



MINUTES OF PROCEEDINGS OF THE FEBRUARY MEETING OF NENAGH MUNICIPAL DISTRICT HELD IN NENAGH MUNICIPAL DISTRICT CHAMBER AND via ZOOM AT 10.00 AM ON 16th FEBRUARY 2023

Present in chamber	Cllr's Fiona Bonfield, Phyll Bugler, Joe Hannigan, Hughie McGrath, John "Rocky" McGrath, Michael O' Meara, John Carroll, Séamus Morris and Ger Darcy
Also Present	<p>Mr. Marcus O Connor, Director of Services; Ms. Rosemary Joyce, District Administrator; Mr. Barry Murphy, Senior Executive Engineer and Sinead Moriarty, Staff Officer.</p> <p>Planning: Mr. Fergal O Donnell, Executive Planner, Ms. Ann Marie Devaney, Acting Senior Planner; Mr. Kieran Ladden, Senior Executive Engineer</p> <p>Library & Cultural Services: Mr. Damien Dullaghan, County Librarian</p>
Item 1. To note any Disclosures/ Conflicts of Interest	None
Item 2. To consider and adopt Minutes of January meeting held on 19th January 2023	<p>It was proposed by Cllr. Bonfield, seconded by Cllr. Morris and resolved that the minutes of the January Meeting held on 19th January 2023 be adopted.</p> <p>Cllr. Bugler requested an update on the Japanese knotweed and the Lough Derg signage.</p> <p>Mr. M. O'Connor explained that the treatment of Japanese knotweed is a 3-year programme and it is treated every September, the Riverside Park is on the programme but he will check about Cullenagh.</p>
Item 3. To receive update from Planning & Development	<p>The report on Planning & Development was circulated to members.</p> <p>Cllrs. Hannigan, O'Meara and Darcy expressed concerns about the effect of the Residential Zoned Tax. They believe that land is zoned as residential in areas where there is not a demand for housing and that the land owners are going to be penalised. They understand the necessity of this in an area that has a housing demand. Cllr. Hannigan stated that when the land was zoned residential this tax was not in place. Cllr. O'Meara said the County Development Plan has been passed and this did not come up as an issue. It may be necessary to contact the Oireachtas members. He would also be concerned that even though there is a right to appeal to An Bord Pleanála, the process would take a</p>



	<p>very long time. Cllr. Darcy suggested this could be raised through the SPC and the full council and then with the Oireachtas members and Minister.</p> <p>Ms. A.M. Devaney outlined that the Residential Zoned Tax was part of Finance legislation in 2021 rather than Planning legislation. Local Authorities and elected members were not consulted or had no role in this prior to publication. The fact that the preparation of the local area plans is underway can be beneficial. There will be a 2-year process for the preparation of settlement plans and landowners will have opportunities to make submissions. Lands which meet the criteria i.e. are zoned, serviced/serviceable and do not have constraints such as flooding or archaeological constraints will not be liable for the RZT. The RZT is aimed at driving housing due to the housing crisis. The Council's only role is to identify what meets the criteria and to publish maps. If land isn't zoned for housing it will not be possible to deliver housing. There are also strict timelines for An Bord Pleanála to respond to appeals and maps have to be reviewed annually.</p>
Item 4. To receive update from Library & Cultural Services	<p>The report on Library and Cultural Services was circulated to members.</p> <p>Mr. D. Dullaghan mentioned 3 particular initiatives currently on offer in the Library – LOTS used by children to read books and translate the book into their own language, C-Pen is a readerpen that scans a book and it read aloud the words and the ACORN tablet is age-friendly and designed specifically for older people.</p> <p>The members welcomed the updates and thanked Mr. Dullaghan for the work of the libraries. Cllr. Morris asked if it would be possible to arrange a visit to the library for the elected members, Cllr. Bugler enquired about the link to Science Week and the supports for drama and Cllr. O'Meara requested an update on possible improvement works outside of the library in Borrisokane.</p> <p>Mr. Dullaghan welcomed the comments from the members. He also welcomed the suggestion that the members visit the library and he will follow up on same. The link with Science week started with third level institutes holding workshops in the libraries. The library in Borrisokane has been painted and a new carpet put in place however, the outside space is a tricky shaped area and would require funding for the refurbishment that currently isn't available. At the moment there is not the interest in using outside spaces in other libraries. He will refer the query on the funding for drama groups to the Arts Office.</p>
Item 5.	<p>The Local Area Plan 2024-2030 Pre-draft Submissions report was circulated to members.</p>



To note Nenagh Local Area Plan 2024-2030 Pre-Draft Submissions Report	<p>Mr. F. O'Donnell outlined that this process started in October 2022, the plan will cover 2024 to 2030. The report outlined the submissions that were received and workshops will be held with members to go through the draft LAP. If there is agreement with the elected members, the draft LAP will then be put on public display at the end of the Summer. Once this period of public consultation is complete workshops will again take place. It is hoped that the LAP will be published in February 2024. Until that has been agreed any planning permissions in Nenagh will be based on the 2013 plan.</p> <p>Cllr. Morris was concerned that land will be de-zoned when there is a shortage of houses and that the National Development Plan is based on the 2016 Census and a lot has changed since then.</p> <p>Mr. F. O'Donnell informed members that in accordance with guidelines published there will be no de-zoning of serviced lands. A serviced land assessment will have to be done to identify where there are adequate services available and this will inform zoning recommendations. There will be lots of opportunities to discuss this. Some data from the 2022 census should be available in April.</p> <p>Ms. A.M. Devaney stated that at the moment it appears that Tipperary is just under the national growth rate but that the potential for housing will be maximised in the plan.</p> <p>Cllr. Carroll referred to the need to tackle dereliction and to zone from the centre outwards. He also expressed concern in relation to the deficiencies in wastewater treatment plants and the implications for housing provision.</p> <p>Mr. M. O'Connor said that he was not happy with the submission from Irish Water as it made no reference to the upgrade programme on the waste water treatment system that is currently out to tender for Nenagh. He also wanted to reiterate that Nenagh is open for development. Mr. F. O' Donnell advised that there would be a meeting with Irish Water within the next few weeks and the point in relation to the planned upgrade needed to be made.</p>
Item 6. To agree date for workshop to consider GMA & Schedule of MD works	It was agreed to hold the workshop on Monday 13 th March at 3 o'clock.
Item 7. To agree date for Community Safety meeting	It was agreed to hold the Community Safety meeting before the March meeting at 9.30am on Thursday 16 th March 2023.



<p>Item 8. To update members on projects & events</p>	<p>The update on projects was circulated to members.</p> <p>It was agreed that the Design Team for the Historical and Cultural Quarter would give a briefing to the members at 3 o'clock on the 1st March. Ms. R. Joyce informed the members that there will not be a St. Patrick's Day parade in Nenagh this year but there will be a festival with music and activities, details will be advertised in the Guardian.</p> <p>Cllr. Morris acknowledged the work that has been done in the District and the members agreed with this. He said that an option for the next mural could be wildlife/nature. Cllr. Hannigan raised concerns about the 20% contribution community groups have to make in a community led Town and Village scheme, the possibility of bye-laws to address issues around dogs and sheep kills and concerns about adopting a local area plan without having agreement on the transport hub. Cllr. Hannigan requested clarification on taxis and hackneys and the possibility of having a taxi rank in Nenagh.</p> <p>Cllr. Bugler requested an update on the Discovery points and the viewing promenade in Ballina.</p> <p>Cllr. Darcy said there was a lot of concern at the public meeting in Kilbarron recently about dogs, he asked if it is possible to get help for community groups applying for Town and Village Renewal schemes – there is lot of paper work involved, sometimes groups can be put off when they see what is involved. He agreed about the concerns in relation to taxis and hackneys and said there is difficulty in getting licences to operate as a taxi or hackney.</p> <p>Cllr. O'Meara paid tribute to the dog wardens but acknowledged that they are restricted in what can be done. He felt that a neutering campaign for cats and dogs should be run again and stronger campaigns in relation to puppy farms. Cllr. J. McGrath was also concerned about dogs, they have the capacity to travel long distances especially when in a pack.</p> <p>Cllr. H. McGrath believed that there is not a simple solution to the issue on taxis/hackneys. Sometimes it may be an issue of hackney drivers having worked during the week and not needing to work at the weekends. It may also be useful to talk to a hackney representative group.</p> <p>Ms. R. Joyce thanked the members for their positive comments and acknowledged the support the members give. She acknowledged the concern over dogs and noted that a notice of motion had been on the agenda for the full council meeting. She undertook to pass members' concerns to Environment. She explained that extra bye-laws would not be required for the</p>
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	<p>control of dogs, there is sufficient power under the existing laws and regulations but that resources for the Gardaí and Dog Wardens are an issue. There are restrictions on dogs in playgrounds in the current Amenity Area Bye-Laws. There was recently an issue with a dog in one of the amenity areas and it is intended that a fine be issued as a result. Mr. M. Moroney, Senior Executive Officer, Environment stated at the last District meeting that a publicity campaign will be taking place on the responsibility around dog ownership.</p> <p>In relation to Town and Village renewal, Ms. R. Joyce acknowledged the difficulties for community groups, however when they make an application under the scheme they are aware of the terms & conditions that apply. A workshop was offered a number of years ago with mixed results. The Local Authority does not decide on the terms and conditions of the scheme but they do have to abide by them. She explained that the Lough Derg signage scheme is in relation to an app that was developed in 2021 listing activities in the area and the funding was to build on this app.</p> <p>Mr. M. O'Connor explained that the licences for taxis/hackneys are issued by the NTA and the application process had been simplified recently. To get a hackney license you have to be able to show local need with a letter of support from the Local Authority. The requirements for a taxi licence are slightly different, you need to be in a position to have wheelchair access and credit card payments. There would be no issue assigning an area as a taxi rank however no-one has approached the Council to say the lack of a taxi rank is causing issues in the application process. It may be useful to ask Anthony Moroney to attend a District meeting to address some of the queries.</p>
<p>Item 9. To note Engineer's Checklist on roads matters</p>	<p>The Engineers Checklist was circulated to members.</p> <p>Cllr. O'Meara asked for the provision of a waste bin in Rathcabbin to be added to the checklist. He also asked for a tentative timeframe for the Carrigahorig project as the consultants have been appointed.</p> <p>Cllr Morris stated that the checklist appeared to be getting longer and that some items were on it since 2019. He raised the issue of the sight lines at Tomona and the sign post at Kilruane Cross.</p> <p>Cllr. Hannigan requested an update on the N52 outside Ballingarry. Stones have fallen from walls along the road. He enquired if it was necessary to contact the Oireachtas members to get additional money for this road. He believes other counties seem to get better levels of funding. He acknowledged that the Carrigahorig/Terryglass Road is on the programme for 2024 but asked could any work be done on the pinch point around</p>



	<p>Firmount Hill on the R493 possibly under a Low-Cost Safety Scheme.</p> <p>Cllr. Darcy said that work was started at Oxpark to address flooding issues but it has not been finished. The bridge at Rathnaleen is on the list since 2019 and is very dangerous, also the Feigh Bog Road is very bad, it is not possible to travel at faster than 20kmph on it and some remedial works will be required on it. He was very disappointed with the allocation received for the District under climate change.</p> <p>Cllr. Bonfield asked if the funding allocated to address the flooding in Ballina is for design of a scheme only.</p> <p>Mr. B. Murphy agreed that the checklist was long but said that items are removed and additional items added on. The issue with the sight lines at Tomona are in relation to private access onto a public road, it may be possible to look at this if the landowner is willing to co-operate however these projects can be difficult to fund. Funding is also the issue in relation to Rathnaleen. Concerns in relation to the N52 have been passed onto Roads Capital and he will look at Oxpark. Some works will be carried out at Feigh Bog Road but it is not on the programme. Submissions were made for a number of bog roads under Climate Change. A lot of money has been spent on the R493, it is difficult and expensive to get roads on an LCSS. If funding is being spent on road widening it cannot be spent on road surfacing.</p> <p>Mr. M. O'Connor outlined that the checklist should cover small items and any bigger items should be part of the Roads Programme. There was a meeting the previous day with locals and consultants on the Carrigahorig project and the locals were happy with the level of engagement. Climate change funding has been distributed throughout the county and Ballina is a serious concern. Minister O'Donovan will be visiting on the 28th February and it should be an OPW scheme to progress the project.</p>
<p>Item 10. To consider Notices of Motion</p>	<p>Notice of Motion 2553 was proposed by Cllr. Bonfield and seconded by Cllr. Carroll.</p> <p>Notice of Motion No: 2553 submitted by Cllr. F. Bonfield That Tipperary County Council arrange some maintenance to be carried out immediately on the Ballyhourigan Road in Killoscully. The landowners have cut their ditches up here, so that machinery can now do the work.</p> <p>Response was given to Cllr. Bonfield as follows:</p>



Ballyhourigan Road is a lightly trafficked local secondary road which extends 4 km south of the village of Killoscully. The road is very popular with walkers and cyclists.

The road is generally in good condition with the exception of a 1 km section in the townland of Maryglen. This section of road requires complete reconstruction to restore it to a good standard. The road is included in the current 3-year programme 2022-2024 and the scheme will be carried out in 2024 at a cost of €72,000.

The Council is aware that some sections of the roadside hedges have not been cut in a number of years. In November 2022, the Council issued Hedge Cutting Notice under the Roads Act to a number of property owners instructing hedges to be cut before the start of the bird nesting season on 01 March 2023. The Council will carry out a number of compliance inspections in the coming weeks to ensure that the hedges are cut and maintained to prevent them from becoming a hazard to all road users.

Cllr. Bonfield welcomed the response but asked that some patching work could be done in the area before the scheme in 2024. Mr. B. Murphy outlined that this area was specifically selected for hedge cutting notices. The budget allocated to the work is a large sum of money for a small road.

Notice of Motion 2554 was proposed by Cllr. Bonfield and seconded by Cllr. J. McGrath.

Notice of Motion No: 2554 submitted by Cllr. F. Bonfield

That Tipperary County Council look into a Bus Shelter being put in place in Rearcross Village. The village has a number of residents that use the local link bus daily and is needed as this service is being expanded.

Response was given to Cllr. Bonfield as follows:

Tipperary County Council has been liaising with the National Transport Authority (NTA) in relation to the request for a Bus shelter at Rearcross Village. The NTA has advised that Rearcross currently doesn't meet the NTA requirement of five services per day per direction for the provision of a bus shelter.

Cllr. Bonfield welcomed the response and asked that it would be kept on the agenda as there is a possibility of the services increasing in the area. Cllr. Darcy asked would school buses be included as a service provided.



	<p>Mr. M. O'Connor explained that the criteria is set by NTA but the number of bus shelters provided has increased. Currently there is a sufficient service in Newport to provide bus shelters and he asked for assistance to agree an area for these.</p>
Item 11. To note Delegated Employees Orders	<p>Noted.</p>
Item 12. To consider items of correspondence	<p>None</p>
Item 13. Votes of Sympathy/ Congratulations	<p>Votes of congratulations:</p> <ul style="list-style-type: none">• New Institute Snooker Club on winning 4th consecutive All Ireland• St Mary's Secondary school on winning Munster Final.• Molly O'Connell, Kilcommon on her performance in the Glór na Tíre Competition. <p>Votes of Sympathy:</p> <ul style="list-style-type: none">• Ann Quinn, Ballinwear on the death of her husband, Edward.• John Joe Buckley, Newtown on the death of his wife Brid Buckley• Power Family, Clonaslee on the death of Michael Power.• Mary Hogan, Newtown on the death of Pat Hogan• Albert Purcell, Nenagh on the death of Ailbe Purcell
Item 14. Any other business.	<p>Cllr. Morris stated that the Men's Shed project in Nenagh is looking for a new premises and would appreciate it if anyone with possible premises would contact them. He also raised concerns about drug use at third level and felt it was important to educate parents and students before attending college. The members supported this. Cllr Bonfield said this could be something that can be raised at the Community Safety meeting and that the Citizens Assembly on drugs is due to start in April.</p> <p>Cllr. Hannigan believes it will be difficult to address the voids issue when the roads programme will be starting in April and that it may be necessary to deal with them separately.</p>



This concluded the business of the meeting, a true copy of which we hereby certify:-

Signed: Cllr. D. P. P. P. P.
Cllr. H. McGrath A. B. B. B.
Cathaoirleach
21

Date: 16/3/2023

Signed: Mrs. Rosemary Joyce
Ms. Rosemary Joyce
District Administrator

Date: 16/3/2023

