

KILDARE COUNTY COUNCIL

Minutes of Special Planning Meeting of Kildare County Council held at 2.00p.m on Monday, 08 June 2015 at Áras Chill Dara, Devoy Park, Naas, Co Kildare

Members Present: Councillor F O'Loughlin (Mayor), Councillors A Breslin, F Brett, K Byrne, B Caldwell, D Callaghan, R Cronin, W Crowley, I Cussen, M Dalton, S Doyle, T Durkan, D Fitzpatrick, B Hillis, I. Keatley, A Larkin, J Lawless, P McEvoy, J McGinley, F McLoughlin-Healy, M. Miley Jnr, S Moore, T Murray, J Neville, N O'Cearuil, F O'Rourke, J Pender, R Power, S Power, D Scully, M Stafford, M Wall, P Ward, B Weld and B Young

Apologies: Councillors A Breen and S O'Neill

Also Present: Mr. P Carey, Chief Executive, Messrs. J Boland, P Minnock and T McDonnell (Directors of Services), Ms. S Kavanagh (A/Director of Services), Ms. Eileen Hanlon (Head of Finance), Ms. Eileen Loughman (Acting Principal Environmental Health Officer), Mr. M Kenny (Senior Planner), Mr. K. Kavanagh (Meetings Administrator) and other officials.

01/0615 SP

To consider the Chief Executive's Report to An Bord Pleanála on the proposed Strategic Infrastructure Development application of Element Power Ireland Ltd of a wind farm consisting of up to 47 no. turbines, 1 no. electricity substation and associated works at various locations in Co Kildare (ABP reference no. PL09 PA0041)

The Mayor thanked the members for their attendance at the meeting and set out the order of business of the meeting. The members were informed that over 1,000

submissions had been made directly to An Bord Pleanala concerning the application including the Energy Committee of the council which had made a submission in its own right.

Mr. Kenny briefed the members on the legal requirements of Section 37E of the Planning and Development Act 2000 (as amended) which was enacted under the Planning and Development (Strategic Infrastructure) Act 2006 and on their role as members. Mr. Kenny informed the meeting that An Bord Pleanala had served a notice on Element Power Ireland Ltd on the 31st March, 2015 which stated that the proposed development of a wind farm consisting of more than 25 turbines would be considered to be strategic infrastructure under the Strategic Infrastructure legislation. On the 9th April, 2015 Element Power Ireland Ltd submitted an application directly to An Bord Pleanala. The file was put on public display on the 16th April, 2015 in the offices of Kildare County Council, Meath County Council and An Bord Pleanala for a period of seven weeks. The Chief Executive's report on Kildare County Council's views on the effects of the proposed development on the environment and on the proper planning and sustainable development of the area, and which is informed by the internal reports from the various sections and departments of the council, must be submitted to An Bord Pleanala by the 18th June, 2015. This report had been circulated to the members on 5th June 2015.

Mr W. Keogh gave an overview of the keys aspects of the SID application and summarised the key issues from the Chief Executive's Report. Mr Keogh drew the members' attention, in particular to –

- The fact that the DECLG Wind Energy Development Guidelines (2006) are currently being reviewed;
- The fact that work on the Wind Energy Development Strategy for Kildare has been paused;
- Roads infrastructure concerns - in regard to the geographical extent of the proposed development, the predominant use of local roads, and a lack of detailed research on the capacity of the public road network to accommodate the proposed development;
- Significant visual impacts/visual exposure which will affect designated landscape features, localised landscape impacts, a regional concentration/eastward expansion of wind farm developments, and use of wide angle views in photomontages that makes the wind turbines look smaller in the landscape;

- Habitat fragmentation across a large area, and the fact that ecological impacts were not addressed for the individual cluster sites;
- Negative impacts on the setting of protected structures and historic designed landscapes;
- The absence of detailed information regarding the proposed turbine make/model, the turbine foundations, and drainage design;
- The location of part of the proposed development in the Johnstownbridge Well Field;
- Potential implications for tourism.

Mr. Keogh also informed the members that:

- An Bord Pleanala could request further information from the applicants or anyone who made submissions/observations;
- An Bord Pleanala could hold meetings with the applicants or other parties in order to resolve any issues or disagreements;
- An Bord Pleanala could hold an oral hearing where the issues arising cannot be appropriately assessed in written submissions;
- The applicants or anyone who made submissions/observations could request an oral hearing
- An Bord Pleanala could grant permission, grant permission subject to modifications, grant permission for part of the proposed development, or refuse permission;
- An Bord Pleanala could grant permission for all or part of the proposed development even if it would materially contravene the Development Plan;
- The An Bord Pleanala decision is due on 07/10/15.

The Mayor thanked the Director of Services and his staff for the work undertaken by them in the process, referred to pertinent points in the Chief Executive's report including concerns regarding the roads infrastructure, water related issues, protected structures and the effects on the bloodstock industry.

The Mayor then referred to the fact that a number of Notices of Motion had been submitted which were then considered.

The following motion in the name of the Fianna Fail Group was considered:

1. Motion from Fianna Fail Group

The Fianna Fail group are opposed to this application on many grounds. We believe that this application is premature, not least because of the inadequate and outdated guidelines at National and County Level. Such a proposal would have a drastic impact on the equine industry, tourism, light aircraft safety, impact on ecology and rural roads network. There are outstanding safety and environmental concerns in relation to the end of life disposal.

We agree with the Chief Executives report and wish to add the following:

1. This submission should take note of the decision by KCC on April 27th that they wish to see a setback of 10 times the distance of a wind turbine from any residence.
2. This submission should make note of the safety risks associated with the proposed development (tower collapse, blade failure, fire, lightning strike, ice throw/fall from blades) Morgan et al 1998, Harsh water testing network 2012, Seiffert et al 2003
3. The submission should take into account that the need for this development has not been proven. We currently have sufficient windpower to Kyoto and RE targets. Also this doesn't provide cost-effective power as the real cost of the subsidies makes it an expensive energy source.
4. The submission should take into account that consultation with local communities was negligible. The granting of SID status has exacerbated this, denying community's inclusion in the planning process. This is in contradiction to the Aarhus convention.
5. The submission should take into account the fact that layout was determined by availability of co-operative landowners rather than impact on landscape, visual impact, archaeology and cultural heritage and ecology.
6. The submission should take note that it is dis-ingenuous to claim that socio-economic impacts would be positive. There is no exploration of the negative socio-economic impacts.

7. The submission should take note that there would be an impact on property values. In Lincolnshire Council in the UK, local tax reductions of 20% have been given to offset this.

Resolved on the proposal of Councillor Darragh Fitzpatrick, seconded by Councillor Fiona O'Loughlin with all the members in agreement, the motion was carried.

2. The following motion in the names of Cllrs Pádraig McEvoy, Teresa Murray, Paddy Kennedy and Anthony Larkin was considered:

That Kildare County Council, in considering the proposed Maighne Wind Farm development by Element Power and by virtue of the height, scale and dispersed nature, place emphasis on that fact that the proposed development is an unprecedented proposal in County Kildare and represents industrial development of rural areas, and is premature pending:

- The completion of the review of the Wind Energy Development Guidelines, dated 2006 and the implementation of proper planning and sustainable development when considering circular PL20-13 by the Department of Environment, Community and Local Government,
- Implementation of Policy PIR34 of the Greater Dublin Area Regional Planning Guidelines 2010-2022, which reads "That a study is undertaken on wind energy potential by local authorities jointly in the GDA focusing on suitable areas for larger wind energy projects, role of micro wind energy in urban and rural settings and the potential for wind energy within industrial areas with the outcome presenting regionally consistent new land use policies and objectives and associated development management guidance to potential projects",
- Completion of forward planning research by Kildare County Council which is supported by Maynooth University, to inform a variation on wind energy policy in the Kildare County Development Plan 2011-2017.

That Kildare County Council sets out the planning context for this proposed development by specifically considering applications with heights greater than 125m that have been applied for, granted and refused in Ireland and more specifically within Leinster, as part of considering the application.

Part IV – Planning History

That Kildare County Council cites the detail of the planning application (Planning Reference 13/702): “To erect a guyed wind monitoring mast, with instruments, up to 100m in height. The purpose of the proposed mast is to assess the suitability of the company’s adjacent lands for wind farm development” by Bord na Móna Energy Limited at Timahoe South Bog, Coolcarrigan, Co. Kildare.

In doing so, that the planning authority:

- Use GIS to locate the proposed mast site and measure the radial distances from the proposed mast site to the closest turbine in each of the surrounding turbines cluster areas proposed by Element Power.
- Cite the reason for refusing the planning application, namely: ““The proposed development by reason of the negative impact which the mast would have on the air navigability of the area, and would decrease the utility of the area for flight operations and training. Furthermore, the development may indirectly cause and increased risk of airspace infringements, which would result in a risk to the safety of air traffic. The development would therefore endanger and interfere with the safety of aircraft and the safe and efficient navigation thereof, and would therefore be contrary to the proper planning and sustainable development of the area.”
- Make reference to the appeal by Bord Na Móna Energy Limited (Planning Reference PL09. 243523) and cite the reason for refusing the planning application, namely: “The proposed development by reason of negative impact which the mast would have on the air navigability of the area would decrease the utility of the area for flight operations and training. Furthermore, the development would indirectly cause an increased risk of airspace infringements, which would result in a risk to the safety of air traffic. It is considered that the proposed development would endanger and interfere with the safety of aircraft and the safe and efficient navigation thereof, and would, therefore, be contrary to the proper planning and sustainable development of the area.”

That Kildare County Council makes reference to the development of a wind energy monitoring mast of up to 80m under exempt development regulations by Element Power

in the Drehid townland, east of the Kilcooney river and south of the proposed site for Turbine 17.

That Kildare County Council make reference to Table 9: Proposed Strategic Transport Investment in the Greater Dublin Area Regional Planning Guidelines 2010-2022 which lists the The Leinster Outer Orbital Route/Corridor. That Kildare County Council examines which, if any, of the proposed turbines, fall within the route corridor of the Leinster Orbital Route Feasibility Study. In doing so, that Kildare County Council make reference to the planning refusal (Planning Reference: 10/748) for a Combined Heat and Power Plant at Lewistown, Newbridge, Co. Kildare and to the refusal by An Bord Pleanála of the planning appeal (Planning Reference PL09.237777) which cites the following reason:

“The proposed development is located within a route corridor identified in the Leinster Orbital Route Feasibility Study, the reservation of which is an objective set out in the current Kildare County Development Plan and the current Regional Planning Guidelines for the Greater Dublin Area. Having regard to the location of the site on unzoned greenfield lands that lie outside the zoned and serviced area of the nearby industrial estate, it is considered that development of the kind proposed would be premature pending the determination by the planning authority, or the road authority, of a road layout for the Leinster Outer Orbital Route. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.”

Part V – Internal Planning Reports

Transport

That Kildare County Council place emphasis on the impact of the proposed development of the roads network that are to support the delivery of the turbines and the related materials; where such deficiencies in an application to Kildare County Council would see a refusal of permission.

Landscape

Given the heights of the proposed turbines of up to 169m and when considered in the context of the various landscape policies in the County Development Plan, that Kildare County Council emphasise that the turbines would appear, based on any objective assessment, to be contrary to the restrictions on the type of development that Western Boglands and Medium Sensitivity Landscapes can absorb; i.e. limitations in scale and magnitude, inability to absorb and disproportionate visual impact.

That in assessing the impact of turbines on landscape, that Wind Energy Guidelines must work in harmony with appropriate Landscape Character Designations and have appropriate requirements for limited height, tend not to be tall and never be allowed to visually dominate.

That Kildare County Council strengthen the conclusions of the landscape section of the report by carrying through the sentiment of Sections 5.2, 5.3 & 5.4 of the CAAS report, given that there are over 500 dwellings within 10 rotor diameters in the Drehid-Hortland clusters.

For information, Sections 5.2-5.4 are set out as:

5.2 Likely Effects on Landscape and Settlements

The most important evidence presented by this map – which is confirmed in the photomontages that are reproduced below – is that two of the zones of concentrated effects – along the northern and particularly the southern boundary overlap with areas that contain dense concentrations of settlement, routes, amenities and features. Furthermore both of these areas contain noticeable denser concentrations of roads and road-side housing which increases proximity of sensitive receptors to these effects.

By contrast in the central areas the zones of effect occurs in areas with much lower densities of sensitive features. This advantage is amplified by the significantly lower concentration of roads – which means that the development is more frequently seen at a distance.

The determination of the significance of impacts is very difficult to discuss over such a very large area – other than to state that it will be an impact of a very large magnitude. These remarks are, of course, generalisations. The views from individual residences – or indeed from specific unscreened location on routes – will give rise to very significant localised landscape impacts.

5.3 General effect of turbines in these landscapes

The landscape of the development area are recognised [and designated] as having a general sensitivity ‘on account of the inability to visually absorb development’ [See Section 4 above] – indeed this sensitivity is formally described as a ‘Critical Landscape Factor’ for this area. While the canal corridors are recognised as having Critical Landscape Factors that include Smooth Terrain – Development can have a disproportionate visual impact along this water corridor, due to an inherent inability to be visually absorbed by the existing topography. The majority of the area affected the Western Boglands – are also recognised as being Highly distinctive due to the existing large areas of bogland vegetation. The general effect of concentrations of turbines of such size and scale as are proposed within this landscape will, therefore give rise to very large changes that will significantly affect specifically designated Critical Landscape Features. The introduction of such new elements will significantly alter the appearance and character of areas with significant visual exposure. Landscape Features and Routes affected by these clusters include resources of national and regional significance [the Canals] as well as features and amenities in the Kildare County Development Plan such as the Hill of Allen, Carbury Hill. The applicant’s evaluation at of Landscape Sensitivity erroneously classifies the canals as being

of 'medium' sensitivity – when they are, of course historic and recreational resources of national significance – and thus qualify as 'High' sensitivity factors.

5.4 General Significance of Effects on Landscape and Settlements

In general, an object will appear to be very large or dominant at distances of less than a multiple of about 10 – 15 times the height of the object. So, a 160m high turbine is likely to be perceived as being increasingly dominant at distances of between 2.4 km to 1.6 km. Closer than 1.6 km a 160m high turbine will generally be perceived as very large and visually dominant, in approximately the follow degrees;.

- Unscreened views of 160 high turbines at distances of between 500m and 1,000m are very unlikely to be perceived as being anything other than profoundly to very significant.
- Unscreened visual impacts at distance between 1km and 1.5 km are very unlikely to be perceived as being anything other than very significant.
- Unscreened views of turbines closer than 2km are very unlikely to be perceived as being anything other than significant.

The evaluation of the likely effects of this development is guided by the general observation that features – houses, routes and features at distances from a turbine closer than 1.5 km are likely to be very significantly affected.

That Kildare County Council place emphasis on the significance of the expert report which sets out that the photomontages submitted by the applicant in wide-landscape format do not adequately reflect the true perspective of the human eye and distort the natural scaling of the dominant turbines which are normally perceived in a 4:3 ratio.

Environment – Shadow Flicker

Given that the selection of the turbine is not completed, that Kildare County Council put additional emphasis on the impact on shadow flicker by highlighting that the guidelines are currently 30 hours per year or 30 minutes per day and that in excess of one-third of the houses in the Drehid-Hortland Cluster will experience more than 30 minutes of shadow flicker per day.

Part IV – Comments on EIS and NIS

Consultation

That Kildare County Council recognise the difficulties for community groups to deal effectively with this particular proposal given the number of individual projects spread over such a large geographical area, yet described as a single project entity. The challenge was compounded by the relatively short 7-week period of notice provided to the wider public, and particularly to people who might live in the vicinity of the turbines. To recognise, that this particular application has exposed the inadequacies of the consultation requirements related to the strategic infrastructure provisions of the Planning and Development (Strategic Infrastructure) Act 2006. This would appear to be in conflict with the provisions of the Aarhus Convention, to which Ireland is a signatory.

That Kildare County Council acknowledges the extent of public submissions that are in excess of 700 (not finalised at the time of writing) as a measure of public concern and benchmark this against that of the Emlagh Wind Farm for north County Meath which was 393 at this stage.

That Kildare County Council notes the An Taisce submission which highlights are serious of concerns in relation to:

- Origin of Development as Export Proposal
- National Policy and Strategy

- Equitable Local Stakeholder Participation
- European Landscape Convention
- Cultural Heritage Impact

That Kildare County Council notes the concerns of the Kildare Environmental Awareness Group who have held a lot of public information meetings and have particular concerns for the loss of opportunity in terms of exploiting the natural and cultural heritage in connection with the midland bog areas.

Noise

That Kildare County Council call on An Bord Pleanála pay particular attention to the methods employed in baseline noise measurements given that references rely on background noise data in appendices that appear to be missing.

That Kildare County Council call on An Bord Pleanála to require noise assessments that take account of cumulative noise impacts downwind of any given cluster, or group of clusters.

That Kildare County Council place emphasis on the rural nature of the development areas, where night-time levels have been measured between 25dB and 30dB, and that simply relying on the day/ night-time noise limits does not reflect the impact of the proposed development on residents in the area. For example, an increase by 13dB to 43dB would exceed a doubling of night-time noise.

Equine/ Bloodstock

Given that County Kildare has an international reputation in the equine industries, including the thoroughbred sector, that Chapter 10 Rural Development of the Kildare County Development Plan, be given appropriate consideration in terms of the equine industry. Consideration should be given to established businesses that invested with the benefit of planning permissions in the areas of the turbines, for example Kildare Planning Reference: 08/468. It not clear that an appropriate audit of the impact of the turbines on existing businesses informed the proposed development.

Cumulative Impact

That An Bord Pleanála considers the proposed development, although extensive over a wide area, in the context of indications that other proposals are being prepared to develop wind farms in the midlands.

That Kildare County Council place emphasis on the fact that the cumulative impact of turbine noise, shadow flicker and landscape dominance will have a disproportionate affect on a large number of residential dwellings in the surrounding areas.

Other

Legal

That An Bord Pleanála place emphasis on the requirements set out by the High Court that proper consent from landowners is required where access to lands are necessary to deliver the turbines to the development sites. The application does not include accompanying mapping.

Tourism

That Kildare County Council place emphasis on the importance of tourism as a valuable asset in Ireland's development, and the evidence of the past year is that it is making a significant contribution to the nation's economic recovery. It is currently:

- earning €6 billion annually in trade revenue,
- supporting in excess of 185,000 direct jobs,
- generating income for the wider community and investment in public projects, and
- creating a favourable impression of Ireland and thereby supporting government efforts to attract foreign investment.

In County Kildare, tourism contributes almost €100 million to the local economy, and it provides direct and indirect employment for 6,000 people. Present indications are that tourism will play an even greater role in attracting visitors and investment, contributing even more to the national and local welfare. This is an industry worth nurturing and one in which investment pays dividends for County Kildare and its people.

The cultural and physical environments in which tourism takes place are critical to its success. With regard to the physical environment, several aspects of county development plans have a direct impact on tourism: transport networks, the appearance and location of buildings, access to recreational facilities, availability of guest accommodation, the character of urban spaces, the quality of public realm, the visual quality of rural areas, uplands, waterways etc. and the condition and presentation of heritage structures. It must be borne in mind in relation to these areas that Ireland is in competition with other countries which have their own environmental standards, that Kildare is in competition with other counties and tourists will go firstly to the places that they think the most attractive.

That An Bord Pleanála, ensure that the tourism amenity areas in County Kildare are protected against undue dominance and impact by the proposed development.

Emergencies

That An Bord Pleanála, in the event of granting permission, requires a public safety plan in the vicinity of the turbines to deal with fires, collapses, etc.

Precedent

That An Bord Pleanála area particularly mindful of the existing planning policy gaps and to grant permission would set an undesired planning precedent for wind farms of such a scale and dispersed nature without due consideration of the impacts.

Overall Recommendation

Given the extent of the shortcomings set out in the report by the Chief Executive, that Kildare County Council call on An Bord Pleanála to **refuse** permission for the Maighne Wind Farm consisting of up to 47 no. turbines, 1 no. electricity substation and associated works, Co. Kildare and Co. Meath.

Cllr. McEvoy accepted the report as having been read and expressed concerns regarding a number of issues including peat extraction and the lack of information provided on how much peat is to be extracted.

Resolved on the proposal of Councillor Padraig McEvoy, seconded by Councillor Anthony Larkin with all the members in agreement, the motion was carried.

3. The following motion in the name of Cllr Mark Lynch was considered:

That this council is totally opposed to the proposed Maighne Wind Farm project and in addition writes to An Bord Pleanala to make them aware of the same.

Resolved on the proposal of Councillor Réada Cronin, seconded by Councillor Ide Cussen with all the members in agreement, the motion was carried.

4. The following motion in the name of Cllr Brendan Young was considered:

Kildare County Council opposes the proposed planning application for the Maighne Wind Farm Strategic Infrastructure Development application and resolves only to support renewable energy projects that are based upon community participation

Resolved on the proposal of Councillor Brendan Young, seconded by Councillor Padraig McEvoy with all the members in agreement, the motion was carried.

5. The following motion in the name of the Fine Gael Group was considered:

That Kildare County Council oppose the application by Element Power Ltd. for the Maighne Wind Farm on the grounds of scale , height , the dispersed nature of the development , the lack of up to date policy at county , regional and national level that is needed to inform a decision and also call on ABP to convene an oral hearing to allow for a complete discussion of the relevant issues and request ABP to require all councils in the Leinster region that the development can be viewed from, to submit a managers report .

Cllr. O'Cearúil requested clarification on other council's involvement with Cllr. Keatley stating, given the large scale of the project, other counties in the region should also be requested to submit a report to An Bord Pleanala on the application.

Resolved on the proposal of Councillor Ivan Keatley, seconded by Councillor Brendan Weld with all the members in agreement, the motion was carried.

6. The following motion in the name of Labour Party - Cllrs Breen , Breslin, Byrne, McGinley and Wall was considered:

That Kildare County Council calls on An Bord Pleanála to reject the application under Strategic Infrastructure by Element Power for 5 Windfarms titled the Maighne Windfarm, for the following reasons:

The continued absence and finalisation of the DECLG revised wind guidelines, the current guidelines formulated in 2006 are outdated and according to media reports are to undergo considerable change.

The County Development Plan is the Statutory planning document of the County, members unanimously agreed to develop a wind strategy document for the county in 2013, given the absence of a detailed policy document within the current plan for the development of Windfarms.

Such a strategy document would add considerable planning detail to any and all planning applications for potential Windfarms within our county.

The Council Transport Department refer to insufficient information within the application in relation to a number of issues, remarked as significant in the CEO's report, these include:

The concern as to the condition of legacy roads with little or no foundations that will now have to take construction traffic with some 26.8 Km's of medium voltage cable being laid along them. This raises in their report concern, re the lack of detail on how this cable network will be put in place.

The Transport section raises the question of who will be responsible for the future care of these cable networks along these rural roads and the lack of such determination in the application.

The report identifies a significant quantity of investigative works remaining outstanding most worryingly that some proposed routes for cabling and deliveries have not been proven to be acceptable or even achievable.

The lack of Traffic Management reports, given that construction of the 6 different sites over a large geographical area ,will discommode local community's for at least two years.

The Heritage Officers report is very stark for the future of this area should this application succeed.

The erosion of 242 acres of habitat with no commentary in the EIS on how this will affect this sensitive area of our county. The application seeks the felling of 155 acres of trees , surly putting the environmental benefit of this application into immediate question. The Heritage report also mentions the serious absence in the EIS of the affects to the habitat of the area of the varying heights and diameters of the proposed turbines.

The County Conservation Architect States in his report that the proposed turbines would visually impact on the setting of a number of protected structures .

A serious issue raised within the Council reports, is that the applicant has not indicated what type of turbines will be used in Maighne, should permission be granted . This is from a planning point of view, surly a serious omission as noise , environmental impact and shadow flicker cannot be accessed without knowing the model or past experience of the turbine ?

The CEO's report acknowledges that the current County Development plan seeks to cluster rural development, not in a case like this application, which has 5 sites spread over a dispersed area of our county.

The CEO's report details some 26 key concerns, some of these concerns by themselves have ruled out planning permissions in this area and in our county over the life time of the current County Development plan. The combination of these concerns makes this application in our opinion wrong for our county and we call on all council members to support its rejection . The application may be best summed up in the words

of CAAS, Independently contracted by the Council to carry out an assessment on the landscape aspect of the application which concludes :

The scale and dispersed nature of these developments [if permitted] will significantly change the character of the wider landscape of these two adjoining counties. This will mean that many people will continuously live, work and travel through a landscape dominated by the presence of windfarms.

This proposal is at variance with many of the Policies and Objectives of the Kildare County Development Plan 2011-2017. It has the capacity to destroy the rural landscape of North West Kildare and will seriously injure the amenities of residents living in the area. To allow it to proceed would be contrary to the proper planning and development of the Area.

Cllr. McGinley stated the following:

This application is premature pending the publication of the Revised Wind Energy Development Guidelines. It is inexcusable that the Department has not yet completed them.

Household Electricity prices in Ireland are 33% higher than the UK.

Such high prices are primarily due to subsidies for wind power and for non-competitive power plants.

Renewable energy subsidies for wind power have been slashed in Spain, Germany and the UK.

In Ireland we have already achieved the optimum level of wind power and it is not in the national interest to continue building more wind farms at enormous cost to the country.

Between 2008 and 2014 electricity consumption fell by 8% in Ireland primarily due to the economic downturn and energy efficiency programmes. Yet in the same period electricity generating capacity in the Republic rose by over 33%, leaving us with 2,000mw of surplus capacity.

The estimated cost of this unneeded extra capacity is €5,000m. Investment on this scale as demand reduced was economic madness.

Over the next 10 years, based on current Irish Energy Policies, another 3,000mw of mainly wind generating capacity will be added to the system. And that is despite the fact, according to EIRGRID, there is no need for any new generating capacity for at least 10 years.

The investment requirement for this new capacity and associated major EIRGRID networks construction to facilitate its connection to the National Grid will cost an additional €7,000m.

We need to stop this madness and put an end to guaranteed prices for future Wind Farms at the expense of households.

Numerous groups support this policy change, including the Irish Academy of Engineering, St. Vincent de Paul, the National Competitive Council and various consumer groups.

Cllr. Miley agreed with Cllr. McGinley's comments and asked that they be included in the submission made to the Board.

Resolved on the proposal of Councillor Mark Wall, seconded by Councillor John McGinley with all the members in agreement, the motion was carried.

7. The following motion in the name of Labour Party - Cllrs Breen , Breslin, Byrne, McGinley and Wall was considered:

That Kildare County Council further explain the mitigation factors that they are happy with regarding the noise levels of this proposed development and in particular 20 turbines as mentioned in its report , given the serious absence of not knowing what type and model of turbine will be used in these Windfarms.

Cllr. Wall requested an explanation as to why the Chief Executive's report stated that the noise mitigation measures were acceptable when the application did not include the type of turbine to be installed. Mr. Kenny stated that page 59 of the Chief Executive's report clarified that there was a need for more information regarding the make and model of the proposed turbines. The Mayor clarified that the Chief Executive's report,

while drawing on the advice given in the internal reports prepared, concluded that further information was required and referenced this as per page 59 of his report.

Resolved on the proposal of Councillor Cllr. Mark Wall, seconded by Councillor John McGinley with all the members in agreement, the motion was carried.

8. The following motion in the name of Cllr. Réada Cronin and Cllr. Íde Cussen was considered:

With the planned building of multiple large scale wind farms across the country, and all thus far in the hands of private industry, that Kildare County Council use the Energy Committee to explore a policy to make it mandatory to include local communities in the production of various renewable energies, ie, solar, small scale wind farms and geothermal heating.

Cllr. Cronin stated that it was important to demonstrate that the members were prepared to suggest alternative energy sources which were widely used in other European countries.

Resolved on the proposal of Councillor Réada Cronin, seconded by Councillor Ide Cussen with all the members in agreement, that the motion be referred to the Energy Committee.

9. The following motion in the name of Cllr. Mark Stafford was considered:

The Applicant to confirm that the appropriate easements/wayleaves are in place in respect of the circa 35 km of cabling to be laid on third party lands.

That the defects liability period of 5 years provided at clause 10 Page 31 of the Report be extended to a period of 10 years from the date of notification of the reinstatement of the works.

That in the event that a turbine ceases to be used for any reason prior to the expiration of the operational period that it be decommissioned and removed within a period of one year from its cessation of use.

That at the same conditions which apply in respect of the erection of the turbines in relation to the maintenance and reinstatement of the haul routes and turbine routes will also apply in relation to the decommissioning of the turbines and removal of same. That portion of the performance bond will be retained pending the reinstatement works post completion of the removal of the turbines.

That the application fails to address the use of the borrow pits post erection of the turbines.

That the Council specify the monetary amount of the bond/cash deposit required to cover the decommissioning of the turbines and reinstatement of the lands to include the removal of the concrete base.

That the Application has failed to address the potential effects on the equine industry and antecedent tourism industry adequately or at all.

That Application has failed to deal the fragmentation of habitats adequately or at all.

Resolved on the proposal of Councillor Mark Stafford, seconded by Councillor Ivan Keatley with all the members in agreement, the motion was carried.

In conclusion, it was agreed by all members present that the Chief Executive's Report to An Bord Pleanála on the proposed Strategic Infrastructure Development application of Element Power Ireland Ltd., the resolutions passed at the meeting of the council and the meetings administrators record of the meeting be submitted to An Bord Pleanála in accordance with Section 37E of the Planning & Development Act 2000, as amended.

The meeting concluded.