



Comhairle Contae Chiarraí

Kerry County Council

Chief Executive's Report and Recommendation, in accordance with Section 179 (3) (a) of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended) for the following development

Upper Church Street to Neodata cycle/ walkway

→ Ballygowloge and Listowel

13th July 2021

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Document Control

Project	Prepared by:	Revision	Date	Comment/Review

1. Introduction

1.1 Site Location and Description

Kerry County Council has secured funding under the National Transport Authority's Active Travel Investment Programme 2021 to develop a cycle/ walkway between Upper Church street and the former Neodata site in Listowel. The Active Travel Programme aims to promote sustainable transport and increase the modal shift towards walking and cycling in our cities, towns and villages.

The Project, which is the subject of this Part 8 Report, is to develop a cycle/ walkway between Upper Church Street and the former Neodata site in Listowel via Gurtinard and the Listowel Town Park. The proposed development is situated in the townlands of Ballygowloge and Listowel.

The works will consist of the following:

- Within Listowel Town Park - widen approx. 760m of existing paths to 3.5m, construct approx. 100m of new cycle/ walkway (3.5m wide) and construct approx. 80m of new cycle/ walkway (3m wide) through the wooded area to the South of St Michaels College.
- At St Michaels College/ Gurtinard Housing Estate – Construct approx. 160m of new cycle/ walkway (3m wide).
- Raised table shared space to accommodate vehicular traffic and cycle/ walkway users at the entrance to the Gurtinard housing estate.
- All other associated works including minor drainage works, public lighting and fencing.

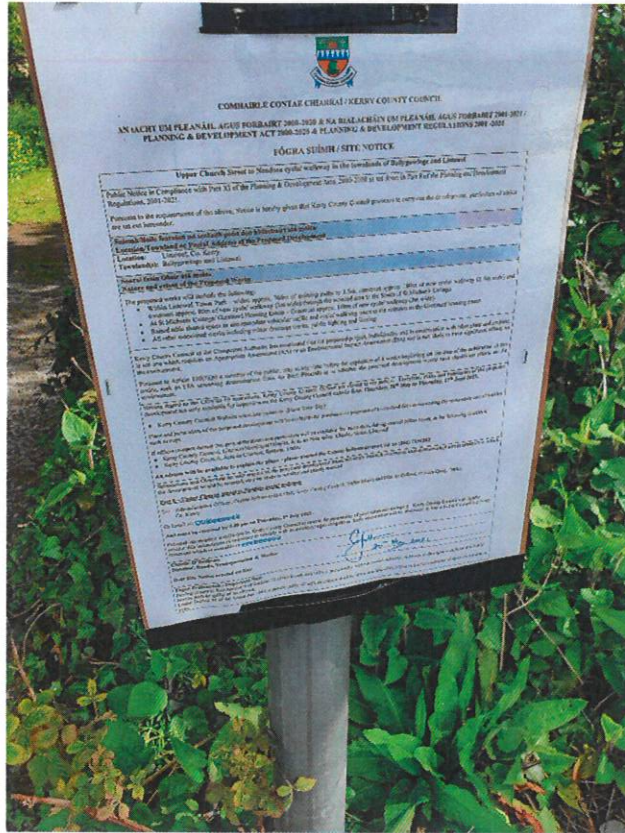


Figure 1.1 – Proposed cycle/ walkway

1.2 Public Consultation

In accordance with S.179 of the Planning and Development Act 2000 (as amended), the Statutory Consultation, Public Notice, regarding the proposed works was advertised in the Kerry's Eye newspaper from **Thursday 20th May 2021 until 17th June 2021**.

3 no. site notices were erected on lands adjacent to the proposed route on Thursday 20th May 2021 and inspected regularly thereafter.



Site Notice – Listowel Town Park

Having regard to the Covid-19 restrictions, Kerry County Council Offices were closed to the public. Therefore, Plans and Particulars for the development were on display from **Thursday 20th May 2021 until 17th June 2021** on the Kerry County Council website www.kerrycoco.ie.

Submissions and observations with respect to the proposed development dealing with proper planning and sustainable development of the area were invited on or before **5:00pm on Thursday 1st July 2021**.

1.3 Planning Context

The proposed development is consistent with the *Local Economic and Community Plan (LECP, the Listowel Municipal District Local Area Plan 2020-2026* and the *Kerry County Development Plan 2015-2021* and is supported by National policy in particular the *National Planning Framework 2018-2027, Smarter Travel- A New Transport Policy for Ireland 2009-2020 and Strategy for the Future Development of National and Regional Greenways- July 2018*. See Appendix A of this report for full planning policy context supporting this development.

1.4 Environmental Assessment

Final Screening Determinations are contained in Appendix B to this report. These have been prepared by the Planning and Sustainable Development Section of Kerry County Council and have determined that an Appropriate Assessment is not required for this proposed development. It also concludes that a screening report was prepared which confirms that this project will not have any significant effects on a Natura 2000 Site and as such, a stage 2 Appropriate Assessment / Natura Impact Statement is not required.

It is considered that the proposed development is substantially below the (mandatory) thresholds for EIA and is in accordance with the proper planning and sustainable development of the county.

2. Submissions or Observations

Persons or Bodies who made submissions or observations within the prescribed period.

20 submissions were received by Capital Infrastructure Unit, Kerry County Council.

The following is a list of Persons or Bodies who made submissions or observations within the prescribed period.

SUBMISSION NO.	NAME
Statutory Bodies	
S-1	Trish Smullen, Geological Survey Ireland.
S-2	Tristram Whyte, Irish Peatland Conservation Council.
S-3	Mark Byrne, Regulatory & Administration Unit, TII, Parkgate Business Centre, Parkgate Street, Dublin 8
S-4	Andrew Wilson, Iarnrod Eireann, Limerick Junction Station, Co. Tipperary.
S-5	Bojana Grujic Irish Water
S-6	Brendan Dunne & John Moynihan, Health Service Executive, Monavalley Business Park, Tralee.
SUBMISSION NO.	NAME
General Submissions	
G-1	John Kelleher
G-2	Bernie Carmody
G-3	Lucille O'Sullivan
G-4	Dolores Carroll
G-5	Meave Queally
G-6	Eileen Sheridan, Sean Comerford, Maurice Twomey, Elizabeth Sweeney plus a sheet with 51 additional signatories
G-7	Tom McElligott
G-8	Listowel Business & Community Alliance
G-9	Pat O'Callaghan
G-10	Eugene T Moriarty
G-11	G Moriarty & Sons
G-12	Anne O'Callaghan
G-13	Sean Heaphy
G-14	Brenda Woulfe

Issues Raised, with Respect to the Proposed Planning and Development of the Area, by Persons or Bodies who made Submissions or Observations, and CE Response and Recommendations

S-1 *Trish Smullen, Geological Survey Ireland.*

Submission

No specific comments or observations.

CE Response:

Submission noted.

S-2 *Tristram Whyte, Irish Peatland Conservation Council.*

Submission

No specific comments or observations. Provided advice in relation to projects affecting designated sites and Peatlands.

CE Response:

Submission noted.

S-3 *Mark Byrne, Regulatory & Administration Unit, TII, Parkgate Business Centre, Parkgate Street, Dublin 8*

Submission

Acknowledged receipt of correspondence and TII (Transport Infrastructure Ireland) had no specific observations to make in relation to the development.

CE Response:

Submission noted.

S-4 *Andrew Wilson, Iarnrod Eireann, Limerick Junction Station, Co. Tipperary.*

Submission:

Acknowledgement of receipt of correspondence in relation to the proposed development. Development should not preclude installation of future ducting and cables on the North Kerry disused railway line.

CE Response:

Submission noted. The proposed development does not impact on the North Kerry disused railway line.

S-5 *Bojana Grujic Irish Water*

Submission:

Irish Water has no objection in principle to the development. Any existing or buried access covers to be raised and reset at proposed finish levels. Liaison with Irish Water and adherence to Irish Waters standard codes, conditions and practices required.

CE Response:

Submission noted. This will be incorporated into the construction methodology.

S-6 *Brendan Dunne & John Moynihan, Health Service Executive, Monavalley Business Park, Tralee.*

Submission:

Agreed that following screening an EIAR is not required for the project. Recommends compliance with legal limits and controls. All measures to be implemented to control waste, public health nuisances, traffic impacts and all associated emissions in order to remediate any health impacts. System to be put in place to deal with complaints including designation of a competent person to liaise with the local community.

CE Response:

Submission noted. This will be incorporated into the construction methodology.

Submission:

Objects to the Part 8 – N69 Upper Church Street to Neodata Site, Listowel for the following reasons.

1. The Traffic calming measures are a risk to the residents of Cahirdown, Kenny Heights, Gurtinard and all associated estates who will use this road for the following reasons.

(a) No adequate parking facilities have been allowed for in the proposed works. No Car Parking spaces at the Roundabout means cars will park in and around each entrance to the above estates. Lower Golf View residents have had to erect bollards to stop cars from parking at the entrance to Gurtinard Wood/Town Park which will not be possible with these proposed works thus causing an additional traffic hazard as users of the Greenway travelling from this side of town are unlikely to go to the Neodata to park no different to current users of the Town Park.

(b) The additional walking and cycling traffic at the roundabout will require cars to stop on the roundabout entering Kenny Heights Golf View as families with toddlers cross the junction this creating an additional hazard.

(c) The shared footpath/cycleway at the house entrances to Cahirdown takes students from St Michaels College off the road they have been using up to now and onto the footpath. The Residents of these house will have no line of site on exiting their driveways especially reversing with potential for crashes not only from speeding students but also toddlers on tricycles too low to see from their vehicles. Given the increase in use no buffer zone has been allowed to prevent accidents inevitably happening.

(d) Residents of Cahirdown have always had visitors park outside their driveways the proposed works stops this.

(e) The Junction of Gurtinard and Upper Church Street ie Cahirdown Road is to lose its footpath so visiting cyclists coming cycling down Cahirdown Hill will swing into this 90 degree junction at speed and hope they don't crash into the cars sharing this junction.

2. The proposed Greenway route is not a greenway as it uses a shared road main road and travels through Housing Estates. The alternative Greenway Route is a Greenway.

3. The Biodiversity of Gurtinard will be impacted by the proposed route as it needlessly weaves through the natural habitat of the wood. The construction, materials used and lighting will inevitably effect the flora, fauna and birds living in the Wood.

4. From a marketing point of view the proposed Greenway Route is a hard sell as it is neither a safe nor scenic route. The alternative Greenway route is an extension of the Town Park which is safe and with views of the River Feale and Bluebell Woods which is far more marketable.

5. The attached alternative route from the Town Park along the Bluebell Woods is a route using a green area, doesn't use public roads so is much safer and will be the most scenic part of the Greenway as it has views of the River Feale and travels alongside the Bluebell Wood.

6. A Planning Application for the alternative Greenway route is being submitted in July 2021. This is a better route for the following reasons;

(a) It is a straightforward route will not require CPO's,

(b) It will have no impact on existing residents or Gurtinard Wood.

(c) No Council funds will be required to purchase the land

(d) The cost of constructing the alternative Greenway route will be a fraction of the cost of the proposed route.

(e) The alternative Greenway route will also be finished prior to the proposed route competition date of March 2022.

CE Response:

Kerry County Council acknowledges the submission by John Kelleher and has the following responses to the specific issues raised.

Item 1(a): Kerry County Council shall erect signage to encourage parking at designated car parks in the town centre.

Item 1(b), 1(c), 1(d): Relates to N69 Upper Church Street, Listowel, Traffic Calming and Enhanced Pedestrian Facilities proposal and will be addressed in that report.

Item 1(e): The proposed works at the junction of Gurtinard and Upper Church Street incorporate a raised shared space and ramps to control speeds.

Item 2: It is acknowledged that this proposed development is not a greenway route. It is an urban walkway and cycleway link, 1,500 metres in length and funded by the National Transport Authority under the 2021 Active Travel Programme.

Item 3: The route at this location has been chosen to minimise impact on the wood - avoiding mature trees, utilising desire lines and staying close to the periphery of the wood where possible. It should act as a deterrent for illegal dumping and littering in this area. The lighting has been designed to Bat Conservation Trust 2018 Guideline Note 08/18 and will be fitted with highly directional LED type lighting mounted on 5m stands, fitted with a warm white spectrum (<2700Kelvins), dimmers and sensors.

Item 4: The proposed development does not form part of the greenway route and will not be marketed as such.

Item 5: The alternative route proposed is for a Greenway Route, which is not relevant to this proposed development, which is an urban walkway and cycleway. This proposal does not preclude the development of any Greenway Route in the future.

Item 6: The lodging of a planning application for a Greenway Route does not impact on this proposed development.

G-2 Bernie Carmody

Submission:

This submission has no objection to the plan and indicated that it would be great for Listowel. Had difficulty understanding the proposed route at Gurtinard/ St Michaels College. Questioned where map was available.

CE Response:

Submission noted. All details of proposed scheme (including drawings) were available on Kerry County Council website. The location of relevant drawings was further confirmed by email.

G-3 Lucille O'Sullivan

Submission:

This submission is supportive of the proposed works and highlights the advantages and benefits of the proposed route.

CE Response:

Submission noted.

G-4 Dolores Carroll

Submission:

This submission comprised of three emails in support of the proposed works.

CE Response:

Submission noted.

G-5 Meave Queally

Submission:

Has concerns about the Part 8 – N69 Upper Church Street to Neodata Site, Listowel for the following reasons.

I am emailing on behalf of my parents Micheal & Noreen Queally.

As residents of Cahirdown they have concerns over the safety of the 'Tim Kennelly' Roundabout which is included in the Part 8 - Upper Church Street to Neodata cycle/walkway.

The roundabout in its current state is extremely dangerous. When driving from Listowel town up Cahirdown hill towards the Tarbert Rd N69 there is no visibility of cars coming down the hill from the right. These cars are generally travelling at speed from the Tarbert road.

Over the years they have witnessed a number of near collisions.

You cannot see cars coming in the opposite direction so every time you enter the roundabout it's extremely dangerous. With the inclusion of an increased volume of bicycle traffic from the Greenway at the same point this is a major safety concern.

They have voiced their concerns a number of times to local politicians and the town council over the years, but nothing has been done.

Can the shrubs on the roundabout be cut short?

Can the roundabout be made smaller, so the visibility is better?

I would ask that when designing the entrance to the Greenway that the redesign of the Tim Kennelly roundabout be considered as a major safety concern.

As residents of Cahirdown we are overmuch looking forward to having the Greenway on our doorstep and are looking forward to making full use of it. We appreciate all the work by the local council and community groups that has gone in to making the Greenway happen for Listowel.

CE Response:

This submission relates to N69 Upper Church Street, Listowel, Traffic Calming and Enhanced Pedestrian Facilities proposal and will be addressed in that report.

G-6 Eileen Sheridan, Sean Comerford, Maurice Twomey, Elizabeth Sweeney plus 51 additional signatories

Submission:

Have concerns about the Part 8 – N69 Upper Church Street to Neodata Site, Listowel for the following reasons:

We would like to begin by congratulating Kerry County Council on securing investment for a Greenway in North Kerry, which will provide a wonderful opportunity for tourism in the area. Unfortunately, we have a number a concerns regarding the plan as it currently stands.

Regarding the approval by Councillors of plans for development of the North Kerry Greenway project the Kerry County Council website stated that "The North Kerry Greenway will be developed along a disused railway line"¹. The road along the bottom of Gurtinard, Sli na Coille and Golf View is not, and never has been, a disused railway line.

The plan proposes the felling of a section of long-established trees along this road, and also the establishment of a shared junction for motorists and cyclists at the exit/ entry between Gurtinard, Sli na Coille and Golf View and the main road. We have a number of questions and concerns.

(1) Save our Trees

It is our assertion that the trees along this road represent focal points of both natural beauty and biodiversity. Local people have worked hard to maintain this area, investing time and energy in both its preservation and conservation. We would like to see changes to the current plan which would preserve these trees. Has a biodiversity study and/ or environmental impact report been completed to determine what it is we would be losing were these trees to be felled and this area cleared? If so, would it be possible for us to have access to those studies/ reports?

(2) Safety First

We are concerned that the changes proposed to the junction between the road connecting Gurtinard, Sli na Coille and Golf View and the main road will make it less safe. Whilst we are excited at the prospect of a Greenway in North Kerry, we don't feel that it should come at a cost to the safety of motorists, cyclists or pedestrians.

(3) Consider Conservation

A wealth of work has been done by the local community conserving the wooded area of the town park where the greenway is proposed to enter. Approximately twenty-five bird boxes and bat boxes have been added to enhance the biodiversity there. Trails have been placed to enhance access. Again, has a biodiversity study and/ or environmental impact report been done to determine the effect of the proposed plans on this area of the woods?

(4) Preserve the Park:

Routing the Greenway through the Town Park puts the Greenway cyclist in direct contact with walkers. The town park has always been a place of safety. Anyone (including parents with prams/toddlers/young children, dogwalkers etc.) can walk there with peace of mind. We are concerned about the safety impact of sharing those pathways with Greenway cyclists, particularly when they may be cycling at speed.

Further Questions:

- (1) Why has there been a deviation from the original plan to use the old railway line for the Greenway?
- (2) Was there not a proviso during development of the JB Keane road to add a cycle lane?
- (3) If the old neodata car park is to be used, what is the future development plan to Lixnaw/Abbeydorney?

Regarding the approval by Councillors of the plans for the development of the North Kerry Greenway Project, Cathaoirleach of the Listowel Municipal District, Cllr. Aoife Thornton stated, "I can assure those living along the line that there will be continued engagement as the project progresses"¹. We thank Councillor Thornton for that assurance and thereby ask the Council to consider our concerns.

¹ <https://www.kerrycoco.ie/home3/councillors-approve-plans-for-development-of-north-kerry-greenway-project/>

CE Response:

Kerry County Council acknowledges the submission by Eileen Sheridan, Sean Comerford, Maurice Twomey, Elizabeth Sweeney plus 51 additional signatories and has the following responses to the specific issues raised.

This proposed cycle/walkway from Church Street to Neodata does not form part of the Greenway Project. It is an urban walkway and cycleway link, 1,500 metres in length and funded by the National Transport Authority under the 2021 Active Travel Programme. Therefore it is not relevant to the Greenway route as approved or any other Greenway routes in development.

A Preliminary EIA Screening Report has been carried out. It stated "*The loss of hedgerow and mature trees along the boundary of St Michaels college and the routing of the greenway through Gurtinard Wood will have a local impact on these locally important biodiversity features. It is however noted that it is proposed to plant a replacement hedgerow and that the route through Gurtinard wood has been selected with a view to minimising impact, striking a careful balance between keeping to the edge of the wood, minimising the footprint of the works area and avoiding mature trees.*" This report concluded that "*In consideration of the nature, scale and location of the development, it is concluded that there is no significant and or realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development. EIA is not required in this instance.*"

Kerry County Council acknowledges the conservation works that has been undertaken by the local community in this area and undertakes to carry out the proposed works sensitively and engage with the local community as the project progresses.

The proposed development is a combined walkway and cycleway which will be of sufficient width to accommodate both pedestrians and cyclists safely.

The proposed works at the junction of Gurtinard and Upper Church Street incorporate a raised shared space and ramps to control speeds.

The proposed N69 Listowel Bypass road improvement scheme will include an upgrade of the John B. Keane Road with enhanced pedestrian and cycle facilities.

G-7 Tom McElligott

Submission:

The proposed works to extend the permitted Greenway through Listowel Town Park would be 2.4Km in length. According to the Director of Services when combined with the N69 Upper Church Street Pavement Improvement and Traffic Calming and Enhanced Pedestrian works it "would link the North Kerry Greenway at the N69 Ballygowloge roundabout to the former Neodata site adjacent to the Town Park (Childers Park), Listowel".

The 10.5Km North Kerry Greenway does not exist in isolation. It is part of what was called the Great Southern Trail, a railway line once linking Limerick to Tralee. The section from the Kerry border at Kilmorna to Rathleale is now called the Limerick Greenway and includes the towns and villages of Abbeyfeale, Newcastlewest, Ardagh and Rathleale. This section will be 40Km long and when included with the North Kerry Greenway it will be the longest regional Greenway in the country at over 50Km (The Waterford Greenway is 46Km, The Great Western Greenway is 42Km). It will also be the first Greenway to incorporate two different and distinct local planning authorities.

With stated plans by Limerick City and County Council to extend the Greenway from Rathkeale to Limerick City, a city with a population of circa 100,000 people, the potential impact on Listowel, a town of just 4,500 inhabitants in a different planning jurisdiction is far from being insignificant.

While not minimising the potential economic benefits for Listowel, the overall environmental impact on running a 50Km Greenway through an urban park, specifically in relation to

- Population and human health
- Biodiversity
- Land, soil, water, air and climate
- Material assets, cultural heritage and the landscape

is very significant. And particularly on the interaction between the factors above and their combined effects.

I therefore do not believe the planned works are below Environmental Impact Assessment mandatory thresholds and the 2.4Km extension cannot be isolated from the 50Km Greenway. The project needs to be considered in its entirety for screening purposes. Project splitting is not compliant with the EU Directive.

In Case C-142/07 *Ecologistas en Accion-CODA v Ayuntamiento de Madrid*, (2008) the Court of Justice of the European Union (CJEU) held that splitting most of the project into sections that were less than 5Km (the threshold which national legislation required EIA), there was a failure to consider cumulative and indeed indirect aspects of the project.

The Judgement in this case stated 'The objective of the EIA Directive cannot be circumvented by the splitting of projects. Where several projects, taken together, may have significant effects on the environment within the meaning of Article 2 (1), their environmental impact should be assessed as a whole. It is necessary to consider projects jointly in particular where they are connected, follow on from one another, or their environmental effects overlap'.

Given the potential environmental effects of thousands of cyclists, of all ages and abilities, individually and in congregation passing through and by Gurtinard Wood, Saint Michael's Cemetery, Listowel Pitch & Putt grounds not to mention a kids playground, I will be arguing strenuously that a full Environmental Impact Screening Report be first completed.

Having lived in Dublin for 11 years I know full well the consequences of bad planning decisions not least on cyclists and pedestrians.

CE Response:

Kerry County Council acknowledges the submission by Tom McElligott and has the following responses to the specific issues raised. The proposed cycle/walkway from Church Street to Neodata does not form part of the Greenway Project. It is an urban walkway and cycleway link, 1,500 metres in length and funded by the National Transport Authority under the 2021 Active Travel Programme.

This proposed development has been screened for Appropriate Assessment and a Determination Statement, which confirms this project has been considered in combination with other plans and projects, is contained in Appendix B of this Report.

The extension of the Greenway from Listowel to Tralee is a separate project and is currently being developed through the Preliminary Design Stage. It is acknowledged that this future project will form part of a wider project with the aim of linking Greenways from Ardagh, Co. Limerick to Fenit, Co. Kerry. It will be subject to a separate planning process and will also be screened for Appropriate Assessment, including in combination with other plans and projects.

G-8 Listowel Business & Community Alliance

Submission:

I am making this submission on behalf of Listowel Business and Community Alliance re the proposed walkway/cycleway through Gurtinard and Listowel Town Park. The Alliance are very supportive of the Greenway development and wish to commend Kerry County Council for advancing the project. There is no doubt Listowel Town and North Kerry require this development to help strengthen our tourism offering to help reap the financial rewards which have accrued in other counties due to wise investment by Local Authorities and state funding in Greenways and other complimentary outdoor pursuits.

Taking the Greenway route through Gurtinard and Town Park will add greatly to the enjoyment of our visitors and will also help to slow the visitor down and increase their spend in the town.

Our support however is conditional on the development accommodating cyclists and walkers safely. Members of Listowel Municipal Council will be well aware of the huge numbers who use the park on a daily basis. Walkers of all ages, Moms and Dads with buggies and small children, dog walkers and runners currently use the paths without any undue risk. Introducing cyclists on the same path must not discommode these users. Pathways wide enough to accommodate walkers and cyclists with separate areas outlined and delineated will be very welcome. Also safety at all entrances must be maximised off the N69.

We would also ask that facilities/services are provided for walkers/cyclists at the Neodata site which will also help promote Listowel as a welcoming destination.

We look forward to the completion of the Greenway in early 2022. We look forward to working with and cooperating with Kerry County Council into the future.

CE Response:

Submission noted. The proposed development is a combined walkway and cycleway which will be of sufficient width to accommodate both pedestrians and cyclists safely.

G-9 Pat O'Callaghan

Submission:

With regard to the proposed alterations to the road and footpath to accommodate the creation of a cycleway I have a number of issues to raise.

1. Loss of footpath. The existing path, while poorly executed and creeping higher up the walls than previous iterations, serves the purpose of (a) providing a safe, defined pedestrian passageway. (b) providing a relatively safe initial margin for vehicles to move from residents houses onto the road. With this gone and cyclists descending downhill at speed even if just freewheeling, it is a highly dangerous proposal. The distance covered by an average cyclist in one second travelling where the footpath is now gives

the residents or anyone else no reasonable chance of moving onto the road safely. One is bearing in mind that the duty of care will fall on the driver regardless of right or wrong.

2. Shared space for bikes and pedestrians. One should experience exiting a driveway onto a footpath and being met by a cyclist on the downhill sloped footpath before making it the norm. The footpath is used by many walkers at present including a number of special needs individuals who may find it disconcerting to deal with bikes and whose reactions may be nonlinear or unpredictable. There are many elderly walkers and indeed the majority of residents are over 80 years old so benefit from the relative security of a defined path, not the take your chances shared system. The path is used by many pedestrians with dogs on leads and others with buggies often with young children as well.

3. Loss of parking for residents. All parking is to be removed from outside houses. Virtually all of the residents are elderly and have some combination of carers, family, medical personnel and services calling. Visits are regular, irregular, a few minutes or a few hours.

4. Loss of parking for St. Michaels. Busses and cars park up Cahirdown collecting pupils from 15.20, or earlier on half days. Any suggestion that they simply go elsewhere is as facetious as suggesting the school move elsewhere but that is the attitude of officialdom encountered.

5. Loss of parking for the GAA. Any significant games, and also Listowel Races, result in Cahirdown and Gurtinard taking the influx especially from the Tarbert direction.

6. As the shared space concept is bi-directional it further complicates exiting houses. Where currently bikes are not an issue on the town side as traffic from there is on the other side of the road allowing plenty of time to be seen the proposed system eliminates this distance/time safety element.

7. The junction at Gurtinard is marginal for the existing traffic levels, the ambition to add much more is both irresponsible and negligent on the part of both planners and advocates.

8. Cyclist speed. Cahirdown from the roundabout to the Gurtinard junction is not flat. It is a relatively steep gradient with an abrupt 90 degree turn off at the end of a 450mts descent. Cars are large, easily seen, 4mts plus out from the residence exits, have excellent brakes, have excellent safety equipment, have insurance, have legal responsibilities tied to consequences. Cyclists centimetres from residences are small, cannot easily be seen, do not have any viable safety equipment or comparable braking systems, have no insurance and in the event of an accident the vehicle exiting a residence will be held liable regardless of cyclist behaviour. Liability aside, what are the likely injury consequences of a cyclist at a conservative 30 - 50kmh hitting (a) a car which realistically cannot see the bike and the bike cannot realistically avoid? (b) hitting a pedestrian exiting a residence or one already out on the shared space? (c) hitting a dog on a lead?

One might well add other realistic impact scenarios such as buggies and very young kids or infirm elderly.

9. Has the planning authority carried out an Environmental Impact Study on the likely negative and positive consequences for the residents? If so we would like to see it. If not, why has it not been done? If the latter is the case one should be carried out forthwith.

10. What Impact Study has been conducted on the negative effects for the town of insisting that existing and anticipated new users of the Cows Lawn must transit through the town to its opposite side to park, especially to walk back in the direction they have just come from? Listowel is already unable to handle existing traffic levels. Every extra vehicle forced through town is added pollution, added congestion, added delay, added frustration, added danger of accident especially at the junctions to the Community Centre and Neodata car-parks and along the Bridge Road.

11. The whole process to date has been a sad example of non consultation with locals. It is not axiomatic that simply calling something a 'Greenway' makes it good or that using public funding simply to avoid losing it is right. If it is not right now is the time to stop it and get it right. Furthermore, it is at best disingenuous to not organise to meet current users and residents yet say no one really has come out against the proposal. It is disingenuous on many levels. The road surface is a disgrace for years but because residents are not protesting hardly indicates they are ok with it; more likely it indicates that while they are furious they are elderly and not going to actively protest ie. they can be ignored by planners and politicians. It is disingenuous because putting up a handful of small notices with small print which could be just another house planning application is not informative. It is

disingenuous and obfuscation, even if technically correct, to use Upper Church Street on the notices and not Cahirdown at least in brackets. It is disingenuous to have non scale diagrams of the proposed layout depicting two adults and a child side by side on the path on the opposite side and on the shared space when the path opposite is not that wide and it would be foolhardy for such a pedestrian trio to hold that formation with a cyclist approaching at any speed.

It is disingenuous knowing in the case of the local public representatives, or possibly not bothering to find out in the case of planners, that the residents are too elderly and in some cases quite unwell, and yet in the height of a pandemic to rail road this through while saying there has been no objection or protest.

12. Public Representatives and planners should consult openly with residents and their families and also with existing pedestrian users of Cahirdown, the Cows Lawn and John B. Keane road. As responsible planners and representatives it is their duty to indicate not just the positives but equally all the negatives so people are properly informed about any project. Only then can a proper and justifiable decision be reached.

Currently cyclists cover the distance from the roundabout to Gurtinard junction in 20 - 35 seconds handicapped by the appalling road surface. On the left side descending Cahirdown there are 15 residences and an estate accessing the road not including either the roundabout or Gurtinard junction A simple non scientific study indicates with 16 exits cyclists will pass each exit to the next in 1 to 2 seconds. Do planners and public representatives really believe that this is a viable and responsible planned safety margin for both residents and cyclists to react within?

Keep in mind that leaving a residence and joining the road under the proposed plan will entail traversing at least 4 meters of shared space with the road centre line moved towards the opposite side. The opposite side will therefore also lose its parking bar a proposed 4 spaces for the whole of Cahirdown. On the side opposite the cycleway there are also 2 estates and residences feeding into the traffic system. Again, bar a handful, these are elderly people with already or fast approaching similar needs for carers, family, services and medical assistance to those of their slightly older neighbours across the road (80's - 90's v 70' - 80's)

The current plan takes neither the legitimate rights or concerns of residents, their families, carers etc. or current pedestrians into consideration. Nor does it show any regard for road safety, increased town congestion and corresponding pollution. A proper Impact Study to question not simply justify and rubberstamp the development is essential immediately.

CE Response:

Kerry County Council acknowledges the submission by Pat O'Callaghan and has the following responses to the specific issues raised.

Items 1,2,3,4,5,6,8,9,11 and 12: Relates to N69 Upper Church Street, Listowel, Traffic Calming and Enhanced Pedestrian Facilities proposal and will be addressed in that report.

Item 7: The proposed works at the junction of Gurtinard and Upper Church Street incorporate a raised shared space and ramps to control speeds.

Item 10: The proposed development is a combined walkway and cycleway which will be of sufficient width to accommodate both pedestrians and cyclists safely. In relation to vehicular traffic through the town, it is noted that the construction of the N69 Listowel Bypass will remove significant volumes of through traffic from the town.

G-10 Eugene T Moriarty

Submission:

I would like to express my full support for these plans to improve and extend facilities for the people of Listowel, North Kerry and for all the visitors who are bound to utilise these facilities from around the world in future years.

These plans have undoubtedly required and immense amount of effort, work and skill by everyone who contributed thus far. Not least, the highly skilled engineering, planning and administrative departments of Kerry County Council along with our elected representatives who have all collectively advanced this initiative to this stage. Thank you.

I am a lifelong athlete who has been lucky enough to have resided in Amsterdam the Netherlands and have seen and experienced first hand how initiatives of this type have contributed to the long term safety, improved health, more cohesive and inclusive community as well as the large positive impact it can have on local economies that are not so evident at first glance.

Observations

My main observations are that elements of the Dutch model for traffic management and calming have been exceptionally well tested and proven over time and may warrant further consideration in terms of these plans.

In particular the raised nature of separate bike lanes – physically distinct from shared pathways with pedestrians which have tended to eliminate the cause of conflict when otherwise amalgamated as a shared one – where space allows of course.

Something that may also be worth consideration – and it is not always possible or practical – is the inclusion of a continuous raised cycle/pathways at junctions and roundabouts which protects non vehicular traffic and also with the inclusion of a space roughly the length of a regular car to allow vehicles turning off a busy roadway the ability to pull of in the direction they need to travel – allowing traffic behind it to flow – which reduces conflict with non-vehicular movements and improves visibility. This is equally valuable where driveways to private homes are concerned.

I would also urge consideration of the use of low rolling resistance tarmacadam for the bike lanes specifically.

CE Response:

Submission noted. In this case there isn't sufficient width available to accommodate all of these proposals. However, the combined walkway and cycleway will be of sufficient width to accommodate both pedestrians and cyclists safely.

G-11 G Moriarty & Sons

Submission:

Our team would like to express its full support for this initiative and congratulate everyone involved in bringing it to this stage

We already look forward to its implementation and the positive benefits that are sure to accrue to the locality as a result.

CE Response:

Submission noted.

G-12 Anne O'Callaghan

Submission:

I wish to submit the following comments and observations in relation to the proposed alterations to accommodate the creation of a cycle/walkway contained in the proposed development Part 8 - Upper Church St to Neodata cycle/walkway and Part – 8 N69 Upper Church St Traffic Calming and Enhanced Pedestrian Facilities.

- The proposed loss of dedicated footpath represents a significant safety risk for residents and other pedestrians, as well as a reduction in their existing use and enjoyment of this essential safety infrastructure. Many of the residents are elderly or children who would be particularly at risk in the event of a loss of the dedicated footpath. It is not clear why this essential infrastructure which is required and enjoyed by the residents and local pedestrians, would be removed to facilitate cyclists who are not residents and just passing through.
- The proposed shared space for bikes and pedestrians represents a clear risk and loss of current use and enjoyment of the existing infrastructure. It is not clear why the needs of residents and other pedestrians (many elderly and children) are considered less important than cyclists passing through.
- Parking:
 - o The proposed changes would result in a loss of current parking places for local residents and motorists calling to them (such as family members, delivery services, carers, service providers, etc.), which represents a potential safety risk and a loss of current use and enjoyment of this infrastructure for local residents.

- o There would be a loss of safe parking spaces at schools on the route, with no alternative safe and convenient alternative parking in place or proposed.
- o There would be a loss of parking at the sports grounds (Frank Sheehy Park) which would reduce the current use and enjoyment of local residents, participants, officials and spectators. It would also likely lead to an increased safety risk as access to the grounds would be obstructed by the proposed new cycle/walkway. Also, the loss of parking would likely lead to cars being parked in nearby residential areas, increasing congestion in those residential areas, and increasing the safety risk to local residents (including many elderly and children).
- o In relation to the above, it is not clear why the safety needs of the local residents and their use and enjoyment of the current infrastructural arrangements are considered less important than facilitating cyclists passing through.
- Access to residences: The proposed two-way cycle-footway would clearly pose an increased safety risk for residents accessing their homes, by impeding clear access/egress and obstructing clear view of oncoming traffic. It would also reduce the existing use and enjoyment of the current infrastructure. It is not clear why the safety needs of the local residents and their use and enjoyment of the current infrastructural arrangements are considered less important than facilitating cyclists passing through.
- Congestion: there are a significant number of private houses and several housing estates on the route, a roundabout and several junctions that would be impacted by the proposed alterations. In addition to the increased safety risks the proposed walk/cycle way changes would pose to these residents, there would also be increased congestion. It is not clear why the local residents' safety needs and their use and enjoyment of their homes and neighbourhoods are considered less important than facilitating cyclists passing through.

In view of the comments and observations above, which are just a small sample of the many issues raised by the proposed changes, it seems the approach to date lacks consideration of the safety risks and the impact on local residents. I would suggest that:

(i) A comprehensive safety assessment should be carried out on each of the proposed changes and the results made publicly available and assessed independently before any further steps are taken on the proposed alterations. (ii) The local residents, schools, sports organisations, etc. should be consulted on each of the proposed changes and their impact, and their views reflected in any decisions made in relation to the proposed changes.

CE Response:

Kerry County Council acknowledges the submission by Anne O'Callaghan and has the following responses to the specific issues raised.

The majority of points raised relate to N69 Upper Church Street, Listowel, Traffic Calming and Enhanced Pedestrian Facilities proposal and will be addressed in that report. It should be noted that the existing footpath in the Gurtinard housing estate is to be retained and widened to 1.5m. The proposed development is for a combined walkway and cycleway which will be of sufficient width to accommodate both pedestrians and cyclists safely

G-13 Sean Heaphy

Submission:

In relation to the proposed development and works presented in the site notice, within the townlands of Ballgowloge and Listowel for the construction of a new cycle / walkway and all ancillary works for the delivery of the project, I would like to express my full support as a business owner, employer and resident within the town of Listowel.

The Greenway is very much welcomed and an excellent opportunity to develop new initiatives, to provide wonderful experiences for visitors and locals, serve as an environmentally friendly economic catalyst towards improving the quality of life for those along the walkway and in the surrounding environs. The proposed route will display the natural beauty of the Feale and town park and promote a longer stay in the town, which in turn will lead to extra spend within the town, which is very much welcome.

H2Group unequivocally supports the development along the proposed route of the new cycle/walkway.

CE Response:

Submission noted.

G-14 Brenda Woulfe

Submission:

I wish to affirm that as a ratepayer and resident of Listowel I fully support Proposal 2 for the Greenway.

CE Response:

Submission noted.

3. Proper Planning and Sustainable Development

Evaluate the Proposed Development with Respect to the Proper Planning and Sustainable Development of the Area

The need for the proposed scheme is supported by European, National, Regional and Local Policies.

The development is consistent with the following National, Regional and Local Plans and

Strategies:

- Project Ireland 2040: The National Planning Framework
- Project Ireland 2040: National Development Plan 2018-2027
- Smarter Travel: A New Transport Policy for Ireland 2009-2020
- The National Cycle Policy Framework, 2009 – 2020
- Strategy for the Future Development of National and Regional Greenways- July 2018
- South West Regional Assembly – Regional Planning Guidelines 2010-2022
- Kerry County Development Plan 2015-2021
- The Kerry Local Economic and Community Plan 2016 - 2021
- County Kerry Tourism Strategy and Action Plan 2016-2020

Relevant supporting planning policies and objectives from each of these documents is set out in detail in APPENDIX 3 of this report.

The resulting benefits of the scheme are far reaching and will address the identified need for the project in the area. The benefits can be summarised and grouped into six main categories:

- It will act as a catalyst for increased tourist visiting the area
- It will generate increased economic activity
- It will promote rural regeneration – agri-tourism
- It will enhance cultural and heritage awareness and community identity
- It will provide an accessible recreational amenity for local use
- It will improve health and wellbeing in the Local Community through active living

This proposed combined walkway and cycleway will provide enhanced infrastructure in the town centre and will promote a modal shift from transit by motor vehicle to more sustainable alternatives of walking and cycling.

This is a unique local asset and one which can be utilised for the benefit of the local community. The health benefits of cycling are universally recognised, and the promotion of cycling is enshrined at all levels of national and local policy.

Aside from the intrinsic amenity and health benefits associated with walkways and cycleways, the economic benefits for the area are also a major consideration.

As part of this planning proposal an Environmental Impact Assessment (EIA) screening report was prepared and determined that the proposed work, individually, and in combination with other plans and projects, is not one which requires a Mandatory EIA and is not likely to have a significant effect on the environment. An Environmental Impact Assessment (EIA) is not required in this instance.

An appropriate assessment screening was also prepared for the proposed project and determined that the proposed work, individually, and in combination with other plans and projects, is not likely to have a significant effect on a European site (Natura 2000 Site), and as such, a Stage 2 Appropriate Assessment / Natura Impact Statement is not required in this instance.

4. Proposed Amendments

There are no proposed amendments to the development as published.

It is recommended that the proposed development should proceed without amendments.

5. Recommendations

It is considered that the proposed development with regard to Section 179 of the Planning and Development Act 2000 (as amended) is in accordance with the proper planning and sustainable development of the area.

Kerry County Council has concluded that an EIA (Environmental Impact Assessment) is not required.

Kerry County Council has concluded that an AA (Appropriate Assessment) is not required.

It is recommended to proceed with the proposed development without modifications.

Signed By:



John Kennelly
Listowel Municipal District Manager

Appendix A. Supporting Planning Policies and Objectives

Project Ireland 2040: The National Planning Framework

As a strategic development framework, Ireland 2040 - Our Plan sets the long-term context for the country's physical development and associated progress in economic, social and environmental terms.

The vision for Ireland in 2040 is:

For the highest possible quality of life for people and communities, underpinned by high quality, well managed built and natural environments.

Sustainable self-reliance based on a strong circular economy and significant progress towards a low carbon, climate-resilient society while remaining an open, competitive and trading economy.

The Framework sets out the key goals and objectives for the State, and central to this framework is the theme of Planning and Investment to Support Rural Job Creation in particular:

"The development of greenways, blueways and peatways offer a unique alternative means for tourists and visitors to access and enjoy rural Ireland. The development of a strategic national network of these trails is a priority and will support the development of rural communities and job creation in the rural economy, as well as the protection and promotion of natural assets and biodiversity."

The NPF is supported by a series of National Strategic Outcomes which the Framework seeks to deliver. The most pertinent Outcomes in the context of the proposed development are as follows:

National Strategic Outcome 3: Strengthened Rural Economies and Communities

"A strong start has also been made in the development of a national long-distance Greenway/ Blueway Network. Such a network, including rural walking, cycling and water-based recreation routes, as well as 'peatways', has demonstrated major potential to bring new life to regional and rural locations through the "win-win" scenario of increased tourism activity and healthier travel. Developing this network further will diversify our rural economy by embracing the potential for a major expansion in the demand for activity based tourism."

National Strategic Outcome 7: Enhanced Amenities and Heritage

"Attractive places include a combination of factors, including vitality and diversity of uses, ease of access to amenities and services supported by integrated transport systems and green modes of movement such as pedestrian and cycling facilities. Appealing places are also defined by their character, heritage and sense of community. This includes attractive buildings and street layouts, civic spaces and parks and regeneration of older areas and making places feel safe through active use and design."

The proposed Greenway aligns itself with both the strategic outcomes and objectives of this framework. The relevant National Policy Objectives in support of the proposed development are set out hereunder:

Objective No.	The National Planning Framework
National Policy Objective 16	Target the reversal of rural decline in the core of small towns and villages through sustainable targeted measures that address vacancy and deliver sustainable reuse and regeneration outcomes.
National Policy Objective 17	Enhance, integrate and protect the special physical, social, economic and cultural value of built heritage assets through appropriate and sensitive use now and for future generations.
National Policy Objective 18a -	Support the proportionate growth of and appropriately designed development in rural towns that will contribute to their regeneration and renewal, including interventions in the public realm, the provision of amenities, the acquisition of sites and the provision of services.
National Policy Objective 21 -	Enhance the competitiveness of rural areas by supporting innovation in rural economic development and enterprise through the sustainable diversification of the rural economy into new sectors and in particular those with a low or zero carbon output
National Policy Objective 22	Facilitate the development of a National Greenways/Blueways and Peatways Strategy which prioritises projects on the basis of achieving maximum impact and connectivity at national and regional level.
National Policy Objective 27	Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.

National Policy Objective 64	Improve air quality and help prevent people being exposed to unacceptable levels of pollution in our urban and rural areas through integrated land use and spatial planning that supports public transport, walking and cycling as more favourable modes of transport to the private car, the promotion of energy efficient buildings and homes, heating systems with zero local emissions, green infrastructure planning and innovative design solutions.
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Project Ireland 2040: National Development Plan 2018-2027

The National Development Plan 2018-2027 (NDP), published in February 2018 in tandem with the National Planning Framework (NPF), seeks to drive Ireland’s long term economic, environmental and social progress over the next decade, in accordance with the spatial planning context of the NPF.

The key role of the NDP is to set out the updated configuration for public capital investment over the next 10 years to achieve the National Strategic Outcomes as set out within the NPF.

National Strategic Outcome 3, Strengthened Rural Economies and Communities

The NDP outlines a number of key rural initiatives, that set out to revitalise rural areas and to enhance economic growth. The Rural Recreation Infrastructure Scheme is regarded as the most applicable scheme to the proposed greenway project:

“The Rural Recreation Infrastructure Scheme supports the development and necessary maintenance, enhancement or promotion of recreational infrastructure throughout Ireland in light of the huge potential to develop the economic value of Activity and Recreational Tourism by Local Authorities, State Agencies and communities. Initiatives funded covered a broad spectrum, and range from walking trails to greenways and blueways.”

Investment in activity based tourism, including greenways, is recognised as a priority over the duration of the NDP lifespan, which will comprise of measures to support further regional investment in existing experience brands, including the Wild Atlantic Way.

Chapter 5: National Strategic Outcomes and Public Investment Priorities, summarises the status of greenway strategies within the State, anticipating the ongoing development of greenways over the duration of the NDP.

The National Development Plan reiterates the core national strategic objectives and outcomes of the National Planning Framework. The NDP earmarks future investment in greenways and recreational based tourism across the State over the duration of its lifespan.

Smarter Travel: A New Transport policy for Ireland 2009-2020

Smarter Travel – A Sustainable Transport Future, prepared by the Department of Transport, sets out a broad vision for the future of transportation in Ireland and establishes associated objectives and targets.

The main objectives are to reduce dependency on car travel and long-distance commuting, increase public transport modal share and encourage walking and cycling in line with national policies such as the National Cycle Policy Framework. This policy document sets out key goals, targets and actions, by 2020 and include the following:

“Our vision is to create a strong cycling culture in Ireland and ensure that all cities, towns, villages and rural areas will be cycling friendly. Cycling will be a normal way to get about, especially for short trips. Next to walking, cycling will be the most popular means of getting to school, both for primary and secondary school.”

The proposed greenway will act as a connectivity link between the local communities and in turn encourage a cycling culture locally.

The National Cycle Policy Framework, 2009 – 2020

The National Cycle Policy Framework 2009 – 2020 aims to provide a common, integrated basis for the long-term development and implementation of cycling policies among various sectors and levels of government.

The National Cycle Policy Framework outlines key objective which are relevant to the creation of cycle friendly environments including greenways. These key objectives are outlined hereunder:

Objective No.	The National Cycle Policy Framework, 2009 – 2020
Objective 1	Support the planning, development and design of towns and cities in a cycling and pedestrian friendly way
Objective 3	Provide designated rural signed cycle networks providing especially for visitors and recreational cycling
Objective 4	While the main target of the cycle tourism strategy is visitors-both overseas and domestic-the secondary target market is recreational cyclists. From the perspective of the National Cycle Policy Framework encouraging recreational cycling is a key element of creating a

	cycling culture in Ireland and recreational routes in and around urban areas, which, in turn link to rural areas are very important
Objective 5	Ensure that all the surfaces used by cyclists are maintained to a high standard and are well lit
Objective 6	Ensure that all cycling networks – both urban and rural – are signposted to an agreed standard

Strategy for the Future Development of National and Regional Greenways (July 2018)

The objective of this Strategy is to assist in the strategic development of nationally and regionally significant Greenways in appropriate locations constructed to an appropriate standard in order to deliver a quality experience for all Greenways users. It also aims to increase the number and geographical spread of Greenways of scale and quality around the country over the next 10 years with a consequent significant increase in the number of people using Greenways as a visitor experience and as a recreational amenity.

Project Ireland 2040 National Planning Framework and the National Development Plan 2018-2027 note that creating the environment to support job creation in rural areas will be a key enabler to rejuvenating rural towns and villages, sustaining vibrant rural communities and reversing population decline. It recognises that “[T]he development of Greenways, Blueways and Peatways offer a unique alternative means for tourists and visitors to access and enjoy rural Ireland. The development of a strategic national network of these trails is a priority and will support the development of rural communities and job creation in the rural economy, as well as the protection and promotion of natural assets and biodiversity.” A strategic policy objective of Project 2040 is to facilitate tourism development and in particular a National Greenways, Blueways and Peatways Strategy, which prioritises projects on the basis of achieving maximum impact and connectivity at national and regional level.

South West Regional Planning Guidelines 2010-2020

The current South West Regional Planning Guidelines formulate public policy for the functional administrative areas of Kerry County Council, Cork County Council and Cork City Council. The RPGs are clearly linked to and support national investment priorities and are designed to strengthen integrated approaches to policy making and planning at local level, in line with the national planning framework.

Sustainable growth is a key theme of the Guidelines, relating to the development and strengthening of the regional economy; the quantum and location of future housing; environmental improvement and sustainable living with a high level of service integration, all within the context of heightened protection of the region’s biodiversity.

As outlined in Section 1.3.40 of the South West Regional Authority Regional Planning Guidelines 2010 – 2022:

‘The unique landscape and diversity of the South West region has the potential to further contribute to the overall quality of life and attractiveness of the south west as a location in which to settle or visit. Among such is the potential in the region to sustainably develop significantly more walking and cycling routes, yachting marines and other sporting, recreational, cultural and heritage facilities.’

Section 3.2.24 Rural Economy and Diversification of the Regional Planning Guidelines states that:

“The traditional mainstays of rural employment have been in decline for some time. Mechanisation and technological advances have contributed significantly to this decline. There is a need for new initiatives which will support rural diversification, innovation and enterprise development:

- Facilitate innovative approaches to identify new products and markets to increase rural employment (in the existing sectors).
- New sustainable tourism initiatives in appropriate locations.”

The relevant objectives in support of the proposed development are set out hereunder.

Objective No.	South West Regional Planning Guidelines 2010-2020
	It is an objective to;
RES-03 Tourism	Protect existing tourism assets in the region and develop additional sustainable facilities for activity holidays, urban and rural tourism.
RES-05 Rural Diversification	Promote rural diversification through building local rural capacity by upskilling and making appropriate provision in development and local plans to foster local entrepreneurial activity and encouraging innovative and sustainable economic activity.
RTS-03 Cycling and Walking	Encourage the development of strategies for walking and cycling that promote the goals and aspirations of Smarter Travel and the National Cycle Policy Framework. Specifically, the region’s local authorities should prepare plans for improvement to the cycling and

	walking networks in urban areas, linking areas of population growth and employment, in a sustainable manner.
REAS-07 Social and Community Infrastructure	Continuously improve the quality of life for residents of and visitors to the region and to create an increased awareness of sense of place.
	Ensure that social and community infrastructures in terms of housing, educational, public transport, recreational and health facilities are developed in a timely and sustainable manner to cater for increasing population levels. Special care needs to be taken to ensure that adequate levels of essential service provision continues in rural area of the region.
	It is an objective to encourage local authorities to protect and enhance public open space and recreational facilities in a sustainable manner and recognise the importance of protection of urban wildlife corridors and sites of nature conservation importance.

Kerry County Development Plan 2015-2021

The Kerry County Development Plan, adopted in February 2015, sets out the strategic framework for the sustainable development and land use planning for the County of Kerry from 2015 to 2021.

The Planning and Development (Amendment) Act 2010 amended section 10 of the Principal Act by introducing the requirement of a Core Strategy that shall "ensure that the development objectives in the Development Plan are consistent, as far as possible, with national and regional development objectives set out in the National Spatial Strategy/National Planning Framework and Regional Planning Guidelines". Among the strategic aims of core strategy are:

Set out a vision and blueprint for the future sustainable development of the County and maximise the counties potential in the context of the South West region.

Support sustainable tourism development in Kerry and strengthen the contribution that tourism makes to the local communities, culture and economy of the County.

Promote and support the integration of land use and transport and encourage modal shift to greater use of sustainable modes of transport, including public transport, walking and cycling.

As a mechanism to achieving these strategic aims, The County Development Plan encourages the sustainable development of walking and cycling routes, through the re-use of the existing former railway lines as 'greenways' for the purposes of promoting cycling and walking. The relevant policies and objectives in supports of the proposed development are set out hereunder. Of these, Objective T-27 is particularly pertinent.

Objective No.	Kerry County Development Plan 2015-2021 Tourism and Recreation
	It is an objective of the Council to;
T-5	Promote the sustainable development of tourist related infrastructure such as transport access, appropriate facilities and high-quality tourist accommodation, in appropriate locations where proposals are in accordance with the provisions of this Plan.
T-10	Support and facilitate, in conjunction with other bodies and agencies, the sustainable development of Kerry as a world class destination for sports and recreation related tourism.
T-11	Promote and facilitate the sustainable development of outdoor activities, in appropriate locations, such as walking, rambling, cycling and adventure with specialised wellness centres and facilities in association with Tralee IT, Failte Ireland, National Trails Office, Irish Sports Council, Kerry Education and Training Board and other relevant National and County based department and agencies.
T-20	Facilitate the sustainable provision, at appropriate locations, of a network of quality pathways and associated car parks for walkers and cyclists and horse riders that are attractive and free of vehicle traffic.
T-23	Actively encourage and seek to facilitate appropriate and sustainable development of integrated cycle routes throughout the County in association with other agencies.
T-26	Co-operate with the National Trails Office, Fáilte Ireland, National Way Marked Way Advisory Council and other relevant bodies, in order to support the sustainable development, maintenance and enhancement of the trail development throughout the County, both urban and rural, in an environmentally sustainable way.

T-27	Promote and facilitate the sustainable re-use of existing former railway lines for amenity purposes, such as cycleways, walkways and other recreational activities in order to develop a network of 'green routes' throughout the County.
T-28	Support the sustainable development of a national cycle network and the development of a EuroVelo project, in particular the Atlantic Coast route where it passes through the County

Objective No.	Kerry County Development Plan 2015-2021 Transport and Infrastructure
	It is an objective of the Council to;
RD-4	Facilitate the sustainable provision of the necessary Infrastructure at appropriate locations, required to promote sustainable economic and social development of the County.
RD-8	Support sustainable travel in the County and implement the key goals, targets and actions as contained in Smarter Travel- A Sustainable Transport future – A New Transport Policy for Ireland 2009-2020 and the National Cycle Policy Framework.
RD-13	Encourage an increase of non-car based transport within the County.
RD-14	Promote the sustainable development of walking, cycling, public transport and other sustainable forms of transport such as car sharing and car-pooling, as an alternative to private car, by facilitating and promoting the development of necessary infrastructure and by promoting initiatives contained in Smarter Travel, A Sustainable Transport Future 2009-2020.
RD-28	Promote the sustainable development of walking, cycling, public transport and other sustainable forms of transport as an alternative to private car, by facilitating and promoting the development of necessary infrastructure and by promoting initiatives contained in Smarter Travel, A Sustainable Transport Future 2009-2020.
RD-30	Support the sustainable establishment of a network of "Greenways" as outlined in Table 7.4 within the County and adjoining Counties where it can be demonstrated that the development will not have a significant adverse effect on the environment, including the integrity of a Natura 2000 network. (Table 7.4 - from Farranfore to Caherciveen/ Renard Point).
RD-31	Support the sustainable establishment of a network of interlinked cycle ways and walk ways within the County and the adjoining Counties including: Tralee-Fenit, Lough Leane Loop, Glenbeigh-Renard Great Southern Trail Ballyseedy-Blennerville-Spa and linking them where possible, where it can be demonstrated that the development will not have a significant effect on the environment, including the integrity of the Natura 2000 network.
RD-33	Protect all existing or historical rail lines and associated facilities from redevelopment for non-transport related purposes in order to protect their future use as an operational transportation networks or for green cycle or walking routes.

This plan also promotes sustainable growth by encouraging rural enterprise and rural diversifications. Objective ES-28(13) supports the provision of farm-tourism enterprises such as the renovation of farm buildings for tourism purposes, walking, cycling, angling, pony trekking and bird watching, subject to compliance with normal planning criteria and development management standards.

The Kerry Local Economic and Community Plan

The Kerry Local Economic and Community Plan 2016-2021 sets out the actions and objectives for the promotion and strengthening of the economy and communities of Kerry.

Through the development of a coordinated interagency approach, The Kerry Local Economic and Community Plan identifies three aspects (socio-economic statements) to guide the formation of objectives to tackle the key economic and community concerns for Kerry.

These are as follows:

Economic Development and Job Creation - To promote a robust and diverse economy, supported by a well-developed education and training model, enabling a sustainable population and vibrant communities throughout the county.

Quality of Life - To promote a high quality of life, based around a clean natural environment, good quality local services, a strong sense of place and culture and meaningful participation in decision making.

Community and Social Inclusion - To promote social and economic inclusion and reduction of social inequalities, particularly targeting areas and communities in Kerry experiencing social disadvantage, marginalised groups or those at risk of exclusion.

These socio-economic statements have assisted in the formation of a number of goals, objectives and actions. The goals, objectives and actions in supports of the proposed greenway are set out hereunder.

Goal	Objective	Action
1.3 Sustainably Maximise Growth Opportunities for Kerry	1.3.8 Actively promote the sustainable development of tourism in the county through the development and implementation of appropriate plans and strategies.	1.3.8.3 Undertake further work on route options and feasibility studies for potential development of Greenways in the county, in line with national Greenways guidelines.
		1.3.8.4 Further to proper planning and sustainable development support completion of existing Greenway development (South Kerry, North Kerry and Fenit Greenways) and investigate the feasibility of linking up the North and South Kerry Greenways.
2.5 Promote population health & well-being drawing on the social determinants of health (covering social aspects including education, environment, sport & physical activity, housing, economic status)	2.5.2 Promote an increase in physical activity levels across the county for all.	2.5.2.1 Promote and develop free recreation facilities as part of a drive to increase physical activity levels and opportunities in the county for all. This work programme to be carried out in cooperation with the Kerry County Tourism Strategy.
3.8 To ensure that appropriate needs based social and community infrastructure is prioritised in creating sustainable communities and a sense of belonging for both new and more established areas throughout the county	3.8.8 Improve the liveability of communities through improved local facilities	3.8.8.1 Support the development of safe walking routes and other recreation opportunities in communities involving vulnerable road users in the design, included in which should be better signage and mapping facilities

County Kerry Tourism Strategy and Action Plan 2016-2022

The County Kerry Tourism and Action Plan, adopted in July 2016, set out the priorities and investment plans for the county over the 2016 to 2022 period. The County is hugely dependant on Tourism with one in five employed in this Sector at the present time. The visitor numbers are growing – 1.7 million visitors to the County, and this Plan shows how vital it is that the County has a shared vision and a shared ambition to support this expanding Industry and Enterprise.

The Tourism Strategy works to the principles of the National Tourism Policy as outlined in ‘People, Place & Policy – Growing Tourism to 2025’ and forms an integral part of the County Kerry Local Economic and Community Plan.

This plan recognises that physical infrastructure forms an integral part of Kerry’s tourism package. Infrastructure determines the future growth potential of the region, its competitiveness and has a direct bearing on the visitor’s holiday experience and whether or not the visitor will return and recommend the destination to others. It covers many areas including transportation links, infrastructure, and product development, quality of the environment, and visitor facilities among others.

Developing and enhancing Kerry’s tourism infrastructure is a key of objective of this strategy.

A key priority in achieving this objective includes upgrading visitor facilities at seaside resorts, trail heads and link up Greenways, walking and cycling trails. One of the key actions identified this plan is the development of greenways, throughout the County and in particular from Reenard to Glenbeigh, as set out in action 1.7 Greenway of this plan

Listowel Municipal District Local Area Plan 2020-2026

The Plan has the following objectives:

Objective No.	Listowel Municipal District Local Area Plan 2020-2026 Transport and Infrastructure
	It is an objective of the Council to;
LS-CI-01 & LS-AI-03	Facilitate the interconnection of existing and proposed cycle paths and greenways throughout the county. Develop a masterplan for all cycle paths and greenways in the county prioritising the coherence of the network and linking greenways to the urban centres
LS-CI-02	Promote a more cycle friendly environment through the provision of improved cycling infrastructure. Development in urban areas shall have regard to the 'National Cycling Manual' (National Transport Authority, June 2011.)

**Planning Authority
Preliminary Environmental Impact Assessment Screening Report
Conclusion Statement For**

1. The proposed N69 Upper Church Street and College Road, Listowel Pavement Improvement and Traffic Calming and Enhanced Pedestrian Facilities project, and
2. The Proposed cycleway/ walkway between the N69 (Gurtinard housing estate entrance) and the former Neodata site (adjacent to the town park) in Listowel project.

When taken together the combined project would link the permitted North Kerry Greenway at the N69 Ballygowloge roundabout to the former Neodata site adjacent to the Town Park (Childers Park), Listowel.

Environmental Impact Assessment Preliminary Screening Conclusion Statement

Kerry County Council concludes that these projects are not ones which requires EIA Screening or EIA, either by themselves or cumulatively. The Preliminary EIA Screening Examination prepared by the Environmental Assessment Unit contains a fair and reasonable assessment. That assessment is adopted as the assessment of Kerry County Council.

Reasons for Conclusion

- The proposal is substantially below relevant mandatory EIA thresholds.
- There are no potential cumulative or in combination effects likely to arise.
- There is no real likelihood of significant effects on the environment arising from the proposed development.

Signed:


Michael Scannell

**Director of Services / Stiúrthóir Seirbhísí, Economic & Community
Development / Forbairt Eacnamaíochta & Pobail**

Date:

24/3/2021

**Planning Authority Habitats Directive Appropriate Assessment
Screening Determination Statement for**

1. The proposed N69 Upper Church Street and College Road, Listowel Pavement Improvement and Traffic Calming and Enhanced Pedestrian Facilities project, and
2. The Proposed cycleway/ walkway between the N69 (Gurtinard housing estate entrance) and the former Neodata site (adjacent to the town park) in Listowel project.

When taken together the combined project would link the permitted North Kerry Greenway at the N69 Ballygowloge roundabout to the former Neodata site adjacent to the Town Park (Childers Park), Listowel.

Stage 1 Appropriate Assessment Screening Statement

Kerry County Council as Competent Authority determines that the proposed works, individually or cumulatively and in combination with other plans and projects, are not likely to have a significant effect on a European site (Natura 2000 Site), and as such, a Stage 2 Appropriate Assessment / Natura Impact Statement is not required.

It is considered that the AA Screening Report prepared by the Environmental Assessment Unit, contains a fair and reasonable assessment of the likelihood of significant effects of the development on European sites. That assessment is adopted as the assessment of Kerry County Council. It is noted that the exclusion of likely significant effects is based wholly on objective information and that there is no reliance on any measures intended to reduce or avoid impacts on European Sites.

Reasons for Determination

- The nature and scale of the works required to facilitate the construction works, which are not complex, and which make use of existing pathways and road infrastructure.
- The location of the works outside of Natura 2000 site designations.
- The habitats found within and adjoining the site are not annexed habitats. There is therefore no potential for direct impacts on Qualifying Interest habitat associated with Natura 2000 sites.
- The potential for indirect impacts by way of water pollution arising from construction activities or otherwise can be ruled out having regard to the scale of pollution possible, to the natural buffering capacity available in the connecting landscape and to the natural dissipation and assimilation capacities of receiving waters.
- The proposal has no potential to disturb Qualifying Interest species or to affect their movements in the landscape, either at the construction or operational stage.

Signed:



Michael Scannell

**Director of Services / Stúirthoir Seirbhísí, Economic & Community
Development / Forbairt Eacnamaíochta & Pobail**

Date:

24/2/2021



Kerry County Council

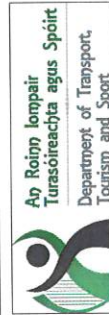
UPPER CHURCH STREET TO NEODATA (LISTOWEL)

PART 8 - PLANNING APPLICATION



DRAWING CONTENTS

202101-100-00	Contents	202101-100-04	Separation Fencing and Schematic Views
202101-100-01	Scheme Layout Map - Vector	202101-100-05	Woodland Trail Details
202101-100-02	Scheme Layout Map - Orthos	202101-100-06	Gurtinard Road Accommodation Works
202101-100-03	Section and Schematic Views	202101-100-07	Gurtinard Shared Space Details



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KERRY COUNTY COUNCIL

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Deputy Chief Executive,
Kerry County Council.

Dr. Donal O'Sullivan (Chair)

Mr	Ms	Mr	Ms	Mr	Ms	Mr	Ms	Mr	Ms	Mr	Ms	Mr	Ms	Mr	Ms	Mr	Ms

Mr. Donal O'Sullivan (Chair)

Upper Church Street to Neodata Cycle / Walkway

Contents Sheet

Project Ref: 202101
Title: Upper Church Street to Neodata Cycle / Walkway
Client: Kerry County Council
Date: 15 May 2021

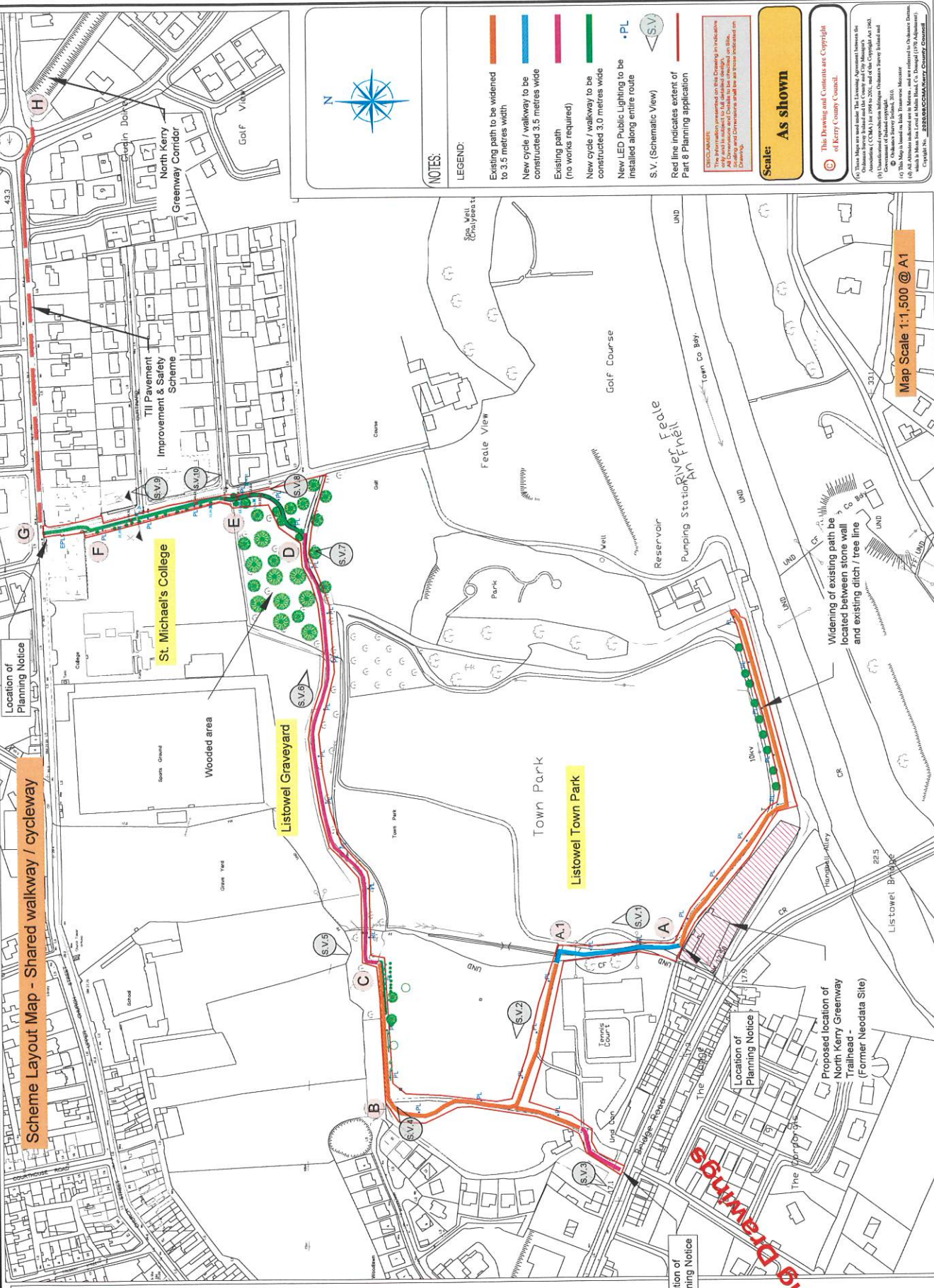
Part 8 Application
202101
100-00

NORTH KERRY GREENWAY LINK-

Upper Church Street to Neodata Cycle / Walkway

- A - Entrance at future trail-head
- (A) to (A₁) - Pipe existing open drain and construct new footpath adjacent to existing earth mound.
- (B) - Existing path to be re-aligned to protect and retain existing mature trees.
- (B) to (C) - Erect Paladin separation fence between path and pitch & putt course.
- (C) - Retain existing gate and widen to opposite side to accommodate 3.5m wide shared path / cycleway.
- (D) to (E) - Create a new section of greenway within wooded area, taking into consideration protection of mature, native trees. Route selected to protect mature trees
- (E) - Install a new piped culvert to maintain existing open drain.
- (E) to (F) - Remove existing row of damaged tree's. Widen existing public road serving the residential area to a 6 metre carriage and construct a new section of 3m wide greenway between the road and St. Michael's College grounds.
- A new Paladin style fence shall be erected between the greenway and St. Michael's College grounds.
- (F) to (G) - A rated table shared space shall be created to accommodate vehicular traffic and greenway users.
- (G) to (H) - T11 Pavement Improvement & Safety Scheme incorporating a shared path / cycleway to link to the start of the North Kerry Greenway corridor.

Scheme Layout Map - Shared walkway / cycleway



NOTES:

- LEGEND:**
- Existing path to be widened to 3.5 metres width
 - New cycle / walkway to be constructed 3.5 metres wide
 - Existing path (no works required)
 - New cycle / walkway to be constructed 3.0 metres wide
 - New LED Public Lighting to be installed along entire route
 - S.V. (Schematic View)
 - Red line indicates extent of Part 8 Planning application

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Part 8 Application

Project Name: Upper Church Street to Neodata Cycle / Walkway

Title: Scheme Layout Map - Vector

Author: Kevin Doyle

Date: 17/05/2023

Scale: 1:1,500 @ A1

Map Scale: 1:1,500 @ A1

Drawn by: Kevin Doyle

Checked by: Kevin Doyle

Approved by: Kevin Doyle

Project No: 202101

Page No: 100-01

KERRY COUNTY COUNCIL

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 Roads, Transportation & Marine,
 Deputy Chief Executive,
 Kerry County Council.



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Tel No. 066-27181319

Capital Infrastructure Unit,
 Email: oi@kerryco.ie

Part 8 Planning Drawings

NORTH KERRY GREENWAY LINK-
Upper Church Street to Neodata
Cycle / Walkway

- A - Entrance at future trail-head
- A to A' - Pipe existing open drain and construct new footpath adjacent to existing earth mound.
- B - Existing path to be re-aligned to protect and retain existing mature trees.
- B to C - Erect Paladin separation fence between path and pitch & putt course.
- C - Retain existing gate and widen to opposite side to accommodate 3.5m wide shared path / cycleway.
- D to E - Create a new section of greenway within wooded area, taking into consideration protection of mature, native trees. Route selected to protect mature trees.
- E - Install a new piped culvert to maintain existing open drain.
- E to F - Remove existing row of damaged trees. Widen existing public road serving the residential area to a 6 metre carriage and construct a new section of 3m wide greenway between the road and St. Michael's College grounds.
- A new Paladin style fence shall be erected between the greenway and St. Michael's College grounds.
- F to G - A raised table shared space shall be created to accommodate vehicular traffic and greenway users.
- G to H - TII Pavement Improvement & Safety Scheme incorporating a shared path / cycleway to link to the start of the North Kerry Greenway Corridor.

Scheme Layout Map - Shared walkway / cycleway



NOTES:

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Project Name	Upper Church Street to Neodata Cycle / Walkway
File No.	202101
Client	Kerry County Council
Design	Capital Infrastructure Unit
Drawn	...
Checked	...
Date	...

Project Name	Upper Church Street to Neodata Cycle / Walkway
File No.	202101
Client	Kerry County Council
Design	Capital Infrastructure Unit
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Checked	...
Date	...

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File No.	202101
Client	Kerry County Council
Design	Capital Infrastructure Unit
Drawn	...
Checked	...
Date	...

KERRY COUNTY COUNCIL
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Director of Services,
Roads, Transportation & Marine,
Deputy Chief Executive,
Kerry County Council.



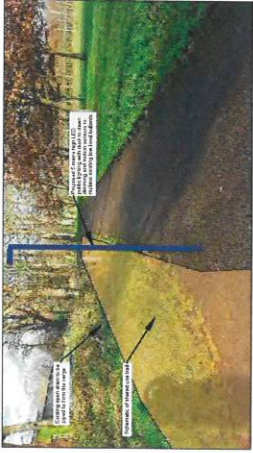
Capital Infrastructure Unit
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Tralee.

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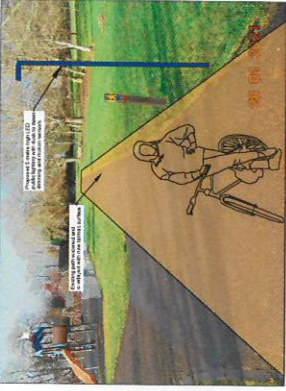
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Part 8 Planning Drawings

PHOTOMONTAGES THROUGH PROPOSED ROUTE



Schematic View New Trail - S.V.1



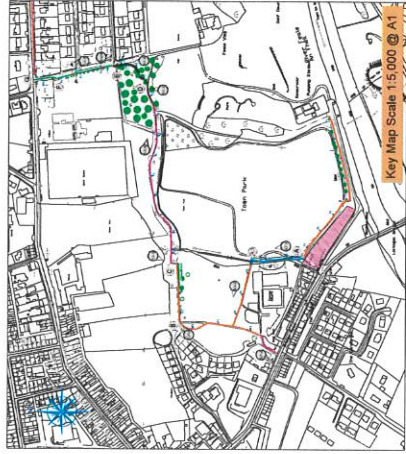
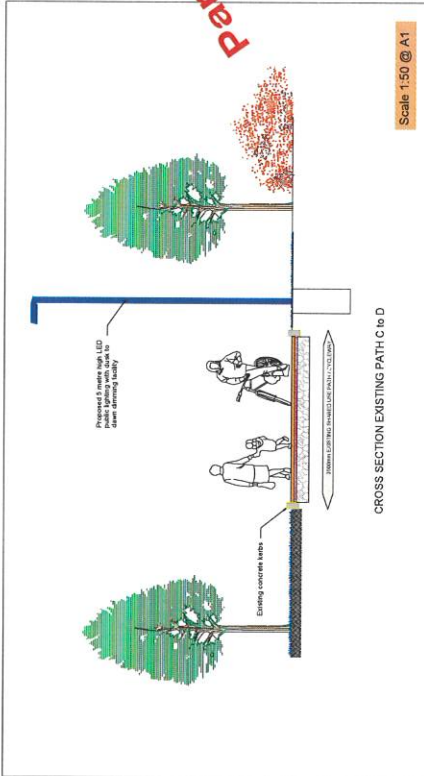
Schematic View Widened Trail - S.V.2



Schematic View Bridge Street Link - S.V.3



Schematic View Location B - S.V.4



Scale: As shown

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Mr. Eoin O'Sullivan, Bar. Ing., M.I.E.I.,
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Deputy Chief Executive,
Kerry County Council.

Project Name	Upper Church Street to Noddaie Cypri / Walkway
Title	Sections and Schematic Views
Draughtsman	Kate Barry
Check	Diarmuid
Scale	1:750
Date	23 May 2021

Part 8 Application	202101
100-03	100-03

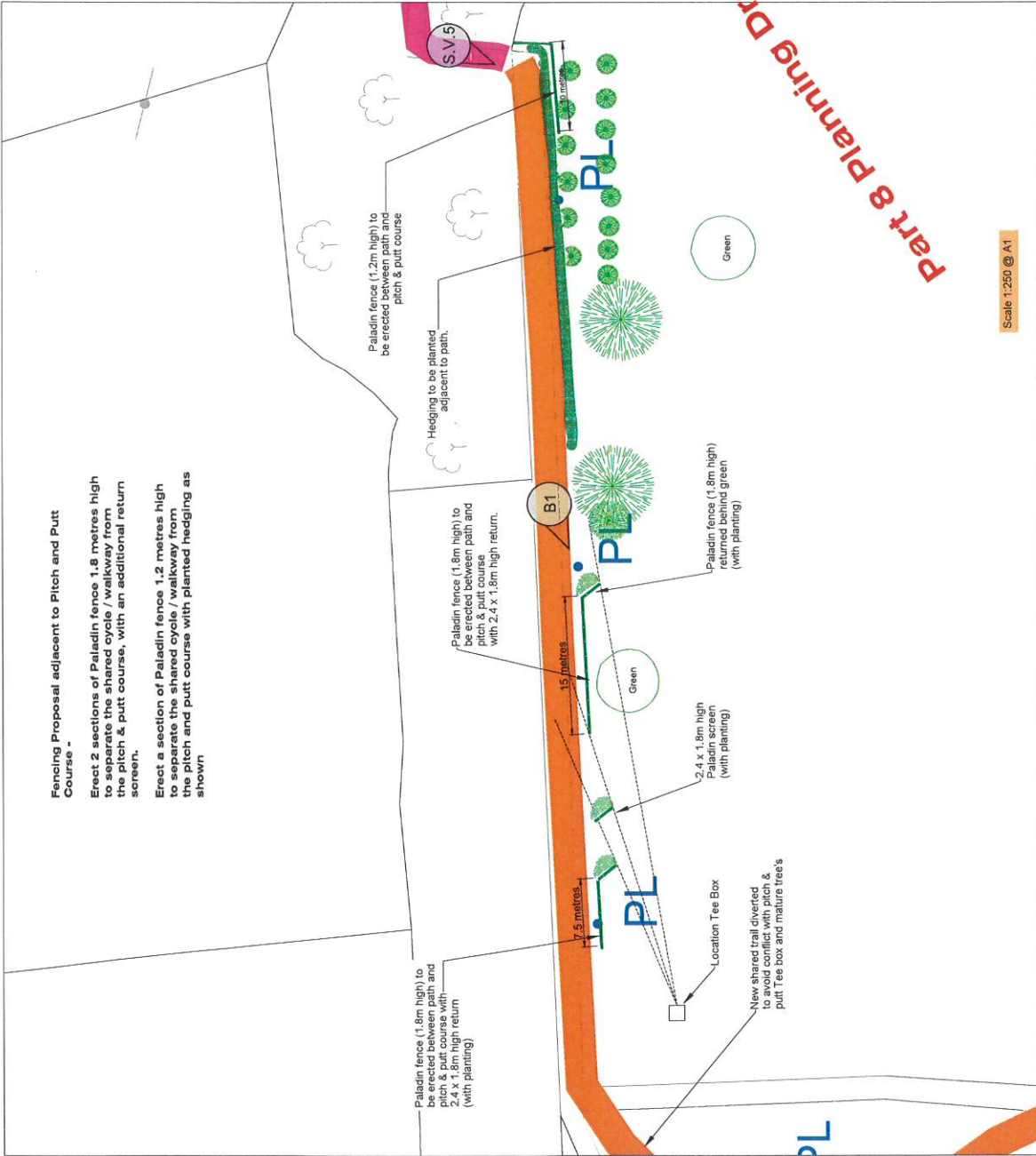
PHOTOMONTAGES THROUGH PROPOSED ROUTE



Schematic View Location 'B1'



Schematic View Location - S.V.5



Part 8 Planning Drawings

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Project Name	Upper Church Street to Neasdale Cycle / Walkway
Site	Separation Fencing and Behematio Views
Client	Kerry Council
Drawn	Kevin Boyle
Checked	Paul Sheehy
Date	17/05/2024
Scale	As shown
Sheet No.	100-04
Date	17/05/2024

Project Name	Upper Church Street to Neasdale Cycle / Walkway
Site	Separation Fencing and Behematio Views
Client	Kerry Council
Drawn	Kevin Boyle
Checked	Paul Sheehy
Date	17/05/2024
Scale	As shown
Sheet No.	100-04
Date	17/05/2024

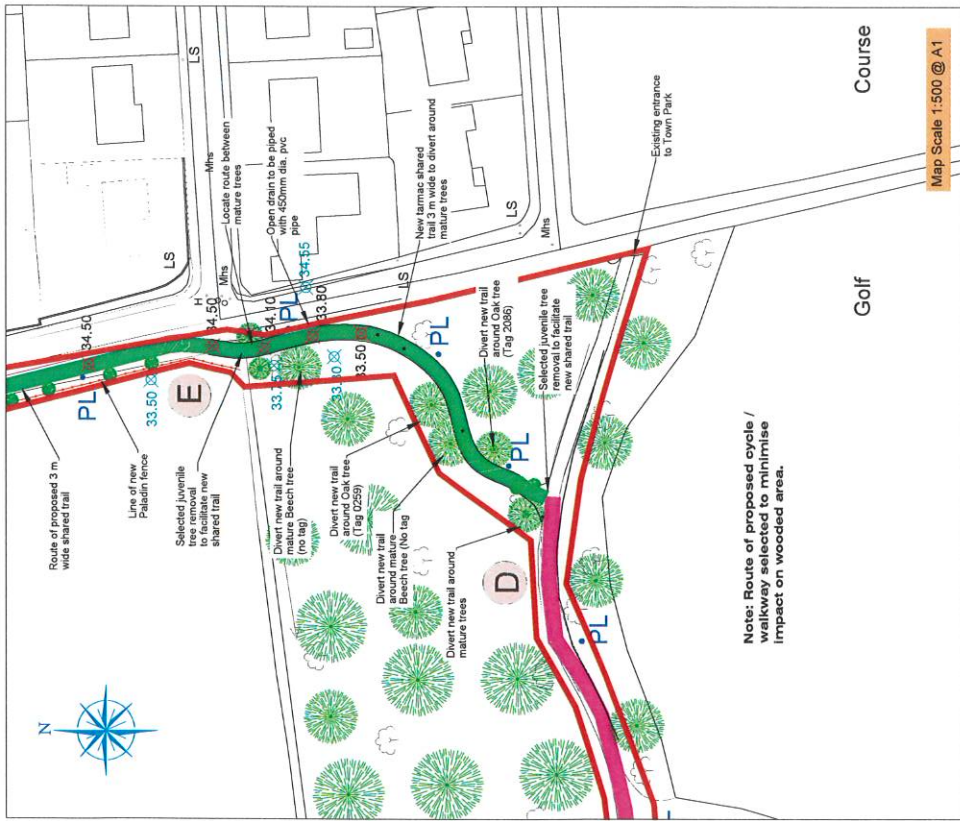
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Site	Separation Fencing and Behematio Views
Client	Kerry Council
Drawn	Kevin Boyle
Checked	Paul Sheehy
Date	17/05/2024
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Sheet No.	100-04
Date	17/05/2024

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 Mr. Charlie O'Sullivan, Insp., M.A.E.I.,
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 Roads, Transportation & Marine,
 Deputy Chief Executive,
 Kerry County Council.

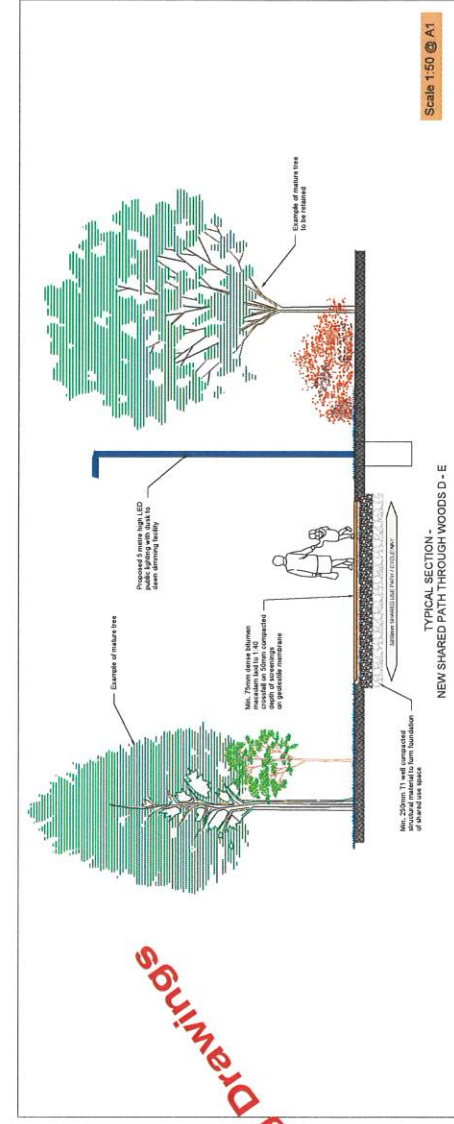
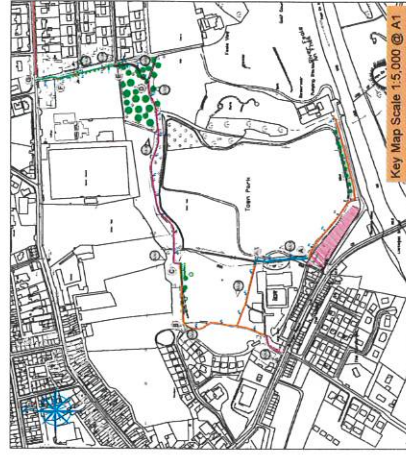


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PLAN OF ROUTE THROUGH WOODLAND



PHOTOMONTAGES THROUGH PROPOSED ROUTE



Part 8 Planning Drawings

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KERRY COUNTY COUNCIL
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Roads, Transportation & Marine,
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Kerry County Council.

APP NO.	APP TYPE	APP TITLE	APP DATE	APP STATUS	APP DATE
202101	Part 8 Application	Woodland Trail Details	28.01.2021	PL	
				IA	
				TC	
				CR	
				R	
				H	

202101
Part 8 Application
Woodland Trail Details
28.01.2021
Scale 1:50 @ A1



NOTES:

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Part 8 Planning Drawings

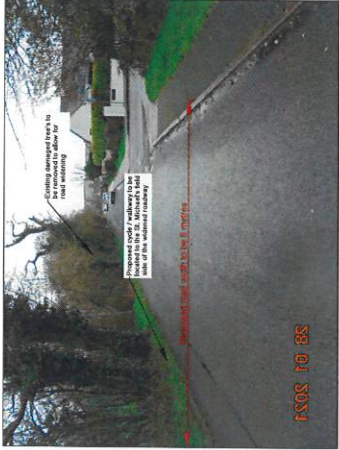
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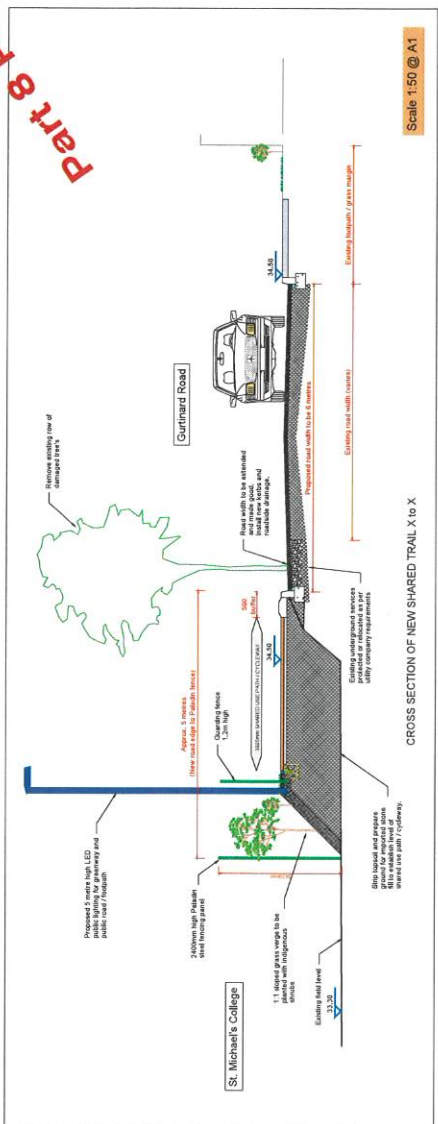
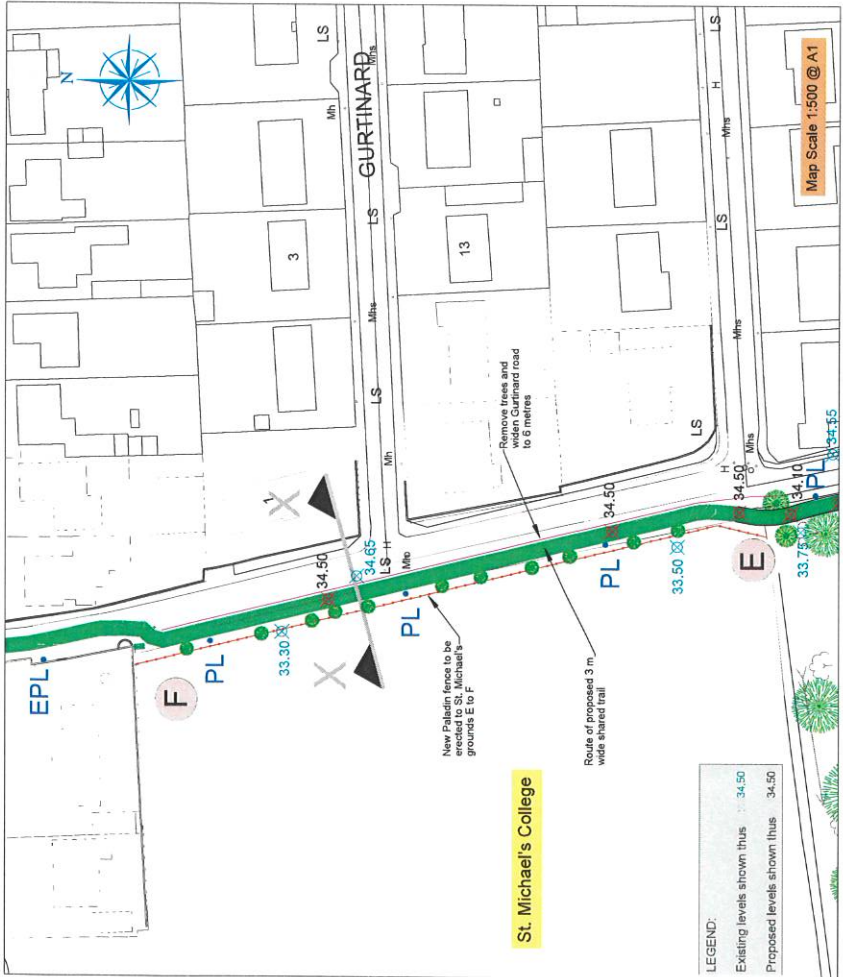
Year	2021
Part 8 Application	
Project Name	Upper Church Street to Neenada Cycle / Walkway
Client	Kerry County Council
Scale	As shown
Drawn by	175
Check by	175
Date	28/01/2021



Schematic View Gurtinard Road - S.V.9



Schematic View Gurtinard Road - S.V.10



Year	2021
Part 8 Application	
Project Name	Upper Church Street to Neenada Cycle / Walkway
Client	Kerry County Council
Scale	As shown
Drawn by	175
Check by	175
Date	28/01/2021

Rev	Description	By	Date
1	Issue for Planning	175	28/01/2021

KERRY COUNTY COUNCIL
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 Kerry County Council.



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Part 8 Planning Drawings



NOTES:

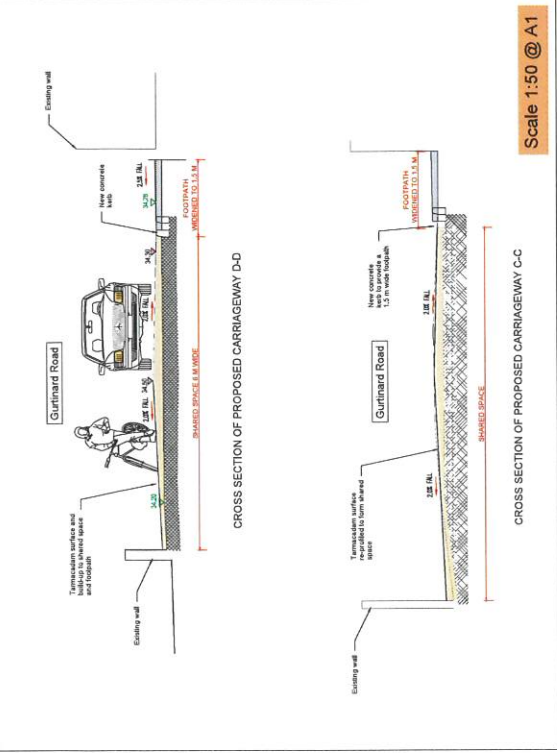
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Scale 1:50 @ A1



Example of raised crossing



Example of Palladium style fence



Map Scale 1:125 @ A1

Project Name	Upper Church Street to Neenaha Cycle / Walkway
Date	202101
Scale	As shown
Author	Paul O'Sullivan
Checker	Paul O'Sullivan
Approver	Paul O'Sullivan
Project No.	100-07

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 Capital Infrastructure Unit,
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 Deputy Chief Executive,
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