submissions to be set out individually and the most practical solution is to deal with submissions under the relevant topic.

Cllr. J. Healy Rae asked if he is entitled to get a copy of the submissions and if so he asked that he would be provided with them.

Mr. McMahon undertook to consider this request.

Cllr. D. Healy Rae said he wanted to ensure that no area is excluded from development. He understood from Mr. Stack's reply that permission will not be granted to workers in Munster Joinery in Rathmore and Gneeveguilla, even though they pass through these areas on their way to work. Cllr. Healy said there were 16 families from Loo Bridge to Morley's Bridge at one time. He was aware of people who applied for permission but were refused in this area and he asked that these applications would at least be considered. He understood what Mr. Stack was saying in relation to groundwater but said if a house is vacant it is not polluting groundwater. In the past the Planning Department granted permission for huge developments in villages and towns but not in the countryside. He asked that planners would be given some discretion to grant permission in rural areas as he was anxious to facilitate those who want to provide a primary place of residence.

Cllr. S. Locke clarified his proposal in relation to the permitting of residential development in the upper floors of commercial properties in town centres and said he was not objecting to this proposal but he wanted to ensure adequate provision is made for the disposal of waste.

Cllr. M. Gleeson supported the views expressed by Cllr. Locke.

Cllr. J. Finucane said at previous planning meetings members had to dezone land and he did not want to see a return to the times when too much land was zoned for residential development. There are issues with drinking water and in some developments provided in recent years there were no facilities for residents, i.e. public lighting, footpaths, etc. The new Plan allows people to build homes but he stressed the importance of maintaining the amenity value of the county. Cllr. Finucane endorsed this policy.

Mr. M. McMahon said he had a clear memory in 2009 of the Council refusing to include a map of the county indicating areas under urban pressure, strong rural areas and weak rural areas in the County Development Plan. At that time he pointed out that the general public and planners need guidance. He did not want to see a situation whereby applicants spend a lot of money having plans drawn up and they are then refused permission. In 2010 they had to revert to Council following the enactment of the 2010 Planning and Development Act to incorporate the Core Strategy into the County Development Plan. Ministerial Guidelines state that the Development Plan must identify the different categories of rural areas in the context of the Settlement Strategy. The Rural Settlement Policy is the same as the policy adopted in 2010. This worked well and there is a strong emphasis in the Plan on facilitating sons and daughters of landowners. Mr. McMahon strongly recommended that the Settlement Strategy be adopted.

The Cathaoirleach said that the Settlement Strategy was proposed by Cllr. Finucane and Cllr. Ferris also proposed a further amendment on Age Friendly Towns. The Cathaoirleach suggested that Objective US-6 should be amended to read *“Support the sustainable development of derelict sites, where the development of such derelict sites are available.”*

Cllr. Ferris SECONDED this proposal.

Cllr. D. Healy Rae asked how near to a job must an applicant live in order to get permission.

In response Mr McMahon said there is no fixed rule and each case is dealt with on its merits. His recollection is that the townland rule caused confusion. Part B of the application form for permission asks where the applicant is living etc and each application is considered on its merits.

Cllr. M. O'Shea asked if there is any provision in the Draft Plan to control the density of development in smaller villages.

Mr. Stack said this is contained in Chapter 13 and the Density Guidelines. It is recommended that each application would be considered based on the experience over the last few years.

Cllr. Locke asked if his proposal in relation to the provision of waste disposal facilities in town centre locations for residential developments would be taken at that time.

Mr. Stack said this proposal relates to Chapter 13 and would be taken when that Chapter was being considered.

Mr. O'Brien informed the meeting a vote would first be taken on Cllr. Ferris's proposal, which was seconded by Cllr. Gleeson as follows:

That this Council having considered the Chief Executive's Report and Recommendations on submissions to the Draft Kerry County Development Plan 2015 – 2021 hereby resolves to amend Objective 3.4.5 to read as follows:  
Facilitate the inclusion of the principles of inclusivity and accessibility and Age Friendly Counties and Towns in the Village Design Plans.

The vote resulted as follows:

**For:** Cllrs. Beasley, Cahill, Cronin, Culloty, Daly, Ferris, Finucane, Fitzgerald, Flynn, Foley, Gleeson, Grady, D. Healy-Rae, J. Healy-Rae, Kelleher, Kennelly, Locke, D. McCarthy, P. McCarthy, McEllistrim, Moloney, Moriarty, Nolan, O'Connell, O'Shea, Quigg, Sheahan, Spring, Thornton, Brassil **(30)**

**Against:** None **(0)**

**Not Voting:** None **(0)**

**Absent:** Cllrs. Connor-Scarteen, O'Brien, Purtill **(3)**

The Cathaoirleach declared the proposal CARRIED.

Mr. O'Brien said a vote would then be taken on Cllr. Brassil's proposal, which was seconded by Cllr. Ferris as follows:

That this Council having considered the Chief Executive's Report and Recommendations on submissions to the Draft Kerry County Development Plan 2015 – 2021 hereby resolves to include the following wording in Objective 3.4.3 - *'where development of such sites is achievable'*.

The vote resulted as follows:

**For:** Cllrs. Beasley, Cahill, Cronin, Culloty, Daly, Ferris, Finucane, Fitzgerald, Flynn, Foley, Gleeson, Grady, D. Healy-Rae, J. Healy-Rae, Kelleher, Kennelly, Locke, D. McCarthy, P. McCarthy, McEllistrim, Moloney, Moriarty, Nolan, O'Connell, O'Shea, Quigg, Sheahan, Spring, Thornton, Brassil **(30)**

**Against:** None **(0)**

**Not Voting:** None **(0)**

**Absent:** Cllrs. Connor-Scarteen, O'Brien, Purtill **(3)**

The Cathaoirleach declared the proposal CARRIED.

#### **Chapter 4 Economic Development and Employment**

Mr. Stack briefed members on this Chapter as follows:

The submissions relating to Chapter 4 – Economic Development and Employment – focus mainly on the **(4.2)** Tralee / Killarney Hub, **(4.8)** the Rural Economy, **(4.8.1)** Agriculture and **(4.8.2)** Farmers Markets, **(4.10)** Home working. A number of submissions (principally submission No's 30, 38, 61, 93, 121, 146, 304, 326, and 327) address the following issues:-

#### **4.2 Tralee Killarney Hub**

- ES – 12 should be amended to read - *It is an objective of the council to prepare a six year economic plan as part of an over all Economic and Community Plan. The objective of the economic plan is to create and sustain jobs, while promoting enterprise and development, FDI, indigenous industry, Micro and SMEs, Tourism, Agriculture, Forestry, Marine and other natural resources.*



### Chief Executives Response

- ❖ One of the main reforms outlined in 'A Guide to Putting People First: Action Plan for Effective Local Government' is the establishment of Local Community Development Committees (LCDCs). These committees have oversight and responsibility for local development and community-related funding in their area. One of the roles of LCDCs is to develop a *six year economic and community plan*. Kerry's LCDC intends to complete *the community development element of the plan by November 2014, and the Economic element by early 2015. It is considered appropriate, therefore, to acknowledge the proposed Economic and Community Plan in the local policy context in Section 2.1.3 as set out in the recommendations below.*
- ❖ It is considered that Objective ES-12 should be amended to reflect the council's intention to prepare an Economic Plan for the Linked Hub as set out in the recommendation below.

### Chief Executives Recommendation

It is recommended that the following text be inserted into Section 2.1.3 of the Plan:-

#### Putting People First

One of the main reforms outlined in 'A Guide to Putting People First: Action Plan for Effective Local Government' is the establishment of Local Community Development Committees (LCDCs). These committees have oversight and responsibility for local development and community-related funding in their area. One of the roles of LCDCs is to develop a *six year Economic and Community Plan by 2015.*

It is recommended that Objective ES-12 be amended as follows:-

Tralee Killarney Hub	
It is an objective of the Council to:-	
ES – 12	Prepare a strategic economic <del>and social development</del> plan for the Linked Hub which will include the towns of Tralee and Killarney.

#### 4.8 The Rural Economy

- The text highlighted in italics should be inserted into Objective ES -25 as follows:-

***ES-25** Consider proposals for a major industrial development in the countryside on lands zoned Rural General where the proposal will make a significant contribution to the economy of the County and where it is demonstrated that the proposal, due to its site specific requirements, requires a countryside location and would not be suitable in an industrial zoned location.....*

- The text highlighted in italics should be inserted into the second bullet point of Objective ES-26 as follows;

Proposals for any economic development in rural areas must demonstrate ..... *That there will be no adverse impact or risk of substantial adverse impact on the residential amenity of nearby residents, particularly in relation to noise, traffic, air quality odours or vermin.....*

- An additional text be added to Objective ES-27 as follows-  
*It is an objective of the Council to protect rural amenities, important archaeological and heritage features, areas of archaeological importance, visual amenities and scenic views from adverse impacts of agricultural practices and development particularly in high amenity areas and ensure that they are appropriate in nature and scale, not be visually intrusive. Development must be necessary for the efficient use of the farm.*

#### Chief Executives Response

- ❖ ES -26 states that proposals for economic development must demonstrate that there will be no adverse impact on the residential amenity of nearby residents which will address issues such as noise, odours etc. Development proposed under ES-25 must comply with the provisions of ES- 26 as it relates to the protection of residential amenity. It is considered that these objectives together with standard development management considerations are sufficient to protect the amenity of residents in the vicinity of any proposed development.
- ❖ It is considered that the objectives and development standards of this Plan are sufficient to protect the natural environment and built heritage.

#### Chief Executives Recommendation

No Amendment to the Draft Plan.

#### 4.8.1 Agriculture

- It is suggested that the introduction to the agriculture sector Section 4.8.1 should be expanded to include additional statistics on the level of jobs provided in the agricultural sector. Also that mention is made of the Department of Agriculture, Food and Marine Plan for the agricultural sector - Food Harvest 2020. Reference should also be made to the impact of the abolition of Milk Quotas in March 2015 which presents major opportunities for growth and expansion. Proposed text is suggested.
- There is a correlation between demographics and innovation in Kerry. The average age of farmers is 65, therefore, farm diversification maybe problematic. An objective stating that the council will conduct a demographic profile of Kerry farmers.
- A new objective should be inserted into the plan to facilitate the construction of livestock underpasses by farmers by providing a dedicated team to collaborate with the farmers on provision of underpasses.
- A New Objective should be inserted into the Plan stating that it is objective of the council to facilitate the expansion of farming in the context of the "Harvest 2020 Strategy".
- Objective ES-10 which reads, 'promote and support the sustainable growth of agriculture and related agri development' - should include a greater emphasis on small to medium enterprises.
- ES 27 should be amended to support the sustainable development of locally produced food, craft markets and supply chains.
- The following should be inserted into the plan as objectives:-
  - The levels of supports for export driven food markets should be balanced with equivalent supports for locally based food production and supply systems that enhance the health of our rural economy, environment and people. The best way to do this is through the inclusion of Food Sovereignty and Food Security Principles in the County Development Plan:-
  - To support small-scale family farms, which have the capacity to create employment and added value to agriculture products, therefore building stronger resilient communities.
  - To support small scale diverse horticulture sector enterprises, particularly in the area of local organic production of quality food.
  - To support locally produced artisan food producers and processors.
  - To encourage the development of small-scale craft abattoirs and their related infrastructure.
  - To support diverse and nature-based sustainable agriculture.

- Text should be included to support the building of incubators for food start ups.
- Section 4.8.1 which relates to agriculture should be amended to include the sentence -  
Recognising the increasing demand for recreational space; provision should be made for the recreational use of agricultural land, where appropriate.
- A statement should be included to the effect that farmers will be encouraged to see themselves as custodians of the countryside and the rural landscape which are valuable to present and future generations.

### Chief Executives Response

- ❖ It is not the function of the local authority to conduct a demographic profile of Kerry farmers.
- ❖ The Roads Department of Kerry County Council has always supported and facilitated the construction of underpasses at appropriate locations and will continue to do so.
- ❖ Kerry County Council is supportive of the agriculture industry in achieving the targets set out in Food Harvest 2020. It is considered appropriate to include text and an objective to support the agricultural sector in meeting Food Harvest 2020 targets as set out in the recommendation below.
- ❖ It is considered that two new objective should be inserted in the plan as follows:-  
*It is an objective of the council to facilitate the development of incubator units for food start-ups in appropriate locations within Regional and District towns where proposals comply with the objectives, policies and development standards of this plan.*  
*and to*  
*Support the agricultural sector in meeting its Food Harvest 2020 targets in a manner that is sustainable and has due regard to the objectives, policies and standards of this Plan, particularly as they relate to the Natural Environment.*
- ❖ It is considered that the objectives of the plan, in particular ES-23 to ES-27 will support and facilitate various food production developments detailed in submissions, including small scale developments.

### Chief Executives Recommendation

It is recommended that the following objectives be inserted into section 4.8.1:-

Agriculture	
It is an objective of the Council to:-	
	<i>Facilitate the sustainable development of incubator units for food start-ups in appropriate locations within Regional and District Towns, where proposals comply with the objectives, policies and development standards of this plan.</i>
	<i>Support the agricultural sector in meeting its Food Harvest 2020 targets in a manner that is sustainable and has due regard to the objectives, policies and standards of this Plan, particularly as they relate to the Natural Environment.</i>

It is considered that the introduction text to the agriculture section Draft Plan should be expanded to include the following text as highlighted in blue to be inserted after the sentence ending in 'GDP' and before the sentence starting with 'However' .

*In July 2010 the Department of Agriculture, Food and Marine published an updated ambitious plan for the agricultural sector called Food Harvest 2020. The plan is aimed at growing the value of the agricultural sector's output, with a view to the agriculture and food industries playing a key role in the overall recovery of the Irish economy. The Irish food and drink industry will seek to grow exports to €12bn by 2020, an increase of 25% from the 2012 figure of €9bn. The Food Harvest 2020 report sets a target of increasing the value of primary agricultural output by 33% (€1.5bn) by 2020, relative to the average position in the 2007 - 2009 period.*

#### 4.8.2 Farmers Markets

- Farmers Markets are currently “an illegal entity” even though the CDP promotes them. Farmers Markets fall between causal trading and traditional market rights. Serious consideration needs to be given to the legal status and arrange for some legal structure to facilitate farmers markets. An objective should be inserted into the plan to the effect that the council will prepare a strategy for the development of farmer’s markets.

#### Chief Executives Response

- ❖ The County Enterprise Board had a Farmer’s Market Coordinator. With the abolition of the County Enterprise Board and the establishment of a Local Enterprise Office (LEO) in KCC there will continue to be a Farmer’s Market Coordinator.

#### Chief Executives Recommendation

No amendment to the Draft Plan.

#### 4.10 Home-working

- Objective ES-30 which relates to home working and hours of business should be amended to read “national and international business hours” rather than 9am – 6pm.

#### Chief Executives Response

- ❖ It is considered that it is in the interests of residential amenity generally to keep hours of business between 9am-6pm. However, some work activities may require more flexible hours of operation and this will be addressed on a case-by-case basis.

#### Chief Executives Recommendation

No amendment to the Draft Plan.

Cllr. J. Finucane said he believes there are gaps in the section. He has no confidence in the Tralee Killarney Hub and said it is a perception rather than a reality. 90% of new jobs created in the country are located in Dublin with 6% in Cork and the remainder fragmented around the country. There are greater grants available for new industries in Abbeyfeale than in Kerry and this needs to be addressed. There should be one rate for Dublin and another for the rest of the country. This is a huge impediment to development in Kerry. Cllr. Finucane welcomed the statement on the Tarbert / Ballylongford landbank. In conclusion he said the greatest challenge for Kerry at the present time is to achieve University status for the IT Tralee.

Cllr. D Healy Rae referred to Page 88 where it states the following text should be inserted in Objective ES-26 *“Proposals for any economic development in rural areas must demonstrate ..... That there will be no adverse impact or risk of substantial adverse impact on the residential amenity of nearby residents, particularly in relation to noise, traffic, air quality odours or vermin”*. All enterprise generates traffic and he asked if an application could be refused on these grounds. Any enterprise with two or three workers will have a certain volume of traffic, possibly including lorries going to and from the business each day and it is important that this is not an impediment to enterprise. He requested clarification on the statement that there must be acceptable levels of noise from machinery. Cllr. Healy Rae then referred to the LCDC and PROPOSED that IRD Duhallow would be given representation on it.

Cllr. J. Healy Rae SECONDED this proposal.

The Cathaoirleach said it is not proposed to include IRD Duhallow on the LCDC.

Cllr. T. Ferris PROPOSED that the text in italics in Objective ES-12 would be included in the Plan. She was conscious of the impact of noise levels on a community i.e. from wind turbines. Cllr. Ferris also PROPOSED that in the statement, where it is acknowledged that the primary economic activity in the County is tourism and agriculture that the following additional text be included *‘and any development that would impact adversely on such activities would not be considered.’* She further PROPOSED that any negative reference to the visual amenity of North Kerry would be removed and reference to visual amenity in the Draft Plan would refer to the entire county.

Cllr. R. Beasley SECONDED these proposals.

Cllr. M. O’Shea said members can debate economic development at length but the harsh reality is there are very few employment opportunities in this county. In an effort to secure sustainable employment in Kerry members should seek a meeting with the CEO of the IDA immediately. At present there are no opportunities for young people to return to the county.

Cllr. M Gleeson referred to Page 88 and Section 4.8 The Rural Economy and said there is a necessity in the construction of By-passes to provide an adequate number of underpasses for farmers as this would reduce the number of animals crossing busy roads. He asked that in any future road development an adequate number of underpasses would be provided as it would also facilitate the free movement of wildlife. The number of dead hedgehogs on the roads is increasing. Cllr. Gleeson then referred to tourism and said on his parent’s farm on the banks of the River Flesk there was a stipulation that a 2m setback from the riverbank would be allowed to give access to fishermen who had preserved fishing rights to use the river. Minister Ó Cúiv spoke about working out an agreement with farmers in relation to tourist walks and allowing access to lands without impunity for farmers and he said this issue needs to be resolved. Kerry is

famous for the production of high-quality food and every support must be given to the farming community for start-up food businesses.

Cllr. B. Cronin said he had serious concerns in relation to Objective ES-25 and he understood it applies to all rural areas and he believed it could have an adverse impact on the countryside. If it is proposed to amend Objective ES-25 he asked that it would not have an adverse impact on rural areas. He then referred to Objective ES-26 and asked if it is suggesting that people who have lived in the area for years would have to endure noise if a new business starts up. There should be no noise in rural areas by night. He was contacted by people who live near a quarry where work was ongoing at 10pm. Cllr. Cronin then referred to the proposed additional text to be added to Objective ES-27 and said he objected to the words '*agricultural practices*' being included and he PROPOSED that they would be removed. He referred to Cllr. Gleeson's comments in relation to underpasses for livestock and said he was involved in three of these and he saw the transformation in the lives of the families who previously had to move cattle across a busy road at 9am and 6pm. The provision of these underpasses also ensures the safety of other road users. It is critically important that this issue is highlighted in the County Development Plan.

Mr McMahon pointed out that the suggested amendments to Objective ES-23 to ES-27 are submissions received but the Chief Executive's recommendation is that there would be no amendment to the Draft Plan.

Cllr. P. Connor Scarteen said while farmers markets are good they need to be regulated and he hoped provision would be made for this in the Draft Plan. He also asked that road safety would be addressed in the Plan.

The Cathaoirleach said he requested that the Plan would facilitate the development of some form of industry in rural areas. He supports the Chief Executive's recommendation that this provision would remain in the Plan and he said industries such as Dairymaster in Causeway and Liebherr in Killarney would not be in place unless the County Development Plan facilitated them. It is positive to have this included in the County Development Plan. The Cathaoirleach supported Cllr. Ferris's proposal in relation to the protection of the landscape.

Cllr. J Finucane called for the inclusion of an Objective to achieve University status for the IT Tralee and also in relation to the ownership of the Technology Park. He called on the Government to amend the present policy on grants for investment in jobs into two regions as Kerry is at a disadvantage.

Cllr. G. Spring said grants for industries have been changed from 1 July and Kerry is now entitled to full grants.



The Chief Executive referred to the amendments proposed by members and said it is important to consider if this part of the Development Plan can guide the Community Plan. The County Development Plan is at a high level and the six-year Economic and Community Plan will sit under it. Any perceived gaps in the County Development Plan can be taken up by the strategy which will follow. She referred members to Page 51 of the Draft Plan and to Objectives ES 16 and 17 which support the ongoing development of the Kerry Technology Park and the aim to achieve technological University status for the IT Tralee.

Cllr. Finucane said these Objectives should be in a more prominent position. He has seen no development or benefits from the Tralee/Killarney Hub and he would like to see specific industries targeted for the county.

The Chief Executive said the 6 year Economic Plan must be specific and must set objectives with timelines. This will mean that achievements can be measured.

Mr. P. Stack said that Objectives ES-25, ES-26 and ES-27 are creating confusion. In relation to Objective ES-25 a submission suggested that the following text would be included, *“Consider proposals for a major industrial development in the countryside on lands zoned Rural General where the proposal will make a significant contribution to the economy of the County and where it is demonstrated that the proposal, due to its site specific requirements, requires a countryside location and would not be suitable in an industrial zoned location.”* Mr Stack said the Chief Executive is recommending that this would not be included as it could preclude the granting of permission for this type of development. He pointed out that permission has been granted for small-scale industrial developments in rural areas.

Cllr. Ferris asked if it is proposed not to include the text set out on Page 88 in Objective ES-26

Mr. Stack said all planning applications are assessed with these criteria anyway.

Cllr. Ferris PROPOSED that this text would be included in Objective ES-26.

Mr Stack said proposals for any economic development in rural areas must demonstrate that there will be no adverse impact or risk of substantial adverse impact on the residential amenity of nearby residents, particularly in relation to noise, traffic, air quality odours or vermin and this is the normal criteria for assessing any planning application of an industrial nature.

Cllr. Ferris asked that this text would be included anyway.

Mr. McMahon pointed out that Objective ES-27 relates to agricultural development only and not economic development.

The Cathaoirleach said on the North Road in Ballyheigue there is a grain store and if the criteria in relation to noise, traffic, etc is included this type of development would not get permission yet this development works very well.

Cllr. D Healy Rae PROPOSED that the additional text would not be included in Objective ES-26.

Cllr. J. Healy Rae SECONDED this proposal.

Mr G. O'Brien pointed out that the proposal by Cllr. Ferris is to include this text in Objective ES-26.

Mr. McMahon again pointed out that Objective ES-27 deals with agricultural development only and it has nothing to do with wind turbines.

The Cathaoirleach said he understood members were in agreement with this and said Cllr. Ferris made two further proposals.

Mr. McMahon said he understood from members that Objectives ES25 and ES-27 would remain as they are in the Draft Plan.

In relation to Objective ES-26 Cllr. Ferris said she proposed that the following text would be included "*That there will be no adverse impact or risk of substantial adverse impact on the residential amenity of nearby residents, particularly in relation to noise, traffic, air quality odours or vermin*"

Cllr. B. Cronin SECONDED this proposal.

Mr. G. O'Brien pointed out that the Chief Executive recommends that Objective ES-26 would not be amended to include this additional text. He said a vote would then be taken on Cllr. Ferris's proposal which was seconded by Cllr. Cronin as follows:

That this Council having considered the Chief Executive's Report and Recommendations on submissions to the Draft Kerry County Development Plan 2015 – 2021 hereby resolves to include the following additional text in ES-26: *That there will be no adverse impact or risk of substantial adverse impact on the residential amenity of nearby residents, particularly in relation to noise, traffic, air quality odours or vermin*"

The vote resulted as follows:

**For:** Cllrs. Beasley, Cronin, Daly, Ferris, Finucane, Fitzgerald, Gleeson, Grady, Kennelly, Locke, Nolan, Quigg, Sheahan, Thornton **(14)**

**Against:** Cllrs. Cahill, Connor-Scarteen, Culloty, Flynn, D. Healy-Rae, J. Healy-Rae, Kelleher, Moloney, Moriarty, Spring, Brassil **(11)**

**Not Voting:** None **(0)**

**Absent:** Cllrs. Foley, D. McCarthy, P. McCarthy, McEllistrim, O'Brien, O'Connell, O'Shea, Purtill **(8)**

The Cathaoirleach declared the proposal CARRIED.

Mr. Stack said Cllr. Ferris's proposal on visual impact is more appropriate to the next Chapter.

On the PROPOSAL of Cllr. N. Kelleher, SECONDED by Cllr. P. Connor-Scarteen it was agreed to adopt the Chief Executive's recommendations in this Chapter subject to the amendment previously agreed.

Cllr. M. Cahill asked that everything possible would be done to promote farmers markets.

## **Chapter 5 Tourism & Recreation**

Mr. Stack briefed members on this chapter and said it should be noted this section in the Draft Plan is in excess of 20 pages and was greeted favourably by Fáilte Ireland.

A number of submissions received relate to Tourism and Recreation. These submissions have been addressed under the relevant chapter headings of **(5.1)** Introduction, **(5.2)** Accessible Tourism, **(5.3)** Activity & Adventure Tourism, **(5.4)** Amenity Paths & Networks, **(5.5)** Cycling, **(5.6)** Wild Atlantic Way, **(5.7)** Arts, Craft and Food Tourism, **(5.9)** Coastal Tourism, **(5.10)** Festivals and Events, **(5.11)** Gaeltacht Tourism, **(5.12)** Heritage and Cultural Tourism, **(5.14)** Rural Tourism and **(5.15)** Urban Tourism.

Other issues raised that do not fall under these categories are addressed at the end of this section.

### **5.1 Introduction**

A number of submissions (but principally submissions 38, 114, 121, 146, 164, 326) address issues raised in the Introduction to the chapter:-

- It is proposed to amend Objective T-4 by adding "*preserve, conserve, encourage, enhance and promote*" after "*protect*".

- Additional objective proposed to “preserve, improve and extend recreational activities”
- The provision and maintenance of a pristine environment is a pre-requisite for sustainable tourism development.
- Keeping the integrity of Daingean Uí Chúis is very important as tourism is so critical to the economy. Housing development in rural areas needs to be managed to ensure that this integrity is maintained. Greater care needs to be placed in protecting the visual environment which can be easily destroyed.
- There should be a reduced focus on large scale ‘honey pot’ development and a greater emphasis placed on small scale diverse enterprise, where visitors will receive a more personal experience. Identify gaps for tourism products – walking tours, camping.
- Consider the viability of moving the train station in Farranfore to a location nearer to the airport. or to improve with an appropriate shuttle bus service  
Proposed amendment of Objective T7: To promote the integration of public transportation policies that meet the needs of both local population and visitors and enables access to parts and populations of the county not currently served by scheduled transport services.
- The Plan needs to develop and enhance existing tourism facilities and ensure their protection.
- Notes that whereas “recreation” is part of the title, there is virtually no reference to it and it is submitted that reference to recreation should be made in different specific sections.
- A statement should be inserted into the County Development Plan that recognises the tourist and amenity value of the entire county and that there would be an objective to develop a North Kerry Loop.

### Chief Executives Response

- ❖ It is considered that the wording of Objective T-4 should be amended as set out in the recommendations below.
- ❖ It is considered that connectivity with Farranfore Airport and visitor transportation needs are addressed appropriately in Objective T-7 and do not need amendment. There are no proposals to move the train station. Tourist related transport is addressed in objectives T-5 and T-7 and the issue of sustainable forms of transport is addressed in Section 7.2.3 under Objective RD-24.
- ❖ Objective T-5 addresses the issue of tourist facilities.

- ❖ It is considered that as the title of the chapter is – Tourism and Recreation – the activities and issues included ensure that recreation is implicit throughout the text.
- ❖ No route for a North Kerry Loop has as yet been identified. The Council recognizes that a looped walk would contribute to the development of tourism in North Kerry. It is considered appropriate to insert a new objective to read as follows –

*It is an objective of the Council to identify, facilitate and promote a link between the Shannon Way and the North Kerry Way to create a North Kerry looped trail subject to ensuring no significant adverse effects on the environment and the integrity of the Natura 2000 network.*

- ❖ Commitments are given to walkways and cycle-ways under Section 5.4 and 5.5 of the Plan.
- ❖ It is considered that the objectives of the Plan in relation to the protection of the landscape and the settlement strategy are sufficient to protect the landscape for both its intrinsic value and as an economic asset.

#### Chief Executives Recommendation

It is recommended that existing Objective T-4 be amended to read as follows:-

Tourism General	
It is an objective of the Council to:-	
T-4	<i>Protect, and conserve, and where appropriate enhance, through the enforcement of the objectives and development standards of this Plan, the natural, built and cultural heritage features that form the basis of the County's tourism industry, including biodiversity, areas of important landscape, coastal scenery, areas of geological and scientific interest, historic buildings, archaeological sites and monuments and the traditional form and general appearance of towns and villages.</i>

It is recommended that the following objective be inserted in section 5.3:-

Activity Tourism	
It is an objective of the Council to:-	
	Identify, facilitate and promote a link between the Shannon Way and the North Kerry Way to create a North Kerry looped trail subject to ensuring that no significant adverse effects on the environment and the integrity of the Natura 2000 network.

## 5.2 Accessible Tourism

This issue is principally raised in submission 326:

- Access and facilities – e.g. for people with disabilities. Wet-rooms in guest houses etc.

### Chief Executives Response

- ❖ It is considered that this issue is appropriately addressed in Objective T-9 and Objective SC-5 in Chapter 9.

### Chief Executives Recommendation

No amendment to the Draft Plan.

## 5.3 Activity and Adventure Tourism

A number of submissions (but principally submissions (38, 325, 326) address issues in this section:

- Adventure tourism should be subsumed into Activity Tourism. Walking and cycling should not be considered “Adventure Tourism”. Therefore objective T-18, 19 & 21 should be re-positioned in activity tourism and T-20 into coastal tourism.
- Amendments to objectives are proposed. In relation to Objective T-11, it is submitted that “*mountain and other off-road biking, mountaineering, rock climbing, hill walking and backpacking*” be included. In relation to Objective T-12, it is submitted that “*wildlife, heritage and maritime trails, deer watching, seal watching, painting, field studies, rafting, swimming in waterways, wild camping, boating, archaeological guided walks and that these activities be coordinated, where appropriate, with adjoining counties*” be included.

- Support for sea angling and coast angling to facilitate local fishermen to become involved.

### Chief Executives Response

- ❖ It is considered that the categories of tourism as set out, provide the most legibility and the Chapter does not need to be restructured as suggested.
- ❖ The wording of T-11 and T-12 are considered appropriate as it is not intended to provide an exhaustive list of activities.
- ❖ Angling is supported by Objective T-12 and T-15 in the Draft Plan.

### Chief Executives Recommendation

No amendment to the Draft Plan.

### 5.4 Amenity Paths and Networks

A number of submissions (principally submissions 38, 146, 304, 305, 306, 315, 320 & 326) address **Amenity Paths and Networks**.

- It is submitted that the text of section 5.4 be amended to include reference to the infrastructure required by walkers and back packers, and objectives amended.
- There is a proposal to implement a series of amenity trails in Kerry that will link the smaller rural communities to the larger towns via river courses and cross country trails. An example is provided using Cordal to Castleisland as a blueprint for this idea.
- Improve rural area signposting re walking/cycling for tourists.
- Develop a Walking and Cycling strategy.
- Therefore it is vital that the Kerry County Development Plan legally recognises the value of walking and walkways.
- Cycles paths and walkways are needed to promote fitness and health.
- Promotion of North Kerry trails to be more robust.

### Chief Executives Response

- ❖ As per Section 5.3 above, it is not considered necessary to alter the structure of the Chapter. It is considered that the categories of tourism listed are the most legible and the Chapter does not need to be restructured as suggested.

- ❖ The policies and objectives as contained in the Draft Plan offer support to the development of paths as an amenity in the County, as follows:-
  - Provision for establishing greenways, cycleways and walkways within the county and adjoining counties is outlined in Objectives RD-26 and RD-27 in Chapter 7 – Transport & Infrastructure.
  - Issues' regarding cycle routes and footpaths on roadways is addressed in Section 7.2.3 - Transport and Infrastructure.
  - The issue of car parking is addressed in Objective T-18 and RD-22.
  - With regard to proposed amendments to Objectives T-19 T-20, T-21, it is considered that the issue of walking and cycling routes is satisfactorily addressed under those objectives as well as under Objectives T-24, T-39, RD-24, RD-25, RD-26, RD-27, RD-29, NR-10, SC-48, SC-51.

### Chief Executives Recommendation

No amendment to the Draft Plan.

### 5.5 Cycling

A number of submissions (principally submissions 38, 42, 108, 164, 304, 324 & 326) address **Cycling**, as follows:-

- Aim to create a strong cycling culture in the County by assigning a designated Cycling Officer. Identify and map more dedicated cycling routes. Amendments proposed with regard to cycle tourism and cycle routes.
- A submission proposed the development of an iconic cycle route around the foothills of MacGillycuddy's Reeks.
- The MacGillycuddy's Reeks Community Trust wishes to partner Kerry County Council to develop a fully integrated plan for directional, safety and information signage on the route that will have shared branding from both partners.
- It is acknowledged that the South Kerry region has generally good cycling routes, however, in practice in the North Kerry area there is a lack of safe cycling routes, in particular in the Ballybunion area where tourism would benefit from user friendly cycling and walking routes.
- There is a requirement for safe cycle lanes.



- Pursue and promote Velo Cycle way. The cycle way, Killorglin to Valentia, is a premier route. Dedicated cycle paths are essential for the Ring of Kerry and all areas.
- Improve rural area signposting re walking/cycling for tourists
- There is reference to the development of cycle ways/trails in the current Draft Plan but concern that there is no design or implementation plan.

### Chief Executives Response

- ❖ It is considered that the policies and objectives contained in the Draft Plan are sufficient regarding the above issues. The Draft Plan contains policies relating to the development of cycle routes throughout the county, in particular objectives T-23, T-24 and T-25. Access to the Macguillycuddy Reeks is addressed in Section 5.4.1 and Objective T-22.
- ❖ T-18 and T-23 will facilitate the development of a network of pathways and cycleways in the County, which are also supported by other objectives as contained in this section of the Draft Plan, including Section 7.2.3 of Transport & Infrastructure section. See also Response under Section 5.4 with regard to walking and cycling routes.
- ❖ “Protect and support” in Objective T-24 should be replaced with the words “Promote and facilitate”.

### Chief Executives Recommendation

Objective T-24 shall be amended as follows:-

<b>Cycleway</b>	
<b>It is an objective of the Council to:-</b>	
<b>T-24</b>	<del>Protect and support</del> <b>Promote and facilitate</b> the sustainable re-use of existing former railway lines for amenity purposes, such as cycleways, walkways and other recreational activities in order to develop a network of “green routes” throughout the County.

### **5.6 Wild Atlantic Way**

Submission 326 referred to the Wild Atlantic Way:

- Seek funding for the Wild Atlantic Way – Facilities must be in place such as toilets, laybys etc. Satnav information to be available to drivers.
- The Wild Atlantic Way provides an opportunity to develop places along the route where visitors may stop, creating opportunities for small businesses to rise to meet their needs.

### **Chief Executives Response**

- ❖ Objectives T-26 and T-27 are objectives to promote the Wild Atlantic Way and to facilitate appropriate parking facilities. Objective T-5 addresses the provision of tourist related infrastructure.

### **Chief Executives Recommendation**

No amendment to the Draft Plan.

### **5.7 Arts, Craft and Food Tourism**

Submission 326 raises the issue with regard to arts and culture:

- Amenities need to be put in place and a section of the plan to allow for its growth. Not just for tourists.

### **Chief Executives Response**

- ❖ This issue is addressed in Objectives T-28, T-45, T-46, and T-47 as well as in Section 11 of the Plan.

### **Chief Executives Recommendation**

No amendment to the Draft Plan.

### **5.9 Coastal Tourism**

A number of submissions (but principally submissions 38, 326) raise issues with regard to coastal tourism, as follows:-

- It is suggested the word recreation be inserted into this section.
- Submission to include names of main beaches and coastal walks, to amend Objectives T-32 and T-38 and to include additional objectives.
- Promote, facilitate and support the development of a coastal path along the entire coastline.
- Ensure that beaches, sand dunes, wetlands and estuaries are not compromised by inappropriate coastal protection works or development.

### Chief Executives Response

- ❖ Recreation is implicit in the text of 5.9.
- ❖ The names of blue flag beaches are provided in Chapter 10 and walks are shown on Map 5.1.
- ❖ It is considered that the wording of objective T-32 is appropriate.
- ❖ With regard to Objective T-38, green parking areas is addressed in a proposed amendment to RD-22.
- ❖ Maritime tourism is addressed in Objective T-31
- ❖ It is not feasible to develop a coastal walking route around the entire coastline. However, the Council will, where appropriate, support the development of coastal walks.
- ❖ Planning applications in coastal areas will be subject to the objectives of this Plan and the development management process.
- ❖ Coastal protection works is addressed in Objective NE-55.

### Chief Executives Recommendation

No amendment to the Draft Plan.

### 5.10 Festivals and Events

A number of submissions (but principally submissions 121 and 326) raise issues with regard to festivals and events:-

- To support and facilitate other bodies in the adoption of a green standard for environmental sustainability performance for all major festivals held in Kerry, with a view to further enhancing the brand value of County Kerry as a place to do business in a real sustainable manner.
- Use existing spaces better – e.g. for outdoor events and Farmers Markets (Library Place – Killorglin)
- Financial support and guidance for communities required for communities for the development of festivals such as was done for The Gathering

### Chief Executives Response

- ❖ It is considered that a new objective should be included to encourage the environmental sustainability of festivals held in Kerry.
- ❖ While the issue of the use of public open space for recreation is addressed in Chapter 9 under Objective SC-46, it is considered that a new objective be included with regard to encouraging the use of existing spaces within towns and villages to host events (this could go in to either Chapter 5 or 9). The issue of farmer's markets is addressed in Objective ES-28.
- ❖ Kerry County Council's Heritage Officer and Arts Officer may be able to assist with regard to organising festivals and events. The support of Kerry County Council for festivals and events is outlined in Objectives T-40 and T-41.

### Chief Executives Recommendation

It is recommended that the following 2 no. objectives be inserted in section 5.10:-

Festivals and Events	
It is an objective of the Council to:-	
	<i>To support and facilitate other bodies in the adoption of a green standard for environmental sustainability performance for all major festivals held in Kerry.</i>
	<i>To promote and support the use of suitable public open spaces in towns and villages for out-door events of interest to both locals and tourists.</i>

### 5.11 Gaeltacht Tourism

Submission 326 addressed this issue:

- It fully supports Objectives T-42, T-43, T-44 in relation to Gaeltacht Tourism.

### Chief Executives Response

- ❖ Submission noted.

### Chief Executives Recommendation

No amendment to the Draft Plan.

### 5.12 Heritage and Cultural Tourism

Submission No. 326 raises issues with regard to heritage and cultural tourism:-

- Heritage trails to be protected and promoted throughout North Kerry
- Vast wealth of historical and cultural places in North Kerry that are under-appreciated and insufficiently publicised.
- Protect and promote historic and other themed trails and create additional ones as walking/cycling routes.

### Chief Executives Response

- ❖ Heritage and cultural tourism, including heritage trails, are addressed under Objectives T-45, T-46, T-47.

### Chief Executives Recommendation

No amendment to the Draft Plan.

#### 5.14 Rural Tourism

A number of submissions (principally submissions 38, 121 and 164) address issues raised in relation to agriculture and tourism, as follows:-

- Additional objectives are suggested relating to rural recreation and countryside recreation.
- Additional objectives are proposed in relation to agri-tourism development and built elements of the rural environment
- Additional objective proposed in relation to watersports.
- The potential of a more diverse agricultural sector to support a wider range of tourism activity should be explored within the document.
- Facilitating campervans e.g. on farms.

### Chief Executives Response

- ❖ It is considered that rural recreation is adequately addressed in this section and throughout the Chapter with regard to coastal tourism, activity tourism, adventure tourism etc.
- ❖ Issues relating to agri-tourism development, built elements of the rural environment and campervans will be addressed as standard in planning application assessments. Camping/Glamping and Caravan Parks are addressed under Objective T-38 and in Section 13.11 of the Plan with regard to Development Management.
- ❖ Agriculture related tourism is addressed directly in Objective T-52, as well as the other objectives in this section – T-49, T-50 and T-51. The list of activities in Objective T-52 is not intended to be exhaustive.
- ❖ Water sport activities are addressed in the coastal tourism section.

### Chief Executives Recommendation

No amendment to the Draft Plan.

#### 5.15 Urban Tourism

Submission 326 addresses issues raised in relation to villages with regard to tourism:

- Create more attractive spaces in villages incorporating views.

### **Chief Executives Response**

- ❖ This issue is addressed under Objective T-54 of the Draft Plan.

### **Chief Executives Recommendation**

No amendment to the Draft Plan.

### **Other Issues raised:**

#### **Scenic Views**

- View parks should be maintained
- Potential creation of additional viewing points.
- The plan needs to identify and protect areas of natural beauty in consultation with the local community

### **Chief Executives Response**

- ❖ The issue of Rural Prime Special Amenity, Rural Secondary Special Amenity and Views and Prospects is addressed in Chapter 12 of the Plan.

### **Chief Executives Recommendation**

No amendment to the Draft Plan.

Cllr. M. Gleeson said 2014 has clearly shown the positive impact tourism has on our economy. This year, tourists returned to the county as they want to enjoy the outdoors and we must ensure they can partake in all types of outdoor activities. In recent years he wrote a letter to the Independent newspaper and spoke of the importance of having walkways and cycleways. Tourists want to enjoy these types of facilities, however, there are not many of these in Kerry. In the past he and a friend approach Kerry County Council in relation to the development of the Old Butter Road as a walkway. These are the areas tourists want to walk and cycle and we must ensure they can. In the past he proposed that the disused railway line from Killorglin to Caherciveen would be developed as a cycle/walkway and at least now it will be developed and it will be a great asset to the county. This is one of the most scenic routes in Western Europe and if we want tourists to return to the county we must develop these facilities. Cllr. Gleeson said he purchased a book on National Monuments in Kerry some time ago but did not know of the existence of many of them as they are not signposted. There is huge potential to develop this type of tourism in Kerry. The same is also true of mountain trails. He recently climbed a mountain and he was met with barbed wire etc. It is important to ensure mountain walks are accessible. He remembered a time when the River Flesk was polluted but now, thankfully it is beginning to improve which is due to the efforts of farmers and those involved in forestry. There is now a potential for angling in this river. He asked that the walkway around Lough Leine would be brought to fruition as soon as possible.

Cllr. P. Daly PROPOSED an amendment to Objective T- 24 that the following wording would be included *“to promote such walkways in urban areas”*.

Cllr. J. Brassil SECONDED this proposal.

Mr. McMahon pointed out that Objective T-24 deals specifically with disused railway lines and Cllr. Daly’s proposal would be more appropriate to Objective T-23 which is on Page 70 of the Draft Plan and read as follows: *“Co-operate with the Irish Sports Council, Fáilte Ireland, National Way Marked Way Advisory Committee, Coillte, the Heritage Council and other relevant bodies, in order to support the sustainable development, maintenance and enhancement of trail development, throughout the County in an environmentally sustainable way”*.

Cllr. P. Daly then PROPOSED that Objective T- 23 would be amended to include the following text *“to promote walkways and cycleways in both urban and rural areas.”*

Cllr. R. Beasley said he considers tourism as important to the county as agriculture. Thankfully, 2014 was a reasonably good season but unfortunately traditional seaside tourist resorts are not getting very many tourists. He welcomed the inclusion of the Ring of North Kerry in the Draft Plan and asked that it would be mapped out shortly. There are no cycleways in North Kerry and he called for the provision of cycleways in this area in the near future. There is a major difficulty with the development of the railway line as a walkway from Listowel to the county bounds and he hoped it would be progressed. Tourists who come to Kerry in camper vans have difficulty accessing camp sites and this is unfortunate. He suggested that farmers could provide facilities for camper vans and he asked that this would be provided for in the County Development Plan.

Cllr. D. Grady asked if the proposed cycle track at Glenflesk should be mentioned in the County Development Plan.

Cllr. D. Healy Rae requested clarification in relation to this section and said that the report states there are a number of submissions but members do not know what they are. It is now proposed to establish new walkways/cycleways on a legal basis and he asked if the Council is giving legal effect to cycleways/walkways. He referred to disused railway lines and said landowners had to buy back some of this land and the Council has no right to put a right of way over it.

Cllr. J Healy Rae PROPOSED that members would cease consideration of the Chief Executive’s report until they were provided with copies of the submissions.

Cllr. D. Healy Rae SECONDED this proposal.

Cllr. T. Ferris said that she made a proposal earlier in the meeting and she was informed it should be dealt with in Chapter 5. Members met during the week and Cllr. Finucane was to make a proposal in relation to Chapter 4.

The Cathaoirleach informed Cllr. Ferris that Chapter 4 was already agreed with the exception of the two proposals which she made and these will be dealt with when Chapter 7 is being considered.

Mr. M. McMahon said the County Development Plan is a strategic document which sets out objectives but does not mention specific areas. The Development Plan deals with land use. If people own land they must apply for permission and each case is dealt with on its merits. The planning authority does not dictate to landowners what they must do with their land. 326 submissions were received the majority of which were from the Community and Voluntary Forum which reflected a widespread wish that cycleways and walkways would be developed. The walkway in Tralee from Rock Street to the Bracker O'Regan Road had to go through the Part VIII planning process.

Cllr. J. Healy Rae said when an area is designated for a specific purpose it is useless for anything else. He requested a copy of the submissions and members are now being asked to make a decision on public rights of way without seeing the submissions and this is not acceptable.

Cllr. N. Foley said this Chapter is of particular significance given that tourism is an industry that provides jobs. She welcomed Objective T-8 which proposes to make facilities available under accessible tourism. She also welcomed Objective T-30 which supports the proposal to facilitate with other bodies the sustainable development of the Rose Dome, Tralee. Objective T-40 supports the promotion of festivals and cultural events and she asked if this objective would allow for the introduction of signage to support such events i.e. Tralee home to the National Folk Theatre, Listowel home to Listowel Writers Week.

Mr. McMahon confirmed that it would.

Cllr. Foley said there is huge talent in the county and the appropriate signage could be provided to self promote.

Mr McMahon said the most likely place for such signage would be on national roads in which case the NRA would have to be consulted.

Cllr. Foley PROPOSED that the following wording would be added to Objective T-40 "*potential festivals synonymous with the County in appropriate places where the opportunity exists*".



Cllr. D. Healy Rae referred to Page 98 of the Chief Executive's report and the statement that reads "*Develop a Walking and Cycling strategy, establish new walkways and cycle routes on a legal and permanent basis.*" He asked for clarification on this statement.

Mr. McMahon said this is what the submission requests and the Chief Executive's recommendation on Page 99 proposes no amendment to the Draft Plan.

The Cathaoirleach said there is confusion around the recommendation in the Chief Executive's report and the Draft Plan. All members were reminded to bring the Draft Plan to the meeting. The issues raised in the submissions are set out in the report and are being interpreted as what the Council is proposing to do. However that is not the case and the Chief Executive's recommendation is that there would be no change to the Draft Plan. In relation to the submissions the Cathaoirleach said Mr McMahon would consider Cllr. Healy Rae's request for a copy of the submissions.

The Chief Executive said Amenity Paths and Networks are dealt with on Page 67 of the Draft Plan and the Chief Executive's report is recommending that there will be no amendment to this section. She then read Section 5.4, Amenity Paths and Networks for the meeting as follows:

*"Walking, cycling and backpacker holidays are an increasingly important component of tourism in the County. At the same time there has been an unprecedented rise in the number of cars on the roads in recent years, placing an extra imperative to develop off-road paths and sustainable forms of tourism. Off-road walkways can be established by various means, through informal agreements with landowners, through formal agreements or acquisition. In many instances walkways are established by custom and practice. There is an extensive network of long-distance existing waymarked walks, pilgrim paths and forest walks in the County, which includes:-*

- *The Beara Way.*
- *The Kerry Way.*
- *The Dingle Way.*
- *Cosán na Naomh (Saint's Walk).*
- *The North Kerry Way.*
- *The Shannon Way.*
- *River Lee Walk.*

*There is potential for the sustainable development of further walkways at appropriate locations throughout the County for example the proposed Lough Leane Looped Walk in Killarney, subject to ensuring no significant adverse effects on the environment including the integrity of Natura 2000 network. The existing walking routes in the County are indicated on Map 5.1 (pg. 68).*

*The Council recognises that sustainably developed and maintained walking routes are of considerable benefit to the economies of the areas through which they run as well as providing an invaluable educational, recreational and conservation role. The Council recognises that these routes cannot come into existence or remain in existence without the full co-operation of the owners of private property on the routes."*

The Chief Executive said her recommendation is that this Section would not be amended in the Draft Plan. What is contained in this section in the Draft County Development Plan is very broad and good for tourism.

Cllr. Ferris said if you consider the timeframe of the Plan it coincides with the centenary of historic events, including the arrest of Roger Casement etc. She PROPOSED that a detailed study of these historic events would be undertaken and that this section would focus on them.

Cllr. Beasley SECONDED this proposal.

Cllr. P. Connor Scarteen said there should be greater connection between the Beara Way and the Dingle Way. There should be major destinations on the Wild Atlantic Way and they should be promoted. In relation to Marine tourism he said Kenmare Bay is essential for the fishing and tourism industries and this should be allowed to continue.

Cllr. D. Quigg said the lines of communication should be kept open between Mountaineering Ireland and landowners in relation to access. In Slovenia walkways are developed in a different way which does not impact on the landscape and he believed the Council can do more to develop walkways.

The Cathaoirleach said Listowel is short listed for a Historic and Heritage Town designation and he asked if specific provision should be made in the Draft Plan to support this status if they are successful. As a Council we should concentrate on providing adequate, cycleways/walkways as he believed it would transform the county. The new cycleway in Mayo has transformed the area in which it is located and businesses are thriving. Most landowners are reasonable and the development of these facilities would do a tremendous service to the people of the county.

Mr. P. Stack said the Council supports the downhill cycleway which is proposed for Glenflesk and there has been contact with the developer on it. Provision can be made in the Draft Plan for the development of tourism facilities on the Wild Atlantic Way. There is greater emphasis in the Draft Plan on the development of cycleways and also on communication with landowners. Mr. Stack pointed out that Listowel is a Heritage Town and any reference to this would be more appropriate to the Municipal District Plan for Listowel.

The Cathaoirleach said he wanted to ensure the Council is seen to be supportive if an application for funding is submitted.

Mr. C. O'Sullivan said there is provision for this in the Listowel Town Plan.

Mr. G. O'Brien informed the meeting that a vote would be taken on Cllr. Daly's proposal which was seconded by Cllr. Brassil as follows:

That this Council having considered the Chief Executive's report and recommendations on submissions to the Draft Kerry County Development Plan 2015 - 2021 hereby resolves to include the following additional text in Objective T-23 to read as follows: *T- 23 Co-operate with the Irish Sports Council, Fáilte Ireland, National Way Marked Way Advisory Committee, Coillte, the Heritage Council and other relevant bodies, in order to support the sustainable development, maintenance and enhancement of trail development, throughout the County, both urban and rural, in an environmentally sustainable way."*

The vote resulted as follows:

**For:** Cllrs. Beasley, Connor-Scarteen, Cronin, Culloty, Daly, Ferris, Fitzgerald, Flynn, Foley, Gleeson, Grady, Kelleher, Kennelly, Locke, McEllistram, Moloney, Moriarty, Nolan, O'Shea, Quigg, Sheahan, Spring, Thornton, Brassil **(24)**

**Against:** None **(0)**

**Not Voting:** Cllr. D. Healy-Rae **(1)**

**Absent:** Cllrs. Cahill, Finucane, J. Healy-Rae, D. McCarthy, P. McCarthy, O'Brien, O'Connell, Purtill **(8)**

The Cathaoirleach declared the proposal CARRIED.

Mr. O'Brien then asked Cllr. Foley to clarify her proposal in relation to an amendment to Objective T-40.

Cllr. Foley PROPOSED that the following text would be added to Objective T-40: *"and promote same by erecting signage where appropriate celebrating and promoting festivals and cultural events synonymous with the county."*

Cllr. M. Kennelly SECONDED this proposal.

Cllr. G. Spring asked how long these signs could be left in place.

Cllr. Foley said it is intended to acknowledge the events associated with a particular area i.e. Killorglin home to Puck Fair.

Cllr. Grady asked if these would be temporary signs.

Cllr. Foley said they would be permanent signs and she saw them in a number of counties.

A vote was taken on Cllr. Foley's proposal which resulted as follows:

**For:** Cllrs. Beasley, Connor-Scarteen, Cronin, Culloty, Daly, Ferris, Finucane, Fitzgerald, Flynn, Foley, Gleeson, D. Healy-Rae, J. Healy-Rae, Kelleher, Kennelly, Locke, McEllistrim, Moloney, Moriarty, Nolan, O'Shea, Quigg, Sheahan, Spring, Thornton, Brassil  
**(26)**

**Against:** Cllr. Grady **(1)**

**Not Voting:** None **(0)**

**Absent:** Cllrs. Cahill, D. McCarthy, P. McCarthy, O'Brien, O'Connell, Purtill  
**(6)**

The Cathaoirleach declared the proposal CARRIED.

Cllr. T. Ferris PROPOSED that the following additional text be inserted in Section 5.12 'Kerry played a significant role in historic events from 1916 – 1922 which led to the creation of this State. It is an Objective of the Council to identify and map such sites within the county.'

Cllr. R. Beasley SECONDED this proposal.

Mr. McMahon said the relevant SPC will consider what events will be celebrated for the 1916 Centenary.

Cllr. Ferris said her proposal is different as she wants to map the various sites where events took place during the Black and Tan War and the Civil War etc.

The Chief Executive suggested that an objective could be included in the Plan that such a list would be drawn up. This is a substantial body of work and it is important to get it right.

Cllr. Ferris said this should have been done anyway. In the interests of getting it right she accepted that an objective would be included in the Plan to achieve this.

Mr. O'Brien said a vote would then be taken on Cllr. Ferris's proposal which was seconded by Cllr. Beasley as follows:

“That this Council having considered the Chief Executive’s Report and Recommendations on submissions to the Draft Kerry County Development Plan 2015 – 2021 hereby resolves to include the following additional text in Section 5.12 ‘Kerry played a significant role in historic events from 1916 – 1922 which led to the creation of the State. It is an Objective of the Council to identify and map such sites within the county and to publish same.”

The vote resulted as follows:

**For:** Cllrs. Beasley, Cronin, Culloty, Daly, Ferris, Finucane, Flynn, Foley, Gleeson, Grady, D. Healy-Rae, Kelleher, Kennelly, Locke, McEllistrim, Moloney, Moriarty, Nolan, O’Shea, Quigg, Sheahan, Spring, Thornton, Brassil **(24)**

**Against:** None **(0)**

**Not Voting:** None **(0)**

**Absent:** Cllrs. Cahill, Connor-Scarteen, Fitzgerald, J. Healy-Rae, D. McCarthy, P. McCarthy, O’Brien, O’Connell, Purtill **(9)**

The Cathaoirleach declared the proposal CARRIED.

Mr McMahon then referred members to Page 48 of the Draft Plan and Section 4.1.5 Land Use Planning and Economic Growth and read the following extract from this Section: *“Kerry has a strong tourism industry and it is the sector most likely to drive economic growth in the short to medium term. Ten percent of the labour force is employed in hotels and restaurants alone (CSO 2011). It is also the sector that can contribute the most to the economic development of peripheral areas in the County.*

*To support and facilitate the sustainable growth of tourism a tourism strategy is set out in Chapter 5.”*

Mr. McMahon said this is a strong statement on Tourism. He then referred members to Page 57 of the Draft Plan and to Section 4.8.1 Agriculture and read the following: *“Agriculture is the second largest employer in the County, with 5,621 working in the Agriculture, Forestry and Fishing sectors (6). Primary Agriculture accounts for 2.5% of GDP and agri-food sector (including agriculture, food, drinks and tobacco) accounts for around 7% of GDP.”* This is also a strong statement in support of agriculture.

The Cathaoirleach read the following from Page 48 of the Draft Plan: *“To support and facilitate the sustainable growth of tourism a tourism strategy is set out in Chapter 5. This strategy supports existing tourism markets, identifies new sectors within the tourism market and supports the sustainable development of tourism across the County.”* He asked if members wanted to develop this further.

Cllr. Ferris PROPOSED that the following text would be inserted in Section 4.1.5 at the start of the second paragraph in Column 2 on Page 48 *“The entire County of”* and at the end of the fourth paragraph in Column 2 also on Page 48 the following wording would be included *“any development that would adversely affect such economic activity would be discouraged.”*

Cllr. R. Beasley SECONDED this proposal.

A vote was taken on this proposal which resulted as follows:

**For:** Cllrs. Beasley, Connor-Scarteen, Cronin, Culloty, Daly, Ferris, Finucane, Foley, Gleeson, D. Healy-Rae, Kelleher, Kennelly, McEllistrim, Moloney, Moriarty, Nolan, Quigg, Sheahan, Spring, Thornton, Brassil **(21)**

**Against:** None **(0)**

**Not Voting:** Cllr. Fitzgerald **(1)**

**Absent:** Cllrs. Cahill, Flynn, Grady, J. Healy-Rae, Locke, D. McCarthy, P. McCarthy, O'Brien, O'Connell, O'Shea, Purtill **(11)**

The Cathaoirleach declared the proposal CARRIED.

On the PROPOSAL of Cllr. N. Kelleher, SECONDED by Cllr. J. Moloney it was agreed to adopt the Chief Executive's recommendation on Chapter 5 subject to the amendments previously agreed.

## Chapter 6 Retail Strategy

Mr. Stack briefed members on this Chapter as follows:

A number of submissions relate to the Retail Strategy chapter of the Draft Plan. These will be dealt with under the main headings of:- (6.3) Retail Strategy; (6.5) Regional Towns; (6.8) Retail Warehousing; (6.10) Urban Design and (6.11) Accessibility and Development Management.

### 6.3 RETAIL STRATEGY

Submissions 121 & 122 address the retail strategy:-

- Planning for future retail development should have regard to the medium and long term needs of the County and not be overtly influenced by prevailing negative economic trends.
- It is hoped that retailing will continue to be a key strength (both in terms of investment and employment) of the County.
- The Planning Authority should include policies and objectives that seek to promote additional retail development, where a proven 'need' exists. In this regard the inclusion of *Objective RS-8* under the *Retail Strategy Chapter 6* is welcomed.
- Make zoning change-of-use more flexible, facilitating the conversion of retail units to provide for other social and economic activities, e.g. offices for small start up enterprises, cultural and community centers, childcare facilities, leisure and hospitality.

### Chief Executives Response

- ❖ As part of the preparation of the Municipal District Local Area Plans the Planning Authority, in consultation with statutory bodies and members of the public, will identify and zone lands for commercial and retail developments in urban centers and thereafter edge of town centres where appropriate.
- ❖ The Council has engaged with landowners, retailers, etc. to bring forward sites for development in retail areas and will continue to do so as appropriate.
- ❖ The change of use of commercial units to other social and economic uses is provided for in the Planning & Development Acts (2000- 2013) and in the Planning and Development Regulations (2001-2013).

### Chief Executives Recommendation

No amendment to the Draft Plan.

### 6.5 REGIONAL TOWNS

Submissions 121, 122, 166 to 286 & 326 address issues relating to the Regional Towns:-

- The identification of Listowel as a '*Regional Town*' in the Retail Hierarchy is welcomed. However there is a presumption under Section 6.5.6 that the town is already well catered for in terms of comparison and convenience goods. This appears to conflict with objectives for Regional Towns in the Draft County Plan which seeks to encourage economic and employment growth.

- Tesco Ireland believe that providing a new retailer in Listowel town with a national profile would contribute to retaining trade within the catchments and all the benefits of linked trips and supplier benefits.
- Listowel town, the third largest town in Kerry, is experiencing a 26% vacancy rate on retail premises. The macro economics of North Kerry relies heavily on the vibrancy and successful trading of its main town. The current rates on premises do not take into account factors such as economic downfall, higher running costs, higher VAT, water rates and increasing bank charges. On foot of this and to ensure Listowel's surviving businesses stay open, the rates for businesses must drop by 35%. 65% revenue to the town is better than no rates if businesses close down.
- Ensure a plan for casual trading in Kenmare town is prepared.
- Future retail developments should be encouraged to use existing buildings and development sites in towns and village centers and that they incorporate sustainability principles.

### Chief Executives Response

- ❖ Section 6.5.6 of the Draft Plan states that Listowel town contains a good mix of smaller scale comparison and convenience goods. Regional towns do not intend to compete at the same level with the hub towns for retail development but rather serve as an important service and retail centre for its hinterland.
- ❖ All new retail development in Listowel town & any other hub or regional town will be assessed as per objectives RS-3 & RS4-RS-8 where it can be demonstrated that an evidence based need exists for new proposed retailers.
- ❖ Kerry County Council acknowledges the challenges facing the business sector in recent years. Therefore, a decision was taken by Kerry County Council in 2014 not to increase commercial rates for the fifth consecutive year. The submissions are noted. However, rates are not a matter for the County Development Plan process.
- ❖ Byelaws for regulating Casual Trading were prepared by Kerry County Council but were appealed to the District Court. Efforts will continue to bring forward a workable solution to Casual Trading in Kenmare.
- ❖ Objective RS-5 facilitates future development in vacant units in town centers before considering edge of town center developments.



On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. B. Cronin it was agreed to adopt the Chief Executive's recommendations in relation to Chapter 6.

## Chapter 7 Transportation & Infrastructure

Mr. Stack briefed members on this Chapter as follows:

A large number of submissions relate to Transportation and Infrastructure. These have been divided into the main headings of the Chapter i.e.

**(7.2)** Land Use Integration and Sustainable Transportation

**(7.3)** Water Services

**(7.4)** Waste Management

**(7.5)** Information and Communication Technology (ICT)

**(7.6)** Energy/Power Provision - including Renewable Energy (**Chapter 7.6.3**).

### 7.2 Land Use Integration and Sustainable Transportation

A number of submissions (but principally submissions 16, 17, 22, 24, 29, 31, 38, 46, 48, 70, 89, 93, 108, 121, 124, 131, 132, 146 151, 158, 162, 303, 304, 305, 306, 310, 320, 321, 324,326) address Land Use Integration and Sustainable Transportation issues, affecting the County, as follows:-

#### Sustainable Transport

- Sustainable Transport is a key element of a sustainable development strategy and should be closely aligned to land use planning and the need to create more sustainable communities.
- The implementation of Smarter Travel and the National Cycle Policy Framework ensures that alternatives to the car are more widely available mainly through investment in cycling and walking while helping to combat climate change. The promotion of Cycling-Safe Cycling Routes would also facilitate eco-tourism and as a consequence is of benefit to the local economy.
- As the fastest growing Greenhouse gas-emitting sector, transport needs slowing down. As speed is related to emissions output in transport, reducing speed limits is a very effective way of reducing Greenhouse gas (GHG) emissions.

#### National & Regional Routes

- The Council should give favourable consideration to people who are looking for planning permission along national secondary and primary routes that don't have any other option except to exit on these roads, but not exclusively to where people who have an existing entrance.

- The extension of the new Tralee Bypass to meet the N86 at Tonevane on the Tralee Dingle Road is proposed.
- Opposition to the construction of a western by-pass around Kenmare town and requests that all text relating to same be removed from the plan. It states that tourism is the major business for the town and encouraging tourists etc to by-pass the town would be counter productive and lead to a loss of business.

#### Local Roads etc

- It is suggested to amend objective RD-20 to read as follows - the upgrade and improvement to tourist routes should have due regard to the existing character and nature of the road route.
- Facilitate the construction of road underpasses in terms of planning permission, provision of road opening licenses and permission regarding road closures.
- Include a new policy with regard to hedges along public roads in the County as presently hedges/trees are preventing the free flow of traffic for tourists and locals alike.

#### Parking Provision

- Parking should be allowed only in the direction of travel on that side of the road. This would ensure the safety of all drivers because parking on the opposite of the roadway in which one is traveling requires basically driving on the wrong side of the roadway.
- Promote the development of “green parking areas” in appropriate areas.
- Provide adequate parking for disabled drivers, schools, delivery vehicles.
- No overnight parking of motor homes and caravans to be allowed in public areas especially in towns and beside the seaside.
- Car parking facilities in the villages need to be clearly indicated.

#### Pedestrians & Cyclists

- Improve footpaths in general as mobility issues and poor footpaths are a real concern. There has been some good work of late but there are a lot of footpaths still uneven and therefore difficult to negotiate.
- A campaign is needed to highlight the danger parked cars pose when on footpaths due to individuals with mobility issues, those using pushchairs, children and wheelchair users having to dismount the footpath to pass.

- For pedestrian safety reasons, there should be a policy whereby footpaths must be provided at least on one side of each street throughout all towns in the county and in many cases on both sides of the street.
- The appointment of a Local Authority Cycling Officer to oversee the delivery of the cycling related strategy and implement a full cycle network and create bike parking spaces around towns and villages.
- The creation of Amenity/Cycleways Trails on the Dingle Peninsula and throughout the county.

#### Public Transport

- It is suggested that the Council should show some commitment to a Rural Transport Scheme to help people in remote areas stay connected.
- Focus on improving public transport, in order to reduce car dependency in the County.
- Facilitate the restructuring of the Rural Transport Programme. There will be an enhanced role at County Level through the Kerry Community Transport Ltd to promote and support the development of integrated transport as well as sustaining the current provision. Kerry County Council will have an enhanced role in the development of transportation plans for the county which will support greater co-ordination and integration of services and identify areas of unmet need.

#### Rail

- A rail network could be developed between Tralee and Limerick and up along the west coast if other counties also developed viable urban centres.
- Facilitate the connection of the Airport to the Railway line.

#### Air Transport

- It is suggested that objective RD-35 be amended to read;- Ensure the future development and viability of the Airport by restricting development, *activities or land uses that could generate hazards or pose a safety risk to aircraft operations in the vicinity of the airport. Development proposals within a radius of 13Km of the airport will be screened to ensure aircraft safety in accordance with international aviation safety guidelines.*
- It is suggested that objective RD-37 is amended to read:- Ensure that no new development will be permitted which will extend within the airspace volume as defined by the obstacle limitation surfaces for the airport, *or that could directly or indirectly interfere with or affect the safe operation or calibration of the airport navigation systems.*

- *Kerry Airport made the following submission:-*
  - *Section 7.2.4.3 of the Plan gives protection to the Airport relating to the obstacle limitation surfaces in Annex 14, however, these surfaces do not extend to the areas, which need to be protected, relating to the calibration of the Navigational Aids. The requirement for this has been highlighted during the assessment process of various planning applications for windfarms.*
  - *The submission requests the Council to include in the new County Development Plan specific areas where development should not be allowed which would interfere with or impede the operation and / or calibration of the Instrument Landing System (ILS) along with the already protected Annex 14 surfaces.*

#### Roadside Signage

- The erection and provision of clear roadside signage in various towns in the county, in order to alleviate bottlenecks etc.
- Improve rural signposting re walking/cycling.
- Road signage should reflect the depth of culture and local history that exists in and is ingrained in every Kerry locality. Bland numbered index signs do not create a verbal landscape for locals and visitors alike.
- All future signage be bi-lingual, but that prominence of either to be determined by the owner.

#### **Chief Executives Response**

- ❖ It is an aim of the Plan to achieve a sustainable, efficient and integrated transport system by enhancing the existing strategic transportation infrastructure, in terms of the road, rail and public transport network, together with cycle-way and pedestrian facilities. This will improve safety on the road as well as enhancing tourism throughout the county.
- ❖ The Draft Kerry County Development Plan supports sustainable travel in the County and implements the key goals, targets and actions of Smarter Travel – A Sustainable Transport Future – A New Transport Policy for Ireland 2009-2020 and the “National Cycle Policy Framework”.
- ❖ The strategic aims of the Core Strategy will seek to achieve and support the aims of national policy as contained in ‘Smarter Travel’ and ‘Spatial Planning & National Roads; Guidelines for Planning Authorities’ DoECLG 2012. The key aims of these documents include maximising the efficient use of the transport network, reducing reliance on fossil fuels, reducing transport emissions. It is recommended to include additional objectives regarding this - See Response & Recommendation to Submission No.1.

- ❖ Sections 7.2.6 and 13.6 of the Draft Plan contain detailed policies and guidelines relating to the erection of all forms of signage. The Council recognises the importance of Irish across Kerry, both inside and outside the Gaeltacht and will support the use of Irish. It is a policy to ensure that all future signage is bi-lingual, with emphasis on the Irish in the Gaeltacht areas.
- ❖ Objective RD-20 seeks to “sustainably upgrade and improve the major tourist routes within the County..... at appropriate locations and in a sustainable manner along such tourist routes”. The assessment of all proposed road works has due regard to the existing character and nature of the road route. This objective is considered appropriate.
- ❖ The reduction of the speed limit on the Countys roads is carried out in conjunction with the Department of Transport and An Garda Síochana. It is an objective of the Draft Plan to review existing speed limits in accordance with any National Guidelines or Directives.
- ❖ The provision of adequate footpaths and parking throughout the County is essential for the proper functioning of settlements, pedestrian safety and access to services and every effort is made to maintain the quality of the public domain.
- ❖ Objective RD-23 seeks the provision and improvement of parking arrangements for vulnerable users.
- ❖ The Council supports the provision of public and private bus services, including the Rural Transport Programme. It is an objective to prepare a rural County Transportation Plan (RD-32).
- ❖ The construction of new roads and improvement of existing roads are priority road infrastructure projects. Objective RD-15/16 aims to support sustainable improvements to the existing National Road network including new road schemes and by-passes and the regional/local roads. It is the policy of the Council to continue the ongoing sustainable upgrading, strengthening and improvement works on all regional & local roads in the county.
- ❖ The extension of the new Tralee Bypass to meet the N86 at Tonevane on the Tralee Dingle Road is not proposed in this Plan.

- ❖ The construction of the N70-N71 Kenmare link Road and the Inner-relief road are priority road infrastructure projects. Objective RD-15 aims to support sustainable improvements to the existing National Road network including road schemes and bypasses. The construction of the relief road will improve traffic flow while reducing traffic congestion in the town especially during the peak tourist season.
- ❖ Chapter 7.2.1 relates to access onto National Routes. See the Response and Recommendation to Submission No.1.
- ❖ Hedge cutting is part of the local operational works programme and addressed in the 1993 Roads Act and is not within the remit of this Plan. However, it is the policy of the Plan to encourage and facilitate the retention and creation of features of local biodiversity value, ecological corridors and networks that connect areas of high conservation value such as woodlands, hedgerows, etc.
- ❖ Kerry County Council can facilitate the construction of underpasses in terms of planning permission, provision of road opening licenses, and permission regarding road closures subject to road safety issues. (See Chapter 4).
- ❖ It is the policy of the Plan to support and facilitate the sustainable provision of public parking facilities at appropriate locations, including bus parking within and on the edge of towns and villages and at appropriate scenic viewing points and scenic routes. The Council should facilitate the development of “green parking areas” in appropriate areas.
- ❖ The development of the rail network is important in terms of enhancing the economic and social development of the County. There are no plans to either relocate Farranfore railway station closer to the Airport or to build a new station at the airport.
- ❖ There are a number of protective zones around the Airport. These have been formulated with the aid of Kerry Airport Plc. All applications within these zones are referred to Kerry Airport for comment. This zone includes an area up to 15kms radius outside the conical surface.
- ❖ It is an objective of the Plan (RD-35) to ensure the future development and viability of the Airport by restricting development that may effect operations of the Airport. It is considered appropriate to amend this objective to also restrict development that would interfere with the aircraft navigation or impede the operation and/ or calibration of the Instrument Landing System (ILS).

There were many specific local issues raised in submissions which cannot be considered within the context of this Draft County Plan but may be considered in the context of the preparation of the Municipal District Plans.

#### Chief Executives Recommendation

It is recommended to amend objective RD-22 to read as follows:-

Parking Provisions	
It is an objective of the Council to:-	
RD-22	Support and facilitate the sustainable provision of public parking facilities and “green parking areas” at appropriate locations, including bus parking within and on the edge of towns and villages and at appropriate scenic viewing points and scenic routes.

It is recommended to amend objective RD-35 to read as follows:-

Air (Kerry International Airport)	
It is an objective of the Council to:-	
RD-35	Ensure the future development and viability of the Airport by restricting development that may effect operations of the airport or interfere with the aircraft navigation or impede the operation and/ or calibration of the Instrument Landing System (ILS).

## 7.4 Waste Management

A number of submissions (but principally submissions 24, 30, 114, 125, 126, 308) address

### **Waste Management :-**

- The Draft Plan should acknowledge the need to develop alternatives to landfill and the plan should be amended to include an objective to support and facilitate the development of treatment infrastructure that can help to process waste for recovery purposes in Strategic Locations within close proximity to National Routes.
- Draft KCDP should be amended to take into account that while generally, industrially zoned land is suitable for many waste management activities, certain activities may require greater flexibility with respect to location.
- Large-scale facilities should be strategically located within the Hub Functional Area i.e. closest to the largest concentrations of population within the County and to the county's national roads.
- Waste Management facilities should not be confined to urban areas.
- The Draft KCDP should be amended to confirm that an 'appropriate' or 'sustainable' location for such facilities does not necessarily infer zoned lands within a settlement.
- It is suggested that Objective ES-26 should be amended to read that *"Proposals for any economic development in rural areas must demonstrate.....That there will be no significant adverse impact on the residential amenity of nearby residents."*
- The plan should include an objective *to support and facilitate the upgrading or appropriate expansion of existing, long-established waste management facilities.*
- Facilitate additional litter control, management and access to recycling centres.
- All proposals for waste management should only be considered if they fully comply with all new directives, and should not be permitted if there is a possibility of environmental damage or a negative impact on tourism, roads, residential amenities and views. All contingencies should be included in any permitted development.
- It is suggested that objectives WM-3/4 are amended to include reference to industrial zoned lands.



- A recycling centre would be beneficial to the North Kerry area and would prevent illegal dumping.

#### Chief Executives Response

- ❖ It is the policy of the Draft Plan to support and facilitate the development of waste treatment infrastructure that can help to process waste for recovery purposes in appropriate locations and not just on industrial or urban lands. It is not the intention of the Council to specifically identify and zone any site for waste management infrastructure.
- ❖ It is the policy of the Draft Plan that proposals for necessary waste management infrastructure are not limited to zoned lands in urban areas and any proposal shall be considered subject to development management standards and regulatory control (see Chapter 4).
- ❖ It is the Aim of the Plan to ensure the provision of the highest standards of waste management. The provision of a properly regulated, environmentally sustainable waste management infrastructure is a critical element of the County's infrastructure. Aside from protecting the natural environment it forms an integral part of the infrastructure necessary for industries to operate within the County in an environmentally sustainable manner.
- ❖ The plan promotes and facilitates communities to become involved in environmental awareness activities and community-based recycling initiatives or environmental management initiatives that will lead to local sustainable conservation and management practices.
- ❖ It is stated that any proposed waste management facilities in the county will have to comply with all relevant development standards.
- ❖ There are many specific local issues raised that cannot be considered within the context of this Draft County Plan but can be considered in the context of the review of the preparation of the Municipal District Plans.

#### Chief Executives Recommendation

No amendment to the Draft Plan

### 7.5 Information & Communication Technology (ICT)

A number of submissions (but principally submissions 38,146, 151, 303, 304) address Information and Communications Technology (ICT) issues in the County Plan, as follows:-

- Prioritise countywide provision of high-speed broadband and phone coverage to enable strong local economies, agribusinesses, communities and businesses to benefit from interaction with best international practice and learning.
- Consider supporting local communities to develop and manage their own broadband infrastructure.
- Ensure that the Plan provides for better broadband services all around the country along with full landline and mobile coverage as poor and inconsistent service is seriously impacting jobs and livelihood.
- The Council should constantly strive to provide every resident in Kerry with a “useable” level of broadband for the purposes of not only personal but for cottage industries also. Lack of broadband service IS detrimental to tourism and industry.

#### Chief Executives Response

- ❖ It is the aim of the Council to support the co-ordinated and sustainable development and extension of broadband infrastructure and to facilitate the sustainable development of a modern efficient telecommunications network serving the County.
- ❖ With regard to the improvement to phone coverage the inclusion of the 1km restriction in Section 7.5.2 mitigates against the sustainable development of an efficient telecommunications system. See response and recommendation to submission 1.

#### Chief Executives Recommendation

No amendment to the Draft Plan other than as already recommended in relation to the Response & Recommendation to Submission No.1.

### 7.6 Energy & Power Provision

A number of submissions (but principally submissions 121, 131, 146, 326) address:

#### Energy/Power Provision:-

#### Energy & Power Provision

- Insert a condition of planning for Renewable Energy projects, regarding community ownership of renewable energy assets.
- It is suggested to “remove the word ‘sustainable’ from Objective EP-9 and reconsider this objective in the context of a long-term vision centred on renewable energy”.

- It is suggested to “ensure that power for all new treatment facilities is a renewable source and endeavour to convert existing facilities to a renewable energy source”.
- Introduce gravity-fed bypass systems at treatment facilities where possible to avoid disruption in water supply during power cuts.
- Promote the development of district heating systems successfully established by the Council in Tralee throughout the County’s urban settlements.
- Support the provision of energy-efficient multi-purpose community buildings, which are not dependent on fossil fuels, to allow for shared expenses and a reduction in energy usage.

#### Chief Executives Response

- ❖ It is the policy of the Draft Plan to promote rainwater harvesting, the use of non fossil fuels and other methods of energy efficiency both during the construction phase and during the lifetime of all residential/non residential development. The Draft Plan also supports the development of District Heating Schemes and associated infrastructure.
- ❖ It is not possible to insert a condition to any planning permission regarding the ownership of any renewable energy development or the restriction of same to community led developments.
- ❖ It is considered appropriate to retain the word ‘sustainable’ in Objective EP-9 as it is the policy of the Council to ensure that all development is sustainable, especially in the context of the adequate provision of infrastructure.

#### Chief Executives Recommendation

No Amendment to the Draft Plan.

### 7.6.3 Renewable Energy

A number of submissions (but principally submissions 38, 65, 66, 67, 68, 73, 100, 101, 104, 118, 119, 120, 121, 127, 128, 133, 134, 135, 149, 153, 154, 307, 314, 317, 318, 323 & 326) address **Renewable Energy**, as follows:-

- Bord Gais Energy (BGE) welcomes the comprehensive and proactive approach that Kerry County Council has taken with regard to the future planning and development of renewable energy within County Kerry, culminating in the implementation of the Renewable Energy Strategy for County Kerry (KCC, 2012).

- BGE notes and supports Kerry County Council's strategic aims outlined in Chapter 7 of the Draft County Development Plan 2015-21.
- BGE support Kerry County Council's objectives to maximise renewable energy development potential in a sustainable and sensitive way.
- The IWEA welcomes and echoes the clear statement within the Draft CDP under point 7.6 regarding renewable energy.
- It is stated that the bulk of the energy resource lies with on-shore and offshore wind energy as well as wave energy, which together can potentially generate an amount of electricity equivalent to over 5 times the total final energy demand of the county.
- By 2030, the county will be capable of becoming energy self sufficient on the basis of its own renewable energy resource. In terms of electricity supply, wind energy can provide up to 45% of total energy requirements of the county. Solar power will also play a significant role in the electricity mix.
- It is stated that as County Kerry experiences greater and more consistent wind speeds than other counties and that this makes it incumbent on the County to zone land for wind farms.
- The inclusion of a prescriptive buffer zone is a serious concern to IWEA members and IWEA believes that this should be removed from the variation.
- There is concern at the decline in the potential area for wind farm development over time. Since the 2003 CDP there has been a 58.63% reduction in potential development areas. This reduction may have a significant impact on the development of wind energy projects and the delivery of Ireland's renewable energy targets.
- With regard to Section 7.6.3 Renewable Energy, it is submitted that two sub-sections should be included – Wind Energy and Hydro Energy:  
It is submitted that the following objectives be included:

Wind Energy

*Identify existing public rights of way and established walking routes prior to new developments and prohibit them if they impact thereon or on public access to the countryside and carry out an Environment Impact Assessment when required by regulations.*

*Planning applications shall comply with the DECLG Guidelines (2006) or any future guidelines.*

Hydro Energy

*Have regard to the impacts of Hydro Energy Schemes on public rights of way and walking routes.*

**There are a large number of submissions opposed to Windfarms and the 8<sup>th</sup> Variation (Renewable Energy Strategy) of the County Development Plan 2009-15 and referenced in the Draft Kerry County Development Plan 2015-2021. The following is a summary of the issues raised:-**

- It is requested that the 8<sup>th</sup> Variation to the CDP 2009-15 be changed and taken out of the new County Development Plan.
- It is stated that there was improper consultation during the preparation of the RES.
- Was there proper public consultation done before large swathes of the county was made open to wind energy? It is stated that the public consultation on the 8<sup>th</sup> Variation to the CDP 2009-15 was improperly conducted. There is concern that given the lack of proper public consultation, any development plan which defers back to this is not based on solid information and therefore should not be considered.
- There are also proposed changes to guidelines in relation to Wind turbines so therefore it is considered that Variation should not have proceeded.
- County Kerry has been saturated with industrial turbines at elevated sites and is now moving to consider wind turbines in low lying, populated areas in a time when wind energy policy throughout Ireland and Europe is being reviewed. It is stated that sites designated as “open to consideration” in the 8<sup>th</sup> Variation be revoked until these guidelines/ policies have been changed/ introduced.
- The entire peninsula of West Kerry should be clearly zoned such that wind farm development is ruled out because it is incompatible with the area’s reliance on tourism due from its landscape.
- There is concern that the RES and the County Development Plan 2015-2021 refers to outdated sources and reference points.
- There are concerns that the majority of the proposed wind turbines are located in North Kerry. Therefore an estimated 450 out of the 600 wind turbines proposed for the county will be built in only one quarter of the county. This will affect the quality of life for those living in the area.

- Windfarm development will have a negative impact on tourism in North Kerry and will have a domino effect for tourism in the county. Quite simply, the spending power of businesses and people in North Kerry will be diminished as a result of a lack of tourism and therefore 'staycations' and other spending in tourist hotspots such as Killarney, Tralee and Dingle will be adversely affected.
- It is stated that the Landscape Character Assessment (LCA) Report of the 8<sup>th</sup> variation was flawed and gives a false impression of the county.
- There is concern raised the issue of the location of existing and proposed turbines in relation to houses, schools etc and the potential impact on the property value.
- There is concern that the environment will be destroyed by defunct and abandoned wind farms that nobody will want and nobody will be able to take down.
- It is suggested that variations to the CDP should be given the same amount of public consultation as a full County development plan, as the variations can and do cover issues that are, if not, more important to each and every community.
- The Council's stated policy of maximising the wind energy potential of the county is a wrong policy and needs to be withdrawn.
- It is stated that there is an insufficient evidence base for the designation of a large part of the Inny Valley as open to consideration, when account is taken of the core Strategic Policy of the Draft Plan, which is to protect the amenity of Kerry's landscape, and by extension the importance of tourism to rural and peripheral areas.
- The extensive zoning has not taken proper account of the likely significant impact on the receiving environment.
- It is suggested that the RES be re-opened and sent out to public consultation again and where necessary, variations can be made on an evidence based approach.

- There were a large number of points expressed by the Listowel Community & Voluntary Workshop Working Group on Renewable Energy. The group is totally opposed to wind farms for many reason including public health and safety, visual amenity, impact on the roads/landscape/environment. It is stated that the County Plan is not about people, it's about private companies doing as they wish. People are not being taken into consideration.
- It is suggested that the erection of wind farms will increase unemployment and County Kerry will never reach its full economic potential. Windfarms will destroy North Kerry and its beautiful landscape, the Wild Atlantic Way and the Great Southern Trail.

### Chief Executives Response

- ❖ The Renewable Energy Strategy (RES) 2012 saw the implementation of Objective NR7- 21(b) of the Kerry County Development Plan (2009-2015) which seeks to; *facilitate the preparation of a Renewable Energy Strategy for the county during the lifetime of the plan.* Wind zoning maps for the County were included in the 2003-2009 and 2009-2015 Kerry County Development Plans. Areas of the County, including North Kerry, have therefore been zoned for wind energy for over 10 years, with both County Development Plans and the 8<sup>th</sup> Variation to the Kerry County Development Plan 2009-2015 all subject to public consultation.
- ❖ The RES (2012) which was adopted by the Members less than two years ago contains more detailed policies and mitigation measures on renewable energy than those contained in the Kerry County Development Plan 2009-2015. The Variation was also subject to a Strategic Environmental Assessment and an Appropriate Assessment under Article 6 of the Habitats Directive.
- ❖ The DEHLG is currently revising the National Wind Energy Guidelines. Circular PL 19-13 advises Local Authorities not to review their wind energy strategies as part of the preparation of a new Development Plan until the national policy review process has concluded. Local Authorities are advised to operate their existing Development Plan policies and objectives until the Revised National Wind Energy Guidelines are completed or advised otherwise by the Department.
- ❖ The Renewable Energy Strategy will be reviewed when the Revisions to the National Wind Energy Development Guidelines are published by the Department of the Environment, Community & Local Government. It should therefore be an objective to carry out this revision.

Chief Executives Recommendation

It is proposed to include an additional Objective in section 7.6.3:-

Renewable Energy	
It is an objective of the Council to:-	
	Review the Renewable Energy Strategy 2012, as appropriate, when the revisions to the Wind Energy Development Guidelines are published by the Department of the Environment, Community & Local Government.

Cllr. T. Ferris PROPOSED that any reference to North Kerry being of little or no visual amenity value would be removed from all sections of the Plan, including supporting documentation such as the Landscape Assessment Study.

Cllr. J. Moloney asked if there is a map of areas zoned for wind farm development included in the Draft Plan. This is a very emotive issue and a strategy should be put in place. All the optimum locations have now been developed and any proposed windfarm will have to be on low lands. By December 2011 permission was granted for 317 wind turbines of which 203 have been constructed generating 711 mw of power which is more than adequate to meet the requirements of the county as the demand for the country is 3000 mw per day. Much of this development is in the Stack's Mountain and the long term social and economic impact of them was not considered. They are an imposition on a community with no benefits to them. He PROPOSED *"that planning for wind farms in areas designated 'open to consideration' in the Listowel and Tralee Municipal Districts will only be considered when the areas designated as strategic have been developed to their capacity and the effect of such development can be fully quantified"*

Cllr. D. Nolan SECONDED this proposal.

Cllr. J. Healy-Rae asked if that would affect the Inny Valley.

The Cathaoirleach said Cllr. Moloney's proposal relates to North Kerry only.

Cllr. J. Moloney PROPOSED that *"it is an objective of the Council not to permit the development of wind farms in areas 'open to consideration' in the Listowel and Tralee Municipal Districts until 90% of turbines already permitted have been constructed and the full impact of their presence can be assessed."*

Cllr. D. Nolan SECONDED this proposal.



Cllr. G. Spring said it seems futile to include until the existing permissions are developed when developers were told 8 or 9 years ago to develop low lying areas which have a larger capacity. Does this mean turbines in mountains would have to be removed?

Cllr. J. Moloney PROPOSED that the following text be included “due to the fact that planning permission for 402 turbines has been granted and 216 of these remain to be constructed, the majority of which are located in the Municipal Districts of Tralee and Listowel”.

Cllr. T. Ferris SECONDED this proposal.

Cllr. J. Finucane said in Germany no new permissions for wind turbines will be granted unless old turbines are removed.

The Chief Executive suggested that members would take one proposed amendment at a time.

Cllr. J. Moloney PROPOSED that planning for wind farms in areas designated ‘open to consideration’ in North Kerry will only be considered when the areas designated as strategic have been developed to their capacity and the effect of such development can be fully quantified.

Cllr. G. Spring PROPOSED that the following text be included in Cllr. Moloney’s proposal *“and when the existing turbines in the areas zoned as strategic are considered obsolete have been replaced due to technological advancements by modern turbines producing multiple outputs of energy in comparison to the existing turbines.”*

Mr McMahon said he had a major difficulty with this proposal as the Council has been directed by the Minister not to review the Renewable Energy Strategy until the new Guidelines issue.

Cllr. Ferris said members were told when they were adopting the 8<sup>th</sup> Variation to the County Development Plan the RES would be reviewed as part of the review of the County Development Plan within a year. Members want to make certain amendments now and she PROPOSED that they would proceed with the amendment proposed by Cllr. Moloney.

The Chief Executive said the role of management is to give members the best advice possible. As it stands legislation does not permit a review of the Renewable Energy Strategy until the new Guidelines are in place. If members propose an objective that would fundamentally revise the Renewable Energy Strategy the Minister would have to be advised that the Guidelines have not been complied with.

Cllr. Ferris said it is clear why she was asked to defer consideration of her proposal until this Chapter was being dealt with.

Cllr. D. Healy Rae concurred with the views expressed by Cllr. Ferris in relation to the review of the Renewable Energy Strategy when the County Development Plan was being reviewed. People cannot wait for Government when they are not doing their job and elected members also have a job to do. This is similar to the quarries issue where people are waiting for the past 12 months for legislation to be enacted. He asked how long more members would have to wait for the Guidelines on the Renewable Energy Strategy to issue. If members want to deal with the Renewable Energy Strategy they should be entitled to do so.

Cllr. A. Thornton asked if any reference in the County Development Plan to the Renewable Energy Strategy could be deleted.

The Chief Executive said there was a risk associated with this suggestion. At present the development of wind farms on vast tracts of the county is prohibited and coastal areas are protected. She advised members that this would be high risk and would not be the proper way to deal with it.

Cllr. Thornton said she wanted to understand what she can and cannot do. She asked if it was possible to delete the linkages between the County Development Plan and the Renewable Energy Strategy.

The Chief Executive said while it is possible to do this it has implications. The Renewable Energy Strategy must be reviewed in compliance with the new Guidelines when issued.

The Cathaoirleach said members should first deal with Cllr. Moloney's proposal to amend Section 7.6.3 of the Draft County Development Plan but management are advising that such a proposal is in variance with the Minister's guidance. Members were informed when the County Development Plan was being reviewed they could also review the Renewable Energy Strategy at that time. Members are now dealing with the relevant Chapter in the Draft Plan and he felt members should proceed if that is what they want to do.

Cllr. N. Foley said she appreciated the advice of management however, it is the members County Development Plan and she thought members should proceed. This is a hugely emotive issue and it is a key issue in the County Development Plan. She PROPOSED that members would proceed with their amendments and let the Minister do what he must do.

Cllr. J.J. Culloty said permission was granted for approx. 600 wind turbines and he understood from a debate some time ago that we were close to the limit of the number of wind turbines the county could take. He also understood there were more turbines in Kerry than in any other county.

Cllr. J. Finucane said North Kerry has had to endure the debacle of Shannon LNG and its capacity to bring in natural gas. It has taken 7 or 8 years to progress this project and it ended up in the High Court. The Minister announced that the Renewable Energy Strategy should not be reviewed until Guidelines issue and this is as a result of the debacle in the Midlands. Ireland is the most expensive country for energy and we are awaiting the new Guidelines and he asked when they are likely to issue. Cllr. Finucane asked if members are proposing to re-instate the old Renewable Energy Strategy in the new County Development Plan or do members want it logically set out. The citizens of Ireland have not had the benefits of home produced energy in a reduction in their energy costs. The entire regulation of this industry needs to be considered as he believed the consumer is subsidising this industry.

Cllr. D. Nolan said members already voted against the NRA and the Regional Planning Guidelines and she asked if members should define North Kerry by stating the Tralee and Listowel Municipal Districts.

The Cathaoirleach called for a vote to be taken on Cllr. Moloney's proposal.

Mr. O'Brien said a vote would then be taken on the following amendment proposed by Cllr. Moloney and seconded by Cllr. Ferris:

That this Council having considered the Chief Executive's Report and Recommendations on submission to the Draft Kerry County Development Plan 2015 -2021 hereby resolves that planning for wind farms in areas designated 'open to consideration' in the Listowel and Tralee Municipal Districts will only be considered when the areas designated as strategic have been developed to their capacity and the effect of such development can be fully quantified or when existing turbines in the areas zoned as strategic are considered obsolete have been replaced due to technological advancements by modern turbines producing multiple outputs of energy in comparison to the existing turbines.

The vote resulted as follows:

**For:** Cllrs. Beasley, Connor-Scarteen, Cronin, Culloty, Daly, Ferris, Finucane, Fitzgerald, Flynn, Foley, Gleeson, D. Healy-Rae, J. Healy-Rae, Kelleher, Kennelly, Locke, McEllistrim, Moloney, Moriarty, Nolan, Quigg, Sheahan, Spring, Thornton, Brassil **(25)**

**Against:** Cllrs. Cahill, Grady **(2)**

**Not Voting:** None **(0)**

**Absent:** Cllrs. D. McCarthy, P. McCarthy, O'Brien, O'Connell, O'Shea, Purtill **(6)**

The Cathaoirleach declared the proposal CARRIED.

Cllr. J. Moloney again PROPOSED that this Council having considered the Chief Executive's Report and Recommendations on submissions to the Draft Kerry County Development Plan 2015 to 2021 hereby resolves that it is an objective of the Council not to permit the development of wind farms in areas 'open to consideration' in the Listowel and Tralee Municipal Districts until 90% of turbines already permitted have been constructed and the full impact of their presence can be assessed.

Cllr. D. Nolan SECONDED this proposal.

Cllr. J. Healy-Rae said this proposal will have an impact on the entire county. If this proposal is adopted applications for permission in areas 'open to consideration' will not be considered until 90% of permissions granted are constructed.

Mr. McMahon said it is important to be specific. This proposal would create a two tier strategy one for North Kerry and the other for South Kerry. He pointed out that anyone can make a planning application.

Cllr. J. Healy-Rae asked will it be ignored and will applications be refused.

The Chief Executive said this proposal will result in two different policies operating in the county.

Cllr. M. Gleeson said this proposal could have huge implications for South Kerry.

Mr. McMahon said he understood the second objective would apply to the Tralee and Listowel Municipal Districts only.

Cllr. Gleeson asked if this is in accordance with legislation.

Mr. McMahon said if the proposed amendments are adopted different policies will apply in different parts of the county. The advice being given to members is not being taken and it is therefore a matter for the elected members. Any proposed amendment will be put on public display and they will be debated again at a future meeting. The Minister advised that the Renewable Energy Strategy should not be reviewed until the revised Guidelines issue. The proposed objectives will impact on the Renewable Energy Strategy.

Cllr. Ferris pointed out that members already made a proposal which went against advice from the NRA.

Mr. McMahon said that proposal referred to certain roads as the traffic volumes were less than 3,000 vehicles a day. It is a matter for the NRA or the Minister to decide what they will do when the amendments go on public display.

Cllr. D. Grady asked why the objectives will not apply to the entire county.

The Cathaoirleach said the majority of the representations and submissions relate to North Kerry.

Cllr. Grady said as a result of this proposal developers will seek to develop wind farms in South Kerry.

Cllr. J.J. Culloty requested clarification on the numbers of wind turbines permitted, developed etc.

Mr. Stack said as at July 2014, 402 turbines were permitted and 186 have been constructed to-date.

The Cathaoirleach said that leaves 216 yet to be constructed and the vast majority of these are north of Tralee.

Cllr. Ferris said North Kerry is the most densely populated area in Western Europe.

Cllr. Foley asked that the reasons for members proposal is made clear i.e. due to the over population of the area.

Cllr. J. Healy-Rae said there is a minimal amount of wind turbines in South Kerry and there are areas 'open to consideration' where applicants can apply for permission. If South Kerry is included in this proposal no application will be considered. He asked that this proposal would be restricted to North Kerry.

The Cathaoirleach said the proposal can state "due to the fact that planning permission for 402 turbines has been granted and 216 of these remain to be constructed, the majority of which are located in the Municipal Districts of Tralee and Listowel, the most densely populated rural area in Western Europe.

Cllr. M. Gleeson requested that a letter would issue to the Minister for Environment asking when the new Guidelines will issue.

Mr. O'Brien said a vote would then be taken on Cllr. Moloney's proposal which was seconded by Cllr. Nolan as follows:

That this Council having considered the Chief Executive's Report and Recommendations on submissions to the Draft Kerry County Development Plan 2014 -2021 hereby resolve that it is an objective of this Council not to permit the development of windfarms in areas 'open to consideration' in the Listowel and Tralee Municipal Districts until 90% of turbines already granted permission have been constructed and the full impact of their presence can be assessed.

The vote resulted as follows:

**For:** Cllrs. Beasley, Connor-Scarteen, Cronin, Culloty, Daly, Ferris, Finucane, Fitzgerald, Flynn, Foley, Gleeson, D. Healy-Rae, J. Healy-Rae, Kelleher, Kennelly, Locke, McEllistrim, Moloney, Moriarty, Nolan, Quigg, Sheahan, Spring, Thornton, Brassil **(25)**

**Against:** Cllrs. Cahill, Grady **(2)**

**Not Voting:** None **(0)**

**Absent:** Cllrs. D. McCarthy, P. McCarthy, O'Brien, O'Connell, O'Shea, Purtill **(6)**

The Cathaoirleach declared the proposal CARRIED.

Cllr. J. Moloney asked what the potential output from 402 turbines is.

Mr. O'Brien said a vote would then be taken on the following amendment proposed by Cllr. Moloney which was seconded by Cllr. Nolan:

"That this Council having considered the Chief Executive's Report and Recommendations on submissions to the Draft Kerry County Development Plan 2015 – 2021 hereby resolves that the following text be inserted in Section 7.6.3 of the Draft Plan, "due to the fact that planning permission for 402 turbines has been granted and 216 of these remain to be constructed, the majority of which are located in the Municipal Districts of Tralee and Listowel, the most densely populated rural area in Western Europe."

The vote resulted as follows:

**For:** Cllrs. Beasley, Cahill, Connor-Scarteen, Cronin, Culloty, Daly, Ferris, Finucane, Fitzgerald, Flynn, Foley, Gleeson, Grady, D. Healy-Rae, J. Healy-Rae, Kelleher, Kennelly, Locke, McEllistrim, Moloney, Moriarty, Nolan, Quigg, Sheahan, Spring, Thornton, Brassil **(27)**

**Against:** None **(0)**

**Not Voting:** None **(0)**

**Absent:** Cllrs. D. McCarthy, P. McCarthy, O'Brien, O'Connell, O'Shea, Purtill **(6)**

The Cathaoirleach declared the proposal CARRIED.

Cllr. A. Thornton PROPOSED that the development of windfarms in the Tralee and Listowel Municipal Districts would take into consideration population density and would be consistent with our Rural Development Strategy hence that winfarm development will not be considered in areas defined as 'under strong urban influence' or 'strong rural areas' in order to minimise the impact of windfarms on the residents in these areas. Also that the development of windfarms in the Listowel and Tralee Municipal Districts would not be considered in areas between 0m and 10m above sea level.

Cllr. T. Ferris SECONDED this proposal.

The Chief Executive pointed out that there are areas in the Renewable Energy Strategy which are 'open to consideration' and following the amendments just adopted there are now two distinct policies, one for North Kerry and another for South Kerry. It is one thing to propose a variation to the Strategy but this is a different policy to what is in place. The planning authority has been advised by the Minister not to review their Renewable Energy Strategy pending receipt of the new Guidelines. Council has taken a different view and they are making a fundamental change to the RES resulting in two separate policies for the county, one for North Kerry and the second for South Kerry.

Cllr. Thornton said her proposal is an alternative to deleting the linkage between the County Development Plan and the RES.

Ms. Murrell pointed out if members proceed to do this they remove any protection for some parts of the county. She also stated that the Renewable Energy Strategy does not just relate to wind energy.

Mr. McMahon said the County Development Plan should set out the policies clearly so that the public and planners can understand them. Members are mixing policies and we have strategic areas and areas open to consideration. Areas should either be open to consideration. The proposal that strategic areas which are under urban pressure or strong rural areas are areas where permission for turbines should not be granted does not make sense.

Cllr. J. Brassil said in light of the advice given and in an effort to try to ensure proposals already adopted get Ministerial approval the amendments previously adopted would proceed without further amendments.

Cllr. Ferris PROPOSED that the area at Ballyhorgan would be removed from the area 'open to consideration.' If the Minister rejects the previous amendments members would have a fall back position.

Cllr. R. Beasley SECONDED this proposal.

Cllr. Gleeson agreed that this area should be excluded.

Mr. McMahon said members are trying to write a policy around a planning application and that is not correct. Any amendment proposed in the Draft Plan will not impact on any current planning application as it will be determined in accordance with the current Plan until the Draft Plan is adopted early in 2015.

Cllr. Ferris asked if management are correct and the Minister rejects these amendments is there anything else they can do.

Mr. P. Stack said he would also be concerned about how An Bord Pleanála would view these amendments in the context of the Renewable Energy Strategy and the content of the amendments now proposed.

Cllr. Ferris said her concern is if management are wrong then at the next stage there is nothing members can do.

The Chief Executive said while a case can be made on a specific policy it cannot be made on a specific townland.

Mr. McMahon said all amendments will be put on public display for 4 weeks but an SEA and AA must first be done. When the submissions on the amendments are received the Chief Executive's report will be compiled. This report will then be presented to Council and the members will adopt the Plan. It is a matter for the Minister to decide if he will intervene or not.

Cllr. J. Finucane said up till now members acted reasonably and gave reasons for the proposed amendments.

The Cathaoirleach said members put forward amendments giving their reasons for them. He pointed out that there is a substantial area zoned 'preferred.' He informed members that he would move on to the next section.

Cllr. B. Cronin referred to Page 116 of the Chief Executive's Report and the section on Air Transport and Kerry Airport. It is critically important that Kerry International Airport is protected. He PROPOSED that this Council having considered the Chief Executive's Report and Recommendations on submission to the Draft Kerry County Development Plan 2015 – 2021 hereby resolves that the following additional text be added to Objective RD-35 – To restrict any proposed development within a 13km radius that could generate hazards or pose a potential safety risk to aircraft flight paths or operations to ensure aircraft safety in accordance with International Aviation Safety Guidelines.

Cllr. J. Finucane SECONDED this proposal.

A vote was taken on it which resulted as follows:

**For:** Cllrs. Beasley, Cahill, Connor-Scarteen, Cronin, Culloty, Daly, Ferris, Finucane, Fitzgerald, Gleeson, D. Healy-Rae, J. Healy-Rae, Kelleher, Kennelly, Locke, Moloney, Moriarty, Nolan, Quigg, Sheahan, Spring, Thornton **(22)**

**Against:** None **(0)**

**Not Voting:** Cllr. Brassil **(1)**

**Absent:** Cllrs. Flynn, Foley, Grady, D. McCarthy, P. McCarthy, McEllistrim, O'Brien, O'Connell, O'Shea, Purtill **(10)**

The Cathaoirleach declared the proposal CARRIED.

Cllr. D. Healy-Rae asked if the proposed extension to Castleisland Sewerage Scheme is included in the Draft Plan. He also asked if provision is made for signage and Transfer Stations.



The Cathaoirleach said these issues would be dealt with in Chapter 13.

Cllr. D. Healy-Rae said he was referring to finger sign posts.

Mr. Stack said these issues relate to Chapter 13 where there are three pages on signage and he would go through those in detail at that time.

Cllr. J. Healy-Rae asked in which Chapter is parking dealt with.

Mr. Stack said this is also included in Chapter 13.

Cllr. D. Healy-Rae said there is no mention of the extension to Castleisland Sewerage Scheme and he PROPOSED that it would be included.

Cllr. J.J. Culloty SECONDED this proposal.

Cllr. D. Healy-Rae said there was no mention of Transfer Stations and the nearest one to him is Milltown.

Cllr. J. Healy-Rae referred to the list of Water and Waste Infrastructure on Page 95 and said the proposed extension to the Castleisland Sewerage Scheme is not included on this list.

The Chief Executive said it can be included on this list.

The Cathaoirleach said Cllr. D. Healy-Rae proposed that the extension to Castleisland Sewerage Scheme and the upgrading of the treatment plant would be included on Page 95 of the Draft Plan.

Cllr. J. Healy-Rae said Caherdaniel, Kilgarvan, Clahane/Brandon Sewerage Schemes are not included on this list despite the fact that in Caherdaniel sewage is flowing into the river while in Clahane/Brandon it is flowing into the Bay. He added that the list of Water and Waste Infrastructure on Page 95 of the Draft Plan does not include Water Schemes.

Mr. McMahon referred members to Page 94 of the Draft Plan and he read the following: *“The South West Regional Planning Guidelines (RPGs) list key infrastructural projects required for balanced development of the Region and emphasise the link between the provision of infrastructure and land use planning. Building on the RPGs the priority infrastructure requirements for the County over the plan period 2015 – 2021 and beyond include the following Schemes listed in Tables 7.1 & 7.2.*

*Alternative Schemes may be undertaken in the lifetime of the Plan, if funding becomes available for such schemes.”* Mr. McMahon said if we achieve the schemes set out on Table 7.2 we will achieve a lot.

Cllr. J. Healy-Rae said constituents make representations to them and they want to ensure these schemes are included in the County Development Plan.

The Chief Executive said the Council makes a submission to Irish Water on the Water Services Investment Programme and she suggested that the priorities in the Council's submission would be integrated into the County Development Plan. This list sets out our priorities for the next 25 years.

Cllr. J.J. Culloty requested that Scartaglin Sewerage Scheme would also be included on the list.

The Cathaoirleach said the list sent to Irish Water can be referenced in the County Development Plan.

Cllr. J. Healy-Rae said there is no reference to cul de sac roads or through roads and no funding for them. He PROPOSED that some reference to these roads would be included in the Draft Plan. He called on the Council to come up with a programme to resurface minor roads.

The Chief Executive referred members to Page 99 of the Draft Plan and read the following: *"It is the policy of the Plan to continue the ongoing upgrading, strengthening and improvement works on all regional & local roads in a sustainable manner in accordance with the objectives of this Plan and in compliance with the annual Roads Programmes."*

The Cathaoirleach suggested that cul-de-sac roads and tertiary roads should be included.

Mr. C. O'Sullivan said the objectives in the County Development Plan in relation to roads are strong but the barrier is scarce resources and funding. It has nothing to do with the development strategy. He recently mentioned that the Department of Transport requested submissions on their strategy going forward and a submission will be made on behalf of the Council.

Cllr. J. Healy-Rae PROPOSED that this Council having considered the Chief Executive's Report and Recommendations on submissions to the Draft Kerry County Development Plan 2015 – 2021 hereby resolves to include the following additional text in Objective RD-19 "Regional, Local and Tertiary Road."

The Cathaoirleach SECONDED this proposal.

A vote was taken on Cllr. Healy-Rae's proposal which resulted as follows:

**For:** Cllrs. Beasley, Connor-Scarteen, Culloty, Daly, Ferris, Finucane, Fitzgerald, D. Healy-Rae, J. Healy-Rae, Kelleher, Kennelly, Moloney, Moriarty, Nolan, Quigg, Sheahan, Spring, Brassil(18)

**Against:** None (0)

**Not Voting:** None (0)

**Absent:** Cllrs. Cahill, Cronin, Flynn, Foley, Gleeson, Grady, Locke, D. McCarthy, P. McCarthy, McEllistrim, O'Brien, O'Connell, O'Shea, Purtill, Thornton **(15)**

The Cathaoirleach declared the proposal CARRIED.

Cllr. P. Daly said his previous proposal intended to give recognition to logainmneacha and this would also apply to traffic signs. He accepted there would be an argument for communication reasons to use English but that can result in a loss of the description of the area. In conclusion Cllr. Daly said Minister Varadkar is in favour of the logainmneacha. He PROPOSED that the Irish place name would be given prominence and that the English would be underneath in smaller print.

Cllr. Ferris SECONDED this proposal.

In response Mr. C. O'Sullivan said road signage is governed by Ministerial directive and this issue was raised on a number of occasions with the Department. In accordance with the Official Languages Act preference is given to Irish on signage in Gaeltacht areas.

Cllr. J.J. Culloty did not agree with Cllr. Daly's proposal as it would be difficult for foreigners.

The Cathaoirleach said there is a written submission on this issue included in Chapter 13 and it would be dealt with when that Chapter is being considered.

Cllr. Ferris asked if that is the law why is it not enforced.

The Chief Executive undertook to check the legislation on this prior to the next meeting.

Cllr. P. Connor-Scarteen referred to Page 114 of the Chief Executive's Report and to the second paragraph and he said this submission was made by the Kenmare Chamber of Commerce. He then referred to Page 118 of the Chief Executive's Report and to the third paragraph which reads "*The construction of the N70-N71 Kenmare link Road and the Inner-relief road are priority road infrastructure projects. Objective RD-15 aims to support sustainable improvements to the existing National Road network including road schemes and by-passes. The construction of the relief road will improve traffic flow while reducing traffic congestion in the town especially during the peak tourist season.*"

Cllr. Connor-Scarteen asked that all reference to the Western By-Pass would be removed from the Draft Plan.

Mr. C. O'Sullivan referred members to Table 7.1 on Page 94 of the Draft Plan for the list of Relief Roads.

The Cathaoirleach said Cllr. Connor-Scarteen is asking that any reference to the Kenmare Western By-Pass would be removed from the Draft Plan.

Mr. C. O'Sullivan said it is not anticipated that this road will be developed in the lifetime of the new County Development Plan. He would not recommend removing it as an alternative route must be identified for traffic coming from Bantry. Mr. O'Sullivan said it is important to retain this option.

Cllr. J. Healy-Rae PROPOSED that the Draft Plan would not be amended to exclude a reference to the Kenmare Relief Road.

The Cathaoirleach SECONDED this proposal and it was agreed.

#### **14.09.01.03 Training for elected members**

- (a) On the PROPOSAL of Cllr. J. Moloney, SECONDED by Cllr. M. Kennelly it was agreed to authorise the attendance of Cllrs. Culloty, Kennelly, O'Connell, McCarthy, Spring, Beasley, O'Shea, Moloney, Fitzgerald, Finucane, Flynn, McEllistrim, Sheahan, Thornton, Cronin, Quigg, Cahill and Kelleher to attend the AILG Training on Finance and Budgeting to be held in the Seven Oaks Hotel, Carlow on the 16<sup>th</sup> September, 2014.
- (b) On the PROPOSAL of Cllr. J. Moloney, SECONDED by Cllr. M. Kennelly it was agreed to authorise the attendance of Cllrs. O'Connell, Spring, Beasley, Brassil, Flynn, McEllistrim, Sheahan, Nolan, Cronin, Grady, Quigg, Cahill, Culloty, O'Shea, Moloney, Fitzgerald, Finucane and Kelleher at the AILG Training on Housing to be held in the Abbey Court Hotel, Nenagh on the 16<sup>th</sup> October, 2014.
- (c) On the PROPOSAL of Cllr. J. Moloney, SECONDED by Cllr. M. Kennelly it was agreed to authorise the attendance of Cllrs. O'Connell, Spring, Beasley, Brassil, Flynn, McEllistrim, Sheahan, Nolan, Cronin, Grady, Quigg, Cahill, Kelleher, O'Shea, Moloney, Fitzgerald and Finucane at the AILG Training on Planning to be held in the Ferrycarrig Hotel, Wexford on the 6<sup>th</sup> November, 2014.

The meeting concluded at 8.10pm.

**Gerard O'Brien**

**A/SEO Corporate Affairs**

**Cathaoirleach of Kerry County Council**