

PLANNER'S REPORT**Ref: TP 17/37279**

Cork City Council

Development Management
Strategic Planning and
Economic Development

Permission type	Permission
Description	permission for development at the former Good Shepherd Convent site, Convent Avenue and Buckston Hill, Sunday's Well Cork (3.16 ha). The proposed development will consist of the partial demolition, redevelopment and extension of the existing former Good Shepherd Convent, Orphanage and Magdalene home buildings, and the demolition of all ancillary sheds and structures to facilitate a residential development of 234no. apartments. The proposed development will consist of works to the former Good Shepherd Convent, Orphanage, and Magdalene Home buildings, and former Gate Lodge protected structures (PS721) as well as works within the curtilage of these protected structures. The proposed development also consists of works to the exterior of structures which are located within the proposed Sunday's Well Architectural Conservation Area (ACA)
Applicant	Moneda Developments Limited
Location	The Former Good Shepherd Convent site Convent Avenue And Buckston Hill Sunday's Well Cork
Recommendation	Grant Application

TP 17/37279**Senior Planners Report following receipt of further information**

I note the reports and documents on file (including submissions) and I refer to the SEP's reports for comprehensive overview of issues, and assessment (including assessment of the EIS). Further information request issued in relation to 10 items relating to Transport and Mobility, Road Design, Design/Layout, Materials, Roof Treatment, Section Details, Archaeological Issues, Contributions and Updated EIS. The response was re advertised as significant and 67 submissions received (see SEP report).

Key Issues

- This is a highly significant proposal (202 residential units) located at a key site (c3.2 ha) at the Good Shepherd complex in Sundays Well.
- The site is of significant social, architectural and conservation importance and sensitivity. It includes a former Magdalene Orphanage and graveyard adjacent.
- It is visually prominent (includes Landscape Protection Zone).
- The site has been subject to significant fire damage/dereliction and has been unused for many years.
- The proposal is of significant scale and revised proposals include:
 - The partial demolition, reconstruction and extension of the convent, orphanage, and Magdalene House to provide 202 units (reduced from 234

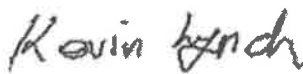
- originally proposed) including 41 1 bed units, 94 two bed and 67 3 bed units located in ten buildings (including three existing).
- Proposed 210 car parking spaces (undercroft and surface) & 234 cycle spaces.
 - Provision of crèche in former Gate Lodge and conversion of Bakehouse to facility/exhibition space.
 - Of relevance in the planning history is 183 units permitted under PL28.219782 in 2007 by An Bord Pleanála (TP 06/30540). Subsequent refusal under TP 07/32544 (and PL282982) and 09/34000 for developments of increased scale.
 - The application includes an EIS.
 - The site is zoned **Residential, Local Services and Institutional Uses**.
 - Other relevant objectives include Landscape Preservation Zone, RPS Structures on site and location within ACA.
 - There are a significant number of third party submissions (see report and file) on the initial proposal and in response to further information which include reference to traffic/pedestrian impacts, construction impacts, visual impacts/design, scale density, housing tenure/mix & planning history, landscaping, archaeological/historical sensitivities, fire safety and water supply.
 - The site is of social sensitivity/importance given its previous use as a Magdalene Orphanage and the graveyard adjacent the site (submissions on file in this regard).
 - Initial report from The Transport and Mobility Report recommended refusal however response considered satisfactory.
 - Reports from Road Design, Conservation, Archaeology and Drainage recommend permission subject to conditions.
 - The City Archaeologist is satisfied in relation to geophysical survey and archaeological testing (conditions included re mitigation programme), conditions required regarding research regarding deaths and burials, response is satisfactory re access to penitents graveyard (which is not in the control of the applicant). Parks, Landscape and Cemeteries Division have confirmed that City Council will explore options to enhance burial ground.
 - Proposal set in the context of national and local housing crises (Rebuilding Ireland and associated policy documents relevant). The site is one of very few of scale within the city boundary. It is well located by reference to city centre, UCC and Apple computers etc.
 - SEP recommends permission subject to conditions including 1) omission of top floor of Block A4 and 2) omission of Block B1. I do not consider 1) warranted and consider the proposal within acceptable parameters. Item 2) is recommended in part on the basis of landscape impact, over development, impact on site landscaping/amenity, impact on Block B2 (including the proximity of B2 to the southern boundary) and submissions on file (I note visual impact was not submitted in relation to this element of the proposal as requested). I do not consider that Block B1 will have an undue impact on the landscape setting of the proposal however I would (on balance) concur with the recommendation in

relation to other elements. This will result in an overall reduction to 182 units (condition and contributions calculation have been amended on this basis).

- I note the revised EIS – key impacts relate to Transport, Archaeology and Design/Layout issues. Having regard to the reports on file the submitted EIS is considered satisfactory for the assessment of the case. I am satisfied that in overall terms the EIS identifies adequately the direct and indirect effects on the environment of the proposed development and provides an adequate basis for the assessment of the case.

Recommendation.

Grant subject to conditions



Kevin Lynch
Senior Planner
**Strategic Planning & Economic
Development Directorate**

Dated: 12/12/2017

First Schedule

Reasons and Considerations

Having regard to the nature, location and context of the site and surrounding area, the policies and objectives of the Cork City Development Plan 2015-2021 and the nature and scale of the proposed development, submitted documentation including EIS it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the residential or visual amenities of the area, and is in accordance with the proper planning and sustainable development of the area.

<h2 style="margin: 0;">Second Schedule</h2> <h3 style="margin: 0;">Conditions</h3>
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Conditions/Reasons

No.	Condition	Reason
1	The development shall be carried out in accordance with the plans and particulars submitted to the Planning Authority on 13/2/2017 , as amended by the revised details submitted by way of further information on 19/10/2017, except where otherwise altered or amended by conditions contained in this Schedule.	To define the scope of the permission, in the interests of proper planning and sustainable development
2	<p>The following modifications shall be carried out to the development and revised details shall be submitted for the written agreement of the Planning Authority prior to commencement of development.</p> <p>a) Block no. B2 shall be re-positioned 5 metres in a northerly direction to allow for an increased set back to the southern boundary.</p> <p>b) Block no. B1 shall be omitted. Revised details shall be submitted for this area of the site, to provide for a re-configured and mainly landscaped area.</p>	In the interest of the visual and residential amenities of the area and the protection of the landscape character of the site, which is a designated Area of High Landscape Value.
3	The proposed development shall provide a total of 182 no. dwelling units.	In the interest of clarity.
4	Specifications, method statements and schedules of works to the existing retained structures shall be prepared by an experienced registered architect qualified to at least RIAI conservation grade I, who shall certify upon completion that the works have been carried out in accordance with good conservation practice.	In the interests of the protection of the architectural heritage of the area.
5	All external finishes shall be strictly as per the submitted drawings and	In the interests of visual amenity and in the interests of the protection of the

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	Architect Design Statement, submitted by way of further information on 19/10/2017. Prior to commencement of development a full schedule of external finishes, together with samples shall be submitted for the written agreement of the Planning Authority.	architectural heritage of the area.
6	Prior to commencement of development a detailed schedule for all external hard landscape finishes, including samples shall be submitted for the written agreement of the Planning Authority.	In the interests of visual amenity and in the interests of the protection of the architectural heritage of the area.
7	<p>a) Prior to commencement of development, a revised Landscape Masterplan to take account of the omission of Block B1 shall be submitted for the written agreement of the Planning Authority.</p> <p>b) All landscaping shall be undertaken strictly in accordance with the revised Landscape Masterplan.</p> <p>c) A timetable / programme for the implementation of all landscaping and planting shall be submitted for the written agreement of the Planning Authority prior to commencement of development.</p>	In the interests of visual amenity.
8	The opaque treatment indicated to windows on the northern elevation of Buildings A1 - A5 shall be designed as an integral and permanent design feature to the windows.	In the interests of the protection of the residential amenity of adjoining properties.
9	(a) Prior to commencement of development the developer shall retain the services of a suitably qualified archaeologist (licensed under the National Monuments Act 1930-2004) at his expense to advise regarding the archaeological implications of the development site. Notification of these arrangements shall be submitted to and agreed with the Planning Authority and relevant statutory authorities prior to commencement of any development. Construction work shall not proceed until the following have been carried	To ensure that elements of archaeological, architectural and other cultural significance are identified, retained and interpreted wherever possible and the knowledge placed in the public domain

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	<p>out to the satisfaction of the Planning Authority:</p> <p>(b) The developer shall employ the archaeologist to test those portions of the site which were not previously available or suitable for testing in prior archaeological phases of work. Facilities such as may be required shall be available to the archaeologist for this purpose. The services of a suitably qualified osteoarchaeologist shall be retained to assist with this programme of works.</p> <p>(c) The archaeologist shall submit a report to the Planning Authority outlining the results of the investigation and their reports on any archaeological or other significant finds.</p> <p>(d) If, in the opinion of the Planning Authority, significant archaeological remains are uncovered, and in so far as these remains are subject to disturbance by foundations for pilecaps, walls, floors, drainage, etc., then archaeological preservation of the site(either in-situ or by record) will be required.</p> <p>(e) If any evidence for previously undocumented burials is uncovered, all work on the site shall cease until such time as an appropriate mitigating strategy is devised in consultation with relevant statutory authorities including National Monuments Service and The National Museum of Ireland.</p> <p>(f) Provision for reporting the results of such investigations for the benefit of the public has been agreed with the Planning Authority.</p>	
10	<p>(a) Following the completion of archaeological testing works outlined above, the developer shall retain the services of a suitably qualified Archaeologist, (licensed under the National Monuments Act 1930-2004) at his expense to monitor all ground works at the site. Notifications of these arrangements shall be submitted to and agreed with the Planning Authority</p>	<p>To ensure that elements of archaeological, architectural and other cultural significance are identified, retained and interpreted wherever possible and the knowledge placed in the public domain</p>

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	<p>prior to commencement of any development.</p> <p>(b) The excavation of all foundations, pile caps, walls and floors below present ground level shall be supervised / monitored by the archaeologist. Facilities that maybe required shall be made available to the archaeologist for this purpose.</p> <p>(c) The Planning Authority shall be notified of the commencement of the development in writing.</p> <p>(d) The archaeologist shall submit a report to the Planning Authority outlining the results of the investigation and a report on any archaeological or other significant finds.</p>	
11	<p>In consultation with the City Archaeologist, parameters will be designed to allow for satisfactory level of research into the records of residents of the Institution. The results of the research is to be presented as part of a final report on completion of all other archaeological works on this site, and in accordance with the terms and conditions of the granting of an archaeological licence.</p>	<p>To ensure that elements of archaeological, architectural and other cultural significance are identified, retained and interpreted wherever possible and the knowledge placed in the public domain</p>
12	<p>Prior to commencement of development, the applicant shall submit proposals for the written agreement of the Planning Authority, for the interpretation and memorialisation of the site, to be housed in the former Bakehouse, in consultation with relevant representative groups associated with the history of the Good Shepherd Convent.</p>	<p>To conserve the cultural heritage of the site.</p>
13	<p>Prior to commencement of site works the building shall be surveyed to ensure that there is no active nest or roosting site within the buildings.</p> <p>A barn owl box shall be provided within the site prior to the commencement of works.</p> <p>In addition 6 swift boxes shall also be</p>	<p>In the interest of protecting and conserving birds on the site.</p>

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	provided within the site.	
14	<p>a) The conditions of the bat derogation licence shall be implemented under the supervision of a suitably qualified ecologist. This shall include removal of roofs and other potential roosting habitat within the area where bats were located shall take place outside the bat breeding season. Once scaffolding or other lifting equipment is in place and endoscope survey will be carried out to more accurately assess usage. Roosting sites and crevices can then be blocked off with bubble wrap or similar to prevent bats from re-entering. Nets may also be required for larger areas</p> <p>b) Maternity bat boxes will be erected prior to commencement of works on the building. This will take place under ecological supervision and taking into account of the short term and long term requirements of the bat population on the site</p> <p>c) Ongoing bat surveys will be undertaken to ensure bats do not return to the main structure during the works period. If they are detected then NPWS shall be contacted</p> <p>d) External lighting should be kept to a minimum at locations where it is likely to disturb bats</p> <p>e) Any sections of stone wall to be removed should be searched using an endoscope for bats</p>	In the interest of protecting and conserving the birds on the site.
15	All mitigation measures as outlined in section 7.8 of the EIS shall be carried out in full particularly with respect to tree protection, tree care plan and replanting programme.	In the interest of protecting and conserving the trees on the site
16	Tree felling or scrub clearance should not take place during the breeding season April – July to avoid disturbing breeding birds	To protect and conserve the birds on the site.
17	A Management Plan for the control of alien invasive species shall be devised and implemented	To prevent the spread of alien species
18	The total parking supply on the site shall not exceed the maximum parking	In the interest of traffic safety.

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	<p>standards for Zone 3 as set out in the City Development Plan 2015-2021. The following shall apply:</p> <p>a) The provision of a maximum of 206 car parking spaces inclusive of 11 disabled parking spaces for the full development.</p> <p>b) The provision of a minimum of 179 high quality covered cycling parking facilities</p> <p>c) Adequate space shall be allocated to cater for the charging of Electric Vehicles (EV's) on the proposed site, as provided by ESB ecars, in line with National Guidelines. The provision of Charge Points in the parking area shall cater for up to 10% of spaces being allocated for Electric Vehicles and shall be designed by the developer whereby all costs associated shall be at the developers expense.</p>	
19	<p>The targets and measures in the Mobility Management Plan (MMP) shall be agreed with the Planning Authority prior to first occupation of the proposed development.</p> <p>The MMP for the development shall be updated with actual figures in respect of traffic volumes, modal shift and any other agreed parameters on an annual basis. Any actions arising out of the plan shall be implemented in the following year. The Mobility Management Plan shall be continually monitored by the mobility manager and a revised plan submitted for agreement to Cork City Council on an annual basis for as long as seen beneficial by the roads authority.</p>	In the interest of traffic safety.
20	<p>A Construction Traffic Management Plan for the proposed development including dedicated haulage routes, a protocol to be followed by HGV drivers and allowable operational times for the HGV's on the city's road network shall be agreed with Cork City Council and</p>	In the interest of traffic safety.

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	An Garda Síochána before works commences on site.	
21	All public lighting requirements associated with the proposed development shall be agreed with the Planning Authority prior to commencement of development. These works are to be undertaken and paid for by the applicant.	In the interest of traffic safety.
22	All external lighting requirements associated with the proposed development including lighting associated with the construction stage shall be designed collectively with any existing lighting (including public lighting) requirements. The external lighting requirements shall also optimise energy efficiency, incorporate glare control and be agreed with the Planning Authority prior to commencement of development. The works are to be undertaken and paid for by the applicant.	In the interests of traffic safety.
23	Drainage layouts and details shall be in accordance with Drainage Layouts, drawings, details and calculations submitted as part of Planning Submission and as modified by Further Information, subject to drainage conditions	In the interest of public health.
24	All drainage shall be separated throughout. All paved and roofed areas shall discharge to the storm drainage system. All toilets, urinals, wash hand basins, sinks, showers, baths, dishwashers and washing machines shall discharge to the foul drainage system;	In the interest of public health.
25	Drainage to be on separate systems connected at last manhole within development.	In the interest of public health.
26	Where existing drain connections are to be retained, a CCTV survey shall be carried out of all existing foul and storm drain connections from the development as far as the public sewers and results submitted to the Planning Authority, prior to commencement of development. Where necessary, remedial works shall	In the interest of public health.

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	be carried out, the scope of these works will be determined by the Planning Authority.	
27	Where existing connections to the public sewerage are to become redundant the public sewerage shall be made good. Any Redundant drains shall be sealed and blocked off at site boundary. Proposals in this respect shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development.	In the interest of public health.
28	All drainage constructed to facilitate the proposed development shall not be taken in charge by the Planning Authority. This development discharges to a private common drain in a private apartment complex prior to discharge to the public sewer. The operation and maintenance of the drainage system shall be the responsibility of a suitably qualified and experienced management company. Full details shall be submitted to and agreed with the Planning Authority for the maintenance of drainage within the development prior to commencement of development.	In the interest of public health.
29	All storm runoff and foul water from the proposed development shall discharge through a single connection only to the public combined sewer in Convent Avenue.	In the interest of public health.
30	Surface water from the site shall not run across public footpath (or road).	In the interest of traffic safety.
31	The development shall adhere to the standards set out in the document "Minimum Engineering Requirements for Residential Site Development Works" October 2010, available for download at http://www.corkcity.ie/services/strategicplanningeconomicdevelopment/guidinyourdevelopment .	In the interests of traffic safety.
32	All proposed vehicular and pedestrian access points shall be designed in accordance with the Design Manual for Urban Roads and Streets (DMURS). Exact details shall be agreed with the	In the interest of traffic safety.

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	Planning Authority prior to commencement of development. All costs associated with this condition to be borne by the Applicant.	
33	External road improvements as outlined in Drawings No TSK001-01, TSK001-02, TSK001-03, TSK001-04, TSK001-05 submitted as further information on 19th Oct 2017, shall be carried out by the applicant at the applicant's expense. Final designs, incorporating any recommendations of a Stage 1/2 Road Safety Audit, shall be submitted for agreement with Cork City Council prior to commencement of the development. These works shall be paid for in full by the applicant and shall be completed prior to occupation of the development.	To facilitate safe pedestrian and vehicular access to the proposed development.
34	A Stage 1/2 and Stage 3/4 Road Safety Audit shall be carried out on the internal road layout and external road improvement schemes. Any recommendations resulting from the audits shall be incorporated into the final scheme and shall be carried out by the developer at the developer's expense.	In the interest of traffic and pedestrian safety
35	Disabled parking spaces should be located as close as is reasonably possible to the building entrance points. Parking bay widths for disabled persons shall be a minimum of 3.0m wide by 4.75m long.	To provide disabled access
36	(a) Noise during site clearance and construction shall not exceed 65 dB (A), Leq 30minutes and the peak noise shall not exceed 75 dB (A), when measured at any point off site. (b) Working hours during site clearance and construction shall be restricted to 0800-1800 hours on Mondays to Fridays and to 0800-1600 hours on Saturdays. Activities outside these hours shall require the prior approval of the Planning Authority. (C) Bored piling as opposed to	In the interests of residential amenity.

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	percussive piling shall be used during site clearance and construction.	
37	<p>a) Construction waste such as wood, metal, and cardboard, shall be segregated and submitted for recycling. Waste Gypsum shall be segregated and delivered to an appropriate facility. Hazardous construction waste such as paint, lubricants, oil, lighting, wood preservative shall be segregated and disposed of at an authorised facility.</p> <p>b) All asbestos arising from the demolition section of this development shall be disposed of in accordance with the procedures of Cork City Council.</p> <p>c) The developer shall ensure that any waste moved off site during site clearance operations or construction works is removed by authorised waste contractors only. The material shall be taken only to sites authorised by a local authority or the Environmental Protection Agency.</p> <p>(d) The developer shall consult with Cork City Council in regard to an proposed off site disposal of excavated soil or other construction waste and shall submit details of proposed disposal sites prior to commencement of construction activities. Prior to the commencement of development, the developer shall submit a construction and demolition waste management plan to the planning authority. This plan shall, inter alia, include the information recommended in sections 3.2, 3.3 and 3.4 of the document titled "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Development Projects" published by the Department of the Environment, Heritage and Local Government in September 2004.</p>	in the interest of orderly management and disposal of waste
38	a) The developer shall constitute a waste management	in the interest of orderly management and disposal of waste

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	<p>company or structure for dealing with waste arising in the development.</p> <p>b) The developer shall provide and maintain within the confines of the site, facilities for the storage of recyclable materials e.g. paper, cardboard, glass, metal. The developer shall make arrangements for the proper collection and submission for recycling of these materials.</p> <p>c) The Developer shall install an oil interceptor on the surface water system. The Developer shall operate a cleaning and maintenance regime for the interceptor. Waste from the interceptor shall be collected by an authorised contractor, and shall be disposed of at an authorised disposal facility.</p> <p>d) The developer shall provide within the curtilage of the site designated vented waste storage space of sufficient capacity to accommodate the segregated storage of municipal waste, food waste and mixed dry recyclables.</p> <p>Alternatively, a communal type storage area may be provided for larger type bins. It will be necessary in all cases to be able to present the wheeled bins at a convenient location for refuse collection. Details of waste storage and presentation shall be agreed with the Planning Authority.</p>	
39	<p>(a) Upon commissioning of the structure, noise from activities associated with this development shall not give rise to noise levels off site exceeding 55dB(A) Leq, 15 minutes during the hours of 0800-2200 and 45dB(A) Leq, 15 minutes during the hours of 2200-0800. There shall be no</p>	<p>In the interest of residential amenity.</p>

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	<p>audible tonal or impulsive noise. The developer shall engage the services of a noise specialist to assess compliance with this condition as required.</p> <p>(b) Any public address system provided for this development (except for emergency purposes) shall be located internally.</p> <p>(c) Any music associated with this development shall be so controlled as to be inaudible within the nearest noise sensitive receptor.</p> <p>(d) Noise from the premises shall not exceed the background levels by more than 5dB(A) during the period 0800-2200 and by more than 3 dB(A) at any other time when measured at any external position at a noise sensitive premises. The noise level shall be measured as Leq, 15 minutes</p> <p>(e) No amplification equipment shall be used in connection with the playing of live music or recorded music from the premises between the hours of midnight and 0900 hours daily.</p> <p>(f) All entrance doors in the external envelope shall be tightly fitting and self closing. All windows shall be double glazed and tightly fitting. Adequate noise attenuators shall be fitted at any openings required for ventilation or air conditioning purposes.</p> <p>(g) Prior to commencement of development the developer shall submit to the Planning Authority for agreement, full details of service plant such as lifts, pump, generators, boilers, coolers, and fridges. Details shall include location and anticipated noise levels.</p>	
40	Prior to commencement of development, the developer shall carry	In the interest of public health.

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	<p>out an appropriate investigation / survey of the proposed development site, to identify and map any existing surface or sub-surface watercourses, springs, wells etc. within the site boundary. The developer shall propose appropriate mitigation measures for dealing with any such features identified, which are likely to be impacted by the proposed development (e.g. through construction of foundations, new utility networks etc). The developer shall submit the results of the investigation / survey, as well as any proposed mitigation measures to the Planning Authority for written approval prior to commencement of development.</p>	
41	<p>Prior to the development commencing the applicants shall submit to and agree in writing with the Planning Authority full details of a legally incorporated management company which shall be responsible for the future maintenance and upkeep of all services within the development site including drains, sewers, watermains, public lighting, paths, open spaces, and refuse storage areas.</p>	<p>To ensure the satisfactory maintenance of the site in the interest of visual and residential amenity.</p>
42	<p>Before the development is commenced, the developer shall lodge with the Planning Authority a bond or such other security as may be accepted by the Planning Authority, in a sum to be determined by Cork City Council to secure the provision and satisfactory completion and maintenance of sewers, drains, watermains, roads, footpath, communal waste storage, public lighting required in connection with the proposed development.</p> <p>The bond or security shall provide for the adjustment on a monthly basis, in accordance with the Consumer Price Index of the Central Statistics Office, of the amount of bond as approved by the City Council.</p>	<p>To ensure the satisfactory completion of the development.</p>
43	<p>Prior to the commencement of the proposed development, the Developer shall pay or enter into an agreement with the Planning Authority to pay a</p>	<p>To comply with the General Development Contribution Scheme 2017 - 2021, which was adopted by Cork City Council on 13th November,</p>

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<p>contribution to Cork City Council in respect of the following classes of public infrastructure and facilities benefiting development in the City of Cork and that is provided or that is intended to be provided by or on behalf of Cork City Council, in accordance with the General Development Contributions Scheme ("the GDCS scheme"):</p> <p>Class 1 - Roads, Transportation Infrastructure and Facilities Class 2 - Water and Drainage Infrastructure and Facilities excluding Water and Wastewater Class 3 - Parks, Recreation, Amenity and Community Facilities</p> <p>The present value of the contribution as determined under the GDCS made by Cork City Council on the 13th November, 2017 is €974036.00, which sum is subject to indexation in accordance with the Consumer Price Index prevailing at the date of payment and subject further to such exemptions or reductions as apply to the proposed development having regard to the provisions of Table 5 of the GDC Scheme.</p>	<p>2017, and in the interests of the proper planning and sustainable development of the area.</p>
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