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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 LUAN 12 SAMHAIN 2012.**

**MINUTES OF THE SPECIAL PLANNING MEETING OF KERRY COUNTY
COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE,
TRALEE ON MONDAY 12 NOVEMBER, 2012.**

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

R. Beasley	T. Buckley	M Cahill
P. Connor-Scarteen	B. Cronin	J.J. Culloty
P.J. Donovan	T. Ferris	J. Finucane
S. Fitzgerald	N. Foley	M. Gleeson
M. Griffin	D. Healy-Rae	J. Healy-Rae
P. Leahy	P. McCarthy	A. McEllistrim
B. Moynihan Cronin	B. O'Connell	P. O'Donoghue
M. O'Shea	L. Purtill	J. Sheahan
G. Wharton-Slattery	T. O'Brien	

IN ATTENDANCE/I LÁTHAIR

Mr. T. Curran, Co. Manager	Mr. M. McMahon, Dir of Planning
Mr. J. Breen, Dir. Hsg & Comm & Ent	Ms. A. McAllen, A/Head of Finance
Mr. J.D. Flynn, Dir. Corp. Services	Mr. G. MacNamara, SE Roads
Mr. P. Stack, SE Planning	Mr. G. O'Brien, Mtgs. Administrator
Ms. M. Enright, Sen. Exec. Planner	Mr. D. O'Malley, Sen. Exec. Planner
Ms. C. Fisher, Biodiversity Officer	Mr. E. Kelleher, Assistant Planner
Mr. D. Burke, Assistant Planner	Mr. P. Corkery, Press & Comm. Off.
Ms. B. Reidy, S.S.O. Corp. Affairs	

The meeting commenced at 2.30 pm.

The Mayor, Cllr. T. O'Brien took the Chair.

12.11.12.01 Presentation on the Draft Shannon Integrated Framework Plan

Mr. G. O'Brien, Meetings Administrator informed the meeting that this item would be taken in committee.

Vote of Congratulations

Cllr. R. Beasley called on the Council to write to U.S. Ambassador Rooney to congratulate him on the re-election of President Obama. It was a tough election and his election is good for world peace.

It was agreed that a letter of congratulations would be forwarded to Ambassador Rooney.

Members Duties under Ethics Legislation.

Mayor O'Brien 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 Councillor. 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 Mayor informed members that there could be no interaction with members of the public during the meeting.

12.11.12.02 County Manager's Report on submissions received on the Draft Cahersiveen, Waterville & Sneem F.A. L.A.P.

As Chair of the Killorglin Electoral Area Committee Cllr. P. O'Donoghue said the members for the Killorglin Electoral Area met with Mr. Stack and Mr. O'Malley to discuss these submissions. Following a lengthy discussion he was pleased to report that, subject to the approval of the full Council, all issues are agreed.

Mr. M. McMahon, Director of Planning, said this is the next stage of the review of the Cahersiveen, Waterville and Sneem Functional Areas Local Area Plan and it will bring them into line with the Core Strategy in the County Development Plan. Mr. McMahon informed the meeting that the amount of land zoned residential in this plan was reduced from 501 acres to just 26.5 acres which has resulted in 474 acres of land previously zoned for residential development now being dezoned or rezoned. Staff from his Department had a very good detailed discussion with the members for the Killorglin Electoral Area and there was broad

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agreement with the Manager's Report on most submissions and in all other cases an alternative was agreed.

The process for the preparation of the local area plan is shown in Table 1 on Page 4 of the Manager's Report. The draft plan, in conjunction with the publication of notice inviting submissions from the public, was placed on public display from 12th September 2012 to 11th October 2012. An open day for members of the public was also held in the Cahersiveen Library on the 2nd October 2012.

Mr. P. Stack, SE Planning said in all, 34 no. submissions were received during the consultation period of the plan and he would deal with the statutory submissions first.

General Submissions

Mr. Stack informed the meeting he understood members were in agreement with the recommendations in the Manager's Report on General Submission Nos. G-1, G-2, G-3, G-4, G-5, G-6, G-7 and G-8.

On the PROPOSAL of Cllr. P. O'Donoghue, SECONDED by Cllr. P.J. Donovan it was agreed to adopt the recommendations in the Manager's Report in relation to these submissions.

Cahersiveen

Mr. Stack informed the meeting he understood members were in agreement with all the recommendations in the Manager's Report on Cahersiveen in relation to Submission Nos. CA-1, CA-2, CA-3, CA-4, CA-5, CA-6 and CA-7. There are two amendments associated with these submissions and they are set out on Page 22 of the Manager's Report.

On the PROPOSAL of Cllr. P. O'Donoghue, SECONDED by Cllr. P.J. Donovan it was agreed to adopt the recommendations in the Manager's Report in relation to these submissions.

Cllr. P.J. Donovan PROPOSED that a portion of land next to Coláiste na Sceilge be zoned Mixed Use and not Institutional as per the Draft Plan.

Cllr. P. O'Donoghue SECONDED this proposal.

Mr. Stack displayed Map G and indicated the land proposed by Cllr. Donovan. He said this land is zoned for Public/Community/Institutional/Educational use in the Draft Plan and Cllr. Donovan proposed that it would be zoned for Mixed Use.

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On the PROPOSAL of Cllr. P.J. Donovan, SECONDED by Cllr. P. O'Donoghue this Council having considered the County Manager's Report and recommendations on submissions received in relation to the Draft Cahersiveen, Waterville & Sneem Functional Areas Local Area Plan 2012 – 2018 resolves to amend the Local Area Plan for Cahersiveen as follows: That the land indicated on Map G (attached) be zoned Mixed Use from Public/Community/Institutional/Educational.

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

For: Cllrs. Beasley, Buckley, Cahill, Connor-Scarteen, Cronin, Culloty, Donovan, Ferris, Fitzgerald, Foley, Gleeson, Griffin, D. Healy-Rae, J. Healy-Rae, Leahy, McCarthy, McEllistrim, Moynihan, Cronin, O'Connell, O'Donoghue, O'Shea, Purtill, Sheahan, Wharton Slattery, O'Brien **(25)**

Against: None **(0)**

Not Voting: None **(0)**

Absent: Cllrs. Brassil, Finucane **(2)**

The Mayor declared the proposal CARRIED.

Portmagee

Mr. Stack informed members that three submissions were received in relation to Portmagee. He understood members were in agreement with the recommendation in the Manager's Report in relation Submission No. PM-1.

On the PROPOSAL of Cllr. P. O'Donoghue, SECONDED by Cllr. P.J. Donovan it was agreed to adopt the recommendation in the Manager's Report in relation to this submission.

Submission PM-2 (Names withheld for Data Protection purposes. A paper copy of the Minutes is available on request.)

Mr. Stack informed the meeting that Submission No. PM-2 relates to a portion of land which he indicated on Map A which is located on the outskirts of the village. It is outside the development boundary in the Draft Plan and it is adjacent to existing residential lands. It is proposed to move the development boundary to include these lands.

On the PROPOSAL of Cllr. P.J. Donovan, SECONDED by Cllr. P. Connor-Scarteen this Council having considered the County Manager's Report and recommendations on submissions received in relation to the Draft Cahersiveen,

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Waterville & Sneem Functional Areas Local Area Plan 2012 – 2018 resolves to amend the Local Area Plan for Portmagee as follows: having regard to Submission No. PM-2 to extend the proposed development boundary of Portmagee in accordance with Map A (attached).

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

For: Cllrs. Buckley, Cahill, Connor-Scarteen, Cronin, Culloty, Donovan, Ferris, Fitzgerald, Foley, Gleeson, D. Healy-Rae, J. Healy-Rae, Leahy, McCarthy, McEllistrim, Moynihan Cronin, O'Donoghue, O'Shea, Purtill, Sheahan, Wharton Slattery, O'Brien
(22)

Against: None **(0)**

Not Voting: None **(0)**

Absent: Cllrs. Beasley, Brassil, Finucane, Griffin, O'Connell **(5)**

The Mayor declared the proposal CARRIED.

Submission No. PM-3 (Name withheld for Data Protection purposes. A paper copy of the Minutes is available on request.)

Mr. Stack informed members that this submission relates to a portion of land near the Church and he displayed Map B and indicated the land in question on it. In the Draft Plan this land is zoned for a Car Park and this submission strongly objects to this zoning.

On the PROPOSAL of Cllr. P.J. Donovan, SECONDED by Cllr. M. Cahill this Council having considered the County Manager's Report and recommendations on submissions received in relation to the Draft Cahersiveen, Waterville & Sneem Functional Areas Local Area Plan 2012 – 2018 resolves to amend the Local Area Plan for Portmagee as follows: having regard to Submission No. PM-3 to remove the proposed Car Park zoning in Portmagee in accordance with Map B (attached).

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

For: Cllrs. Buckley, Cahill, Connor-Scarteen, Cronin, Culloty, Donovan, Ferris, Fitzgerald, Foley, Gleeson, D. Healy-Rae, J. Healy-Rae, Leahy, McCarthy, McEllistrim, Moynihan Cronin, O'Donoghue, O'Shea, Purtill, Sheahan, Wharton Slattery, O'Brien
(22)

Against: None **(0)**

Not Voting: None **(0)**

Absent: Cllrs. Beasley, Brassil, Finucane, Griffin, O'Connell **(5)**

The Mayor declared the proposal CARRIED.

Dún Géagáin

Mr. Stack informed members that two submissions were received on Dún Géagáin.

Submission No. DG-1 (Name withheld for Data Protection purposes. A paper copy of the Minutes is available on request.)

Mr. Stack said this submission requests that a portion of land which he indicated on Map C be included within the development boundary of Dún Géagáin and this is acceptable.

On the PROPOSAL of Cllr. P. O'Donoghue, SECONDED by Cllr. P.J. Donovan this Council having considered the County Manager's Report and recommendations on submissions received in relation to the Draft Cahersiveen, Waterville & Sneem Functional Areas Local Area Plan 2012 – 2018 resolves to amend the Local Area Plan for Dún Géagáin as follows: having regard to Submission No. DG-1 to extend the proposed development boundary of Dún Géagáin in accordance with Map C (attached).

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

For: Cllrs. Beasley, Buckley, Cahill, Connor-Scarteen, Cronin, Culloty, Donovan, Ferris, Foley, Gleeson, D. Healy-Rae, J. Healy-Rae, Leahy, McCarthy, McEllistrim, Moynihan Cronin, O'Donoghue, O'Shea, Purtill, Sheahan, Wharton Slattery, O'Brien **(22)**

Against: None **(0)**

Not Voting: None **(0)**

Absent: Cllrs. Brassil, Finucane, Fitzgerald, Griffin, O'Connell **(5)**

The Mayor declared the proposal CARRIED.

Mr. Stack informed the meeting he understood members were in agreement with the recommendation in the Manager's Report in relation to Submission No. DG-2.

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On the PROPOSAL of Cllr. P. O'Donoghue, SECONDED by Cllr. P.J. Donovan it was agreed to adopt the recommendation in the Manager's Report in relation to this submission.

Cllr. P. J. Donovan PROPOSED that the development boundary of Dún Géagáin be extended in accordance with Map F.

Cllr. P. O'Donoghue SECONDED this proposal.

On the PROPOSAL of Cllr. P.J. Donovan, SECONDED by Cllr. P.O'Donoghue this Council having considered the County Manager's Report and recommendations on submissions received in relation to the Draft Cahersiveen, Waterville & Sneem Functional Areas Local Area Plan 2012 – 2018 resolves to amend the Local Area Plan for Dún Géagáin as follows: that the proposed development boundary of Dún Géagáin be extended in accordance with Map F (attached).

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

For: Cllrs. Beasley, Buckley, Cahill, Connor-Scarteen, Cronin, Culloty, Donovan, Ferris, Foley, Gleeson, D. Healy-Rae, J. Healy-Rae, Leahy, McCarthy, McEllistrim, Moynihan Cronin, O'Donoghue, O'Shea, Purtill, Sheahan, Wharton Slattery, O'Brien **(22)**

Against: None **(0)**

Not Voting: None **(0)**

Absent: Cllrs. Brassil, Finucane, Fitzgerald, Griffin, O'Connell **(5)**

The Mayor declared the proposal CARRIED.

Kells

Mr. Stack informed the meeting that one submission was received on Kells, KS-1 and he understood members were in agreement with the recommendation in the Manager's Report on this submission.

On the PROPOSAL of Cllr. P.J. Donovan, SECONDED by Cllr. J. Healy-Rae it was agreed to adopt the recommendation in the Manager's Report on this submission.

Renard

Mr. Stack informed the meeting that one submission was received on Renard, RD-1 and he understood members were in agreement with the recommendation in the Manager's Report on this submission.

On the PROPOSAL of Cllr. P.J. Donovan, SECONDED by Cllr. J. Healy-Rae it was agreed to adopt the recommendation in the Manager's Report on this submission.

Valentia Island

Cllr. A. McEllistrim declared in accordance with Section 177 of the Local Government Act 2001 (Name withheld for Data Protection purposes. A paper copy of the Minutes is available on request.) who made Submission No. VI-5, is married to her husband's first cousin and she would leave the meeting while this submission was being considered.

Cllr. McEllistrim then left the meeting.

Mr. Stack informed the meeting that eight submissions were received on Valentia Island and he understood members were in agreement with the recommendation in the Manager's Report on Submission No. VI-1.

On the PROPOSAL of Cllr. P. O'Donoghue, SECONDED by Cllr. P.J. Donovan it was agreed to adopt the recommendation in the Manager's Report on this submission.

Submission No. VI-2	(Name withheld for Data Protection purposes)
Submission No. VI-6	(Name withheld for Data Protection purposes)
Submission No. VI-7	(Name withheld for Data Protection purposes)

Mr. Stack informed the meeting that Submission Nos. VI-2, VI-6 and VI-7 would be taken together as they all relate to the same area. Mr. Stack displayed Map D and said these lands are outside the proposed development boundary of Knightstown. He indicated the lands on Map D and said these submissions request that the land would be incorporated within the development boundary and this was acceptable.

On the PROPOSAL of Cllr. P.O'Donoghue, SECONDED by Cllr. J. Healy-Rae this Council having considered the County Manager's Report and recommendations on submissions received in relation to the Draft Cahersiveen, Waterville & Sneem Functional Areas Local Area Plan 2012 – 2018 resolves to amend the Local Area Plan for Valentia Island as follows: having regard to Submission Nos. VI-2, VI-6 and VI-7 to extend the proposed development boundary of Knightstown in accordance with Map D (attached).

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

For: Cllrs. Beasley, Buckley, Cahill, Connor-Scarteen, Cronin, Culloty, Donovan, Ferris, Fitzgerald, Foley, Gleeson, D. Healy-Rae, J. Healy-Rae, Leahy, McCarthy, Moynihan Cronin, O'Donoghue, O'Shea, Purtill, Sheahan, Wharton Slattery, O'Brien **(22)**

Against: None **(0)**

Not Voting: None **(0)**

Absent: Cllrs. Brassil, Finucane, Griffin, McEllistrim, O'Connell **(5)**

The Mayor declared the proposal CARRIED.

Mr. Stack said he understood members were in agreement with the recommendations in the Manager's Report in relation to Submission Nos. VI-3 and VI-4.

On the PROPOSAL of Cllr. P. O'Donoghue, SECONDED by Cllr. J. Healy-Rae it was agreed to adopt the recommendations in the Manager's Report on these submissions.

Submission No. VI-5 (Names withheld for Data Protection purposes)

Mr. Stack indicated the lands the subject of this submission on Map E2 and said it is the hatched area. This land was within the development boundary of the previous plan and it is proposed to include it within the development boundary with any development within the hatched area having a minimum site curtilage of 1 acre.

On the PROPOSAL of Cllr. J. Healy-Rae, SECONDED by Cllr. P. O'Donoghue this Council having considered the County Manager's Report and recommendations on submissions received in relation to the Draft Cahersiveen, Waterville & Sneem Functional Areas Local Area Plan 2012 – 2018 resolves to amend the Local Area Plan for Valentia Island as follows: having regard to Submission No. VI-5 to extend the proposed development boundary of Knightstown in accordance with Map E2 (attached) with any development within the hatched area having a minimum site curtilage of 1 acre.

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

For: Cllrs. Beasley, Buckley, Cahill, Connor-Scarteen, Cronin, Culloty, Donovan, Ferris, Fitzgerald, Foley, Gleeson, D. Healy-Rae, J.

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Healy-Rae, Leahy, McCarthy, Moynihan Cronin, O'Donoghue, O'Shea, Purtill, Sheahan, Wharton Slattery, O'Brien **(22)**

Against: None **(0)**

Not Voting: None **(0)**

Absent: Cllrs. Brassil, Finucane, Griffin, McEllistrim O'Connell **(5)**

The Mayor declared the proposal CARRIED.

Mr. Stack said he understood members were in agreement with the recommendation in the Manager's Report in relation to Submission No. VI-8.

On the PROPOSAL of Cllr. P. O'Donoghue, SECONDED by Cllr. D. Healy-Rae it was agreed to adopt the recommendation in the Manager's Report on this submission.

Waterville

Mr. Stack informed the meeting that he understood members were in agreement with the recommendations in the Manager's Report in relation to Submission Nos. WA-1, WA-2, WA-3, WA-4, WA-5, WA-6 and WA-7.

On the PROPOSAL of Cllr. P.J. Donovan, SECONDED by Cllr. D. Healy-Rae it was agreed to adopt the recommendations in the Manager's Report in relation to these submissions.

Caherdaniel

Mr. Stack informed the meeting that two submissions were received on Caherdaniel, CD-1 and CD-2, and he understood members were in agreement with the recommendations in the Manager's Report in relation to these submissions.

On the PROPOSAL of Cllr. P. O'Donoghue, SECONDED by Cllr. M. Cahill it was agreed to adopt the recommendations in the Manager's Report on these submissions.

Waterville Rural

Mr. Stack said two submissions were received on Waterville Rural, WR-1 and WR-2 and he understood members were in agreement with the recommendations in the Manager's Report on these submissions.

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On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. M. Cahill it was agreed to adopt the recommendations in the Manager's Report on these submissions.

Cllr. A. McEllistrim then returned to the meeting.

An Chilin Liath & Maistir Gaoithe

Mr. Stack said one submission was received on An Chilin Liath, CL-1 and he understood members were in agreement with the recommendation in the Manager's Report on this submission.

On the PROPOSAL of Cllr. P. O'Donoghue, SECONDED by Cllr. M. Cahill it was agreed to adopt the recommendation in the Manager's Report on this submission.

Sneem

Mr. Stack informed the meeting that two submissions were received on Sneem, SM-1 and SM-2, and he understood members were in agreement with the recommendations in the Manager's Report on these submissions.

On the PROPOSAL of Cllr. M. Cahill, SECONDED by Cllr. S. Fitzgerald it was agreed to adopt the recommendations in the Manager's Report on these submissions.

Castlecove

Mr. Stack informed the meeting that two submissions were received on Castlecove, CC-1 and CC-2, and he understood members were in agreement with the recommendations in the Manager's Report on these submissions.

On the PROPOSAL of Cllr. R. Beasley, SECONDED by Cllr. B. Cronin it was agreed to adopt the recommendations in the Manager's Report on these submissions.

The meeting concluded at 3.10pm.

Gerard O'Brien
Meetings Administrator

Mayor of Kerry

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