

**MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF  
NORTH TIPPERARY COUNTY COUNCIL HELD IN THE  
COUNCIL CHAMBER, CIVIC OFFICES, LIMERICK ROAD,  
NENAGH ON MONDAY 28<sup>th</sup> NOVEMBER 2011 AT 2PM.**

**Present** Cllr. Micheál Lowry, Mayor - Presided

Cllrs. Dr. Phyll Bugler; John Carroll; Jim Casey; Pauline Coonan; Ger Darcy; Seamus Hanafin; John Hogan; John Kennedy; Hughie McGrath; John 'Rocky' McGrath; Jonathan Meaney; Eddie Moran; Séamus Morris; Michael O'Meara; Denis Ryan; Jim Ryan; Mattie Ryan; Michael Smith.

**Apologies** Cllrs. Billy Clancy; Virginia O'Dowd

**Also Present** Joe MacGrath, County Manager; Liam McCarthy, Head of Finance & Corporate Services; Marcus O'Connor, Director of Services; Matt Shortt, Director of Services; Karl Cashen, Director of Services; Liam McCarthy, Head of Finance & Corporate Services, Rosemary Joyce, Meetings Administrator/Senior Executive Officer; Michael F. Hayes, Senior Engineer; Jim McGuire, Senior Engineer; Brian Beck, Senior Planner; Nuala O'Connell, Senior Executive Planner; Sharon Kennedy, Senior Executive Officer; Eamonn Brennan, Senior Executive Officer and Dan Downey, Staff Officer.

**Votes of Sympathy** Votes of Sympathy were passed to the following:-

- The Gilmartin Family, Tyone, Nenagh on the death of Michael Gilmartin
- Taoiseach Enda Kenny on death of his mother Eithne
- The family of the late Frank Gleeson, Thurles
- The family of the late Eilish Devine, Nenagh
- Noreen Bailey, Melrose on the death of Jeanne O' Donnell, Mallow

Cllr. E. Moran thanked members, management and staff for their support on his recent bereavement.

**Votes of Congratulations** Votes of Congratulations were passed to the following:-

- Drom & Inch Camogie team on winning the Munster Camogie Final.
- Martin Maher, County Librarian thanking him for his long service with Tipperary Libraries and wishing him well in his retirement.

**Item 1.1**  
**Minutes of September Monthly Meeting** It was proposed by Cllr. J. Carroll, seconded by Cllr. J. Meaney and unanimously agreed that the minutes of the October 2011 Monthly Meeting held on 17<sup>th</sup> October 2011 be adopted.

**Item 1.2**  
**Action Plan** Members noted the Action Plan Progress Report, copy of which had been sent to them via e-mail.

**Item 2.1**  
**Prescribed Periods for holding Budget Meeting** Members noted the prescribed periods for holding Budget Meeting 2011 as per Circular Fin 06/2011.

**Item 2.2**  
**Finance**  
**Quarterly**  
**Report**

Members noted the Finance Quarterly Report, copy of which was circulated via email.

**Item 3.1**  
**Disposal of**  
**Shared**  
**Ownership**  
**Property**

It was proposed by Cllr. M. Smith, seconded by Cllr. D. Ryan and resolved that pursuant to Section 211 of the Planning & Development Act, 2000, the disposal of property at Gurteen, Killea, Templemore, to Michael & Joygan Tierney be carried out in accordance with the terms of the Notice dated 21<sup>st</sup> October, 2011 sent to each Member, and in accordance with the provisions of Section 183 of the Local Government Act 2001.

**Item 4.1**  
**Decrease in**  
**Rates of**  
**Variable**  
**Housing Loans**

Members noted decrease in interest rates for variable housing loans of 0.25% from 1<sup>st</sup> December 2011 as outlined in Circular HFA 227, copy of which was circulated to them.

**Item 4.2**  
**Housing**  
**Quarterly**  
**Report**

Members noted the Housing Quarterly Report, copy of which was circulated via email. Mr. K. Cashen circulated a one page summary to members outlining progress in various areas relating to Housing in 2011. Members complimented the report and the work of the Housing Section. Cllr. S. Morris indicated that there was a need to debate housing policy in general.

Individual queries raised by members were responded to by Ms. S. Kennedy. In response to a query on the number of people on the waiting list who are in the Rental Accommodation Scheme she advised that there would be approximately 70-75 people. She also advised that a new Build to Lease Scheme was being introduced by the Department.

**Item 4.3**  
**Review of**  
**Traveller**  
**Accommodation**  
**Plan**

Members noted Review of Traveller Accommodation Plan 2009 – 2013, copy of which was circulated via email.

Mr. K. Cashen stated that this review has been through the public consultation process and two submissions had been received. It was brought before the Housing Strategic Policy Committee and the recommendation was that no change be made to the Traveller Accommodation Programme 2009-2013.

Cllr. J. Meaney referred to the presentation given at the October Meeting by Cllr. J. Kenehan and proposed that a training day for members in North Tipperary be organised on the traveller culture. This was supported by Cllr. J. Kennedy. Other members referred to other minority groups in North Tipperary. Following debate it was agreed that the Corporate Policy Group should discuss the proposal to have a Culture Day and come back to the Council on same.

**Item 5.1**  
**Progress Report**  
**on Tourism**  
**Initiatives**

Members noted Progress Report on Tourism Initiatives, copy of which was circulated via email.

Mr. M. Shortt outlined the main points of the report. Members welcomed the report and complimented all involved in the progression of the various initiatives. Cllr. Bugler referred to the 1000 year anniversary celebration of Brian Boru in Ballina in 2014.

Cllr. S. Hanafin congratulated Thurles on being recently designated a European Town of Sport for 2012. The contribution of all those involved in the presentation to the adjudicators was acknowledged and members paid tribute to them. Cllr. Hanafin also hoped that funding would be made available next year for the international hurling festival to be held in Thurles again next year. The potential tourism from Thurles's role in the foundation of the G.A.A. was referred to. Cllr. J. Carroll acknowledged the role of LEADER in trails development and promotion.

Members referred to various related matters including the need to ensure the availability of adequate budget accommodation, the need to control littering, the potential of a number of small lakeside areas, the work being done at the Clare Glens, the contribution to be made by heritage, the provision of the bus park in Roscrea, the potential of linking Roscrea/Birr/Slieve Blooms.

Cllr. M. Lowry complimented Mr. M. Shortt and his staff. He noted that Tipperary is a strong brand which should be marketed at home and abroad.

**Item 6.1**  
**Variation No. 1**  
**of County**  
**Development**  
**Plan**

Members considered the Manager's Report on the submissions received in respect of the proposed amendments to the proposed Variation (No. 1) of the County Development Plan 2010-2016 as set out hereunder:

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## **Managers Report to Elected Members Under Section 13 of the Planning & Development Acts 2000-2010**

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## **Proposed Variation Number 1 County Development Plan 2010-2016**

Proposed Variation (No. 1) of the County Development Plan 2010-2016 to take account of amendments to:

- Chapter 2 – Vision and Core Strategy
- Chapter 3 – Population and Settlement – amend 3.5 Settlement Strategy
- Chapter 6 – Economy – insert new objective into Section 6.5 Employment Strategy.
- Volume 2 Settlement Plans for the Settlements of Borrisokane, Borrisoleigh, Cloughjordan, Littleton, Toomevara and Two-Mile-Borris.

And to insert:

- Into Volume 2, Settlement Plans for Holycross, Ballina, Ballinderry, Birdhill, Dromineer, Garrykennedy, Kilbarron, Newtown, Portroe, Puckaun, Terryglass.

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## October 2011

### 1. Introduction, Legislative Background, and Public Consultation Process

In accordance with Part II, Section 13 of the Planning and Development Acts 2000-2010, North Tipperary County Council proposes to vary the County Development Plan 2010 - 2016 in order to take account of amendments to the following:

- Chapter 2 – Vision and Core Strategy
- Chapter 3 – Population and Settlement – amend 3.5 Settlement Strategy
- Chapter 6 – Economy – insert new objective into Section 6.5 Employment Strategy.
- Volume 2 Settlement Plans for the Settlements of Borrisokane, Borrisoleigh, Cloughjordan, Littleton, Toomevara and Two-Mile-Borris.

And to insert:

- Into Volume 2, Settlement Plans for Holycross, Ballina, Ballinderry, Birdhill, Dromineer, Garrykennedy, Kilbarron, Newtown, Portroe, Puckaun, Terryglass.

The proposed variation was advertised and put on public display at the Civic Offices (Planning Section), Limerick Road, Nenagh, for a period of 4 weeks between 9.30am 18<sup>th</sup> July 2011 and the 3.30pm 17<sup>th</sup> August 2011. During that 4-week statutory period a total of 57 submissions and observations, plus an additional 3 from the Mid West Regional Authority, were received.

***Following consideration of the Variation and the Manager's Report, the Members amended the Variation by resolution.***

The proposed amendment was a material alteration of the Proposed Variation and therefore the Planning Authority published notice of the proposed amendment(s) and it was on public display for four weeks from 26<sup>th</sup> September 2011 to 24<sup>th</sup> October 2011 (inclusive). During that period the plan was available for inspection by interested bodies. A (hard) copy of the Proposed Amendment was placed on display at the same locations as identified above and was available for purchase from North Tipperary County Council and on the Council's website.

During the Proposed Amendment consultation process a total of 17 submissions were received within the 4 week period plus one from the Mid-West Regional Authority and were taken into consideration in the preparation of this report. Submissions were received from members of the public through consultants. Submissions were also received from government bodies and private firms/developers.

### 2 Next Steps

***This report shall be submitted to the Council members. The members shall consider the Amendment and the Manager's Report and such consideration shall be completed within a maximum 6 weeks of the submission of the Manager's Report to the members. The Members of the Authority shall, by resolution, having considered the Amendment and the Manager's Report, make the Variation No. 1 with or without the proposed amendment, except that where they decide to accept the amendment they may do so subject to any minor modifications to the amendment as they consider appropriate.***

In making the Variation No. 1 to North Tipperary County Development Plan 2010-2016, the members shall be restricted to considering the proper planning and sustainable development of the area to which the development plan relates, the statutory obligations of any Local Authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government.

When the variation is adopted by the members a notice will be put in the newspaper advertising that fact that a variation of the County Development Plan 2010-2016 has been made. The variation will have effect from the day the variation is made.

**Recommendation:**

**The proposed Variation No. 1 of the County Development Plan 2010-2016 be adopted as amended.**

*2. Summary of Submissions Received, Managers Comments and Recommendations for Proposed Amendment:*

<b>Sub No.</b>	<b>Relating To</b>	<b>Received From</b>
<b>01</b>	Water and Flooding	D. Dan Minchin
<b>Summary</b>	Views have not changed in relation to issue on flooding. Encloses the views of the Lough Derg Science Group in relation to the abstraction of water from Lough Derg by Dublin City Council. The 2009 flood event is not recorded. The ESB have a hydrometric station close to Ballina. Recently added storm drains reduce the overall impact of flash flooding but it is still an issue.	
<b>Comment</b>	The Stage One Flood Risk Assessment is based on available published and internal information. Policy statement exists in CDP for Water abstraction – Policy SERV 6 in Chapter 4. Section 4.3.1 of the CDP relates to the Water Framework Directive. NTCC covers the administrative area of North Tipperary and liaises with both Clare Co. Co. and Limerick Co. Co. and other statutory bodies with regard to developments about Lough Derg and The River Shannon. Note: In accordance with the Water Services Investment Programme 2010-2012 published by the Department of the Environment, Community and Local Government, Dublin City Council has prepared a Plan for the Water Supply Project – Dublin Region. The Plan and Environmental Statement is available for public information from 1st September 2011 to 1st November 2011 at the Planning Counter of NTCC during opening hours and <a href="http://www.watersupplyproject-dublinregion.ie">www.watersupplyproject-dublinregion.ie</a> <b>Recommendation: No change</b>	
<b>02</b>	Acknowledgement	Department of Education and Skills
<b>Summary</b>	Proposed Amendment noted.	
<b>Comment</b>	<b>Recommendation: No change</b>	
<b>03</b>	Acknowledgement	Laois County Council
<b>Summary</b>	Acknowledges receipt of Proposed Amendment.	
<b>Comment</b>	Acknowledgement	
<b>04</b>	Acknowledgement	Office of Minister for Agriculture, Fisheries and Food
<b>Summary</b>	Acknowledges receipt of Proposed Amendment.	
<b>Comment</b>	<b>Recommendation: No change</b>	
<b>05</b>	Acknowledgement	An Bord Pleanala
<b>Summary</b>	Acknowledges receipt of Proposed Amendment.	
<b>Comment</b>	<b>Recommendation: No change</b>	
<b>06</b>	Acknowledgement	Office of Minister for Jobs, Enterprise and Innovation
<b>Summary</b>	Acknowledges receipt of Proposed Amendment.	
<b>Comment</b>	<b>Recommendation: No change</b>	
<b>07</b>	Acknowledgement	Office of Minister for Environment Community and Local Government
<b>Summary</b>	Acknowledges receipt of Proposed Amendment.	
<b>Comment</b>	<b>Recommendation: No change</b>	
<b>08</b>	See below	MWRA
<b>Summary</b>	See below	
<b>Comment</b>	See below <b>Recommendation:</b>	
<b>09</b>	Acknowledgement	Office of Minister for Communication, Energy and Natural Resources
<b>Summary</b>	Acknowledges receipt of Proposed Amendment.	

<b>Comment</b>	<b>Recommendation: No change</b>	
<b>10</b>	Environment	Environmental Protection Agency
<b>Summary</b>	See Addendum II below.	
<b>Comment</b>	<p>See Addendum II below.</p> <p><b>Recommendation:</b> Insert Objective for Tourism in Chapter 6 Economy as follows: <b>It is an objective of the Council to develop a strategy for tourism development in the county and specifically Lough Derg and to seek to develop in consultation with other appropriate organisations a year round sustainable tourism product by ensuring linkages to other tourist products in the area.</b></p> <p>Amend Specific Development Objective DA4 in the Ballina Settlement Plan as follows: 3. It is a specific objective of the Council that any proposed development of this site shall be primarily for tourism related activities which are necessary in sustaining a strong tourism base. <b>This shall include the provision of public berthage as part of any future development of the site.</b></p>	
<b>11</b>	Roads	National Roads Authority
<b>Summary</b>	No comment in regard to amendments.	
<b>Comment</b>	<b>Recommendation: No change</b>	
<b>12</b>	Ballina – DA4 Development Site Derg Marina	Dr. Dan Minchin
<b>Summary</b>	<p>Submission details</p> <ul style="list-style-type: none"> <li>• previous submission comments,</li> <li>• text of proposed variation and</li> <li>• text of proposed modification.</li> </ul> <p>Submission questions why text has been removed, Items 3/5/6 of the DA4 – Development Site Derg Marina.</p>	
<b>Comment</b>	<p>Submission relates to information that was part of the proposed modifications on display and misunderstands that the items 3/5/6 are not removed from DA4 – Development Site Derg Marina. The text of the proposed modifications is the text that has been proposed to be altered. (Any text that was to be removed would be displayed as such by means of a strikethrough).</p> <p><b>Recommendation: No Change</b></p>	
<b>13</b>	General	Department of Communications, Energy and Natural Resources
<b>Summary</b>	The Dept. has no comments/observations to make at this time. This is without prejudice to any comments that Inland Fisheries Ireland may have in this regard.	
<b>Comment</b>	<b>Recommendation: No change</b>	
<b>14</b>	General	Office of Minister for Environment Community and Local Government
<b>Summary</b>	Generally, the amendments clarify the issues raised previously by the Dept. and additional items included are minor in nature and do not raise strategic issues.	
<b>Comment</b>	<b>Recommendation: No change</b>	
<b>15</b>	General	Department of Education and Skills
<b>Summary</b>	No specific comment to make in this particular instance.	
<b>Comment</b>	<b>Recommendation: No change</b>	
<b>16</b>	General	ESB
<b>Summary</b>	<p>ESB wishes to highlight its ownership of lands that form the shoreline within the boundaries of the Cullenagh Estate Masterplan.</p> <p>ESB only grant access for the use of this land by legal agreement which addresses</p>	

	issues such as flooding, erosion, liability for damage, injury, etc. and which allow for the control of water levels by ESB to facilitate electricity generation, water supply, boating, etc. Therefore, it is necessary for ESB to be contacted in relation to the formulation of any plans for this area.	
<b>Comment</b>	North Tipperary County Council bears in mind the statutory role of the ESB and aims to not limit the ability of ESB to carry out its statutory functions in relation to the Shannon Scheme or prevents ESB from using the appropriate legal framework for granting access to adjoining land owners. <b>Recommendation: No change</b>	
<b>17</b>	Portroe Settlement Plan	Cunnane Stratton Reynolds on behalf of Garrykennedy Homes Partnership
<b>Summary</b>	Submission relates to lands on the western side of the Garrykennedy Road and the proposed amendments rezone the northern section to serviced sites. Submission makes the case for the land to be zoned for 'New Residential Low Density' having regard to the objectives of the CDP and in particular that there is a wide variety of housing mix available to the growing population of the village. To ensure that residentially zoned lands can accommodate a wide range of housing we ask the council to consider including Nursing Homes/Elderly Accommodation as 'Open for Consideration' on lands zoned 'New Residential.' Masterplan submitted for overall site development.	
<b>Comment</b>	Planning Application 10/51/0532 for a Phase 1 development in the southern part of the site and further development is proposed in the north part of the site within the full Master Plan - Ref Planning Application 10/51/0532. The Proposed Variation and Amendment is in line with the Mid-West Regional Planning Guidelines. It is considered that sufficient land has been zoned within the village to meet future population growth up to 2022. <b>Recommendation: No change</b>	
<b>18</b>	Portroe Settlement Plan	Rocktop Asset Management Ltd. on behalf of Noel Manton, Lough Derg Portroe Developments Ltd.
<b>Summary</b>	Recommend that the zoning objective of parts of the land be reverted back to 'Residential' for the following reasons: (i) Full planning permission was granted on the 21 <sup>st</sup> Sept, 1011 for 25 houses on one half of land in the folio. Drawing (P09-008-111 Rev C (Dec 2010) on file shows proposal to develop remainder of the folio. (ii) Cond. No. 21 para. AA requests for design calculation and loading data for proposed development and for future development as illustrated on drawing. (iii) Permission was granted for mix of houses and serviced sites and this mix should be consistent on the entire folio. (iv) If there is a strong demand for serviced sites, permission will be sought for additional serviced sites, however if there is a strong demand for houses permission would be sought for residential development.	
<b>Comment</b>	Land is zoned in accordance with population targets, the Mid-West Regional Authority, serviceability, access, etc. Under <b>Policy HSG 6: Serviced Sites in Villages</b> of the current CDP 2010-2016 It is the policy of the Council that in appropriate locations within villages, proposals for dwellings on large sites will normally be accommodated. This is to create a viable alternative to one-off houses in the rural countryside, and may be achieved by the provision of single dwellings, groups of fully serviced sites as stand alone developments or as constituent part of other developments. Planning Application 10/51/0532 for a Phase 1 development in the southern part of the site and further development is proposed in the north part of the site within the full Master Plan - Ref Planning Application 10/51/0532. The Proposed Variation and Amendment is in line with the Mid-West Regional Planning Guidelines. It is considered that sufficient land has been zoned within the village to meet future population growth up to 2022.	

	<b>Recommendation: No change</b>
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### 3. Submission by Mid-West Regional Authority

The Mid-West Regional Authority reported to the Council on Proposed Material Amendment to the Proposed Variation No. 1 and a summary of the submission, comments and recommendation is set out in the Table below.

8	Observations	Mid-West Regional Authority
<b>Summary</b>	<p>The Regional Authority at its special meeting held on the 26th July 2011, considered the Proposed Variation No.1 County Development Plan 2010-2016. The Mid-West Regional Authority observations as adopted by the Members at that meeting to be addressed by NTCC were:</p> <ul style="list-style-type: none"> <li>(i) Tipperary Venue Site to be identified in Core Strategy</li> <li>(ii) New Core Strategy Map</li> <li>(iii) Integration of Draft North Tipperary Housing Strategy or primary policies therein</li> <li>(iv) Incorporation of Draft North Tipperary Retail Strategy 2007-2017.</li> </ul> <p>MWRA response in relation to each of these items:</p> <ul style="list-style-type: none"> <li>(i) NTCC response is adequate and is consistent with RPGs</li> <li>(ii) Revised Core Strategy Map in compliance with Section 10 (2B) of the Planning and Development (Amendment) Act 2010 and the RPGs.</li> <li>(iii) That the Planning Authority confirms that the North Tipperary Social and Affordable Housing Strategy is compliant with the [population targets in the MWRPGS 2010-2022 and that the County Housing Strategy should be integrated into the CDP as provided for in terms of Section 10(2A) of the Core Strategy for the County.</li> <li>(iv) That the Planning Authority give further consideration to the integration of the adopted North Tipperary Retail Strategy 2011-2017 as a new volume into the CDP Variation No. 1.</li> </ul> <p>The MWRA comments that the proposed material changes are either not significant relation to the overall population or consistent with the RPGs and changes are therefore supported. Amendments to the village settlement plans are not considered of regional importance as the overall targets are consistent with the RPGs. The MWRA notes the compliance with the environmental legislation as both a SEA and HAD screening assessment was undertaken on the proposed modification.</p>	
<b>Comment</b>	<p>Inclusion of the North Tipperary Housing Strategy and Retail Strategy into the County Development Plan is not considered necessary at this stage as they are referenced within the CDP and adopted by the County Council.</p> <p><b>Recommendation: No change</b></p>	

#### Minor Amendments

Insert Objective for Tourism in Chapter 6 Economy as follows:

**It is an objective of the Council to develop a strategy for tourism development in the county and specifically Lough Derg and to seek to develop in consultation with other appropriate organisations a year round sustainable tourism product by ensuring linkages to other tourist products in the area.**

Amend Specific Development Objective DA4 in the Ballina Settlement Plan as follows:

3. It is a specific objective of the Council that any proposed development of this site shall be primarily for tourism related activities which are necessary in sustaining a strong tourism base. **This shall include the provision of public berthage as part of any future development of the site.**

# Addendum II

TO THE  
**SEA ENVIRONMENTAL REPORT & NATURA IMPACT REPORT**  
OF  
**PROPOSED VARIATION No.1**  
TO THE  
**NORTH TIPPERARY COUNTY DEVELOPMENT PLAN 2010-2016**

## **RESPONSE TO SUBMISSION & UPDATES ARISING**

for:

**North Tipperary County Council**

Civic Offices

Limerick Road

Nenagh

County Tipperary

by:

**CAAS Ltd.**

2<sup>nd</sup> Floor, The Courtyard

25 Great Strand Street

Dublin 1

**NOVEMBER 2011**

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## **1 Introduction**

### **1.1 Terms of Reference**

*Minutes of November 2011 Monthly Meeting*

This document responds to a submission which was made during the period of public display of Proposed Amendments to Proposed Variation No. 1 to the North Tipperary County Development Plan 2010-2016.

It is noted that consequent changes are not made to the original ER or Draft NIR at this stage; this Addendum forms part of the documentation of the ongoing SEA, NIR and Variation-making processes. It supplements and should be read in conjunction with the original ER and Draft NIR.

On adoption of the Variation the findings of this Addendum will be used to update the ER and NIR. The ER and NIR documents will also be amended to take account of the findings of Addendum I<sup>1</sup> and any changes made to the Proposed Variation.

## 2 Responses to EPA Submission and Consequent Updates

Note that the following submission was made by the Environmental Protection Agency (EPA) in October 2011.

### 2.1 Recommended Changes to the Proposed Amendments

The EPA submission makes a number of recommendations with regard to the wording of Proposed Amendments as follows:

- Objective for Tourism - It is an objective of the Council to develop a strategy for **sustainable** tourism development in the county and specifically Lough Derg and to seek to develop in consultation with other appropriate organisations a year round sustainable tourism product by ensuring linkages to other tourist products in the area.
- Ballina Settlement Plan (under Section 3.0 Services and Social Infrastructure) - The walkway link to facilitate the construction of a pedestrian accessway linking Lower Lakeview Road to Marine Village Road adjoining the boundary of Cullenagh House and the Slate Quarry Housing development, (traversing the disused Quarry front embankment) would **have** provide beneficial connectivity between Cullenagh and Ballina Village Centre.
- Ballina Settlement Plan (under Section 7.0 Specific Development Objectives DA 4: Development Site 4 – Derg Marina) - Development of this site shall incorporate the submission of a masterplan to provide for mixed use development on land zoned Integrated Tourism as follows:
  1. To provide for enhanced amenities to include improved public access.
  2. The site can provide infrastructure supporting water and marine **marina** based activities as well as shore based activities.
  - 34.** It is a specific objective of the Council that any proposed development of this site shall be primarily for tourism related activities which are necessary in sustaining a strong tourism base. **This shall include the provision of public berthage as part of any future development of the site.**

**The Masterplan shall take into account the requirements of the SEA and Habitats Directives as appropriate.**

- Clarification should be given whether the proposed re-zoning of lands from "Agriculture" to "Serviced Sites" in the Newtown Settlement Plan (as highlighted in associated Zoning Map), will be subjected to phased development. This rezoning should also be consistent with the objectives of the Core Strategy to ensure the sustainable development of the settlement.

<sup>1</sup> Addendum I responds to a submission which was made during the 1st period of public display of Proposed Variation No. 1 to the North Tipperary County Development Plan 2010-2016 and accompanying Strategic Environmental Assessment (SEA) Environmental Report (ER) and Draft Natura Impact Report (NIR).

**Response:**

It is recommended that the EPA's recommendations are adhered to and that modifications are made to the Proposed Amendments.

With regard to the identified re-zoning in the Newtown Settlement Plan, clarification can be given that phasing was not specified for this particular site however any development on this site will have to be in compliance with the provisions of the existing County Development Plan including those relating to phasing and sustainable development. The rezoning is consistent with the objectives of the Core Strategy.

**Updates to ER or NIR Arising:**

Changes to the ER and NIR documents will be made in order to take account of changes made to the proposed amendments.

**2.2 Screening for Effects****Strategic Environmental Assessment**

You are reminded that it is a matter for North Tipperary County Council to determine whether or not the implementation of the proposed Amendments would be likely to have significant effects on the environment. This assessment should take account of the SEA Regulations Schedule 2A Criteria (S.I. No. 436 of 2004) and should be subject to the same method of assessment as undertaken in the "environmental assessment" of the Draft Plan.

You are referred to the criteria set out in Annex II of Directive 2001/ 42/EC on the assessment of the effects of certain plans and programmes on the environment (The SEA Directive) and as also set out in Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI 436 of 2004). North Tipperary County Council is obliged to take the relevant criteria set out in Schedule 2A into account in making its determination as to whether or not the proposed Amendments would be likely to have significant effects on the environment.

**Appropriate Assessment**

Clarification should be given if Appropriate Assessment Screening has been carried out in relation to the Proposed Amendments. You are referred to the requirements of Article 6 of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, the Habitats Directive. Appropriate Assessment, in accordance with the Directive, is required for:

*"Any plan or project not directly connected with or necessary to the management of the site (Natura 2000 sites) but likely to have significant effect thereon, either individually or in combination with other plans or projects, shall be subject to Appropriate Assessment of its implications for the site in view of the sites conservation Objectives..."*

You should consult with the National Parks and Wildlife Service (NPWS) with regard to screening of the Plan for Appropriate Assessment. Where Appropriate Assessment is required, any findings or recommendations should be incorporated into the SEA Environmental Report and Plan, as appropriate.

**Response:**

SEA and AA screening of the proposed amendments was undertaken. These screening exercises have determined that the implementation of the Proposed Amendments will neither:

- Have significant effects on the environment; nor,
- Affect the integrity of the Natura 2000 network.

The proposed amendments have the potential to result in effects however measures which have been integrated into the County Development Plan, including those which arose out of the earlier SEA and AA processes, will ensure that these effects are mitigated and that the Variation as amended will not have significant environmental effects and will not affect the integrity of the Natura 2000 network. Therefore it has been determined that SEA and AA are not required.

Notwithstanding this, the Elected Members have been provided with an assessment of the proposed

amendments. This is provided in Appendix I.

**Updates to ER or NIR Arising:**

None.

## **2.3 Obligations with respect to National Plans and Policies and EU Environmental Legislation**

You are referred to your responsibilities and obligations in accordance with all national and EU environmental legislation. It is a matter for North Tipperary County Council to ensure that, when undertaking and fulfilling their statutory responsibilities; they are at all times compliant with the requirements of national and EU environmental legislation.

**Response:**

This is noted.

**Updates to ER or NIR Arising:**

None.

## **2.4 SEA Statement**

You are also referred to the requirement to prepare an SEA Statement outlining "Information on the Decision" as required by Article 13I of Planning and Development Regulations as amended by Article 7 of the SEA Regulations. This should summarise the following:

- How environmental considerations have been integrated into the Plan;
- How the environmental report, submissions, observations and consultations have been taken into account during the preparation of the Plan;
- The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and,
- The measures decided upon to monitor the significant environmental effects of implementation of the Plan.

A copy of the SEA Statement with the above information should be sent to any Environmental Authority consulted during the SEA process as well as to any Member States consulted under transboundary consultation.

**Response:**

This is noted. An SEA Statement will be produced at the end of the process and sent to the relevant authorities.

**Updates to ER or NIR Arising:**

None.

## **2.5 Updated Requirements**

**Updated Legislation/Circular**

- Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011, (S.I. No. 201 of 2011), amending the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004).
- DECLG Circular (PSSP 6/2011) issued on the 26th July 2011 to each County/City Manager, Director of Services and Town Clerk in relation to 'Further Transposition of the EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA)' which should also be referred to and integrated into the Amendment.
- European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011).

**Environmental Authorities**

You are reminded of the requirement, where appropriate under the SEA Regulations, and as amended

by S.I. No. 201 of 2011, to give notice to the following:

- The Environmental Protection Agency
- The Minister for the Environment, Community & Local Government
- Minister for Agriculture, Marine and Food, and the Minister for Communications Energy and Natural Resources, where it appears to the planning authority that the plan or programme, or modification of the plan or programme, might have significant effects on fisheries or the marine environment
- Where it appears to the competent authority that the plan or programme, or amendment to a plan or programme, might have significant effects in relation to the architectural heritage or to nature conservation, the Minister for Arts, Heritage and Gaeltacht Affairs, and
- Any adjoining planning authority whose area is continuous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan.

You are further reminded that a copy of your decision regarding the determination should be made available for public inspection at your offices, local authority website and should also be notified to any Environmental Authorities already consulted.

**Response:**

The updated legislation and circular and associated requirements are noted.

As implementation of the proposed amendments will neither have significant effects on the environment nor affect the integrity of the Natura 2000 network, neither SEA nor AA are required. Therefore, giving notice as provided for by subsection 6 (ac) of the Planning and Development Acts 2000 to 2010 is not required.

**Updates to ER or NIR Arising:**

None.

## **Appendix I: Assessment of Proposed Amendments**

Note that: content of the proposed amendments which does not comprise or affect policies or objectives is not within the scope of the SEA or AA. Consequently, proposed amendments to such content are generally not considered by this assessment.

Note that: proposed amendments that do not have the potential (if unmitigated) to have significant effects on the environment or affect the integrity of the Natura network are not listed in this assessment.

**Overview**

Implementation of the proposed amendments will neither:

- Have significant effects on the environment; nor,
- Affect the integrity of the Natura 2000 network.

The proposed amendments have the potential to result in effects however measures which have been integrated into the County Development Plan, including those which arose out of the earlier SEA and AA processes, will ensure that these effects are mitigated and that the Variation as amended will not have significant environmental effects and will not affect the integrity of the Natura 2000 network. Therefore it has been determined that SEA and AA are not required.

**Identification of Potential Effects**

Insert Objective for Tourism in Chapter 6 Economy as follows:

**It is an objective of the Council to develop a strategy for tourism development in the county and specifically Lough Derg and to seek to develop in consultation with other appropriate organisations a year round sustainable tourism product by ensuring linkages to other tourist products in the area.**

Potential effects which could occur with regard to the protection of human health, water, biodiversity and flora and fauna, protected views and cultural heritage as a result of implementing this objective would be mitigated by measures which have already been integrated into the County Development Plan (see Section 9 of the Environmental Report).

Amend Specific Development Objective DA4 in the Ballina Settlement Plan as follows:

Development of this site shall incorporate the submission of a masterplan to provide for mixed use development on land zoned Integrated Tourism as follows:

1. To provide for enhanced amenities to include improved public access.
2. The site can provide infrastructure supporting water and marine **marina** based activities as well as shore based activities.
4. It is a specific objective of the Council that any proposed development of this site shall be primarily for tourism related activities which are necessary in sustaining a strong tourism base. **This shall include the provision of public berthage as part of any future development of the site.**

Potential effects which could occur with regard to the protection of water, biodiversity and flora and fauna, protected views and cultural heritage as a result of implementing this objective would be mitigated by measures which have already been integrated into the County Development Plan (see Section 9 of the Environmental Report).

Cllr. J. Meaney referred to rezoning of lands in Portroe and Submissions No. 17 and 18 and proposed that these lands should revert to low density residential. He was supported by Cllr. J. Carroll.

Mr. B. Beck stated that the submission had come in on a number of occasions. After significant discussions it was agreed to zone the land for serviced sites. Members had made difficult decisions regarding zoning in all the villages around the lake. Throughout the county the amount of zoned land had been reduced from 925 ha to 504 ha. There was a legal requirement to be consistent with the Core Strategy and the Regional Planning Guidelines. A sequential approach had been applied in relation to appropriate zoning subject to servicing requirements. He was not aware of any change since it had been agreed to put the proposed Variation on public display and the submission was the same as previously received. If a planning application was received subsequently it could be dealt with by way of a material contravention of the plan.

In response to queries from members Mr. Beck advised that the Core Strategy seeks to have a balance in terms of providing a mixture of house types, zoning and social mix based on population targets. He advised that permission had already been granted for 25 houses on the lands in question. If it was demonstrated that more than 25 houses were required a material contravention proposal would be brought forward.

Mr. J. MacGrath advised that submissions had been received. He was legally required to bring a report before the members and they were obliged as Councillors to consider same. All considerations were required to be based on the proper planning and sustainable development of the area. The Report following the public consultation recommended minor amendments to the Variation. He had listened to the debate seeking further rezoning. He could not see how this proposal would meet the requirements of the Core Strategy and the proper planning and sustainable development of the area. Permission was in place for 25 houses which were not yet commenced. If the rezoning proposal was to go further members would have to set out how it complied with the Core Strategy and the proper planning and sustainable development of the area. Without this the proposal could not be accepted. He congratulated members on the responsible decisions taken by them in relation to zoning and accepted that they had made some very valid arguments. He stated that he was prepared to give a commitment that, when development commenced on the 25 houses for which planning permission had been granted, any proposal for a material contravention to facilitate a further planning application would be approached in a very positive manner.

Mr. B. Beck referred to Section 10(d) (ii) of the Planning and Development (Amendment) Act 2010 and advised that, in his opinion, the proposal being considered would be an increase in the amount of land zoned. On this basis the proposal could not be accepted by the Manager in accordance with this legislation which provided that significant changes to proposed Variations could not be made at the last stage of consideration.

It was agreed to adjourn consideration of this item and to take item 06.2 on the Agenda.

**Item 6.2**  
**Draft Nenagh**  
**Town &**  
**Environs**  
**Development**  
**Plan 2010 – 2016**

Mr. M. Shortt advised that this process was at the first stage in the review of the Nenagh Town & Environs Development Plan following from the Issues Paper. During the public consultation phase anyone was entitled to make a submission. He advised that the matter had been considered by the members of Nenagh Town Council and they had proposed amendments – both sets of maps were available at the meeting for consideration.

Cllr. S. Morris stated that Nenagh Town Council had met twice on this issue. They had unanimously agreed to support the proposal put forward in relation to rezoning. He outlined details of the proposal which related to a parcel of land on the Old Birr Road. He was supported by Cllr. H. McGrath.

Mr. B. Beck gave a brief history of the site. He stated that it was zoned for Agricultural purposes in the Manager's draft and for low density in the County Development Plan. The approach taken in partnership with the elected members had provided transparency of decision making and made plans more robust. This was based on putting proposals on public display and submissions being made in respect of individual pockets of land. The submissions would then be considered by members and issues would be resolved. This allowed decisions to be made in an informed manner based on an assessment of the submissions received and there was transparency as to what was taken into account by members in reaching decisions.

Mr. M. Shortt stated that Management have never before received a direction to change report for public display at this stage. He outlined details of the planning history of the land. Mr. M. Shortt confirmed that there is already planning permission approved for 1200 houses in Nenagh. It would be open to the developer to make a submission during the public consultation phase.

**Item 6.1**  
**Variation No. 1**  
**of County**  
**Development**  
**Plan**

The meeting adjourned at 12.25 p.m. On resumption at 2.05p.m. Item 06.1 was again considered.

Cllr. J. Meaney then indicated that, based on the discussion which had taken place, he was withdrawing his proposal. Cllr. J. Carroll also confirmed that he was withdrawing his proposal to second Cllr. Meaney's proposal.

Mr. J. MacGrath thanked the members for their constructive discussion on the report on the proposed Variation. He advised that, in the interests of the proper planning and sustainable development of the area, members should adopt the Variation as outlined in his report. In relation to submissions 17 and 18 once the current land owner commences development of Phase 1 he should commence pre-planning discussions on Phase 2 including residential aspects and any proposal in relation to a nursing home. If at the end of this a material contravention was required it would be brought back to the members for decision.

It was proposed by Cllr. J. Carroll, seconded by Cllr. J. Meaney and resolved that being satisfied that the requirements of the Planning and Development Act 2000-2011 and all Regulations thereunder have been complied with in relation to the proposed Variation (No. 1) of the County Development Plan 2010-2016 to take account of amendments to:

- Chapter 2 – Vision and Core Strategy
- Chapter 3 – Population and Settlement – amend 3.5 Settlement Strategy
- Chapter 6 – Economy – insert new objective into Section 6.5 Employment Strategy.
- Volume 2 Settlement Plans for the Settlements of Borrisokane, Borrisoleigh, Cloughjordan, Littleton, Toomevara and Two-Mile-Borris.

And to insert:

- Into Volume 2, Settlement Plans for Ballina, Ballinderry, Birdhill, Dromineer, Garrykennedy, Kilbarron, Newtown, Portroe, Puckaun, Terryglass.

and having considered the submissions made in respect of the proposed Variation of the County Development Plan and the report of the County Manager thereon, we the Council of North Tipperary hereby make the Variation as amended.

**Item 6.2**  
**Draft Nenagh**  
**Town &**  
**Environs**  
**Development**  
**Plan 2010 – 2016**

Discussion then resumed on Item 06.2. Cllr. S. Morris then indicated that, following lengthy discussion, he was withdrawing his proposal for changes in zoning. Cllr. H. McGrath also indicated that he was withdrawing his proposal to second Cllr. Morris's proposal.

Mr. J. MacGrath advised that he recommended that the Draft Plan be adopted as presented. There were various maps attached. The process was at an early stage of public consultation. All members of the public were entitled to make submissions and should be encouraged to make submissions. He advised that, in the context of the proper planning and sustainable development of the area, the lands consisting of 8.6 ha at Rathnaleen North should be shown in the public consultation phase as presented in the Draft Plan. The owners would have the opportunity to make a submission. The owners should engage constructively with the County Council regarding the issues that were factors in the previous planning decision – roads, wastewater, water – and during the period of the Draft Plan should discuss how these issues can be overcome. A more positive approach could then be taken when the matter came back before the members. Mr. M. Shortt, Director of Services would be the point of contact for the owners. The general public would have the opportunity to make submissions and it was important that such submissions were made and that there was an opportunity to consider same.

It was proposed by Cllr. S. Morris, seconded by Cllr. D. Ryan, and agreed, in accordance with Section 11 (5) (a) and (b) of the Planning and Development Act, 2000-2010, to adopt the Draft Nenagh Town & Environs Development Plan 2013-2019 in order to proceed with public consultation in accordance with Section 12 of the Act.

The meeting then adjourned for lunch until 2.45 p.m.

**Item 6.3**  
**Roscrea Local**  
**Area Plan 2013 -**  
**2019**

Members considered the Manager's Report on the submissions received on the Issues Paper on the Roscrea Local Area Plan 2012 – 2018 and on the proposal of Cllr. P. Coonan, seconded by Cllr. M. Smith, it was agreed to place the proposed Plan on public display.

Cllr. D. Ryan encouraged all clubs to have an input into the process.

**Item 6.4**  
**Proposal to**  
**revoke the**  
**Holycross Local**  
**Area Plan 2006**

Mr. M. Shortt advised that, following consultation, it was agreed not to revoke the Holycross Local Area Plan.

It was proposed by Cllr. S. Hanafin, seconded by Cllr. J. Kennedy and resolved that, pursuant to the provisions of Section 20 of the Planning and Development Act 2000 as amended, we the Council of North Tipperary having considered the Manager's Report on the Proposal to revoke the Holycross Local Area Plan 2006 decide not to revoke the Holycross Local Area Plan 2006.

**Item 6.5**  
**Proposal to**  
**revoke the**  
**Western Local**  
**Area Plan 2006**

It was proposed by Cllr. G. Darcy, seconded by Cllr. J. Casey and resolved that, pursuant to the provisions of Section 20 of the Planning and Development Act 2000 as amended, we the Council of North Tipperary having considered the Manager's Report on the Proposal to revoke the Western Area Local Area Plan 2006 hereby revoke the Western Area Local Area Plan 2006.

**Item 6.6**  
**Planning &**  
**Development**  
**Register**

Members noted the Planning and Development Register for the month of October 2011, copy of which was circulated via email.

Cllr. J. Meaney asked with regard to the taking in charge of estates, a Liaison Officer should be appointed. Mr. J. MacGrath advised that a member of staff would be nominated as the single point of contact in relation to the taking in charge of estates and that the members would be notified within the next few weeks.

**Item 7.1**  
**Extension of life**  
**of Waste**  
**Management**  
**Plan for**  
**Midlands Region**  
**2005 – 2010**

Members noted the extension of life of the current Waste Management Plan for the Midland Region 2005 – 2010.

Mr. M. Shortt advised that there was a requirement in legislation to review the plans every five years. The Managers in the region had complied with this requirement. Following the process there was no material change and each Manager in the Region had extended the plan to 1<sup>st</sup> February 2014. There would be a review of all Waste Management Plans over the next twelve months.

Cllr. J. Ryan enquired about the provision of a recycling centre in Thurles. Mr. M. Shortt replied that it was still the wish of the Council to provide a centre in Thurles and a site was still being sought however no progress had been made. Departmental funding was no longer available for the provision of new Civic Amenity Sites.

Cllr. M. Smith stated that signs in Roscrea referred to a €150 fine for littering however people had got letters stating that a fine of €225 applied including €75 for clean-up costs per person.

Mr. M. Shortt replied that the €75 cost is to recover the costs associated with clean up, the litter warden's time and the CCTV charge. He would look at ensuring that the signs reflected the full cost.

**Item 8.1**  
**Allocations of**  
**grants under the**  
**Community,**  
**Sports &**  
**Cultural Grants**  
**Scheme**

It was proposed by Cllr. S. Hanafin, seconded by Cllr. J. Ryan and resolved that the recommendation below for the Community, Sport and Cultural Grants Scheme is hereby approved.

THURLES ELECTORAL AREA

Group	Total Cost €	Capital Assistance Grant €
Littleton Community Resource Centre Project	€1,085,409.89	€165,409.89

**Item 9.1**  
**Reports on**  
**Service**  
**Indicators**

The Report on Service Indicators to 30<sup>th</sup> June 2011 was noted.

**Item 10.1**  
**Reports on**  
**Strategic Policy**  
**Committee**  
**Meetings**

Summary of the following Strategic Policy Committee Meeting was noted: -

- Housing held on 14<sup>th</sup> November 2011

**Item 11.1**  
**Report on**  
**Meetings held by**  
**Area**  
**Committees**

Summaries of the following Area Committee meetings were noted:

- Nenagh held on 7<sup>th</sup> November 2011

Cllr. J. Carroll asked that an aggressive maintenance system be put in place. He referred to staffing levels and expressed concern that the Council might be exposed if there were severe weather conditions.

Cllr. J. Kennedy supported Cllr. Carroll and asked that there be no lay-off of temporary workers. He stressed the need to ensure during the winter months that inlets are opened and shores cleaned.

Cllr. M. Lowry asked that prior to consideration of the Roadworks Programme for 2012 there would be a meeting with engineers to discuss efficiencies, temporary workers, work practices and maintenance programmes.

Mr. M. O'Connor replied that there is a patching unit available in each Roads area. He advised that

temporary General Operative were let go this week which is in line with previous years and recruitment for 2012 would take place early in the New Year. He also advised that the Area Meetings were the forum for discussion of matters relating to the Roadworks Programme.

**Item 12.1**  
**Attendance at**  
**Conferences**

It was proposed by Cllr. S. Hanafin, seconded by Cllr. D. Ryan and resolved “That pursuant to Section 142 (5) of the Local Government Act 2001 and having regard to (i) the benefits likely to accrue, (ii) the general interest of this administrative area and of the local community (iii) the estimated cost of the proposed attendance and the provision made for such purposes in the annual budget, hereby nominate those listed hereunder to attend the following Conference/Seminar”:

Seminar/Conference /Similar event	Dates	Venue	Nominees	Estimated Cost
National Rural Development Conference 2011	19 <sup>th</sup> October	Hodson Bay Hotel, Athlone, Co. Westmeath	Cllr. Billy Clancy Cllr. John Carroll	€500
The Role of the Regional Authority in the operation of and policy making in Local Government	21 <sup>st</sup> – 23 <sup>rd</sup> October	The Kingsvalley Hotel, Merlin Park, Dublin Road, Galway	Cllr. Michael Smith	€500
The Role of the Councillor in Education and the Community	28 <sup>th</sup> – 29 <sup>th</sup> October	City North Hotel, Gormanstown, Co. Meath	Cllr. Michael Smith	€500
Effective Representation for your Constituents	23 <sup>rd</sup> – 25 <sup>th</sup> September	Manor West Hotel, Tralee, Co. Kerry	Cllr. Jim Ryan	€500
European Waste Water Laws – Irish Governments decision to License Septic Tanks	30 <sup>th</sup> September – 2 <sup>nd</sup> October	Mill Park Hotel, The Mullins, Donegal Town	Cllr. Michael Smith	€500
Getting a Grip 2011	6 <sup>th</sup> – 7 <sup>th</sup> October	Europe Hotel, Killarney, Co. Kerry	Cllr. Eddie Moran	€500
Social Housing Assessment Regulations 2011	14 <sup>th</sup> – 16 <sup>th</sup> October	Atlantic Coast Hotel, Westport, Co. Mayo	Cllr. Hughie McGrath Cllr. Dr. Phyll Bugler Cllr. Eddie Moran	
Frontiers in Poverty Research Summer School	26 <sup>th</sup> – 30 <sup>th</sup> September	Geary Institute, University College Dublin, Belfield, Dublin 4	Cllr. Michael O’Meara	€500
Energy Security and the Global Economy	10 <sup>th</sup> October	National Gallery, Dublin	Cllr. Billy Clancy	€500
Local Authority Budgets 2012	18 <sup>th</sup> – 20 <sup>th</sup> November	Silver Tassie Hotel, Letterkenny, Co. Donegal	Cllr. Mattie Ryan	€500
Serve Seminar – Using Wood as a Fuel	28 <sup>th</sup> November	Gurteen Agricultural College, Gurteen, Rathcabbin, Roscrea	Cllr. Jim Casey	€500
Serve Seminar – Planning an Eco Village	8 <sup>th</sup> December	Eco Village, Cloughjordan, Co. Tipperary	Cllr. Jim Casey	€500
National Tourism Conference – Tourism: The Potential for Economic Growth	24 <sup>th</sup> – 26 <sup>th</sup> November	Fall Hotel, Ennistymon, Co. Clare	Cllr. Séamus Morris Cllr. Eddie Moran	€500
Conference on the Great War: 1914 – 1918	5 <sup>th</sup> – 6 <sup>th</sup> November	Westcourt Hotel, Drogheda, Co. Louth	Cllr. Mattie Ryan Cllr. Gerard Darcy	€500
TASC Seminar – The Nordic Models	17 <sup>th</sup> November	Croke Park, Dublin	Cllr. Séamus Morris	€500
Optimising Taxation Allowances & Benefits	22 <sup>nd</sup> – 24 <sup>th</sup> October	Celtic Ross Hotel, Rosscarbery, West Cork	Cllr. Michael O’Meara Cllr. Eddie Moran Cllr. Phyll Bugler	€500
Local Government Powers to create/abolish Rights of Way	4 <sup>th</sup> – 6 <sup>th</sup> November	The Kingsvalley Hotel, Merlin Park, Dublin Road, Galway City	Cllr. Jim Casey	€500
Alcohol – Where’s the Harm	15 <sup>th</sup> November	Royal College of Physicians, Dublin 2	Cllr. Michael Smith	€500
Modern Alternatives to the Extinction of Fossil Fuels	18 <sup>th</sup> – 20 <sup>th</sup> November	Celtic Ross Hotel, Rosscarbery, West Cork	Cllr. Denis Ryan Cllr. Eddie Moran	€500

**Item 12.2**  
**Reports on**  
**Conferences**

Members noted the following Reports on Conferences attended:

Conference/Seminar Title	Date Of Conference	Reports Received from:
Effective Representation for your Constituents	23 <sup>rd</sup> – 25 <sup>th</sup> September 2011	Cllr. Jim Ryan
Getting a Grip 2011	6 <sup>th</sup> – 7 <sup>th</sup> October 2011	Cllr. Eddie Moran
Social Housing Assessment Regulations 2011	14 <sup>th</sup> – 16 <sup>th</sup> October 2011	Cllr. Eddie Moran Cllr. Hughie McGrath
TASC Seminar – From Debt to Recovery	14 <sup>th</sup> – 16 <sup>th</sup> October 2011	Cllr. Séamus Morris Cllr. John Carroll
UCD Summer School – Frontiers in Poverty Research	26 <sup>th</sup> – 30 <sup>th</sup> September 2011	Cllr. Michael O'Meara
Effective Representations through Radio, TV, Press, Facebook & Twitter	8 <sup>th</sup> – 10 <sup>th</sup> July 2011	Cllr. Michael O'Meara
National Rural Development Conference	19 <sup>th</sup> October 2011	Cllr. John Carroll
Optimising Taxation & Allowances	21 <sup>st</sup> – 23 <sup>rd</sup> October 2011	Cllr. Michael O'Meara Cllr. Eddie Moran
All Ireland Tourism Conference	8 <sup>th</sup> – 10 <sup>th</sup> June	Cllr. Denis Ryan

**Item 13.1**  
**Mayor's**  
**Business**

Cllr. M. Lowry advised that it had been agreed at the Corporate Policy Group meeting that a review of the Development Contribution Scheme for the purpose of encouraging enterprise in North Tipperary will commence early next year. Members welcomed this Review.

Mr. J. MacGrath informed the Members that the review of the Development Contribution Scheme was due at the end of 2012. It was proposed to bring forward the review to the first quarter of 2012. He highlighted the importance of the Development Contribution Scheme in the provision of capital infrastructure. Without the Development Contribution Scheme the County Council would not have been in a position to sign contracts for the Newport and Thurles Regional Water Schemes. All monies received are reinvested to improve the county. There was no question of doing away with development contributions. The provision of infrastructure was critical to attracting investment in the county. He did accept that a review should be carried out and the basis of bringing the review forward was to look at measures to incentivise enterprise and job creation.

Cllr. M. Lowry also informed the members that the Budget Meeting and the December meeting of the County Council will be held on 19<sup>th</sup> December in Holycross in the John Doyle Centre.

Cllr. S. Hanafin referred to the decision at the November meeting to write to the Minister for Education and Skills in relation to the Minor Works Grant for Primary Schools. The Minister announced that payment was being made of the current year's grants however he signalled that this was the last year of the grant. This would result in a serious deficit in the funding of Primary Schools. Following discussion it was agreed to again write to the Minister stating the members' concerns and that, if the Minor Works Grant was being withdrawn, a serious review of the funding of Primary Schools needs to be carried out.

**Item 14.1**  
**County**  
**Managers/**  
**Directors of**  
**Services/ Heads**  
**of Functions**  
**Business**

Mr. M. O'Connor outlined that there is a link on [www.tipperarynorth.ie](http://www.tipperarynorth.ie) to the National Winter Ready website which gives advice during severe weather events. Information was also available on the Council's website. This includes emergency planning measures, practical advice on preparing for bad weather events and dealing with the consequences. Maps will show which roads are being salted. Advice was also given on prevention of frozen pipes.

Members welcomed this and the Emergency Phone Line created last year.

Members asked whether salt or grit will be made available at strategic locations for roads which are not being treated by the Council. Mr. M. O'Connor replied that the County Council had consulted with the I.F.A. last year and had dropped grit in three or four areas. They were prepared to do the same this year. This would be done if the need arose.

Cllr. J. 'Rocky' McGrath asked if a contribution can be demanded from Coillte because of the use by

them of roads in areas such as Toor, Killoscully etc. and the damage caused to these roads by the large trucks. Mr. M. O'Connor stated that discussions had taken place with Coillte however there had been no success as Coillte stated they were entitled to use the public roads and were carrying legal loads.

Ms. R. Joyce informed Members that a Civic Reception recognising Youth in the County will be held on Friday, 13<sup>th</sup> January 2012.

Mr. L. McCarthy informed Members that the new Motor Tax office in the Civic Offices will be open on Monday, 5<sup>th</sup> December and there would be a separate entrance to same from the Car Park.

**Item 15.1**  
**County**  
**Manager's/**  
**Directors Orders**

Members noted the County Managers/Directors of Services/Heads of Functions Orders for month of October 2011.

**Item 16.1**  
**Tenders**

Members noted the following Schedule of Tenders:-

Contract for	Successful Tenderer	Date Advertised	Method of Advertisement	No. of Tenders Received	No. of North Tipperary Contractors who Tendered	Amount of Tender (excluding VAT)
Extension to House at 12 Ard na Greine, Roscrea	John Ryan Construction Ballyegan Birr Co. Offaly	30/07/11	E- Tenders Website Nenagh Guardian Tipperary Star Midland Tribune	5	3	€30,800.00
Extension to House at 20 Cois Carrig, Roscrea	Slievenamon Homes (Killeanaule) Ltd., Garrane, Killenaule, Thurles, Co. Tipperary	30/07/11	E- Tenders Website Nenagh Guardian Tipperary Star Midland Tribune	5	3	€31,607.30
Preparation of the SEA/AA of the Roscrea Local Area Plan 2012-2018	CAAS Ltd., 2 <sup>nd</sup> Floor, The Courtyard, 25 Great Strand Street, Dublin 1	26/9/11	Selective tendering, 3 sought	1	Nil	€14,898 inclusive of VAT
Overlay of Main Street, Ballina.	Carroll Quarries Ltd.	Letters to 15 no.contractors sent on 12/09/11	N/A	9	1	€74,527.34 incl. Vat

**Item 17.1**  
**Notices of**  
**Motion**

**Notice of Motion No. 13,064 (a) submitted by Cllr. P. Bugler and G. Darcy and 13,064 (b) submitted by Cllr. S. Morris**

The motions were proposed by Cllr. S. Morris and seconded by Cllr. G. Darcy.

**No. 13,064 (a)**  
**and 13,064 (b)**

- (a) "I request that North Tipperary County Council write to the Minister for the Environment requesting an independent review of the impact of the proposed abstraction of water from Lough Derg on the ecology and hydrology of the entire Shannon system".
- (b) "That this council calls for all 18 Councils that are sustained by the River Shannon to make North Tipperary the lead authority in the battle to find an independent view to the Consultants hired by Dublin City Council and that lead authority ask the other councils to
- (a) Commit funding for An Independent review of the impact of the proposals on the ecology and Hydrology of the entire Shannon system.

- (b) To contact the European union with a view to getting their view on how they want us to protect the Special Protection Area for Birds as laid down by Directive no. 2009/147/ec”

The following reply was read out: -

*“The planning application for the Greater Dublin Water Supply Project will be assessed under the Strategic Infrastructure Act 2006. The SIA provides “The planning authority for the area (or, as the case may be, each planning authority for the areas), in which the proposed development would be situated...prepare and submit a report setting out the views of the authority on the effects of the proposed development on the environment and the proper planning and sustainable development of the area of the authority...”*

*The SIA goes on to state that “The Manager of a planning authority shall, before submitting any report to in relation to a proposed development to the Board...submit the report to the members of the authority and seek the views of the members on the proposed development.”*

*Furthermore “The Members of the planning authority may, by resolution, decide to attach recommendations specified in the resolution to the report of the authority; where the members so decide, those recommendations...shall be attached to the report submitted to the Board...”*

*The agreement of a submission under the SIA is consequently a reserved function and there is no provision under the legislation for any one Authority to act as a lead agency.*

*Areas of Lough Derg and its shoreline have been designated as either a Special Protection Area (SPA) or a Special Area of Conservation (SAC). These designations under the Natura 2000 Network place a responsibility on all agencies of the state, including planning authorities, to act diligently to ensure that their decision in the exercise of their functions comply fully with the obligations of the Directives. The Department through the National Parks and Wildlife Service monitor and police these responsibilities. The NPWS will be assess any application made under the Strategic Infrastructure Act in order to ensure that EU deignated sites are fully protected against inappropriate development or uses.*

*An Bord Pleanala act independently in assessing all applications made under the SIA, with the right to seek or retain further independent views on the proposal. It would be inappropriate for NTCC to take on this role and may limit the ability of this Council to express its opinion in relation to the proposal and its impact on this County.”*

Members expressed concerns in relation to potential impacts on the Lake from the proposed abstraction including the impact on flora, fauna, ecology, lake temperatures, fishing, tourism and local industry. Following discussion, it was agreed to write to the Minister requesting an independent review of the proposal and to send a copy of the correspondence to other affected Local Authorities seeking their support.

#### **No. 13.065**

#### **Notice of Motion No. 13,065 submitted by Cllr. S. Morris as follows:**

“That North Tipperary rolls out a Sports Tourism Grant system similar to the one in Nenagh Town Council which has been so successful”.

The motion was proposed by Cllr. S. Morris and seconded by Cllr. H. McGrath.

The following response was read out:

*“We note that a scheme has been in operation in Nenagh Town Council since 2010 for applications from sports clubs and voluntary organisations that intend organising an event or festival that will involve visiting groups or participants staying overnight in Nenagh for at least one night in 2010.*

*Maximum funding of 5,000 euro has been allocated to the scheme with a maximum of 750 euro available to any one organisation.*

*Support for tourism development is available from the Tourism Unit in North Tipperary County Council.*

*North Tipperary County Council over the past number of years has supported the development of a range of sporting facilities in the administrative area through its Community Sport and Cultural grants scheme.*

*In addition financial assistance towards festival development may be sought from Failte Ireland North Tipperary Sports Partnership or NTLP.”*

A number of members spoke in support of the motion and commended Nenagh Town Council for showing initiative in this area. Mr. J. MacGrath stated that all were aware of the positive impact that the initiative had in Nenagh and that the other towns might like to consider the inclusion of a provision in their budget. At a time of reductions in funding and falling income it was difficult to try to introduce a new budget line. While he could not give a commitment he would consider the matter in the context of the Draft Budget 2012.

Following discussion, it was agreed to forward the motion to Templemore and Thurles Town Councils.

#### **No. 13,066**

#### **Notice of Motion No. 13,066 submitted by Cllrs. M. Smith and J. Casey as follows:**

“I am calling on the Minister for Justice to rescind his decision to close the Courthouses in Roscrea, Templemore and Borisokane in order to facilitate the local community”.

The motion was proposed by Cllr. M. Smith and seconded by Cllr. E. Moran. Members spoke in support of the motion and referred to the implications for the towns in question of the closure of the Courthouses; the additional costs to the general public, the legal service and the Gardaí of attendance in Nenagh and Thurles; the inconvenience to the public and the effect on vulnerable sectors of the community who did not have transport. It was noted that Templemore Town Council had passed a similar motion.

Following discussion, Members asked that the County Council write to the Department of Justice and to the Court Service asking that the decisions be rescinded and also requesting details of future plans for the Court Services in North Tipperary in terms of Nenagh and Thurles.

#### **Item 18.1** **Respite Care in** **North Tipperary**

Cllr. M. Lowry wished to acknowledge that Deputies M. Lowry and N. Coonan had attended the previous week and that Deputy Coonan had also attended that day but unfortunately time had not allowed this matter to be debated in their presence.

Members thanked the organisers and all who participated in the rally held in Thurles.

#### **Item 19.1** **Correspondence**

Members noted the following correspondence copy of which was circulated to them via email: -

1.	Letter of acknowledgement from office of Minister for Disability, Equality, Mental Health & Older People to Council’s letter requesting she meet with a delegation from North Tipperary to discuss health cutbacks to respite care and the Regional Hospital Limerick.
2.	Letter of acknowledgement from office of Minister for Health to Council’s letter requesting he meet with a delegation from North Tipperary to discuss health cutbacks to respite care and the Regional Hospital Limerick.
3.	Letter of reply from Office of the Minister for Education and Skills to Council’s letter

	regarding Minor Work Grants 2011/2012.
4.	Letter of acknowledgement from Office of the Minister for Transport, Tourism and Sport in reply to Council's letter regarding \$20 charge to be paid by patrons who want to watch GAA games live on TV in pubs in the U.S.A.
5.	Letter of reply from Office of Minister for Defence in reply to Council's letter regarding Civil Defence Headquarters in Roscrea.
6.	Letter from Clare County Council outlining motion adopted by them regard the Single Farm Payment.
7.	Letter from Donegal County Council outlining motions adopted by them regarding septic tanks.
8.	Letter from Donegal County Council outlining motion adopted by them calling on the government to amend the Redundancy Payment Acts 1967 – 2007.
9.	Letter from Donegal County Council outlining motion adopted by them regarding the Family Home Bill.
10.	Acknowledgement note from family of the late Teasia O'Meara, Cloughjordan to Council's Vote of Sympathy.
11.	Letter from Office of Minister for Health stating that he is presently unable to accede to Council's request to meet with deputation to discuss health services in North Tipperary.
12.	Letter from Court Services regarding the amalgamations of Roscrea and Templemore District Court areas with Nenagh District and termination of use of existing venues.
13.	Letter from Donegal County Council regarding motion adopted by them regarding reduction in services and benefits for people with disabilities.

It was proposed by Cllr. J. Ryan, seconded by Cllr. S. Morris and agreed that North Tipperary County Council support Donegal County Council in relation to their motion regarding Septic Tanks.

**Item 20.1**  
**Any Other**  
**Business**

Cllr. M. Smith requested that the same arrangements be applied in Roscrea in relation to pay parking as had been applied in previous years on the Saturdays in the run up to Christmas.

Cllr. M. Lowry informed Members that the Budget Workshop will take place on Monday 12<sup>th</sup> December at 11 a.m.

This concluded the business of the Meeting, a true copy of which we hereby certify.

Signed: \_\_\_\_\_  
**Cllr. Micheál Lowry,**  
**Mayor**

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

Signed: \_\_\_\_\_  
**Ms. Rosemary Joyce,**  
**Meetings Administrator**

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