



**Minutes of Special Meeting of the Clane-Maynooth**

**Municipal District held via MSTeams  
on Friday, 28 July 2023 at 12.00 p.m.**

**Members Present:** Councillors T Durkan (Cathaoirleach), A Feeney (Leas Cathaoirleach), N Ó Cearúil, P Hamilton, P McEvoy, B Weld, B Wyse, D Fitzpatrick, A Farrelly and P Ward

**Officials Present:** Ms. M Higgins (District Manager), Ms. L Kennedy (LPT Co-ordinator), Ms. E Uí Fhátharta (Senior Planner), Ms. A Granville (Senior Planner), Ms. E Donohoe (Executive Planner), Ms. C Talbot (A/Administrative Officer), Mr. S Cunningham (Staff Officer), Ms. C Corrigan (Assistant Environmental Scientist), Mr. C Galvin (Senior Engineer), Mr. G Willoughby (Senior Executive Engineer), Ms. C Howard (Assistant Staff Officer), Ms. S Martin (Meetings Administrator), Ms. D Egan (Meetings Secretary) and other officials.

**CM01/0723**

**Declaration of Pecuniary or Beneficial Interests**

There were no declarations of (a) conflicts of interest or (b) pecuniary or beneficial interests under section 177 of the Local Government Act 2001, as amended.

**CM02/0723**

The members received an update on 2023 Local Property Tax expenditure year to date, which had been previously circulated.

Ms. L Kennedy informed the members that the Schedule of Municipal District Works 2023, as it stands had been circulated and that she was working with the sections to transfer the items from that.

The members noted the report.



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Councillor Weld proposed that his unspent Local Property Tax allocation of €20,000 for the Primary School in Robertstown be reallocated as follows €8,000 to the footpath from Painstown Cross to the shop and €12,000 to footpath works between Clonwood Heights and Ard Na Gappa. This was seconded by Councillor Ó Cearúil.

Councillor Durkan informed the members that a briefing was held on the 25 July 2023 to discuss the remaining items.

On the proposal of Councillor Hamilton and seconded by Councillor McEvoy it was agreed to allocate the €52,100 Budget between Clane and Maynooth as follows:

Footpaths in Clane	€26,050
Maynooth Safety Measures at Straffan National School	€10,000
Maynooth Safety Measures at Football Club	€10,000
Maynooth Street Bins	€ 6,050

Councillor Ó Cearúil informed the members that he had previously circulated an email in relation to the commissioning of a bus, and that An Garda Síochána were looking at driving this forward and needed an allocation of €17,000.

An Garda Síochána were now ready to purchase the bus for the benefit of Clane/Maynooth and Celbridge/Leixlip and that €15,000 of LPT funds had previously been put forward in the initial budget. He also added that it should be ready at the end of September or October.

Councillor Durkan informed the members that the distribution of these monies had already been agreed and that this would have to wait until the next round of Local Property Tax funding.

The District Manager informed the members that it was her understanding that at the Joint Policing Committee (JPC) meeting that the information was that the current bus was not at maximum capacity and that Gardaí had concerns about resources.



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Councillor Ó Cearúil said that he would arrange for direct contact to be made with the District Manager.

**Resolved** on the proposal of Councillor Weld, seconded by Councillor Ó Cearúil and agreed by the members that Councillor Weld's unspent LPT allocation of €20,000 for the Primary School in Robertstown be reallocated as follows, €8,000 to footpath works from Painstown Cross to the shop and €12,000 to footpath works between Clonwood Heights and Ard Na Gappa.

On the proposal of Councillor Hamilton, seconded by Councillor McEvoy and agreed by the members that the unspent LPT of €52,100 be evenly distributed among the Clane Municipal District and the Maynooth Municipal District as follows €26,050 to footpath works in Clane Municipal District, €10,000 to Maynooth Safety Measures at Straffan National School, €10,000 to Maynooth Safety Measures at Football Club and €6,050 to Maynooth Street Bins.

### CM03/0723

#### Strategic Infrastructure Development (SID) DREHID Waste Management Facility Planning Department Minutes

<b>Meeting Date</b>	<b>ABP Number:</b>
28 July 2023	317292-23
<b>Development</b>	<b>Drehid Waste Mgmt. Facility</b>
	Killinagh Upper, Carbury , Co. Kildare.

#### Contributors

Elaine Donohoe (ED). Planning Department KCC.	Cllr. Tim Durkan (TD). Cllr Brendan Wyse (BW). Cllr. Brendan Weld (BRW).
Emer Uí Fhátharta (EuF). Planning Department KCC.	Cllr. Pádraig McEvoy (PM). Cllr. Aidan Farrelly (AF).
George Willoughby (GW). Roads, Transportation & Public Safety Department KCC.	Cllr. Peter Hamilton (PH). Cllr. Dara Fitzpatrick (DF). Cllr. Angela Feeney (AF)



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Chris Galvin (CG). Environment Department KCC.	Cllr: Paul Ward (PW) Cllr: Naoise O 'Cearúil (NOC) Cllr: Aidan Farrelly (AF) Cllr: Peter Hamilton (PH)
Amy Granville (AG). Planning Department KCC.	
Caroline Talbot (CT). Planning Department KCC.	
Marian Higgins (MH). Economic Community & Cultural Development Department KCC.	
Stephen Cunningham (SC). Planning Department KCC.	
Catherine Howard (CH). Planning Department KCC.	

Meeting Held at 12pm on MS Teams

ED. Introduction and outline of proposal.

Elaine made a PowerPoint Presentation for the members.

EuF. Outlined SID process.

Confirmed Planning authority would accept any observations from the members up to 8/8/2023.

Any resolution of the members must be agreed at this meeting.

BW. Referred to previous decision to refuse permission and the unsuitability of Derrymullen Bridge as one of the issues. One of the haul routes proposed uses Derrymullen Bridge and Cllr. Wyse suggested that this haul route needs to be removed



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or a condition should be included in the permission that a shuttle arrangement be introduced to upgrade the bridge for safety reasons.

GW. Development has been scaled down since previous application which was refused. Details have been provided confirming a decrease in traffic movements/trips (HGV movements halved) and in line with current traffic movements at existing site. Conditions proposed require reviews of traffic movements over the life of the development. Levies to be paid over the 25 year life of the permission will go towards road improvements on the proposed haul routes. Arrangements for Derrymullen Bridge can also be reviewed.

TD. Do traffic movements include removal of materials from site and empty trucks leaving the site?

GW. All traffic movements have been included in the calculations.

BRW. Queried the contributions required and gave some background to a levy per tonne that the Councillors asked to be included in a previous permission but was not included by An Bord Pleanála. Cllr. Weld asked would it be possible or legal to impose a levy per tonne.

GW. Bord na Mona has agreed to pay €2m up front and €230,000 per annum for the life of the development (25 years) as a special levy for road improvement works. George stated that this proposed special development contribution is sufficient and should remain in place.

BRW. Can this Special Development Contribution be ring-fenced for expenditure on roads in the Clane Maynooth MD Area?

GW. Confirmed that this expenditure can be ring-fenced for Clane Maynooth MD Area.



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- EuF. Any development contributions imposed must be in accordance with the planning legislation and the current Development Contribution Scheme. A Special Development Contribution can be applied but must be applied in accordance with the planning legislation and the Development Contribution Scheme.
- PM. No roads details were provided by the developer at a recent public meeting. Can an oral hearing be requested to iron out these details? Did EIAR or NIS consider alternatives to this proposal? Is there any reduction in emissions as referred to by international bodies to address climate change? The Community Gain must be more rigorously investigated similar to the Poolbeg Scheme and beyond the 9km limit required in the last permission. The built heritage and archaeology along the haul routes must be considered. Has any assessment of the deterioration or damage caused to the built heritage and archaeology been carried out over the life of the existing development? Can a resolution be considered to protect the built heritage and archaeology and to mitigate any further contribution to climate change?
- GW. Sections of bog roads have always been problematic for ongoing maintenance. Use of the special levy to address these concerns can be investigated.
- EuF. Heritage and archaeology was assessed in the Natura Impact Statement submitted with application which was very detailed.
- ED. 9km radius for assessment of Community Gain element of previous application was not ideal and it is reasonable to consider widening this area.
- PM. Impact on haul routes should be assessed in entire County, not just within 9km radius. Any proposal for reduction in emissions or assessment of calorific value of burning waste?
- EuF. Industrial Emissions License covers calorific value and emissions and planning conditions should not have regard to issues covered by Industrial Emissions License.



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- CG. EPA License is also required. In national context, emissions and waste may be reducing but there is still a need for landfill. National legislation and these licenses deal with calorific values referred to previously.
- AF. Support and in agreement with all points raised by previous speakers. €230,000 per annum special development levy seems quite low. Is there any further detail of the calculation of this amount?
- GW. The calculation is based on the previous application, consultation with the MD Engineers and overall repair costs. Expenditure of these funds will be prioritised on improving junctions initially and will be spent by Roads Department and MD Engineers. Special Development Contribution is sufficient. The developer is also required to survey and review the haul routes and carry out road improvements as well as pay the special development contribution.
- ED. A general development contribution is also required as well as the special development contribution.
- AF. Will general development contribution be ring-fenced?
- EuF. General levy is not ring fenced. Suggested that 60% of general contribution was for roads.
- TD. Suggested that 70% of general contribution was for roads but asked for these amounts to be checked.
- PH. Stated that all points of concern had been addressed by previous speakers. Asked for Community Gain element of application and emissions reductions to be clarified.
- AG. Some of the Policies in County Development Plan should be highlighted. RDO 32 seeks restoration/rewilding of 70% of existing cut away bogs.



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RDO 33 seeks the sustainable reuse and development of 30% of cutaway bogs for economic purposes.

It is also policy to promote high quality sustainable waste recovery and disposal infrastructure.

Policies RDO 32 & RDO 33 can certainly be highlighted to An Bord Pleanála in our report.

- CT. General Development Contributions shall be apportioned as follows in accordance with the Development Contribution Scheme.
- 60% Transportation, Surface Water and Flood Relief.
- 40% Open Space, Recreation, Environment, Public Realm, Community Facilities and Economic Development. This 40% is to be apportioned 32% by Municipal District and 8% Countywide).
- PM. Unauthorised developments and overnight traffic movements have been a concern to date. Is there any provision to assess compliance with haul routes requirements.
- GW. A condition requiring GPS monitoring of trucks in and out of the facility is proposed.
- PM. Can we pass a resolution requiring GPS monitoring?
- EuF. As a condition is proposed requiring GPS monitoring, a resolution is not required.
- GW. HGV numbers have been reduced as a result of the scaling down of the current proposal.
- BW Is proposal in compliance with County Development Plan Policies? Is any increase in landfill activities not contrary to policy?
- AG. Does not agree with statement from developer that entire application complies with County Development Plan Policies but it is not unusual for developers to make statements like this in planning applications.





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- EuF. A balance of all of the policies needs to be considered rather than looking at every single policy in isolation.
- ED. It is a balancing act to consider all of the objectives and policies of the County Development Plan. It is also policy to support appropriate waste management at Drehid.
- TD. GPS Tracking and weight cells would be very important for monitoring trucks and haul routes. An estimated €12m damage has been done to roads during life of previous permission. Concern expressed that special levy is not sufficient. No. of entrances to site should be minimised to make monitoring less complicated/difficult.  
Re. RDO 32 & RDO 33. It is not fair to destroy Drehid area and aim to meet 30% & 70% targets by developing areas outside Clane Maynooth Municipal District.
- GW. Remedial works required to be carried out by developer for any damage caused on haul routes by HGV's in addition to requirement for Special Development Levy.
- TD. Dashcams should also be required for all HGV's entering and leaving the site.
- EuF. No need for a resolution for anything which is provided for in the report. Concern expressed at a special development contribution that requires a contribution per tonne and whether it complies with legislation and existing Development Contribution Scheme.
- GW. Satisfied that the special development contribution proposed can be backed up by analysis and costings.
- BW. The haul route which uses Derrymullen Bridge should not be permitted and removed from the proposals or the developer should be required to carry out remedial works to the bridge to make it fit for purpose and safe for all road users.



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- GW. All bridges on haul routes will be assessed for suitability.
- EuF. KCC can highlight issues with Derrymullen Bridge in its final report to An Bord Pleanála.
- DF. Agrees with Cllr. Wyse in relation to the issues raised regarding Derrymullen Bridge.
- PH. Requested clarification in relation to emissions and Community Gain.
- EuF. Emissions will be considered as part of Industrial Emissions License and the EPA License and do not need to be addressed as part of the planning process.
- BW. Can we include a condition that requires Bord na Mona to repair any damage done to bridges.
- GW. Any damage done by the developer needs to be repaired by the developer and can be covered by a condition.
- PM. Bord na Mona should be required to pay for cleaning of roads on haul routes, picking up litter etc. as part of Community Gain requirements. Can public realm areas be avoided in the permitted haul routes?
- GW. Permitted haul routes will be informed primarily by the hierarchy of road types and suitability. Haul routes are subject to review every five years for the life of the development.
- EuF. Review of haul routes is reasonable and can be required by condition.
- TD. GPS, weight cells, speed of trucks and dashcams should all be monitored by KCC and monitoring paid for by Bord na Mona.



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EuF. GDPR issues involved in requiring dashcams to be used. Monitoring is too onerous for KCC but monitoring information should all be recorded and made available to KCC.

MH. Gave a brief summary of the meeting and thanked everybody for their engagement. Also confirmed that Community and Economic Development Department was available to discuss any element of the Community Gain requirements.

EuF. Confirmed that no resolutions were required and asked members if everybody agreed. No further issues raised. EF asked GW to confirm if Special Development Contribution was sufficient.

GW. Confirmed that the Special Development Contribution was adequate and also confirmed that Bord na Mona had indicated their agreement to the contribution and proposed an initial upfront payment followed by annual payments throughout the life of the development.

Meeting Concluded.