

## COMHAIRLE CHONTAE NA GAILLIMHE

### **Minutes of the Planning, Environment, Agriculture & Emergency Services Strategic Policy Committee Meeting held in Council Chamber Tuesday 5th July 2022 at 11am**

#### **I LÁTHAIR:**

**Baill:** Cllr. Michael Connolly, Chairperson  
Cllr. Donagh Killilea  
Cllr. Daithí Ó Cualáin  
Cllr. Dermot Connolly  
Aodán MacDonncha, Uasal  
Mr. Mark Green

**Oifigigh:** Mr. Michael Owens, Director of Services  
Ms. Valerie Loughnane, Senior Planner, Planning  
Mr. Brendan Dunne, Senior Executive Planner, Planning  
Ms. Eileen Keaveney, Administrative Officer, Planning  
Ms. Ann Dolan, Senior Executive Scientist, Environment  
Ms. Mary Hughes, Assistant Staff Officer, Planning

**Apologies:** Cllr. Michael Maher, Ms. Ann Mitchell, Cllr. Shane Curley,  
Ms. Rita Gately

#### **Item No. 1 - Minutes of the meeting of the Planning, Environment, Agriculture & Emergency Services SPC dated Wednesday 30<sup>th</sup> March 2022**

The minutes of the meeting dated 30<sup>th</sup> March 2022 were proposed by Cllr. Daithí Ó Cualáin, seconded by Cllr. Donagh Killilea and agreed.

**Matters arising:** Cllr. D. Connolly asked who the contact person for graveyards is and Cllr. M. Connolly informed him that it is Maria Finn in the Environment section.

#### **Item No. 2 - Galway County Development Plan 2022 – 2028 – Draft Direction**

Mr. Owens said that the Galway County Development Plan 2022 – 2028 came into effect on 20/06/2022 except for the Ministerial Directions that we have received, this direction has been advertised and the submission deadline is Friday 8<sup>th</sup> July 2022, there is then a four

week period for the Chief Executive to prepare a report on the submissions for the OPR, who will then assess the report and forward to the Minister who make a decision based on the OPR report.

Cllr. Killilea stated that a formal complaint was submitted on 29/6/2022 regarding the County Development Plan.

Mr. Owens stated that any issues will be addressed in the CE report and that any judicial review has no impact on the County Development Plan until a ruling is made.

Cllr. M Connolly asked would the complaint be dealt with as a submission and looked at in greater detail. Mr. Dunne stated complaint did not come in under the portal and we are seeking clarity as to whether it is a submission.

Mr. Green queried what the complaint was about and Ms. Loughnane replied that it related to the County Development Plan.

Cllr. M Connolly asked was there any other matters relating to plan.

Cllr. D. Connolly thanked all the Planning staff for being always available for advice during the making of the County Development Plan. He also thanked all the Councillors for their work during the process.

Cllr. M. Connolly concurred with Cllr. D. Connolly.

Cllr. Killilea also expressed thanks to the members of the SPC for their contribution in making the County Development Plan.

### **Item No. 3: Residential Zoned Land Tax**

Mr. Owens informed the meeting that this was a new tax, under the Housing Policy Objective 15.2 of Housing for All – A New Housing Plan for Ireland proposed a new tax to activate vacant land for residential purposes as a part of the Pathway to Increasing New Housing Supply. The Residential Zoned Land Tax (RZLT) was introduced by the Finance Act 2021 and will come into effect from 2024, managed by the Revenue Commissioners. The objective of the tax is to activate zoned and serviced residential development land and land zoned for mixed use, including residential, for development to increase housing supply and to ensure regeneration of vacant and idle lands in urban locations.

Local Authorities are required to publish maps outlining all the residentially and mixed-use zoned lands in their local authority area by 1<sup>st</sup> November 2022, there will then be a submission period until 1<sup>st</sup> January 2023. There will then be an appeals period until 1<sup>st</sup> April 2023, then followed by a 16week period until 1<sup>st</sup> August 2023 until a decision is made. The final map will be published by 1<sup>st</sup> December 2023 with this new tax coming into place on 1<sup>st</sup> February 2024. Additional resources will be allocated to the Local Authorities to roll out this programme.

Cllr. M Connolly enquired would this apply to Phase 1 residential.

Mr. Owens said there will be internal engagement with other sections to ascertain if sites are ready for development.

Cllr. M. Connolly asked if this was a reserved or executive function. Mr Owens said it was neither that Revenue would be the lead in this new tax collection.

Mr. Owens said that any land zoned from now on will be included and there may be a provision to unzone land and that we are waiting on a Directive.

Cllr. M. Connolly said he was concerned it may impact housing supply.

Cllr. O. Cualáin queried whether it applied to currently zoned land and Mr. Owens confirmed that any land zoned as of 1/01/2022 would be included.

Cllr. Killilea asked if farmers that land had been rezoned would they be exempt.

Cllr. M. Connolly asked would it apply to brownfield sites.

Mr. Owens replied that irrespective of use of lands if they are zoned and serviced, they will be taxed.

Mr. Owens stated that the mapping will allow for a consultation process, and there would be engagement with Irish Water, Roads etc., this level of detail would have to be worked through.

#### **Item No. 4: Land Value Sharing & Urban Development Zones**

Mr. Owens outlined this scheme it is where a) local authorities to secure a proportion of the increase in land values arising from public decisions and investment related to planning and development on land that is newly zoned for housing, or subject to an Urban Development Zone designation, and b) designation of Urban Development Zones which have potential for significant development for housing and other purposes. These proposed measures have been developed further to the objectives set out in Housing for All, the Government's national plan on housing to 2030, and for the State to secure a greater share of community gain from the planning and development process.

Local Authorities will gain a portion of the increase in value in lands because of receiving planning permission, there will be a 30% of value uplift. This will come in the form of a contribution scheme, the scheme can be used by way of transferring land, financial or other works i.e., infrastructure. This scheme is in addition to the 20% Social and Affordable Housing contribution. This Bill is due to be adopted by the end of this year. There is a very significant workload associated with this scheme.

Cllr. D Killilea asked for an example.

Mr. Owens said the values of land with and without planning permission are used, i.e., if there is an uplift of €100000 with planning permission, there would be €30000 payable, this would replace the development contributions.

Cllr M. Connolly asked was it for rural houses and Mr. Owens replied that is only for zoned land.

Cllr. M Connolly asked if the Local Authority keeps the 30% and Mr. Owens said confirmed that it goes into the capital account.

#### **Item No. 5: Department Circulars**

-Update on Marine Spatial Planning and the Maritime Area Planning Act

-Flora (Protection) Order 2022

-BC01 2022 Circular -Loft conversion guidelines

-BC02 2022 Circular -Expiration of Covid 19 Building Control Measures

Mr. Owens said the Marine Spatial Planning and the Maritime Area Planning Act was the largest reform in this area in years. It will have several impacts for Galway- the nearshore will be three

nautical miles and will be in the remit of the LA in the county. It will be operational by Q1 2023. There will be a role for coastal planning authorities, designated maritime plans, all these must be confirmed, will have a role in forward planning, there will be further engagement with LA's.

Mr. Green asked that further information on this be made available to the SPC.

Cllr. Ó Cualáin asked would this remit come under the Local Authority.

Mr. Owens said only three nautical miles will be under the remit of the Local Authority.

Ms. Dolan asked who would issue foreshore licenses and Mr. Owens confirmed that An Bord Pleanála will, if it is beyond three nautical miles

#### **Item No. 6: Review of Planning Legislation**

Mr. Owens said that a review of the Planning Legislation would be taking place with 17 workshops in relation to the review, it will bring clarity to legislation, will be completed by September, be in place by the end of the year, the SPC will be updated of changes.

Cllr. Ó Cualáin said there was a large volume of work involved.

Mr. Owens said there are concerns within the sector of the changes coming and the resources required. The resource requirements have been reported on.

#### **Item No. 7 Galway Metropolitan Area Strategic Plan (MASP)**

Mr. Owens said the Northern and Western Regional Assembly (NWRA) were responsible for the region and they were tasked with how best to respond to the issues around governance. Mr. Owens also recommended that the NWRA would do research with respect to the MASP area and indicated that it could be discussed at an appropriate juncture at the joint SPC meeting between Galway City and County Councils. A joint SPC would possibly be held in September.

This report would outline a governance model for MASP, how any potential Government funding could be applied for in this metropolitan area.

Cllr. M Connolly agreed that the NWRA would be best placed to do this report and Cllr. D Connolly proposed the same approach.

Mr. Green agreed and asked what the timeline was? Mr. Owens replied saying it would be a matter of months. Mr. Green asked would it be the end of year/early 2023.

Mr. Owens said that once the governance protocols would be formulated it would then be presented to the SPC's, Municipal Districts etc. for their input.

#### **Item No. 8 Planning Policy Work Programme 2022**

Dates for next SPC meetings: -

Tuesday 13<sup>th</sup> September- Joint SPC

Tuesday 29<sup>th</sup> November 2022

Mr. Mark Green asked if reducing the use of pesticides by Galway County Council be added to the SPC agenda.

Cllr. D. Connolly said the cost of building has been greatly increased and would like to see a review of the Development Contribution Scheme and see some reductions for young couples.

Cllr. M. Connolly said he shared the same concern as Cllr. D. Connolly regarding the cost of building and reviewing the Development Contribution Scheme.

#### **Item No. 9 No Time to Waste Campaign**

Ms. Ann Dolan said the No Time to Waste Campaign was launched in June 2022- to tackle illegal dumping. An Garda Síochána, Galway City Council and Galway County Council were involved in this project. There were checkpoints throughout the county, with another planned for 12<sup>th</sup> July 2022.

#### **Item No. 10 Anti- Dumping Initiatives update**

Ms. Dolan said that €110,000 in funding was received from the Department for 13 projects beginning in May up to the end of September.

An awareness campaign was held with the aid of electronic signage, photoshoot on billboards of people illegally dumping. Bulk goods collections would be held in the last two weeks of July. A paint collection was held, bikes for Ukraine project, a large clean up in Tír Boy estate in Tuam and Lavally Bog was held. A bulky goods collection was held on the islands, water fountain was available at the beach. More signage for bring banks was installed. Estate enhancement for Loughrea may not go ahead and campaign may have to be changed.

Mr. MacDonncha asked was there any progress on recycling facilities for South Connemara. Cllr. Ó Cualáin said that a meeting with Údarás na Gaeltachta was planned for August in relation to Civic Amenities in south Connemara.

Cllr. Ó Cualáin suggested that the checkpoints be done at night and civic amenity sites be available for hazardous waste.

Ms. Dolan was aware of these issues and said the costs were prohibitive for hazardous waste collections.

Cllr. D. Connolly said checkpoints need to be in place after six pm and hoped they would be in operation regularly, he also asked where were we with CCTV?

Ms. Dolan said that covert cameras may be approved for use, but CCTV cameras were not approved for use now by the Data Protection Commissioner.

Ms. Dolan stated that 164 waste inspections were carried out in Hymany Park and Curragh Park Ballinasloe as to where household waste was being disposed of in September 2021, 83 follow up inspections were carried out in March 2022, three fixed payment notices were issued to residents.

She also reported that twenty-five inspections were carried out in Kilkerrin in April 2022. Inspections were also carried out in Gort and Loughrea in June 2022.

Mr. Green asked if you operate as a waste collector do you have to be registered.

Ms. Dolan stated that you must be registered and have a waste collection permit and have the correct code on the permit.

Cllr. D. Killilea stated that there was a lot of illegal dumping in Tír Boy , he also asked could people come with 50 paint cans for disposal, Ms. Dolan said no the maximum was 10 paint cans per person. Cllr. D. Killilea said there was a difficulty if the Community Wardens work under three different functions of the Council and said we should have a dedicated team in Environment and a reserved Community Warden Scheme. He asked could the SPC put together a pilot programme with a specialist area of waste enforcement.

Cll. D. Killilea said that commercial painters were turned away in Tuam and asked how successful the WEEE campaign was.

Ms. Dolan said there was a paint levy in paint shops and that the cans could be brought back there and that she would bring the matter up at the Regional Authority meeting, she also said that the Community Warden initiative for Environment was a good idea, and she would refer that to the Executive team meeting and revert to the SPC.

Ms. Dolan said the WEEE campaign was very successful and would have figures for the next SPC meeting.

Cllr. D. Connolly suggested that if there was a refundable amount on plastic /glass bottles maybe it would decrease illegal dumping.

Cllr. Ó Cualáin asked if there had been a response from the Data Protection Commissioner regarding the use of CCTV and Ms Dolan said nothing had been received.

Cllr. Ó Cualáin asked did we have numbers for prosecutions?

Ms. Ann Dolan said she would have the figures for the next meeting.

Cllr. D. Connolly said he welcomed the waste campaign and was disappointed the Oireachtas was not supporting the CCTV legislation as the issue was very important.

#### **Item No. 11 Clár Funding for Inis Oirr**

Ms. Dolan informed the meeting that Maria Finn, Environment Section made an application for funding to enhance the public toilets and recycling bins and a new septic tank system and that €56,814.83 was received. She stated that there are nearly 2,000 visitors per day at peak times.

#### **Item No. 12 Any Other Business**

Mr. Green asked if there a report that veterinary services were being taken away from Local Authorities. Ms. Dolan replied that there has been no official correspondence received yet. Mr. Green asked which sections would be removed from Local Authorities and Ms. Dolan said most aspects of the veterinary service would be except dog control, but it has yet to be confirmed.

Cllr. M. Connolly said Department of Agriculture would be the lead agency and hoped the Local Authority would have a role in animal welfare.

Mr. Green felt it would not be viable for Local Authorities to employ vets if most of their functions were removed.

Ms. Dolan said she would have more information at the next SPC meeting.

Cllr. M. Connolly said there was a lot of unknowns about what was being proposed and asked for an update at the next meeting.

Cllr. Killilea asked could the SPC meetings be held online and could we look at hybrid meetings. He thanked Cllr. M. Connolly for all his hard work on as the SPC Chairperson as this was his last meeting as Chairperson.

Cllr. Killilea thanked Ms. Ann Mitchell as Chairperson of the IFA.

Cllr. M. Connolly thanked the Forward Planning and Planning section for the large volume of work in preparing the County Development Plan. He said he was concerned about the lack of governments approach to balancing investment in regions, and that we do not receive enough funding. He thanked members for their contributions to the SPC meetings over the years. Cllr. M. Connolly thanked Michael Owens, Director of Services, Ann Dolan, meeting administrators, Eileen Keaveney, and her team.

Mr. Owens said cameras would need to be installed in council chamber to aid hybrid meetings and that the standing orders of the SPC would need to be updated to include hybrid meetings. Mr. Owens thanked Cllr. M Connolly for all his work with the SPC.

The Meeting then concluded

*Michael Connolly*