

**From:** Cllr Malcolm Noonan  
**Sent:** 13 January 2016 09:28  
**To:** Boundary Review  
**Subject:** Submission to Boundary Commission Review

To Whom it May Concern

Please find below my submission to the proposed boundary extension for Waterford City by the Minister for Environment, Community and Local Governemnt. I trust that my comments will be taken on board by the Boundary Review Committee in its deliberation on this important issue#

Kind regards  
Malcolm

Cllr Malcolm Noonan  
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Submission to the Boundary Commission Review regarding a Proposed Waterford City Boundary Extension.  
Cllr Malcolm Noonan: Member of Kilkenny County Council and Green Party Spokesperson for Environment, Community and Local Government.

December 2015

To whom it may concern

I wish to put the following comments on record regarding the Government's proposed boundary extension for Waterford City.

#### **Public Participation in the Process**

It is my view that the proposed boundary extension public consultation process is fundamentally flawed and should immediately be scrapped. The Department of the Environment, Community and Local Government and the Minister have not put in place a robust and comprehensive public participation process to allow members of the public an equitable means of taking part in the consultation.

Government is legally bound by the Aarhus Convention and under the Public Participation Directive to engage in a meaningful way with the public in matters related to the environment, to provide information regarding the proposal that is relevant to the proposal. It is my view that in the case of this proposal this has not taken place. This is a matter of environmental concern as it concerns the environmental impacts of a fundamental change in an urban boundary; that of Waterford City. If such an extension is granted it will impact on transport, land use planning, biodiversity, air and water quality.

+Furthermore neither Government nor the Boundary Review Committee have designed a participative process of public engagement for a proposal that will have a profound impact on thousands of citizens of the State on both sides of the border. In fact the process militates against many people making their views known. No public information meetings have taken place other than those organised by local communities and political representatives. There has been no impartial information provided to the community regarding the pros and cons of the proposed extension. There has been no media or social media campaign outlining the implications of a decision in favour of the extension.

#### **Balanced Regional Development**

The proposal runs contrary to the principle of achieving balanced regional development. The South East Region has not been developed in a balanced manner. 'Putting People First' the Government's Local Reform Policy has a stated objective of achieving balanced development. Yet the same Government is proposing to undermine the financial and economic base of one County at the expense of another.

In the most recent Local Government Audit Report, Kilkenny County Council managed its finances in a prudent manner, reducing its deficit significantly. Waterford City and County on the other hand remains in a perilous financial state. It is my view that this proposed boundary extension amounts to a land grab to seize valuable assets and a revenue base from Belview Port.

### **Regional Cooperation**

There is more to be gained from a 'seamless boundary' approach to regional development. Kilkenny County Council has invested significant resources into physical infrastructure in south Kilkenny to support such an approach to the benefit of communities in the whole local region. This investment includes the frontloading of water and wastewater infrastructure in Belview Port, a branch library in Ferrybank Shopping Centre, playgrounds and roads and estate management infrastructure.

Advances have been made in the realisation of a Technological University for the South East (TUSE). Kilkenny County Council has played its part in ensuring that ongoing lobbying and advocacy have brought this firmly back on the political agenda.

### **Culture 2020 Bid**

The Three Sisters bid for the European Capital of Culture 2020 has successfully gotten past the first hurdle and on to the second round. This happened because of a coordinated approach by the three Counties of Wexford, Waterford and Kilkenny and is a great example of both what is at stake if we don't cooperate and what is to be gained through supporting each other towards a common goal. I would contend that the announcement of a boundary review was ill timed and has created tension between Kilkenny and Waterford Councils and could ultimately undermine the bid due to adverse publicity.

### **Disenfranchisement of people in both Counties**

Many people in South Kilkenny culturally and socially identify with Kilkenny. At a public meeting held in Slieverue recently, this sense of attachment to place was at times emotionally articulated by those in attendance. Are these people to be cut off from their GAA clubs, local schools, social clubs and other networks?

Aarhus Convention details below

To access environmental information you can use [Freedom of Information](#) legislation or the European Communities (Access to Information on the Environment) Regulations 2007 to 2014. An unofficial consolidation of these Regulations ([SI 133 of 2007](#), [SI 662 of 2011](#) and [SI 615 of 2014 \(pdf\)](#)) is available [here \(pdf\)](#).

These Regulations give effect to [Directive 2003/4/EC](#) on Public Access to Information on Environmental Matters, which provides that individuals have the right to access environmental information held by public authorities. This is the first of 2 Directives to implement the [Aarhus Convention](#) (UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters 1998). Ireland [ratified the Aarhus Convention](#) on 20 June 2012.

The Aarhus Convention lays down a set of basic rules to promote citizens' involvement in environmental matters and improve enforcement of environmental law. It allows the public to have [access to environmental information](#), provides for participation in environmental decision-making, and allows the public to seek redress when environmental law is infringed.

The EU approved the Aarhus Convention in 2005 ([Council Decision 2005/370/EC](#) of 17 February 2005).

The second Directive implementing the Aarhus Convention is [Directive 2003/35/EC](#) on Public Participation in respect of the Drawing up of Certain Plans and Programmes relating to the Environment. This deals with public participation in decision-making. It provides that member states must ensure that mechanisms exist to

facilitate public participation in decisions about the environment. Under the provisions of this Directive, members of the public are entitled to [appeal relevant decisions of public bodies by way of judicial review](#)

[http://www.citizensinformation.ie/en/reference/legislative/legislative background for accessing environmental information.html](http://www.citizensinformation.ie/en/reference/legislative/legislative_background_for_accessing_environmental_information.html)

