

COMHAIRLE CHONTAE NA GAILLIMHE

Ceantar Bardasach Bhaile Locha Riach *Municipal District of LOUGHREA*

Minutes of Special Meeting of the Municipal District of Loughrea held in the Loughrea MD on 30th September 2024

I LATHAIR:

Cathaoirleach

Cllr. M. Kinane

Baill:

Cllr's. S. Curley, D. Kelly, M. Maher, G. Finnerty, M. Kinane, I. Canning, P. Killilea, G. Finnerty, G. Donohue

Oifigigh:

Ms. Denise Feeney, Administrative Officer
Ms. Valerie Loughnane, Senior Planner
Mr Aidan Cunningham, Staff Officer

As Lathair

Cllr. P.J Murphy
Ms. Eileen Ruane

Members discussion on Strategic Infrastructure Development Report on the proposed development at Coolpowra **LMD 2385**

The Cathaoirleach opened by welcoming all to the Special meeting of the Loughrea MD to discuss the strategic infrastructure development on the proposed development at Coolpowra. She thanked Ms. Denise Feeney for her work in facilitating the meeting and the attendance of Ms. Valerie Loughnane to assist the members with the discussion today. She also acknowledged the attendance of Minister Ann Rabbitte at the meeting. Ms Kinane informed the members of the importance of following process regarding this matter.

Ms Loughnane outlined to the members that they had received the report in relation to Section 37e of the Planning and Development Act 2006 for the infrastructure development at Coolpowra. She informed the meeting that the applicant is Coolpowra Flex Gen Ltd, and the agent is Halston Environmental and Planning Ltd. The report was received by the members last Thursday week and there was some discussion at the Council Plenary meeting on the 23rd of September with respect to it. Ms Loughnane stated she attended a meeting of the Loughrea Municipal District prior to that, and it was at that meeting the members agreed that a special meeting of the Municipal District would take place to discuss the report. She informed that the legislation outlines that the report goes to the members and any comments that the members have with respect to the report can be appended to the back of the report that goes to An Bord Pleanála. This report is due with An Bord Pleanála on Wednesday 2nd October by 4pm. Ms Loughnane said her presence at the meeting today was to facilitate any questions from the members that arose out of the report as well as giving any further information

required. She stated the process is very important regarding this matter and said that the elected members did make some comments with respect to this application at the Plenary meeting. Ms Loughnane said the notes of those comments made by the members at that Plenary meeting will be appended to the report that would go to An Bord Pleanála.

Ms Loughnane added that if the members wanted to have a private discussion among themselves today to make a further submission on the report, they could do so provided the Planning Department received it by 2pm tomorrow, 1st October. This was to ensure it could be formatted and appended to the report. She added that if the members are going to make a submission by 2pm tomorrow then they can email it to planning@galwaycoco.ie. The submission would be appended to the back of the report that they had already received and will go to An Bord Pleanála. She asked the members to note that it would be the notes of the Plenary meeting that will be appended to the back of the report and that any notes associated with the discussion today would have to be submitted separately in a written submission. She informed the meeting that she would be happy to answer any questions that the members might have in respect of the report.

Cllr. McClearn thanked the Cathaoirleach for organising the meeting and Ms Loughnane for her attendance at same. He also wished to acknowledge the presence of Minister Rabbitte at the meeting. Cllr McClearn wondered about the process for this proposal and informed that he had recently attended a North and West regional assembly meeting where they dealt with the Roscommon Town plan. At the meeting the members couldn't support what the OPR was recommending, and he asked does a similar process apply in this instance. Ms Loughnane responded by stating that the process here was under Section 37e of the Planning and Development (Strategic Infrastructure) Act 2006. She outlined that if there is a proposal that is gone to An Bord Pleanála directly, the Planning Authority are obliged under the legislation to prepare a report in respect of same. This report must be submitted to the members which had already been done and then any comments that the members wish to make with respect to that report is then appended to the back of the report that is sent to the Board. She added that the report which they have received will go the Board along with other comments made at the Plenary meeting of the 23rd of September and that the meeting today was to facilitate a discussion for the members should they want to make a further written submission to append to the back of the report.

Cllr. McClearn said he had read the report and felt it was very balanced in what it was saying. However, he found the process difficult to reconcile with given what is happening at European level with respect to the European Green Deal. He added that the target aim is for Europe to be carbon neutral by 2050 and that the proposal before the members refers to the use of gas and kerosene with the technology referred to in the report suitable for biomass. He felt that this proposal was far from what had been referred to in the Green Deal and that the report is contravening European, Regional and County objectives. He raised the issue that technology in the renewable energy sector is advancing all the time and that the proposal presented only kicks in in the absence of wind and sun. He asked how this is to be monitored and what the long-term benefit of the proposal would be given that advancements in the renewable technology sector could potentially leave this development outdated.

Ms. Loughnane stated that Cllr. McClearn had raised a very pertinent point and that it was a question that she hasn't seen anywhere in the documentation that has been answered so from

that perspective it may be an issue that the members would wish to put in a submission and raise with An Bord Pleanála to investigate further.

Ms Loughnane added that there is a business side to any development but agreed that technologies do change. She added that with respect to this aspect the Developer would have considered this when making the application.

Her understanding was that this was a peaking plant and that if renewables aren't available then it kicks in for that. She added that there is an electricity deficit at peak times throughout the country particularly during the wintertime and that Eirgrid have informed previously of this issue. She assumed from that perspective that there will probably be a regular need for a peaking plant given the amount of electricity that is required for the entire country.

Cllr. Donohue asked would the councillor's get sight of the final report before it is sent to An Bord Pleanála. Ms Loughnane responded by stating that the report presented to the members was the final report that will go to the Board from the Planning Authority. She added that the minutes of the Plenary meeting of the 23rd of September would be appended to the report in addition to any submission that any of the members would like to make. If the members would like to make a submission with the report then it will be added exactly as presented with no changes or editing too same.

Cllr. Donohoe raised the issue that the minutes of the Plenary meeting had not yet been approved from the 23rd of September and asked could she see how the minutes were drafted to ensure that the minutes accurately portray what was said at the meeting before it was appended on to the report. She added that there was a lot of discussion around this proposal at the Plenary meeting and wanted clarity to what would be going with report to the Board. Ms Loughnane resolved to check with Planning section regarding the minutes and would revert in respect of same to Cllr. Donohoe.

Cllr Donohoe asked were findings from Derrybrien wind farm a factor in this proposal from the applicant. In response Ms Loughnane stated that it was not considered as part of this proposal as it was decommissioned in 2022. Cllr Donohoe added that she felt that the proposal before the members was contradictory and not producing green energy and agreed with Cllr McClearn's earlier comments in respect of same.

Cllr. Donohoe queried as to whether there was a community fund with the proposed development. Ms Loughnane in response stated that there was in some instances a community gain element in regard to SID's, but the applicant had not indicated that there was in the documentation submitted to the Planning Authority.

Cllr. Maher thanked Ms Loughnane for her attendance at the meeting today. He stated there was a lot of confusion over what the members needed to do with the proposal and supported the earlier comments made by Cllr McClearn which he felt should be appended to the report going to An Board Pleanála.

He added there were 2 serious items concerning the people at Loughrea at present in respect of the proposal in front of the members for discussion today and the issue of community facilities in the town. Cllr. Maher stated he would be proposing a meeting with the Chief Executive of the Council to the Cathaoirleach regarding this matter and believed it needed to happen this week.

Ms Loughnane re-iterated that the purpose of the Special meeting of the Municipal District today was to discuss Coolpowra Flex Gen Ltd application and any submission that the members would like to make in respect of same. She informed for clarity that the minutes of this meeting would not be going with the report but any submissions the members wish to make would be appended to the document. She added that the report was brought to the plenary as required and the minutes of that meeting would be appended to the document. Any submission made by the members will be appended to the document exactly as written.

Cllr. Canning thanked all for the meeting being facilitated today. He felt that the members should use Cllr McClearn's expertise regarding this matter and come together to make a submission to add to the report. He had noted Ms Loughnane comments that the matter raised by Cllr. McClearn was not reflected in the proposal.

Cllr. McClearn stated that in practical terms even if this proposal got planning permission, it would be 2030 before it would come into operation at best. He added that if the European aim is to be carbon neutral by 2050, then this operation may have at best have a lifetime of 20 years. He felt that this facility was not going to do anything to fulfil the aim of being carbon neutral asking the question what cognisance do An Bord Pleanála take of what is being discussed at European level and re-iterated that this proposal is using non-renewable fuel.

In response Ms Loughnane said that the Board do take cognisance of documents from European level down to national and local level and had done so already in this regard in relation to the GCRR as it did not comply with the Climate Action Plan.

As a point of clarity, she informed that the battery storage plant development had been refused by Galway County Council and has been subsequently appealed to An Bord Pleanála.

She added from previous experience in 2016 with respect to the Apple application for the Data centre in Athenry which GCC had dealt with, had been subsequently appealed to An Bord Pleanála. She stated that Apple also had made an SID for the power connection to the Bord. When the An Bord Pleanála were trying to decide on the two applications, they combined the two in an oral hearing. She said it was quite possible that at some point all three applications in this instance might be combined into an oral hearing and that the Bord may try to decide on all three together as a whole unit. While it has not been indicated that this will be the case with this proposal, Ms Loughnane said it was just to give members the information that it has happened in the past with applications.

Cllr. Finnerty queried if the report had been drafted by the Planning section and if the CE had direct input into same. He also noted that there had been opposition to the proposal and that even if it was granted it could be open to legal challenge.

Ms Loughnane clarified that the Planning Section of Galway County Council was required under Section 37e of the Planning & Development Act (Strategic Infrastructure) Act 2006 to prepare a report. The structure of that report is outlined in legislation and the Council are guided by this when preparing same. She added that it is a technical report that goes from Planning to An Bord Pleanála and all the information in the report is as a result of examining the documentation received and providing a technical assessment of same.

She added that An Bord Pleanála will make its decision on the proposal but to be cognisant of the fact that all legal challenges for the most part in planning applications come under judicial review— therefore it won't be the actual decision that is contested but the process on how the decision was reached.

Cllr. McClearn pointed out that his initial understanding of the proposal was that it was to be a solar farm which would have been acceptable for a lot of wider public. However, there was no input of solar power here with this proposal. He felt it was a point worth making given the infrastructure proposed and that the applicant had scope for a solar farm which would give a renewable element to the proposal.

Cllr. Kelly agreed with Cllr McClearn's comments that it had been said initially that this proposal was going to be a solar farm and that people have stated publicly that they have been misled as to the type of Development proposed. He felt that this was a point worth making to An Bord Pleanála.

Ms Loughnane informed that the pre planning application is with An Bord Pleanála and when an application is an SID or falls within the category of same, they go straight to the Bord for the preplanning meeting. The applicant then informs the Council that they have had a pre planning meeting with An Bord Pleanála and details the proposed development.

Ms Loughnane re-iterated that if the members are to make a submission either collectively or individually in respect of the proposal, to ensure that it is sent to the Planning section by 2pm tomorrow (1st October) via email – planning@galwaycoco.ie. The written submission if made would be appended exactly as it is written to the report. She added that she could be cc'd on the emailed submission so she would have sight of same.

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Martina Kinane
CLLR MARTINA KINANE

14 | 10 | 2024

Date