

Tuairisc/Reporting Template for Galway City Community Network Representatives

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at your earliest convenience, preferably one week after the meeting
and no later than two weeks.



1. Cruinniú / Name of Meeting	Planning SPC 01/09/2020 (Zoom)
2. Ionadaí LPCG (glacadóir - nótaí) / Name of GCCN Rep (note-taker)	Brendan Mulligan
3. Dáta & Suite / Date & Location of Meeting:	01/09/2020 – Zoom meeting, commenced at 08:30
4. I láthair / Attendance	<p>Present -----</p> <p>Council:</p> <p>Cllr Peter Keane (Chair) Cllr Frank Fahy Cllr Owen Hanley Cllr Clodagh Higgins Cllr Noel Larkin Cllr Imelda Byrne Cllr Niall McNelis</p> <p>Community:</p> <p>Marian Spelman (ICTU) – part-time only as she couldn't connect properly Patricia Staunton (Business Sector)</p> <p>Derrick Hambleton (GCCN) Brendan Mulligan (GCCN)</p> <p>In Attendance:</p> <p>Ruth McNally (voice only), Director of Services Caroline Phelan, Senior Planner Liam Blake, Senior Executive Planner Helen Coleman, Senior Executive Planner Kate Moloney, Assistant Planner Emma Silke, Administrative Officer Patrice Keane. A/Assistant Staff Officer</p>
5. Príomhphointí pléite / Key Issues Discussed:	
<p>Minutes of Previous Meeting and Matters Arising</p> <p>Minutes had been circulated in advance.</p> <p>Frank Fahy enquired what was happening in relation to the works proposed to be funded by the Heritage Grants. Caroline Phelan responded that the survey of the three castles had been delayed until recently by Covid-19. Ann Marie Cusack is leading it with Caroline, Jim Higgins and Stephen Walsh. The Planning SPC will be given and update in writing in</p>	

advance of the next Planning SPC meeting and Ann Marie Cusack will be asked to give a presentation to the Planning SPC.

Presentation by Niall Cussen, the Planning Regulator

Mr Cussen confirmed that he had sent a copy of his presentation to Emma Silke earlier that morning. He also acknowledged that some members of the Planning SPC may have attended previous briefings by the Office of the Planning Regulator (OPR).

The presentation was very informative, finished at 09:10 and was followed by Questions and Answers.

B. Mulligan asked Mr Cussen about providing training for Planning SPC members other than Councillors. Specific training sessions for Councillors are being organised by the OPR. Mr Cussen said that he would not be averse to providing training for non-councillor members of Planning SPCs but they would not be open to the public. The OPR is recording training events currently but they are not available yet. Mr Cussen said he might consider bringing together non-Councillor members of Planning SPCs from around the country for training. Cllr Peter Keane supported this idea.

B. Mulligan asked Mr Cussen about his view in relation to Local Area Plans. Mr Cussen said that there is much merit in the Local Area Plan approach. He agreed that it is preferable that development is not led by developers' masterplans.

Cllr McNelis enquired about the prevalence of developers undertaking development and then seeking retention permission in cases where developers thought they might not get permission through applying prior to commencing development. Mr Cussen said this was not a particular trend and there is a "bad builder" clause to prevent serial offenders getting planning permission for development.

Cllr McNelis recommended a multi-agency approach as there are too many agencies involved in planning such as with flood defences, CFRAMs, bird sanctuaries, etc. Mr. Cussen said that planning is now very complex due to the interface between flood risk, habitats and urban development. He said the River Boyne was dredged decades ago (in the 70s) without the same regard for the environment as there would be today. There have been flood defences installed in Waterford city which are barely noticeable. A more sophisticated, more inclusive, more sustainable approach can take longer as everyone has their say.

The Q&A ended at 09:25 and Mr Cussen left the meeting.

Update on the proposed variations to the GCDP

Helen Coleman gave a presentation on the proposed variations. She said that a full review of the City Development Plan must commence in January 2021. Given that the review is imminent it was appropriate to just integrate the main principles of the RSES in the current GCDP by means of variation. The text of the proposed variations had been circulated to members of the Planning SPC on the same day as the public notices appeared in the local media.

Helen said that the current GCDP already reflects most of the principles but the Metropolitan Area Strategic Plan is a new plan that has to be integrated. The MASP identifies strategic growth areas which are already in the GCDP – Ardaun, Regeneration lands at Ceannt Station, Headford Road. The intention is to direct growth in the wider MASP to Claregalway, Bearna and Oranmore.

Helen Coleman went through the different elements of proposed Variations 5 and 6 in detail.

The current Recreation and Amenity zoning of the lands at Cappagh Park allows for outdoor recreation. Variation No 6 is required to allow for the construction of an indoor recreation facility.

There had been 100 submissions received, 90 of those submissions in relation to Proposed Variation No 6 - all 90 objecting to the proposed variation.

The submissions will be summarised for inclusion in the Chief Executive's Report to Councillors. It is a reserved function so it will be for Councillors to decide. The Chief Executive's Report must be prepared within 6 weeks and sent to Councillors. It is hoped that the report will come before the October Council Meeting.

The presentation lasted 15 minutes. There was then an opportunity for Questions and Answers

Cllr Niall McNelis enquired if a specific site has been identified for the Cappagh Park development.

Helen Coleman responded to Cllr Mc Nelis that Members of the Council had voted for Option 1(c). Cllr McNelis expressed the view that there may be problems because of the proximity to the river (an environmental issue) and the playground. Helen confirmed that the specific site is adjacent to and linked to the Community Centre. Caroline Phelan reminded the Councillors that they did vote for this. Councillors could propose an amendment. Cllr Mc Nelis enquired if Councillor could amend the site or the proposed variation?

Helen Coleman asked "is it the site" that is the issue? Cllr Mc Nelis asked why this specific site had been chosen rather than a sit on the east side of the city. He suggested that the business case has changed. Objections will delay this. Maybe it is the wrong site. How can it be amended?

Helen Coleman repeated that Councillors had voted for this option.

Derrick Hambleton asked why the Planning SPC was spending time considering the proposed variations this morning given that the public consultation period closed yesterday. Other matters that the GCCN Reps had requested be included on the agenda but the requests had been declined. Cllr Peter Keane said there would still be an opportunity for the Planning SPC to have an input. Helen Coleman and Caroline Phelan confirmed that the legislation is clear that once the consultation has closed the Planning SPC can have no input. The only option would be to have a Councillor propose an amendment on eth SPC's behalf.

Cllr Owen Hanley enquired was there any projected date by which the Housing Need Demand Assessment (HNDA) would be available. He also enquired what were the documents on Density & Building Heights that Helen Coleman had referred to in her presentation.

Helen Coleman responded that a brief is being written for the HNDA to enable it to go to procurement. The draft City Development Plan will have to be substantially prepared by next summer so the HNDA will have to be ready by then. The HNDA is just another name for a Housing Strategy. As regards the Building Heights study Helen had referred in her presentation to the Department's Guidelines on Building Heights in 2018. The planners have been discussing building heights with planners in Cork, Dublin and Limerick. The

timeline for the Building Heights Study will be the same as that for the HNDA as it will be very important for the draft City Development Plan.

A total of 30 minutes was spent on the proposed variations.

Vacant Site Report

Kate Moloney, Assistant Planner, gave a very good presentation on the Vacant Site Levy which lasted 10 minutes and was followed by Questions and Answers.

Cllr Frank Fahy observed that 86 sites were identified in 2016 but there are only 6 sites on the Register. What are the criteria for use for agriculture? Can it be leased or does it have to be farmed by the owner? He welcomed the levy - he saw something similar in New Zealand 20 years ago.

Cllr Owen Hanley enquired what the difference is between the Derelict Sites Levy and the Vacant Sites Levy. Why is Dawn Dairies on the Vacant Sites list but not the Corrib Great Southern? He observed that there had been only 1 appeal upheld. Could the levy be used to fund the preparation of LAPs?

Kate Moloney responded that Galway City Council has done its homework which is why there have been so few appeals and only 1 upheld. The Vacant Site Levy applies to residentially zoned lands only. The Derelict Sites Levy can be applied to commercially zoned land. A site can only be on one register.

Cllr Frank Fahy enquired what penalties apply and what valuations are based on. Kate Moloney respond that there are no penalties beyond the levy. The levy can be recovered as a debt or can be a charge on the land. The sites are valued by Estate Agents initially and are revalued every 3 years.

Any Other Business

B. Mulligan raised the failure to include any of the matters GCCN Reps had requested be included on the Agenda. The Chair responded that this was due to the Covid challenge. There is a backlog of meetings. The Executive have to be available for SPC meetings but the sands are shifting because of Covid. Staff leave is backing up. If it is possible, an additional meeting will be facilitated. The Chair would like to have an additional meeting before the Council Meeting on the 12th October or the November Council Meeting. The Executive Reps said this would not be possible.

B. Mulligan observed that the Planning SPC is not functioning as it should whereas other SPCs seem to be able to function. D. Hambleton supported this view.

B. Mulligan reminded the Chair that he had not responded to a request for a meeting from GCCN. The Chair confirmed that he would meet with GCCN.

D. Hambleton observed that the Planning SPC is not discussing important issues that it should. The Chair did not accept that.

The Chair announced that a "report" will be circulated giving an update on all the issues that had been raised in GCCN's Reps' letters to him. Once again, the Executive Reps said staff issues will not allow for an additional meeting.

Cllr N. McNelis observed that many items need to be discussed such as Air BnBs. Many developments are happening which involve considerable height. He enquired how can

we get items on the agenda. The Chair said members could write to him and request that certain items be included on the agenda. B. Mulligan observed that this hadn't worked for GCCN's Reps.

Cllr O. Hanley suggested that we should try to agree on a plan.

Ruth McNally, Director of Services, reminded the members of the Planning SPC that it has no decision-making powers. It can only deal with policy related issues – driven by the Council. She felt there was some confusion about the remit of the Planning SPC. It has no role in operational matters. **She said that most of the matters that GCCN's Reps had requested be included on the Agenda are not the business of the Planning SPC.**

B. Mulligan asked that, for clarity, the Report announced earlier by the Chair would set out what items in GCCN's Reps' letters are not the business of the Planning SPC.

It was eventually agreed to hold an additional Planning SPC meeting on the 3rd November.

6. Socruithe déanta / Key Decisions Made:

None.

7. Gníomhaíochtaí / Action(s) required from GCCN:

Action is required to address the increasing dysfunctionality of the Planning SPC.

The Planning SPC is not being given the opportunity "to consider matters connected with the formulation, development, monitoring and review of policy" [Section 48 of Local Government Act 2001 (as amended)].

8. Dáta don chéad chruinniú eile / Date of next meeting :

08:30 on 3rd November 2020 (an additional meeting)

9. Moltaí breise / Any Other Comments:

Emma Silke circulated a copies of the Planning Regulator's and the Vacant Site Levy presentations later the same day.