



Donore Project Consultative Forum
5pm Thursday 19thth October 2023
Wisdom Centre, Cork Street

<p>Chair: Stephen Rourke Present: Fr David Corrigan, Catherine McSweeney, David McAuley, Karen Jordan, Sinead Kerins, Billy Hicks, Ann Canning, Cllr Máire Devine Minutes: Rea Lavelle</p>	<p>Apologies: Martin Donlon, Laura O’Gorman, Clare Fox, Declan Hayden, Claire Pomroy, Fearghal Connolly, Cllr Michael Pidgeon, Breda O’Hara, Josephine Henry, Martin Quirke</p>
1. Introduction to Meeting	Actions:
A round of introductions took place	
2. Minutes of Last Meeting on 17th August and Matters Arising	
The Lord Mayor of Dublin Daithi DeRoiste has responded to the invitation from the Forum to visit Donore Avenue area with two possible dates, Thursday 23 rd November was chosen by the Forum, meeting will take place at 78B Donore Avenue and will be open to Forum members only who will also get a chance to introduce themselves and talk a little bit about their involvement with the area, the two main agenda items will be community and sports facilities in the area.	Stephen to respond to the Mayor’s office with the date and 2 main agenda items
3. Apologies (some members have said that they will be unable to attend on account of ongoing/live legal issues and challenges)	Actions:
See list of apologies above.	
4. Written update on the Donore Project (Construction of 543 Social and Cost Rental Housing Units)	Actions:
The 10-page update document supplied by the Land Development Agency was presented to the meeting. While members welcomed hearing that the construction of 543 social and cost rental apartments is progressing, they had questions and concerns around the update included in it from DCC which stated that Donore Boxing Club is to stay in situ at St. Teresa’s Gardens. Does this mean that the flat block it is situated in does not get demolished? The clarification sought from and given by DCC states: <i>‘the demolition works for the flatblocks will be carried out on a phased basis. The flat-block housing the boxing club will remain in place for as long as it is required by the Boxing Club. We are currently working out how this can be accommodated in the overall development of the site.’</i> Concerns were raised about possibly delaying the demolition of this mostly derelict block indefinitely and the impact it would continue to have on the health and safety and overall look of the area. Most of all members were concerned whether the construction of the sport pitch will also be delayed if demolition does not take place? Whilst DCC is of the view that the front block (currently housing the Boxing Club) provides a strong and secure edge to the site boundary there is still concern that there might be a delay in the provision of the sports pitch for as long a time as this block remains in place (since it does cover the same ‘footprint’ as a large proportion of the area for the new sports pitch)	Stephen to write to DCC to request further clarification about the Boxing Club location and the concerns of the Forum if one block of flats is to be left standing
5. Updates on Planning Permissions, Planning Objections and Judicial Reviews Relating to SDRA11 Regeneration Area	Actions:
Bailey Gibson Planning Application (PA) Number 1. This planning application for 416 housing units was approved by An Bord Pleanala (ABP) in September 2020. Judicial Review proceedings based on objections made by local residents commenced in November 2020. The High Court then referred a number of questions to the Court of Justice of the European Union (CJEU) for clarification and determination in	

November 2021. The CJEU came back to the High Court in March 2023 with its responses which found in favour of ABP and the State, i.e. the approach to the masterplan for SDRA 11 and the State's building height guidelines are fully compliant with EU law. In April 2023 the High Court dismissed the Judicial Review upholding the original planning permission. In May 2023 the applicants submitted an application to appeal at the Court of Appeal and the High Court granted Leave to Appeal to the applicants based on new grounds for objections to the Bailey Gibson No 1 planning permission. On 28th July 2023 the Supreme Court accepted this Leave to Appeal and determined that the appeal would be heard directly by the Supreme Court within the shortest possible timescale (rather than initially going through the Court of Appeal), as directed by the Supreme Court. The applicants submitted their papers to the Supreme Court by 4th September, the other parties responded to these submissions by 28th September and the case was then listed for case management by the Supreme Court on 3rd October. Following the hearing on 3rd October, the Supreme Court determined that a full hearing of the case would take place on 6th November.

Bailey Gibson Planning Application Number 2. This planning application for 345 housing units (based on reduced heights of up to 7 storeys) and for the municipal sports facility was submitted to ABP in June 2022. There has not been any determination by ABP on this planning application. It appears that this application is one of 76 projects/schemes that had been submitted towards the tail-end of the Strategic Housing Development (SHD) process which was set up to deal with large housing projects of over 100 units. The SHD process has subsequently been replaced by the Large-scale Residential Development (LRD) process. However, there is still the backlog of 76 outstanding SHD projects (including Bailey Gibson No. 2) which need to be adjudicated by ABP. There is no indication of when decisions on these projects will be made by ABP - they are 'sitting on our books' according to the most senior official in ABP. Members of the Consultative Forum agreed that the Bailey Gibson No 2 planning application would represent the best way forward for this part of the Regeneration site – incorporating as it does, the municipal sports pitch and reduced heights (which would make the development more acceptable to those residents who are concerned about some of the original proposed heights). It is also recognised, however, that if the Bailey Gibson No 1 Planning Permission is upheld by the Supreme Court in the next few months and if there is no indication that the ABP is going to make a determination on Bailey Gibson PA No 2, it is most likely that the developer will proceed with the planning permission which has been granted and has been through all available legal processes.

Player Wills Planning Application. This planning application for 732 housing units, an arts/cultural centre and new parks was approved by ABP in April 2021. In July 2021 Dublin 8 Residents Association was granted leave to appeal this approval by the High Court. Issues were then raised about the 'standing' or status of Dublin 8 Residents Association to take this appeal. In March 2022 the High Court decided to refer the matter about the 'standing' of this Residents Association to the CJEU. In June 2023 the CJEU requested further information and clarification on a number of matters from the High Court. The High Court met on 25th July to consider these matters and issued a judgement and its response to the CJEU queries on 8th August. The matter of the standing of Dublin 8 Residents Association and whether a substitute applicant might be allowed to take the place of this Residents Association is currently being considered by the CJEU. The judgement of the High Court on this matter has also been appealed to the Court of Appeal by the developer. An oral hearing of the CJEU in relation to the 'standing' of Dublin 8 Residents Association and the request for a substitute applicant to take the place of their Residents Association is being heard in Luxembourg on 9th November.

Land Development Agency/Dublin City Council planning application for Donore Project. This planning application for 543 social and affordable housing units was submitted to ABP in December 2022 and was approved by ABP for planning permission on 29th June. Since there have not been any applications for a Judicial

<p>Review in relation to this planning permission the LDA/DCC can now proceed with the building and construction phase of this aspect of the regeneration programme. Initially, however, site investigation works will have to take place and existing blocks of flats at St. Teresa's Gardens will have to be demolished. The LDA will also be liaising with utility providers (including Uisce Éireann, DCC, ESB Networks, telecom companies) to work through the design and capacity implications of the overall scheme; and with neighbouring landowners (HSE, Hines) to discuss the interfaces between the various aspects of the SDRA 11 Regeneration site. It is anticipated that the tender for the main building contractor for the LDA/DCC Donore Project will be advertised in quarter 1 of 2024 and that construction work will commence in quarter 1 of 2025.</p> <p>Objections raised by Dublin 8 Residents Association to Dublin City Development Plan 2023-2027. These objections were submitted to the High Court in January 2023 and were adjourned on a number of occasions pending further information on the nature of the objections being made. The latest hearing of the High Court in relation to this case took place on 31st July when the presiding judge, Judge Simons, decided that the Dublin 8 Residents Association need to be more specific concerning which aspects of the Development Plan they wish to have quashed rather than the entire Development Plan being quashed. Dublin 8 Residents Association had been directed to furnish this more specific information in advance of the next hearing of this case which took place on 9th October. At the hearing, Dublin 8 Residents Association requested a further adjournment. This adjournment was granted by the High Court and the next hearing of this case is now taking place on 5th December. Until such a time as the nature and focus of the legal challenge is known and the outcome to this challenge is determined by the courts, it could have implications for the pace of developments which take place on the SDRA11 Regeneration site.</p>	
<p>6. Municipal Sports Pitch and adjoining sports facility (which form part of the public lands at St Teresa's Gardens)</p>	
<p>The current Bailey Gibson No.2 planning application includes provision for the new sports pitch. As stated earlier this planning application has been with An Bord Pleanála since June 2022 and there is no indication of when it will be decided upon by ABP. If it is not approved or the Bailey Gibson No.1 planning permit overcomes current legal challenges there will be a need to look at alternative ways to deliver the sports pitch (since the Bailey Gibson No.1 permit does not include the pitch). Alternative strategies may include a Part 8 planning application solely for the pitch (and maybe ancillary facilities). Cllr Devine has met with Dave Dinnegan, Assistant Chief Executive in DCC, and he has said that if required DCC would consider taking direct responsibility for the delivery of the pitch. <i>DCC and Hines entered into a legal agreement setting out that the delivery of these facilities (ie sports pitch) will be by Hines in exchange for the disposal of land as per Resolution of Council 2672020. DCC are committed to the delivery of these facilities and, pending the outcome of the current planning decision, will seek an alternative route if necessary.</i></p>	<p>Cllr Devine to ask David Dinnigan again about the pitch. Stephen was asked by Sporting Liberties to write to DCC to prioritise the pitch</p>
<p>7. Update and plans for refurbishment of Donore Youth and Community Centre</p>	<p>Actions:</p>
<p>DCC (CRES) had provided the following update regarding Donore Youth and Community Centre: <i>The contract for clearing, temporary propping and making safe Donore Community Centre has been completed. The design team are now undertaking detailed survey works and examination of building fabric to determine the extent of damage to the building and the scope of works required for full reinstatement. This stage of the design process will be completed in November. The Design Team will then begin the detailed design stage followed by the preparation of a tender package for works, which is scheduled to be issued in March 2024.</i></p> <p>Members were concerned about the fact that previous user groups of the centre had still not been given back their equipment and belongings from the centre, despite having in the early summer written to the email address specified detailed lists of their belongings. It now appears that clearing of the centre 'has been completed'.</p>	<p>Stephen to write to DCC to request again a copy of the inventory DCC had carried out in May and also to ask again that groups be given access to their belongings.</p>

<p>Members also concerned about the pace of the renovation works, and a question was asked if the centre could be taken into ‘community ownership’, as had been done with some similar spaces and for example swimming pools in other places. This would also ensure that the centre (once re-opened) would be open for more days and hours and therefore more accessible to groups than it had been in the past. This community ownership would mean running the centre on a social enterprise, not-for-profit basis but with responsible governance in place. Something like this is being proposed for the community space which is incorporated with the Emmet Road development in Inchicore. There are also other longer established models of community owned and managed community facilities in Dublin, for example St. Andrew’s Resource Centre in Pearse Street.</p>	<p>Cllr Devine to find out what the model at Emmet Road is called and who at DCC to talk to about proposing something similar for the Donore Avenue Centre</p>
<p>8. Update on Relocation of Donore Boxing Club and demolition of final 2 blocks of flats at St Teresa's Gardens</p>	<p>Actions:</p>
<p>The following update had been provided by DCC: Boxing Club <i>DCC have assessed a number of alternative premises to house the Donore Boxing Club, none of which proved to be suitable. The Boxing Club have expressed preference to stay in-situ at St. Teresa’s Gardens while awaiting delivery of the permanent club facility. DCC are currently working to accommodate this.</i> Demolition works <i>Tender and appointments are currently underway for site investigation works. The main demolition works contract documents are in preparation at present, a works contract will be appointed in Q1 2024, with works to commence in Q2 2024 for the phased demolition of the remaining flat blocks.</i> See agenda item 4 for details of conversation and actions agreed regarding the Boxing Club and the demolition works.</p>	
<p>9. Demographic Profile of the DPCF Area from Census 2022 Small Area Statistics</p>	<p>Actions:</p>
<p>Rea presented a document she had compiled from the Small Area Statistics of the Census 2022 results which listed details of population, household size, principal economic status and education, health, type/age/size of accommodation, tenure type, renewable energy sources, commuting, car ownership etc. in the 6 small areas included in the Donore Project catchment area from (one of these small areas incorporates the Donore Project site). This kind of information could be very useful when planning new developments as household and family sizes and ages of children etc can give guidance regarding need for services from school places to youth services and facilities to public transport. The details of current car ownership in the Donore Project area could also be considered when planning parking provision for the new development.</p>	<p>Rea to share the document through email</p>
<p>8. Dates of Next Meetings</p>	<p>Actions:</p>
<p>Next meeting will take place on Thursday 14th December with a possibility of a Christmas meal to take place afterwards.</p>	<p>Rea to share any details/reminders</p>
<p>Any Other Business</p>	
<p>Rehoboth Place Traffic: A fire had taken place recently and fire brigade was not able to get through, fire brigade attending had expressed frustration that the street was not One Way. Donore Area Sustainable Community Initiative (DASC) has held one public information event (which was attended by a SEAI representative) and one committee meeting, DPCF is already represented on the committee by Rea but further members are being sought from for example schools, colleges and sporting organisations in the area. Donore Credit Union is a lead member of the DASC initiative but its main strength will be the representation and knowledge of local residents and groups. A couple of initiatives like this already exist in Ireland; they have been able to secure grants for various environmental, biodiversity etc. projects for their local areas. DASC</p>	<p>Sinead to request Fire Chief’s report of the Rehoboth Place incident Karen to arrange for a teacher from St. Catherine’s N.S. to join the DASC management committee</p>

also hopes to make applying for SEAI grants easier for individual households. The first action the DASC committee had agreed was to carry out an Energy Audit in the Donore Avenue area.