

Minutes of Special Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare and via MS Teams on Thursday, 20th October, 2022 at 3:00 p.m.

Present:

Councillors M. Howard, J. Flynn, P. Murphy, J. Cooney, P. Hayes, P. Burke, A. O’Callaghan, T. O’Brien, J. Crowe, M. Begley, P.J. Ryan, P. McMahon, G. Flynn, P. O’Gorman, S. Talty, J. Killeen, J. Garrihy, P.J. Kelly, B. Chambers, G. Keating, C. Murphy, I. Lynch.

Officials Present:

- Mr. Leonard Cleary, Deputy Chief Executive.
- Ms. Mary McMahon, Meetings Administrator.
- Ms. Margaret O’Rourke, Assistant Staff Officer.
- Mr. Liam Conneally, Director of Economic Development.
- Dr. Carmel Kirby, Director of Physical Development.
- Ms. Helen Quinn, A/Senior Planner.

Present via MS Teams: Cllrs. A. Norton, P. Daly, L. Grant and D. McGettigan.

Apologies: Cllr. C. Colleran Molloy.

The Cathaoirleach, Cllr. T. O’Brien presided and welcomed the members to this Special Meeting to consider the Draft Clare County Development Plan 2023-2029 and the Chief Executive’s Report to the Elected Members on submissions received on the Draft Clare County Development Plan 2023-2029 in accordance with Section 12 of the Planning and Development Act 2000 (as amended).

Cathaoirleach, Cllr. O’Brien thanked the elected members for their engagement in the process which has involved a lot of debate, discussion and dialogue and in which he believes the over-riding view of the members is for the betterment of County Clare and its people.

Liam Conneally, Director of Economic Development addressed the meeting and stated that on the 18th September 2020 the plan making process for a new County Development Plan commenced.

On the 10th December 2021 the Draft Clare County Development Plan 2023-2029 was placed on public display until the 28th March 2022. During which time the executive made considerable efforts to engage stakeholders and the general public in the plan making process. In doing so advertisements/press releases were placed in locally circulating newspapers. The plan making process was covered by local radio with 105 announcements over 21 days. Notification of the public consultation events were

circulated in local parish newsletters. Notification was sent to primary and secondary schools across the county. An information video was made available on a dedicated development plan webpage on the Clare County Council website. A targeted pilot engagement with students from a number of schools was completed. A total of 37 social media posts across facebook, instagram and twitter were run and a series of 12 public walk-in events were held across the county.

Mr. Conneally continued that the extent of public engagement and interest in the plan making process was evident in the unprecedented number of submissions received on the Draft Plan as 1,015 valid submissions were received. Mr. Conneally thanked everyone who took the time and made the effort to attend the various public consultation events and who made submissions on the draft plan and stated that he felt confident that the finalised plan will be more encompassing and reflective of the needs of the people of Co. Clare as a result of these engagements.

On the 10th July 2022 the members were issued with the “Chief Executives Report to the Elected Members on submissions received on the Draft Clare County Development Plan”.

Subsequent to receipt of that Chief Executives Report the members have been considering the Draft Plan and the Chief Executives Report. This period of consideration has been assisted through various workshops with the Executive of the Council. Mr. Conneally acknowledged the considerable time and efforts made by the members across the county over the last number of months during this consideration stage. Mr. Conneally stated that the members have never before been tasked with such a large number of submissions to be considered, and he acknowledged the very positive and engaging manner in which each elected member has approached this phase of the plan making process.

Mr. Conneally continued that in accordance with Section 12 (5) of the Planning and Development Act 2000 (as amended) the members are completing their consideration of the Draft Clare County Development Plan 2023-2029 and the Chief Executives Report on the submissions received on that draft plan.

Mr. Conneally asked the members to be especially cognisant of the following in their consideration.

- ✓ The Draft Clare County Development Plan 2023-2029
- ✓ The associated Strategic Environmental Assessment (Environmental Report); Appropriate Assessment (Natura Impact Report) and the Strategic Flood Risk Assessment;
- ✓ The Chief Executive's Report to elected Members on submissions received between 10th December 2021 and 28th March 2022 on the Draft Clare County Development Plan 2023-2029;
- ✓ Project Ireland 2040: The National Planning Framework;
- ✓ The Regional Spatial and Economic Strategy of the Southern Assembly.
- ✓ The policies and objectives of the Minister contained in the Guidelines prepared under Section 28 of the Planning and Development Act, 2000 (as amended);

- ✓ The statutory obligations of the local authority in this area; and
- ✓ The proper planning and sustainable development of the area.

Mr. Conneally stated that where the members consider that the Draft Plan should be accepted or amended they may by resolution accept, or amend the draft plan in accordance with the provisions of Section 12(6) of the Planning and Development Act, 2000 (as amended)

In accordance with the requirements of Section 12(7) of the Planning and Development Act, 2000 (as amended) if any of the proposed amendments would, if made, be a material alteration of the Draft Plan, the Planning Authority must determine if a Strategic Environmental Assessment and/or Appropriate Assessment of the proposed material alteration is required. If such assessments are required and duly carried out, the outcome of the assessment must be taken into consideration before the making of the Plan.

In addition to his previous acknowledgments Mr. Conneally also acknowledged the role of each of the following in this plan making process.

- Pat Dowling, Chief Executive
- the Director of Services and his colleagues on Management Team
- the various staff around the organisation who have assisted the members consideration of the draft plan and the Chief Executives Report
- the Economic Directorate staff
- the Planning Department
- in particular the Forward Planning Team who have supported and assisted the executive and the members over the last 2 years in this plan making process.

Cllr. J. Flynn acknowledged the work done by the Economic Development Department and stated that he would withdraw from discussion on submissions number S2/799, S2/804, S2/816, S2/821 and S2/891 on the basis of potential conflict of interest and that he has withdrawn from discussion on these items during the workshops.

Cllr. I. Lynch thanked the Economic Development team and stated that he would withdraw from discussion on submissions number S2/548 and S2/555 due to potential conflict of interest and that he has withdrawn from discussion on these items during the workshops also.

Cllr. P.J. Kelly thanked the staff in the Economic Development Directorate for the level of tolerance shown and the level of work undertaken on the Draft County Development Plan to date and stated that he could not formally support the proposals being discussed at the meeting. Cllr. Kelly thanked Mr. Conneally for endeavouring to get the County Solicitor to attend the meeting and referred to his previous request for legal opinion in relation to the limit on development of structures/houses that can be built over the next five years. Cllr. Kelly expressed disappointment that this legal opinion has not been received and felt that this limitation is morally and legally wrong. Cllr. Kelly expressed concern that the Draft County Development Plan may be legally questioned in future. Cllr. Kelly referred to notice of motion submitted at the October Council meeting which read “That landowners who possess a Department

of Agriculture herd number be recognised as and treated as farmers in the County Development Plan.” and stated that as this was unanimously agreed at the meeting it cannot be rescinded and that he cannot support any proposals as they conflict with previous agreements.

Cathaoirleach, Cllr. T. O’Brien agreed that it is regrettable that no legal information has been forthcoming and acknowledged that the executive did endeavour to get the County Solicitor to attend the meeting but unfortunately he was not available. Cllr. O’Brien informed the members that the purpose of the meeting is to consider the submissions received on the Draft County Development Plan 2023-2029.

L. Conneally, Director of Economic Development addressed the meeting and stated that the Council needs to be careful not to conflate the statutory process involved in making the County Development Plan and notice of motions submitted. Mr. Conneally referred to the Chief Executives response that the County Development Plan must be adopted in totality within the prescribed timeframe and that items cannot be pre-adopted in advance. Mr. Conneally undertook to circulate the legal opinion to the elected members when it is received.

Referring to the issue raised in relation to farmers Mr. Conneally stated that the revised rural housing guidelines will be issued by the Department later this year pursuant to Section 28 of the Planning and Development Act and stated that these guidelines will clarify the social and economic situation for planning authorities.

Mr. Conneally stated that the population issue raised has not impacted consideration by the members of the County Development Plan as there is significant latitude across the board.

Cllr. P. Burke noted that the notice of motion submitted by Cllr. P.J. Kelly at the October meeting was not pass unanimously as he stated that he did not agree with it.

Cllr. P.J. Kelly expressed disappointment that the elected members would be agreeing with the unknown and stated that the notice of motion was unanimous on the basis that no formal objection was raised. Cllr. Kelly re-iterated his dissent due to the lack of legal opinion and the lack of definition of a farmer.

Booklet No. 1 – General Resolutions.

Cathaoirleach, Cllr. T. O’Brien invited the members to consider the proposed amendments outlined in **Booklet No. 1 – General Resolutions.**

It was proposed by Cllr. M. Howard and seconded by Cllr. P.J. Ryan that the amendments as outlined in the booklet be accepted.

Booklet No. 2 – Ennis Municipal District.

Cathaoirleach, Cllr. T. O’Brien invited the members to consider the proposed amendments outlined in **Booklet No. 2 – Ennis Municipal District.**

It was proposed by Cllr. M. Howard and seconded by Cllr. P. Murphy that the amendments as outlined in the booklet be accepted.

Booklet No. 3 – Shannon Municipal District.

Cathaoirleach, Cllr. T. O'Brien invited the members to consider the proposed amendments outlined in **Booklet No. 3 – Shannon Municipal District.**

It was proposed by Cllr. M. Begley and seconded by Cllr. P.J. Ryan that the amendments as outlined in the booklet be accepted.

Booklet No. 4 – Killaloe Municipal District.

Cathaoirleach, Cllr. T. O'Brien invited the members to consider the proposed amendments outlined in **Booklet No. 4 – Killaloe Municipal District.**

It was proposed by Cllr. A. O'Callaghan and seconded by Cllr. J. Cooney that the amendments as outlined in the booklet be accepted.

Booklet No. 5 – West Clare Municipal District.

Cathaoirleach, Cllr. T. O'Brien invited the members to consider the proposed amendments outlined in **Booklet No. 5 – West Clare Municipal District.**

It was proposed by Cllr. S. Talty and seconded by Cllr. G. Keating that the amendments as outlined in the booklet be accepted.

Booklet No. 6 – Record of Protected Structures.

Cathaoirleach, Cllr. T. O'Brien invited the members to consider the proposed amendments outlined in **Booklet No. 6 – Record of Protected Structures.**

It was proposed by Cllr. G. Flynn and seconded by Cllr. P. McMahon that the amendments as outlined in the booklet be accepted.

Cathaoirleach, Cllr. T. O'Brien then called on each Municipal District to clarify if they had any further resolutions they wished to make.

Ennis Municipal District.

Cllr. M. Howard referred to amendment in relation to submission No. S2/111, S2/636 and S2/977 and outlined the reasons for this proposal.

Amendment.

“To change the zoning objective on Open Space lands west of MU6 to Mixed Use as per attached map.

To include text to accompany the new Mixed-use zoning into Section **2.9.2 Mixed Use Lands in Clonroad More** Volume 3a

The site is zoned Mixed Use and is appropriate for a mix of commercial uses including bulky goods retailing which are appropriate in scale and nature to the area and which do not impact on the vitality and viability of Ennis Town Centre.

Objective

It is an objective of Clare County Council:

- To retain the vitality and viability of the adjacent MU6 site identified for a neighbourhood centre and local shops in the area. In terms of retailing, only bulky goods retailing will be considered within the site.
- To encourage the appropriate mix of uses suitable to the scale of the locality.
- Future proposals shall be accompanied by a Site-Specific Flood Impact Assessment.
- Development proposals for the site shall include for the upgrade of the Tobarteascáin Road and roundabout to facilitate any proposed development.
- To ensure that a physical buffer is provided between the subject site and adjoining residential area to avoid disturbance

Future proposals shall provide pedestrian permeability to adjoining lands.”

Reason for this proposal

“Having regard to the deficiency in bulky goods provision within Ennis Town Area.”

This was proposed by Cllr. P. Daly and seconded by Cllr. P. Murphy.

Cllr. M. Howard referred to amendment in relation to submission No. S2/671 and outlined the reasons for this proposal.

Amendment.

“To change the zoning objective on part of the lands zoned Agricultural to Residential south of the N85 at Ballybeg, as per attached map.”

Reason for this proposal

“To facilitate a housing mix for the town area.”

This was proposed by Cllr. J. Flynn and seconded by Cllr. P. Murphy.

Cllr. M. Howard referred to amendment in relation to submission No. S2/802 and outlined the reasons for this proposal.

Amendment.

“To change the zoning objective on a portion of the lands zoned Agriculture to Residential at Ballybeg, as per the attached map.”

Reason for this proposal

“Need for a housing mix in the town.”

This was proposed by Cllr. P. Murphy and seconded by Cllr. J. Flynn.

Cllr. M. Howard referred to amendment in relation to submission No. S2/824 and outlined the reasons for this proposal.

Amendment.

“To extend the Plan Boundary and zone the lands as Enterprise as per the attached map.

To update the text in Volume 3a Section 1.5.2 **Lands for Employment-Generating Development**

As follows

In the Beechpark Area on the western side of Ennis, there are two undeveloped sites zoned for Enterprise development (ENT1) & (ENTX). These sites are strategically located to the west of the junction of the N85 with the R474 and have potential to accommodate a low-carbon, campus-style Enterprise Park close to the national road network and Ennis Town.

ENTX is appropriate for uses such as Advanced Manufacturing, and as an Advanced Technological Park. Any future proposals shall be of a high quality design.”

Reason for this proposal

“Proximity to the N85 and close to all facilities.”

This was proposed by Cllr. J. Flynn and seconded by Cllr. M. Howard.

Cllr. M. Howard referred to amendment in relation to submission No. S2/851 and outlined the reasons for this proposal.

Amendment.

“To change the zoning objective on a portion of the land zoned Agriculture to Residential on Shanaway Road, as per the attached map.”

Reason for this proposal

“To meet the low-density housing need of the town.

As per the Development Plans Guidelines for Planning Authorities, June 2022, zoned residential land in an existing development plan, that is serviced and can be developed for housing within the life of the development plan being prepared should not be subject to de-zoning.”

This was proposed by Cllr. M. Howard and seconded by Cllr. P. Murphy.

Cllr. M. Howard referred to amendment in relation to submission No. S2/775 and outlined the reasons for this proposal.

Amendment.

“To extend the settlement and plan boundary and to zone the land as Community.”

Reason for this proposal

“Given the need for nursing home facilities/development.”

This was proposed by Cllr. M. Howard and seconded by Cllr. J. Flynn.

Shannon Municipal District.

Cllr. M. Begley referred to amendment in relation to submissions No. S2/528 and S2/843 and outlined the reasons for this proposal.

Amendment.

“To change the zoning objective on the Open Space lands on George’s Street to Residential as per the attached map.”

Reason for this proposal

“In order to develop a streetscape along the access road to the town.”

This was proposed by Cllr. J. Crowe and seconded by Cllr. P.J. Ryan.

Killaloe Municipal District.

Cllr. A. O’Callaghan referred to amendment in relation to submission No. S2/707 and outlined the reasons for this proposal.

Amendment.

1. To change the zoning objective of the subject lands from Tourism (part of TOU2) to Residential, as per attached map.
2. To amend the text objective in the Killaloe Settlement Plan for TOU2, as follows:

TOU2 Clarisford/Killestry Tourism Site

This site has been identified for tourism development having regard to its strategic location adjoining the town of Killaloe and its proximity to the River Shannon and Lough Derg. The zoning recognises the potential of these lands to accommodate development that will significantly contribute to the tourism industry at both a local and regional scale.

Part of the site is identified as being within Flood Zone A/B. Development within Flood Zone A/B shall be retained for open space or other water compatible uses. A site specific Flood Risk Assessment will be required as part of development proposals for the site. The development of holiday homes / short stay accommodation will not be permitted on the areas identified as being within Flood Zone A/B.

Proposals for development on the site must meet the following criteria:

- Development proposals for lands at TOU2 must include a masterplan for the entire site showing linkages to neighbouring developments and the surrounding area, proposed service provision and access routes to the site. The masterplan shall incorporate a habitat and species survey and an ecological assessment. These will inform the screening for appropriate assessment together with a Natura Impact Statement, should it be determined that an appropriate assessment is required;
- Development proposals must make provision for safe vehicular and pedestrian access to the site. Permanent and/or temporary access shall be addressed as part of a masterplan for the overall TOU2 site. Temporary access to TOU2 via unzoned lands may be considered in advance of the Killaloe bypass;

- The lands zoned TOU2 are adjacent to the Lower River Shannon cSAC (Site Code 2165). Given the extent of zoning at Killestry, it is imperative that there are no significant impacts on the adjacent ecologically sensitive shoreline- Adjoining the Lower River Shannon cSAC (Site Code 2165);
- Nutrient loading, siltation or any negative impacts on water quality must be avoided as these can have potential negative impacts on the aquatic ecosystems, e.g. fish habitat;
- A sufficient buffer zone shall be put in place between any proposed development on TOU2 and the Ballyteigue River together with Moys bay and small stream;
- Trees and hedgerows must be retained and maintained throughout the site where possible as these act as wildlife corridors;
- The hydrology of the site and subsequent potential impact on the adjacent cSAC must be taken into account at all times and this must be demonstrated as part of any planning application;
- Ground disturbance to the adjacent cSAC must be avoided;
- Due regard must be had to the flight paths of bats in relation to the retention of trees. The migration paths and habitats of mammals, birds and fish along the Lower River Shannon must not be disrupted. Any future developments must not lead to the further spread of invasive species (Rhododendron and Japanese Knotweed) at this site;
- Proposals for development on the site must demonstrate that suitable services and infrastructure, particularly relating to water supply and wastewater infrastructure, can be provided to serve the proposed development.

3. To add a text objective to the Killaloe Settlement Plan, at 'Housing and Sustainable Communities', after 'R5 North of Limerick Road' as follows:

Rx Lands at Clarisford/Moys Townland.

This site has been identified for residential development having regard to its strategic location adjoining the town of Killaloe. The zoning recognises the potential of these lands to accommodate development that will significantly contribute to the delivery of residential development within the town.

Part of the site is identified as being within Flood Zone A/B. Development within Flood Zone A/B shall be retained for open space or other water compatible uses. A site specific Flood Risk Assessment will be required as part of development proposals for the site.

Proposals for development on the site must meet the following criteria:

- Development proposals for lands at Rx must include a masterplan for the entire site showing linkages to neighbouring developments and the surrounding area, proposed service provision and access routes to the site. The masterplan shall incorporate a habitat and species survey and an ecological assessment. These will inform the screening for appropriate assessment together with a Natura Impact Statement, should it be determined that an appropriate assessment is required;
- Development proposals must make provision for safe vehicular and pedestrian access to the site. Permanent and/or temporary access shall be addressed as part of a masterplan for the overall Rx site. Temporary access to Rx via unzoned lands may be considered in advance of the Killaloe bypass;
- The lands zoned Rx are adjacent to the Lower River Shannon cSAC (Site Code 2165). Given the extent of zoning at Killestry, it is imperative that there are no significant impacts on the adjacent ecologically sensitive shoreline adjoining the Lower River Shannon cSAC (Site Code 2165);
- Nutrient loading, siltation or any negative impacts on water quality must be avoided as these can have potential negative impacts on the aquatic ecosystems, e.g. fish habitat;
- A sufficient buffer zone shall be put in place between any proposed development on Rx and the European-designated site;
- Trees and hedgerows must be retained and maintained throughout the site where possible as these act as wildlife corridors;
- The hydrology of the site and subsequent potential impact on the adjacent cSAC must be taken into account at all times and this must be demonstrated as part of any planning application;
- Ground disturbance to the adjacent cSAC must be avoided;
- Due regard must be had to the flight path of bats in relation to the retention of trees. The migration paths and habitats of mammals, birds and fish along the Lower River Shannon must not be disrupted. Any future developments must not lead to the

further spread of invasive species (Rhododendron and Japanese Knotweed) at this site;

Proposals for development on the site must demonstrate that suitable services and infrastructure, particularly relating to water supply and wastewater infrastructure, can be provided to serve the proposed development.”

Reason for this proposal

“The site is effectively within the Limerick-Shannon Metropolitan Area. 2. Address imbalance with Ballina side. 3. Address shortage of housing in the area. 4. To take advantage of new road and sewer upgrade. 5. To allow for a degree of choice in the settlement.”

The proposal was proposed by Cllr. T. O’Brien and seconded by Cllr. A. O’Callaghan.

Cllr. A. O’Callaghan referred to amendment in relation to submission No. S2/139 and outlined the reasons for this proposal.

Amendment.

“To extend the settlement boundary of Ogonnelloe to take in lands, designate lands as Village Growth Area and to zone adjacent lands as Agriculture, as per attached map.”

Reason for this proposal

“To address the lack of potential residential sites and to address housing needs in the area.”

This was proposed by Cllr. A. O’Callaghan and seconded by Cllr. J. Cooney.

Cllr. A. O’Callaghan referred to amendment in relation to Broadford and outlined the reasons for this proposal.

Amendment.

“To zone lands according to the existing zoning map contained in the CDP 2017-2023 and to include zoning objectives for the lands similar to what has been included in the CDP 2017-2023.”

Reason for this proposal.

“Broadford is one of two settlements for which Clare County Council has made a funding application under the Multi-Annual Rural Water Programme 2022- 2025 Measure A8 - Waste Water Collection and Treatment Needs for Villages and Settlements without access to Public Waste Water Services. In anticipation of being approved funding under this funding stream it is considered appropriate to zone lands to accommodate future growth and to deliver on the investment associated with providing this infrastructure.”

This was proposed by Cllr. J. Cooney and seconded by Cllr. P. Hayes.

Cllr. A. O’Callaghan referred to amendment in relation to Bridgetown and outlined the reasons for this proposal.

Amendment.

“To designate lands as Village Growth Area (VGA3), which is a change to part of the lands zoned Agriculture at the southeast of the village.”

Reason for this proposal

“To address the lack of potential residential sites and to address housing needs in the area.”

This was proposed by Cllr. T. O’Brien and seconded by Cllr. J. Cooney.

West Clare Municipal District.

Cllr. S. Talty referred to amendment in relation to Cooraclare and outlined the reasons for this proposal.

Amendment.

“To zone lands according to the existing zoning map contained in the Clare County Development Plan 2017-2023 (as amended) and include zoning objectives for the lands similar to that included in the Clare County Development Plan 2017-2023 (as amended) as deemed appropriate.”

Reason for this proposal

“Cooraclare is one of two settlements which Clare County Council has made a funding application for under the Multi-Annual Rural Water Programme 2022- 2025 Measure A8 - Waste Water Collection and Treatment Needs for Villages and Settlements without access to Public Waste Water Services. In anticipation of being approved funding under this funding stream it is considered appropriate to zone lands to accommodate future growth and to deliver on the investment associated with providing this infrastructure.”

This was proposed by Cllr. B. Chambers and seconded by Cllr. I. Lynch.

Cllr. S. Talty referred to amendment in relation to submission No. S2/615 and outlined the reasons for this proposal.

Amendment.

“To extend the Kilrush Settlement boundary and zone lands Residential, as per the attached map.”

Reason for this proposal

“In the interests of the proper planning and sustainable development of the area.”

This was proposed by Cllr. I. Lynch and seconded by Cllr. B. Chambers.

Cllr. S. Talty referred to amendment in relation to submission No. S2/123 and outlined the reasons for this proposal.

Amendment.

“(1) To change the zoning objective from Tourism TOU1 to Community, as per the attached map.”

Reason for this proposal

“The need to identify an appropriate site for a new school and community-related services.”

This was proposed by Cllr. B. Chambers and seconded by Cllr. C. Murphy.

Cllr. S. Talty referred to amendment in relation to submission No. S2/498 and outlined the reasons for this proposal.

Amendment.

“To change the zoning objective from Open Space to a designated village growth area, as per the attached map.”

Reason for this proposal

“To enhance sustainability options for a living community in the settlement.”

This was proposed by Cllr. I. Lynch and seconded by Cllr. J. Killeen.

Cllr. S. Talty referred to amendment in relation to submission No. S2/670 and outlined the reasons for this proposal.

Amendment.

“To change the zoning objective from Open Space to a designated village growth area, as per the attached map.”

Reason for this proposal.

“In the interests of the proper planning and sustainable development of the area.”

This was proposed by Cllr. J. Garrihy and seconded by Cllr. C. Murphy.

Cllr. S. Talty referred to amendment in relation to submission No. S2/815 and outlined the reasons for this proposal.

Amendment.

“To change the zoning objective from Agriculture to Residential, as per the attached map.”

Reason for this proposal.

“(1) To avail of public services.

(2) To grow the community.

(3) Having regard to the policy and objective set out in Section 4.4.1 of the Development Plan Guidelines for Planning Authorities (June 2022) as it relates to dezoning of zoned land in serviced settlements.”

This was proposed by Cllr. J. Garrihy and seconded by Cllr. B. Chambers.

Cllr. S. Talty referred to amendment in relation to submission No. S2/549 and outlined the reasons for this proposal.

Amendment.

“To change the zoning objective from Open Space to Agriculture, as per the attached map.”

Reason for this proposal.

“To reflect the current agricultural use on the site.”

This was proposed by Cllr. C. Murphy and seconded by Cllr. I. Lynch.

Cllr. S. Talty referred to amendment in relation to submission No. S2/716 and outlined the reasons for this proposal.

Amendment.

“To change the zoning objective from Open Space to Agriculture, as per the attached map.”

Reason for this proposal

“To reflect the current agricultural use on the site.”

This was proposed by Cllr. C. Murphy and seconded by Cllr. I. Lynch.

Record of Protected Structures.

Cllr. G. Keating proposed the following amendment in relation to Record of Protected Structures and outlined the reasons for this proposal.

Amendment.

“That Doonmore House, Doonbeg be removed from the Record of Protected Structures.”

Reason for this proposal

“Doonmore House is an uninhabited house close to Doonbeg village and listed as a protected structure. Restoring it as a residence with the restrictions imposed because of its protected structure status is financially prohibitive. The submission requests that Doonmore House be removed from the Record of Protected Structures. The field in front might be suitable to develop as a public amenity or a mini pitch & putt or childrens play area.”

This was seconded by Cllr. S. Talty.

Ar moladh Cllr. J. Cooney

Cuidithe ag Cllr. M. Begley agus glacadh leis

“That following consideration by the elected members of:

- a. The Draft Clare County Development Plan 2023-2029;
- b. The associated Strategic Environmental Assessment (Environmental Report); Appropriate Assessment (Natura Impact Report) and the Strategic Flood Risk Assessment;

- c. The Chief Executive's Report to the Elected Members on submissions received on the Draft Clare County Development Plan 2023-2029, dated 10th July 2022, in accordance with the provision of Section 12(5) of the Planning and Development Act 2000, (as amended);
- d. Project Ireland 2040: The National Planning Framework;
- e. The Regional Spatial and Economic Strategy of the Southern Assembly;
- f. The policies and objectives of the Minister contained in the Guidelines prepared under Section 28 of the Planning and Development Act, 2000 (as amended);
- g. The statutory obligations of the local authority in this area; and
- h. The proper planning and sustainable development of the area.

The Council hereby resolves in accordance with the provisions of Section 12(6) of the Planning and Development Act, 2000 (as amended) to make the following amendments to the Draft Clare County Development Plan 2023-2029:

- 1) To include all recommendations in the Chief Executive's Report to Elected Members of 10th July 2022 on submissions received to the Draft Clare County Development Plan 2023-2029, except where altered or amended by resolutions set out in the attached resolution booklets:
 - a. Booklet 1 -General Resolutions
 - b. Booklet 2 -Ennis Municipal District Resolutions
 - c. Booklet 3 -Shannon Municipal District Resolutions
 - d. Booklet 4 -Killaloe Municipal District Resolutions
 - e. Booklet 5 -West Clare Municipal District Resolutions
 - f. Booklet 6 -Record of Protected Structures
- 2) Additional amendments as agreed by the Council at this meeting
- 3) To amend the Draft Clare County Development Plan 2023-2029 to correct various identified errata:
 - a. Generally formatting and spelling corrections where the amendments do not materially change the effect of the text or objectives
 - b. Updating the information, tables, mapping and site labels
- 4) In accordance with the requirements of Section 12(7) of the Planning and Development Act, 2000 (as amended) if any of the proposed amendments would, if made, be a material alteration of the Draft Plan, the Planning Authority must determine if a Strategic Environmental Assessment and/or Appropriate Assessment of the proposed material alteration is required. If such assessments are required and duly carried out, the outcome of the assessment must be taken into consideration before the making of the Plan. Any requirements/mitigation or information considered necessary for inclusion in the tables, mapping or text of the draft plan shall be included as a result of these assessments.”

Cllr. P.J. Kelly queried the Council's response in the event of the County Solicitor giving opinion expressing concern.

The members of paid tribute to Helen Quinn, A/Senior Planner and her team for the high level of engagement in the process and the time committed to meetings and workshops.

L. Conneally, Director of Economic Development informed the members that the Draft County Development Plan 2023 – 2029 will be printed at the end of November and will be available for public inspection for four weeks. Following that public consultation period, a Chief Executive’s report will be prepared on any submissions or observations received on the proposed material alterations and will be submitted to the elected members for their consideration. Following a period of consideration of that report the elected members may then make the plan with or without the proposed alterations or with modifications to the proposed alterations as they consider appropriate.

Mr. Conneally thanked the members for the robust, incisive and informative engagement in the preparation of the Draft County Development Plan to date. Mr. Conneally thanked the staff in Forward Planning for the hours of work involved in the preparation of the Draft County Development Plan and thanked Helen Quinn, A/Senior Planner for leading the team with distinction.

Cllr. P.J. Ryan sought clarification in relation to public meeting being held in relation to a proposed windfarm.

L. Conneally, Director of Economic Development responded and stated that new guidelines in relation to windfarms have yet to be received and that people can make representations to the Department.

This concluded the business of the meeting.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____