

# DÁIL ÉIREANN

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## AN COMHCHOISTE UM THITHÍOCHT, RIALTAS ÁITIÚIL AGUS OIDHREACTH

### JOINT COMMITTEE ON HOUSING, LOCAL GOVERNMENT AND HERITAGE

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*Dé Máirt, 7 Nollaig 2021*

*Tuesday, 7 December 2021*

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Tháinig an Comhchoiste le chéile ag 3 p.m.

The Joint Committee met at 3 p.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Francis Noel Duffy,	Victor Boyhan,
Emer Higgins,	John Cummins,
Paul McAuliffe,	Mary Fitzpatrick,
Cian O'Callaghan,	Rebecca Moynihan.
Eoin Ó Broin.	

Teachta / Deputy Steven Matthews sa Chathaoir / in the Chair.

## **Business of Joint Committee**

### **Update from Minister of State at the Department of Housing, Local Government and Heritage**

**Chairman:** The committee is meeting to consider an update by Minister of State, Deputy Malcolm Noonan, on matters for which he is responsible around biodiversity, heritage and electoral reform. The Minister of State is accompanied by a number of officials who will assist the committee as necessary with any of their questions.

Before we proceed, I must read note a privilege. Members are reminded of the constitutional requirements that they should be physically present within the confines of the place in which the Parliament has chosen to sit, namely, Leinster House, in order to participate in public meetings. For members attending remotely from within the Leinster House complex, they are protected by absolute privilege in respect of their contributions to today's meetings. This means they will have an absolute defence against any defamation for anything they say at the meeting. For witnesses attending remotely, there are some limitations to parliamentary privilege, and as such, they may not benefit from the same level of immunity from legal proceedings as a person does who is physically present.

Members and witnesses are expected not to abuse the privilege they enjoy and it is my duty as Chair to ensure this privilege is not abused. Therefore, if their statements are potentially defamatory in relation to an identifiable person or entity, they will be directed to discontinue your remarks and it is imperative that they comply with any such direction. Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside of the Houses or an official either by name, or in such a way as to make him or her identifiable.

The opening statements submitted to the committee will be published on the committee's website after the meeting.

I welcome Minister of State to the meeting. We have had a number of meetings in the past on issues relating to his remit around biodiversity and heritage and we had the Heritage Council in last week. We are delighted to welcome him here today. I invite him to make his opening statement.

**Deputy Malcolm Noonan:** I would like to thank the committee for the invitation to provide an update of the work across the heritage and electoral reform divisions of our Department. As members can see, I am joined today by colleagues from across the heritage and electoral reform divisions. It has been an extremely busy 18 months since I took office. Much has been achieved to date and, notwithstanding my presentation today, there is much more to do.

The immense and urgent challenge of addressing biodiversity loss is now being felt across all levels of society and the need to conserve and restore our historic built heritage and national monuments has never been more prominent. Similarly, we are seeing unprecedented and timely attention on the issue of electoral reform as we seek to build resilience in our democratic systems to meet the unique challenges of the 21st century.

I would like to start by acknowledging the great work that this committee has been doing

to support the work across this Department, ably chaired by my party colleague, Deputy Matthews. I expect to see much more of members over the coming year as we progress our legislative and policy agenda, including the monuments and archaeological heritage Bill, the Electoral Reform Bill 2020, Heritage Ireland 2030 and the fourth national biodiversity action plan.

My work in this role and that of my colleagues across the Department is to protect, conserve, restore and manage Ireland's heritage. This includes its biodiversity, such as habitats, species, and natural heritage, its built heritage, historic buildings and structures, and the precious national monuments and archaeological features. This is for the benefit of present and future generations and, particularly with regard to nature, for its own sake, independent of the value people place upon it.

Under this programme, the 2022 allocation of a very significant €133.5 million will allow my Department to progress an expanded programme of biodiversity investment and the restoration and conservation of protected peatlands, including raised bog compensation schemes in line with national biodiversity and climate action objectives. It will continue to support the protection of our archaeological and built heritage. It will allow us to invest in and support Ireland's national parks and reserves. We will be able to continue to monitor habitats and species as required under the birds and habitats directives and to advance with the delivery of conservation projects under the EU's programme for environment and climate action, LIFE, and other funding instruments, including the conservation and restoration of protected natural heritage areas, NHAs, and an expanded farm plan programme. It will allow us to accelerate the conservation measures programme to enhance protections and supports for nature at more than 600 Natura 2000 sites across Ireland. In addition, we will maintain and invest in waterways for 15,000 registered boat users through Waterways Ireland and support the investment in cross-Border initiatives under the Shared Ireland, Shared island initiative and New Decade, New Approach, NDNA, agreement, such as the Ulster Canal and the Narrow Water Bridge.

Under the programme for Government, there is a commitment to review the remit, status and funding of the National Parks and Wildlife Service, NPWS, to ensure that it plays an effective role in delivering its overall mandate of enforcement role and protection of wildlife. The primary determinant of an effective response to that commitment is resourcing. I secured additional monies in the 2020 July stimulus, significantly increased NPWS funding by almost 50% in budget 2021. This week, I announced that NPWS funding will increase yet again, to more than €47 million in 2022, a total increase of 64% since I became Minister of State, bringing it back to a level not seen since before the financial crisis.

The NPWS review is under way and consists of a comprehensive three-phase process: Review, Reflect, Renew: A Strategic Action Plan for the Future of the NPWS. It has been designed to define exactly what is needed as well as developing an action plan to renew the NPWS and ensure it is equipped to respond to Ireland's biodiversity emergency now and in the decades to come. The orientation, or review, part of this process commenced in February 2021 under the direction of Professor Jane Stout from Trinity College Dublin as chair and Dr. Micheál Ó Cinneide, deputy chair, formerly of the Environmental Protection Agency, EPA. The independent reviewers heard from more than 3,000 people and groups providing an external perspective on some specific aspects of the NPWS in conducting an analysis of comparable organisations across Europe to inform a suite of recommendations.

The next phase, reflect, is taking account of outcomes of the outcomes of the Stout-Ó Cinneide work and then synthesise the resourcing gains of the past 18 months with a detailed expert analysis of governance, organisational structures, communications, data systems and future

resourcing, and outline the NPWS's specific requirements across these areas. The final phase, renew, will detail the objectives and prioritise actions that will equip the NPWS to deliver on the ambitious goals, objectives and targets emerging from our programme for Government, the post-2020 global biodiversity framework, the EU biodiversity strategy towards 2030, Heritage Ireland 2030 and the new national biodiversity action plan and to be the respected voice for nature that so many have called for.

Our national parks and nature reserves have never been busier, nor have they been such a refuge as in the challenging days of the pandemic. I commend all of our heritage staff, who were deemed essential workers from the outset, and who played a cathartic role in providing those beacons of tranquillity, beauty, safety and amenity, never missing a day for the past two years. I also want to acknowledge that while we are all safe inside today, many NPWS and National Monument Service colleagues are out in the elements of Storm Barra, providing vital health and safety cover at our heritage sites throughout the country.

Some €6.5 million in capital funding was provided in 2021 for the maintenance, development, management and operations of our 87,000 ha network of national parks, nature reserves and other conservational and recreational nature heritage sites. During 2021, this funding has facilitated more than 300 individual projects, ranging from infrastructural repairs, improvements to extending visitor facilities and the upgrading of trails, to habitat restoration and invasive species removal.

A particular highlight for me this year was the continuation of the white-tailed eagle reintroduction programme. During the summer, 21 Norwegian-born eagle chicks were imported into Ireland from the Norwegian Institute for Nature Research and subsequently released into the wild. Returning this lost keystone species to Irish skies will be a huge step in improving Irish conservation efforts by restoring a top predator to the ecosystem and will benefit Irish biodiversity more broadly. The success of this programme is thanks to the ongoing co-operation of many stakeholders who are working together to restore a lost element of Ireland's natural heritage. My family and I had the privilege of attending the release of the white-tailed eagles at Lough Derg a number of months ago and it was a very special occasion. Again, I pay tribute to our own NPWS staff who manage and oversee the project and also the assistance of other interested parties, such as the Irish Farmers' Association, the Norwegian Institute for Nature Research and, in particular, local landowners and farmers, without whose enthusiastic support in monitoring nest sites and care of birds, the project could not succeed.

Biodiversity underpins all life on earth. Yesterday, I was delighted to announce €2.1 million in funding for biodiversity initiatives by local authorities, including €1.5 million for the local biodiversity action fund and €600,000 for the next phase of the biodiversity officers programme for local authorities. This represents a 300% increase in the fund since 2019 and recognises that local authorities are vital in addressing our biodiversity loss and protecting, enhancing and restoring habitats and species through the implementation of the national biodiversity action plan. I want to ensure biodiversity officers are in a position to lead on the delivery of strategic actions for biodiversity at the local level, supported by strong connections with the National Parks and Wildlife Service, NPWS, and the necessary networks and resources to enable them to do such great work.

I am happy to say that, on 4 November, I received Government approval for the establishment of a new national biodiversity data centre as a company limited by guarantee, subject to oversight by the Heritage Council, with a purpose to collect, record and maintain data on Ireland's biodiversity and make them available to the public. The creation of this new company

will support the consolidation of relationships across government and provide sufficient flexibility to develop new programmes responding to the unique challenges climate change poses for agriculture and other sectors.

On the subject of our built heritage and as most of the committee knows, my Department provides financial support for the protection of heritage buildings, historic structures and archaeological monuments through three capital grant schemes that are, in the main, administered by local authorities. These are the built heritage investment scheme, BHIS, the historic structures fund, HSF, and the community monuments fund, CMF, which was recently announced. This year, total funding of €6 million was awarded to 562 projects under the BHIS and HSF. In addition, the CMF awarded €4.2 million to 139 projects carried out over the course of the year. These schemes touch every county in the country, providing local employment and much-needed economic stimulus. The 2022 schemes were launched this month and are now open to applications, with a combined funding pot of €13 million, which is an increase on last year's.

In conjunction with the Heritage Council, my Department delivers the historic towns initiative, which is providing €1.5 million to a number of towns in 2021, including Ballyshannon in Donegal, Listowel in Kerry, Sligo town, Roscommon town, Ballina in Mayo, Birr in Offaly, Tramore in Waterford and Callan in my own county of Kilkenny. I am delighted to say this successful initiative will run again in 2022 and will be open to applications in the coming weeks. This year, it will also seek to address the issue of vacancy and residential reuse of heritage properties in line with the Government's commitments under Housing for All.

We continue to make strides in new legislation and policy. As members may be aware, the Cabinet just last week approved the referral of the new draft monuments Bill to this committee for pre-legislative scrutiny. I look forward to working with members on that over the coming months.

Later this week, I will launch our new vernacular architectural strategy, A Living Tradition. This contains clear, well-considered and fully deliverable actions as well as engaging and informative background information on Ireland's vernacular built heritage. I will be more than happy to provide copies to members of the committee early next week. We would all agree it makes sense to rehabilitate buildings that are actually standing and bring disused ones back into use where this can be done in a way that respects the buildings and the communities that created them.

The purpose of our new national policy on architecture is to support and promote architectural quality and sustainability. It will contain policy actions to encourage best quality in researching, understanding, designing, managing, enhancing and reusing our existing built environment assets as well as delivering sustainable new places and spaces. A draft policy has been prepared and is now going to copy editor for further refinement ahead of publication.

**Chairman:** I am sorry to interrupt the Minister of State, but due to the delay at the start and many members' desire to contribute, could he bring his opening statement to an end? I could then invite members to ask questions about it.

**Deputy Malcolm Noonan:** Of course. I thank the members and look forward to their questions. I have not touched on electoral reform but this committee gave great consideration to that Bill earlier this year.

**Chairman:** The Minister of State has a wide-ranging brief across heritage, the environ-

ment, biodiversity, electoral reform and many other areas where we have not been doing great work over the years, so there is a large amount of work to be done. I note the amount of travel the Minister of State and the Minister, Deputy Darragh O'Brien, have been doing in visiting the various parks and heritage and cultural sites. That is much appreciated by everyone who is involved or has an interest in these matters.

I will move on to members and follow the usual meeting order by first calling on Fianna Fáil.

**Senator Mary Fitzpatrick:** The first five minutes will be split between Deputy McAuliffe and me. Unfortunately, both of us must leave the meeting but we hope to rejoin it. The Minister of State has our apologies. It is not a reflection of our interest in his work and that of his Department, which is highly commendable. We congratulate him and everyone in the Department.

I will focus on a small but important issue, that of the national monument on Moore Street. It was a great honour to serve on the Minister of State's advisory committee, which reported in May. Thankfully, the Government included the matter in the granting of €120 million in urban regeneration for the north inner city, but there is considerable disappointment and frustration on Moore Street and elsewhere in the north inner city at the lack of progress. The advisory group endorsed the concept proposal from the Irish Heritage Trust. When will we see work commencing on the national monument on Moore Street?

**Deputy Paul McAuliffe:** I thank Senator Fitzpatrick for allowing me some of her time. I thank the Minister of State for the commitment he has shown to community historical projects. We have seen the benefit of that in my constituency through the funding he awarded to St. Canice's monastery and graveyard. That nearly €30,000 has already been put to good use by Dublin City Council. We will see the benefit of that investment in the years to come. As a result of that work, though, we have discovered the vast extent of what needs to be done on the site. Will the Minister of State be making similar rounds of funding available so that we can build on the investment he has already made and go much further in restoring the abbey site? It is an important local historical site.

**Deputy Malcolm Noonan:** To address Senator Fitzpatrick's question, we have made considerable progress in respect of Moore Street. As she knows, the advisory group, which was chaired by Dr. Tom Collins, whom I thank for his fantastic work, commenced in 2017. Its final report was submitted to the Minister and me on 5 May of this year. We are making significant progress. Our officials have been liaising with the Office of Public Works, OPW, on progressing the next element of the works on the national monument and the creation of a new visitor centre. We want to expedite this work as much as practicable, notwithstanding other complexities with the site. The national monument is our number one priority. I will be working with the Minister on trying to advance the work in 2022. I hope this has answered the Senator's question. I can ask Mr. Michael MacDonagh from the national monuments service to appear before the committee if required. I will give a commitment, though. The Minister and I have discussed this matter in recent weeks. We want to try to make significant progress in early 2022.

Regarding Deputy McAuliffe's question on St. Canice's monastery, we were delighted to be able to support that project. I urge the area's community to continue looking at our funding streams, in particular the CMF, in 2022. There is a significant capital programme in stream 1 that I urge the community to consider. We will work with the community. The monastery project is important and we would be delighted to try to help the work in any way we can.

**Chairman:** Does either member wish to ask follow-up questions?

**Senator Mary Fitzpatrick:** Briefly. I thank the Minister of State for his reply. I appreciate his assurances and accept his commitment and that of the Minister, but I must reiterate the considerable disappointment and frustration at the lack of any visible progress or action on the national monument. A hundred years had passed by 2016 and we are now going into 2022. I urge the Minister of State to visit the site again – he has been there previously – as soon as possible. We need to see some action on the national monument. The Irish Heritage Trust’s concept is excellent, everyone is behind it and the funding has been provided, but there is bewilderment at the lack of activity on the site.

**Deputy Malcolm Noonan:** The Minister and I are committed. The Senator is aware of the progress that has been made to date and the funding that was allocated this year. We want to progress that. We will give a commitment to visit the site early in the new year and we are determined to progress the continuing enabling and conservation works on this critically important national monument.

**Deputy Eoin Ó Broin:** I am in Leinster House. I thank the Minister of State for the updates he has provided. There are three areas on which I would like more information. It is very welcome the State architectural policy will now be published. As the Minister of State and I know, it has been long delayed. When we met last year and spoke about this, there was an indication there would be further rounds of engagement with interested parties prior to publication. Has that happened? More important, what is the hope in terms of ensuring, particularly in the context of public investment, that State agencies and Departments will be made leaders in ensuring full adherence to this policy? We all wish to see the principles of sustainability and high quality architectural practice, especially when this is at taxpayers’ expense.

It is great that the general scheme of the monuments Bill was published last week. When is it hoped to bring it to committee? When is it hoped to move to the full drafting of the Bill? This is very overdue legislation. It is several decades since we have had similar legislation. I have not yet had time to read the general scheme of the Bill but the Minister of State is aware I have a keen interest in 20th century architecture. Will the Bill cover not just what people generally consider to be architectural monuments, that is, those from the 17th, 18th and 19th centuries, but also the growing number of at-risk mid-century modernist buildings we need to ensure are protected?

As regards the National Parks and Wildlife Service, the Minister of State did not provide a timeline in his update. He will have significant support from members of this committee in terms of where it is to be hoped he will take this, particularly from those of us who are advocating for a strong, independent and stand-alone National Parks and Wildlife Service not unlike the Environmental Protection Agency and certain other bodies. Is there a sense of when the renewal phase and those other nice reworded phrases might be timelined? We are all keen to see that progress.

**Chairman:** I thank the Deputy. I ask the Minister of State, in responding to the question on the monuments Bill, to outline what is contained in the Bill. I have not read the general scheme.

**Deputy Malcolm Noonan:** I will, of course. I thank the Chairman and the Deputy. I am keenly aware of the significant interest of Deputy Ó Broin in this area, especially in modern architecture. I thank him for his questions. As regards the national policy on architecture,

he is aware the policy is to support and promote architectural quality and sustainability and it will contain policy actions to encourage best quality in researching, understanding, designing, managing, enhancing and reusing our existing built environmental assets, as well as delivering sustainable new places and spaces. The draft policy has been prepared and is now going to a copy editor, as I said in my opening statement, for further refinement ahead of publication in January. Ms Caitríona Ryan of the built heritage unit of the Department is present and I will ask her to contribute when I finish addressing the Deputy's three questions.

As was stated, the process for the national monuments legislation started in 2009. This is a consolidation of well over 100 years of national monuments legislation, so it is very much welcome. It was approved by Cabinet, having been brought to it by the Minister, Deputy O'Brien, approximately two weeks ago. We hope to get the Bill before the committee as soon as possible in the new year. I have spoken to the Chairman in that regard. Mr. Michael MacDonagh of the national monuments service, who is present, might give a more in-depth outline in terms of the Deputy's question on protection of modern architectural heritage.

As regards the National Parks and Wildlife Service review, the piece prepared by Professor Jane Stout and Dr. Micheál Ó Cinnéide was completed several weeks ago. That first review phase is still in draft and being completed. We hope the next phase will be completed by the end of January, at which point we will be able to bring an update to Cabinet and then move to the final phase. All going well and notwithstanding the significant challenges, I hope we will soon be ready to do so. We decided to expand this out to consider the resources that have come in since the Government was formed in 2020 and to use that to work with the Stout-Ó Cinnéide report in terms of the really expansive work that was done across all stakeholders to try to get to a point where we had a very consolidated and strong plan for a future vision for the NPWS. As the Deputy is aware, it is critically important to deliver on nature and biodiversity for the next decade. All going well, that work should be completed by mid-2022.

I ask Ms Ryan to come in specifically on the architectural policy and Mr. MacDonagh to come in with a more detailed response on the national monuments legislation.

**Ms Caitríona Ryan:** I am head of the built heritage policy unit in the Department. I thank the Deputy for his question on the policy on architecture. I am conscious we intended to publish this policy a little bit earlier. We got caught in the space of the last 10% taking almost 90% of the time. We got caught in an endless circle of consultation, especially because there were so many other policies coming out at the same time and we want to tie in with Housing for All and the town centre first initiative. We now have a draft ready. The Deputy asked about the final consultation. For the final consultation, we consulted finally with all Departments. We did not do a broad consultation because we felt we might never get it over the line. I am glad to say we do have a policy now ready to go the copy editor.

The Deputy mentioned implementation of the policy. That is a very good point. We need a strong delivery board to make sure this policy is implemented. We will have a delivery board, probably to be chaired jointly by senior officials in our Department and the principal architect or State architect in the Office of Public Works, so that it will be implemented at a very high level to ensure the actions are implemented early in the new year once the policy is published.

**Mr. Michael MacDonagh:** On the Deputy's question regarding the new national monuments and archaeological heritage Bill, we are confident it will provide effective protection for monuments of any age. As we work the Bill through pre-legislative scrutiny and the Oireachtas, we are confident it will have the provisions to allow for the inclusion of monuments from



any period that fit the criteria necessary.

**Chairman:** Does the Deputy wish to come back in? He has one minute left.

**Deputy Eoin Ó Broin:** The remit of this committee is heritage and housing, while architecture and architectural policy cut across a range of other Departments, but many members of the committee are keen to play a supporting role to ensure the policies, particularly the two core principles that have been outlined, are amplified such that whether it is hospitals, schools or good quality public housing that are being built, those objectives are achieved. I cannot speak for other members of the committee, but the Minister of State will certainly have willing support from my party in amplifying that to the best of its ability.

As regards the monuments policy, we need to get the detail of the legislation right, but we also need to get the Bill through in as timely a manner as possible. I reassure our guests that the Bill is likely to enjoy a strong level of cross-party support. We need it. What we saw with the O’Rahilly house, for example, or some of the earlier iterations and legal challenges relating to Moore Street show the need for the most up-to-date set of legal protections for historic monuments and archaeological heritage. I reassure our guests that my party will be a supportive voice at this committee on both of those pieces of policy and legislation.

**Chairman:** I thank the Deputy. Members will be aware we were setting out our work schedule for the year ahead and are willing to carry out pre-legislative scrutiny of the Bill as soon as it is ready to be presented to the committee. I think all members will agree to that.

**Deputy Emer Higgins:** I thank the Minister of State for that comprehensive overview and I know he had even more to say. One of the especially interesting things the Minister of State mentioned was how well used our parks, forests and public spaces have been over these past 20 months. Parks and forests offered sanctuary and in many cases, sanity, during lockdowns. I acknowledge all the workers who kept them open and pristine for all to enjoy. My local parks, Griffeen Valley and Lucan Demesne, were a hive of activity these past 20 months. Woods such as Slade Valley and Slievethoul had footfall like they have never seen before.

Covid gave many people a new appreciation of nature and natural amenities on their doorstep. That gives us a unique opportunity to harness that appreciation into support for the action on climate change agenda. I know all of us here agree on that and the Minister of State and his colleagues in the Green Party and colleagues of mine, such as Deputies Bruton and Farrell and Senators Currie and McGahon, have done tremendous work on it.

As a result of pandemic-related restrictions, several zoos, including Dublin Zoo, have reported they now may face closure due to lost income and ongoing expenses in maintaining their animals. I heard the director of Dublin Zoo on “The Ray D’Arcy Show” last week saying they have literally been kept above water by the generosity of the public who came out in their droves last year to donate to Dublin Zoo to support it to stay open and continue doing the essential conservation work it does. In fact, it is Dublin Zoo’s ambition to move from being a zoo that does some conservation work to being a primary conservation centre that also happens to be a zoo.

That work is very important and we know great zoos such as Dublin Zoo have massive support and affection from the general public but, unfortunately, public generosity can only get them so far. They need Government support at this difficult time. I acknowledge all the advocacy for Dublin Zoo by my colleague, Senator Currie, who recently arranged for An Tánaiste,

Deputy Varadkar, to visit the zoo and meet with staff and management to understand the challenges. Will the Minister of State share with us what his Department can do to support Dublin Zoo and ensure this great facility and amenity remains open?

My second question is on behalf of farmers and relates to the EU diversity strategy, which proposes an increase in the percentage of protected areas throughout the EU. Does the Minister of State's Department intend to compensate farmers and landowners for these additional designations?

The Minister of State got cut off before we had the chance to discuss electoral reform in detail. He has done amazing work when it comes to modernising the electoral register and the register to vote process and, of course, the moves towards the establishment of the electoral commission. However, one omission from that legislation, about which we talked to death at this committee, was the fact the online political advertisements will only be regulated during the electoral period, which may only be a couple of weeks. Will the Minister of State give us an update as to whether he fed our feedback back to his Government or colleagues? Can he fight to have this included in the online social media regulation Bill? Is it something on which he can work with other Ministers to try to rectify?

**Deputy Malcolm Noonan:** I will try to be quick with these responses. We have a significant role to play in Dublin Zoo and Fota Wildlife Park. Our National Parks and Wildlife Service, NPWS, for starters, has responsibility for the implementation of the regulations arising out of the zoo directive and licenses these establishments, including aquaria. When Covid hit last year, we reached out directly to zoos and aquaria throughout the country, not just Dublin Zoo and Fota Wildlife Park. We were the first to put in a fund of €1.6 million to Dublin Zoo and Fota Wildlife Park and a further additional funding of €300,000 to our smaller zoos and aquaria throughout the country which, along with the public appeal from Dublin Zoo, has helped to stabilise the situation from the huge losses they incurred during the lockdown in 2020.

Like the Tánaiste, I have visited Dublin Zoo and I commend Christoph Schwitzer and his team for the amazing work they have done throughout the pandemic and Sean McKeown and the team down in Fota Wildlife Park. In terms of the conservation value they have, Fota Wildlife Park is a key player and partner with the NPWS in our corncrake conservation programme and in the conservation of the natterjack toad. We have taken natterjack toads that were bred in Fota Wildlife Park and released them in the Maharees on the Ring of Kerry with communities and schoolchildren down there, which was a fantastic event. They play a critical role in conserving internationally endangered species.

We see that value and continue to support both Dublin Zoo and Fota Wildlife Park in their conservation efforts and look towards those conversations around the bigger elements we can do to support international conservation efforts. We have had good conversations with both on that. With regard to the EU biodiversity strategy, elements around the targets for 30% land, 30% marine and 10% strict protection are still in negotiation, such as the spread and the burden share of those, but we are looking at State and semi-State lands around how we achieve our targets and those conversations are being had at present.

Certainly, many of the programmes we are putting in place around biodiversity in general and farmlands, around life programmes, such as the farm plan scheme which I know some members are interested in, reward farmers for protecting biodiversity on their land. I hope we will see some very good measures coming from Pillar 2 of the next CAP strategic plan, in particular, in which we have had a hand and that will help and support farmers in their con-

servation efforts, because we know they want to do the right thing and are critical partners in conservation.

With regard to online political advertising, I cannot say enough to thank the committee for its consideration. It went way beyond what was expected of it with pre-legislative scrutiny for the electoral reform Bill. It was fantastic. Our Department has been working closely with the European Commission over the past 12 months looking at the development around proposals in the electoral reform Bill and having regard to the development of the Commission's own proposal on online political advertising. We are aware the Commission has recently published its own proposal for regulation on the transparency and targeting of political advertising, which was announced on 25 November last, as part of protecting election integrity and promoting democratic participation. Our officials are now examining the European Commission's online advertising proposal with a view to ensuring the two policies are closely aligned.

As the Deputy knows, our proposal on online political advertising during electoral events is unique in its own sense and progressive, but it is specifically for a piece of work around electoral events. We are giving consideration to the recommendations that came forward from the committee and will be feeding back on that in due course.

**Deputy Francis Noel Duffy:** I congratulate the Minister of State on the great strides he has made as a Green Minister of State with responsibility for heritage and electoral reform and for the updates today. Two of my questions relate to the recent discussion we had here in the committee with the Heritage Council, with respect to the national policy on architecture, which the Deputy mentioned already. The others relate to the Minister of State's announcement yesterday and the NPWS farm plan scheme. Yesterday, the Minister of State's Department announced an increase in funding to €1.5 million for the local biodiversity action fund for 2022, which I understand is a 300% increase on 2019, which is extremely welcome and will assist local authorities in the implementation and funding for actions in the biodiversity action plan.

However, we know that, ultimately, local authorities need more staff and capacity to be able to execute these projects properly. While in many local authorities, heritage officers are currently stepping in for biodiversity officers, from my experience of working with heritage officers, they are already working beyond capacity in terms of managing heritage. This added workload is not sustainable. Therefore, will the Minister of State give an indication of when all local authorities will be equipped with biodiversity officers, including my local authority of South Dublin County Council, which is still without one? How many local authorities have received funding under the local authority biodiversity scheme operated by the NPWS?

In the context of reducing energy emissions in our built environment, which is a key aim of the national policy on architecture, NPA, when can we expect the NPA to be published? I know that was talked about earlier but it would be interesting to know if the Department has a deadline for that and I would like to know if that draft is available to us. Will the final NPA document contain a definitive proposal for a national built environment research body, as stated in the Places for People document, which emerged following a public consultation on the NPA? If so, has the Department considered what form this is likely to take? Will the NPWS farm plan scheme be expanded in 2022?

**Deputy Malcolm Noonan:** I thank the Deputy for his comments and I might ask my officials to come in on some of them. The Deputy asked a question similar to Deputy Ó Broin's question on the architecture policy that is due to be published shortly. We can seek to get a draft to members ahead of that publication.

There were a number of other questions on the energy policy and the national architecture policy that I will deal with. I refer to the national policy on architecture and the Places for People document. As Ms Ryan said, a delivery board will be established to implement the actions of the policy, including that research element the Deputy is talking about. While the policy will apply the broad parameters, further work will need to be done to map existing resources, identify gaps and scope out more detailed research requirements regarding this. We would welcome the Deputy's comments on that and I welcome Deputy Ó Broin's comments on this committee's commitment to supporting this work on our architectural policy, which is critically important. Far too often we see buildings that are 30 or 40 years old being knocked in Dublin and across the country. These buildings are perfectly reusable and have an architectural value in their own right. It is critically important that this policy informs local authorities about the reuse and repurposing of these buildings and about the embodied energy that is locked into them. A lot of work has been done on this by the International Council on Monuments and Sites Ireland as well. We welcome the commitment given by members to support that.

I refer to biodiversity officers in local authorities and yesterday we announced the expanded roll-out of same. Currently, only five local authorities have biodiversity officers. I take on board the Deputy's point about heritage officers being stretched. They have asked us for assistant heritage officers and that is something local authorities need to prioritise. We also need conservation officers, architects, archivists, archaeologists and a full suite of staffing within our heritage division to do this important and necessary interdisciplinary work across all sections of local government. We announced €600,000 in funding yesterday and we are still in the process of designing that scheme. We want to make sure it is actionable and that it is tied in with the national biodiversity action plan, the strategic biodiversity action plan therein and the protection of our Natura 2000 networks. We want that to have a key role for heritage officers, not just a supporting role. Heritage officers need those additional resources but what we are saying about the biodiversity officers is that we want this to be a good scheme that is supported.

There was a question on the farm plan scheme and it is the case that we will expand it next year. The scheme operates nationally and targets various habitats and species, working with farmers to go above and beyond their statutory requirements. We already expanded the scheme in 2020 and by the end of 2021 we should have over 200 plans in place, pending participant approval. It has been hugely popular, with others currently in design by agri-ecologists contracted to the NPWS. We hope to bring this to over 250 plans and it is expected that a new call for applications will be made in 2022. This will support the delivery of our conservation measures nationally and the staffing of the NPWS agri-ecology unit will be increased in 2021 to service the increased demand for farm plan schemes. I hope that answers the Deputy's questions. If there is anything I have missed perhaps Ms Ryan or Ms Nally from the NPWS might come back on specific elements of the Deputy's questions that I have missed.

**Chairman:** We might come back to that in the third round if there are any outstanding questions.

**Senator Rebecca Moynihan:** I thank the Minister of State for his comprehensive update on his area. I also want to pay tribute to the Minister of State as he is active and interested in the area he is covering. The report he provided shows the width and breadth of what he has been doing.

I would like to focus on something I have previously asked the Minister of State about and it concerns a local matter that is also of national interest. It is specifically about the preservation of built heritage. I will do that by focusing on the Iveagh Market in Dublin. It was built in

1902, it is situated on Francis Street in Dublin 8 and it has fallen into severe dereliction. As the Minister of State may know, there was a deal between a city council and a publican to develop that market after the market closed in the 1990s and since then it has essentially been allowed to fall into dereliction. Some conservation experts have said that the market is close to collapse. It is estimated that it will cost up to €23 million just to bring it up to a basic standard, not even to restore it. I was interested in the report the Minister of State gave on the built heritage investment scheme historic fund and the community monuments fund. They are funded to the tune of €6 million for 562 projects, and €4.2 million, which is for 139 projects. That is far away from the amount it will take to bring something like the Iveagh Market back into use and protection. Are there any plans on behalf of the Government to invest more money in large-scale built heritage projects? Otherwise they will constantly be allowed to fall out of State hands and developers will run them down so they can build something else on them.

The Minister of State mentioned heritage legislation towards the end of his report. Are any plans included in that for punitive measures on people who deliberately run historic or protected structures into the ground in order to be able to knock them and develop the site? That is one of the key issues. Everybody knows that there is a clause which allows them to get around buildings that are on the record of protected structures or heritage buildings. If one allows them to fall into dilapidation then one can knock them down and build there. Are there any plans to include measures to tackle that?

**Deputy Malcolm Noonan:** I thank the Senator for her positive comments, which are most welcome. The question on the Iveagh Market is timely because last week we reached out to the Iveagh Trust to see how we can progress the matter. Like the Senator, I share the concerns of the wider community in Dublin and in the locality about the historic Iveagh Market. It is a beautiful structure with a huge social structure attached to it. The Senator is aware that it was repossessed by Mr. Edward Guinness last December, following much inaction on its redevelopment. That matter rests between the Iveagh Trust, Dublin City Council and a third party. The Minister, Deputy Darragh O'Brien, and I are committed to reaching out to the Iveagh Trust to see where we can help. Our grant programmes are useful in issues like this but they require the establishment of clear lines of ownership, stewardship, etc., and they are not sufficient for a project of this scale, as the Senator has said. It is a huge project that will take a significant capital investment.

We are seeking to have a conversation with all parties to see how we can move this along with the Iveagh Trust and Dublin City Council. My role on protected structures is mainly advisory but we want to try to secure this before it deteriorates any further. We want to pull it back from the brink. It would be fantastic to see it restored to its former glory.

On positive measures, I cannot specifically answer the question in respect of the national monuments legislation. I am not sure whether Mr. MacDonagh can. There are already mechanisms on protected structures in development plans. Members may have seen that the Minister, Deputy Darragh O'Brien, recently submitted the updated national inventory of architectural heritage data for Dublin city. There were over 1,400 recommendations for the local authority to consider the protection of structures. That falls down to the role of the elected members of Dublin City Council. Therefore, we urge elected members to be proactive and to try to include as many structures as possible in the record of protected structures for the city development plan. This goes back to the point on having in place conservation officers to work with premises owners to ensure buildings do not fall into disrepair. The arrangement should not be used as a mechanism to allow buildings to deteriorate to a point where they have to be demolished.

That should not be happening. I wholeheartedly agree in respect of the question but I cannot give any detail on whether our legislation will deal with the matter. Strengthening within the development plan should be the primary focus.

**Senator Rebecca Moynihan:** That fully answers my question. Could the Minister of State update people who live in the locality on progress? I understand the matter is before the courts but it would be great to get an update in general.

**Deputy Malcolm Noonan:** I would be more than happy to do that.

**Chairman:** Maybe the Minister of State could update the committee, and then the members of the committee could update the community and representative groups.

**Deputy Cian O’Callaghan:** I have two questions for the Minister of State, on biodiversity and electoral reform.

First, on electoral reform, is the regulation of election posters still on the Minister of State’s radar? Will he be considering the Electoral Act 1992, specifically section 111, which under certain circumstances requires people in the polling station to take an oath or make an affirmation under a presiding officer. If they do not want to make a religious oath, they have to declare that it is against their religious beliefs. In this day and age, it is not fair to require someone going to vote to make such a declaration to a public official. Their religion should really be their own business and they should not really have to declare it publicly or at a polling station. Are such matters being considered in respect of electoral reform?

Second, on biodiversity, I do a lot of walking, including hillwalking in national parks. Over recent years, especially the years of the pandemic, I have noticed that there have been many more people going outdoors to enjoy areas such as national parks. However, there is a downside in terms of erosion and damage to habitats. There is a lack of investment in walking infrastructure in Ireland by comparison with other countries and jurisdictions. That is taking its toll. When I was on the Howth special area amenity order management committee, I noted that good investment in paths was a really good way of giving walkers what they wanted while, more important, protecting habitats and keeping people on the paths. I am aware there is €6.5 million in capital funding for national parks and nature reserves. Has there been an assessment of the damage done in recent years, particularly owing to the increase in the number of walkers? Is this on the Minister of State’s radar? Could this area be prioritised for additional resources?

**Deputy Malcolm Noonan:** I thank the Deputy. The question on posters is my pet question. I love it because I successfully ran my 2020 general election campaign without a single poster. I am of the view that posters should be banned or restricted. I would love to see candidates and political parties putting their resources into providing good information to the electorate, both online and in print. It would create a level playing field. Obviously, it is more challenging for new candidates. I was 16 years on a council and was well known around Kilkenny and Carlow. I hope that the commission, once established, will be considering issues such as this. It is time-sensitive in the sense that the next scheduled electoral event will comprise the 2024 local and European elections. At that point, perhaps, the commission could issue a set of recommendations to the Oireachtas and local authorities on posters, ideally restricting them to designated sites on the periphery of large towns. In an era of climate emergency, posters are an unnecessary campaign tool.

Mr. Barry Ryan, from our franchise section, might respond specifically on the second ques-

tion, on the oath made to presiding officers.

**Mr. Barry Ryan:** I thank the Deputy for the question. The electoral reform legislation being brought forward and the proposals in it are very specific. The Minister of State mentioned the establishment of the electoral commission, the modernisation of the electoral registration processes and the regulation of online political advertising. What the Deputy described is not envisaged. There are many other issues in electoral law that could be considered. The elements in the legislation are very specific. As the Minister of State indicated in his response on posters, one of the key elements concerning the establishment of the commission is that it will have a research and advisory function. The two issues raised by the Deputy were posters and the oath. There are many other issues across electoral law. It is envisaged that the commission will be well placed to make recommendations to the Government on the various issues.

**Deputy Malcolm Noonan:** On the Deputy's second question, on damage to habitats, he is absolutely correct. There have been huge challenges. I will ask Mr. Trevor Donnelly from the NPWS to comment on this. During the first summer of the Covid pandemic, there was significant damage. There was certainly an intrusion on wildlife and damage to trails and walkways. A lot of the money we secured under the July stimulus went towards trying to repair trails and install new ones. In our peatlands and bogs, designated walking trails provide a fantastic amenity, but they need regular and significant maintenance. It is critical that we have continued to invest through the capital programme both this year and last year. That includes having general operative staff on the ground in our national parks and nature reserves to help carry out the work. I will ask Mr. Donnelly to comment specifically because he has more detail.

**Mr. Trevor Donnelly:** As the Minister of State has pointed out, the volume and usage comprise a significant factor for us. This year to date, we have had the guts of 4 million visitors across our network. This is more or less the same as the number we had in pre-Covid times. Foreign usage has been replaced with increased domestic usage, which obviously has an impact on sites. A specific issue for us is not so much the numbers but the fact that the sites are being used at a different time than they were. We are finding that we are having peak systems during our traditional downtime, when we would do the type of repair work in question. If a track is used a lot in the winter, it has a greater impact than in the summer months. As is the case every year, the upgrading of our sites takes place constantly. Even this year, we upgraded 12 km of surfaces in Coole, and we upgraded a similar amount in Derrycrag and elsewhere. We have spent the guts of €500,000 upgrading roads and trails in Killarney National Park. This is something that goes on but, as with everything, any capital budget we have is useful in this regard.

**Chairman:** I thank Mr. Donnelly. I agree with the Minister of State's view on election posters. I did not put up many, but you certainly feel at a disadvantage driving around the county seeing thousands of your opponents' posters and only one or two of your own. I have no doubt that, after the storm on the day of the count in 2020, many posters were left lying around or hidden in bushes, and cable ties were left up on poles. If we were to restrict the numbers, it would make sense and even the playing field anyway.

**Senator Victor Boyhan:** I apologise to the Minister of State and the committee as I was attending another meeting in the House. I welcome the Minister of State and his officials to the meeting. I welcome the statement, which I read, about the vernacular architectural strategy. It is a good one and I look forward to the document being published next week.

There is a major national debate about rural housing and there are many conflicts in this regard. The Minister of State is familiar with the Flemish decree, which is a constant subject

of Commencement matters in the Seanad. We are told the Department is looking at this. Old barns, lodges, cottages or rural farmhouses on sites may be 90% okay, although they may have a damaged roof that caused people to move out, and we need a definite policy encouraging their use. They are houses of interest, perhaps, although they may not always have historic value. There is a heritage significance in terms of how they were constructed. It is another arm of action to be used to enhancing rural communities and also providing homes for people. It is an important point.

I really want to focus on the heritage area and I welcome the idea of developing heritage officers. I also welcome the idea of pursuing every local authority to have a conservation officer. We need to be clearer about the role of the conservation officer. In the Dún Laoghaire-Rathdown area, for example, with which I am familiar, the conservation officers are aligned to the architects' department. In some local authorities, the conservation officer is aligned to a planning department, although I accept that not all local authorities have a separate architect and planning section. There are certain pressures in any organisation and an agenda for redevelopment and new development. I am very familiar with planners who have resisted the inclusion of buildings on the record of protected structures and they argue the sites need to be cleared because of pressure. We must remember that this designation of protected structures is exclusively a reserved function; ultimately members take advice but they make a final decision. That must always be the way.

Will the Minister of State comment on the national inventory of architectural heritage, NIAH? What is happening in Dublin is very positive. Dún Laoghaire-Rathdown has been waiting for one for years. It has a large number of protected structures and it is clearly not a priority for the NIAH. Will the Minister of State at a subsequent date let us know where we are with all that?

There is an issue with protected structures in itself and I have had ongoing engagement with the Minister of State, Deputy Peter Burke, on this. Again, there is a view in some local authorities that we can only designate protected structures during a development review process. There is another view that this can be done through a variation. There are different examples. I know Galway County Council has lots of six or ten throughout the span of a development plan. There are mixed messages. I have found that planners can be wrong and chief executives of local authorities can spew misinformation. I have checked this with the Department. There are three mechanisms or strands in which to designate protected structures. I ask that an updated circular be sent to elected members. I know they already engage with the Minister of State, Deputy Peter Burke, a colleague of the Minister of State who is attending the committee today. He has done much work on this.

There are two or three other items. I looked at the programme for Government the other day and under the built heritage section on page 90, there is mention of publishing and implementing a new all-Ireland Government heritage policy. We had a very positive engagement with the chief executive and chair of the Heritage Council two weeks ago. It was a really positive experience. I picked up from the engagement that people are keen to see the national heritage plan, so will the Minister of State speak to us about that?

On the whole, this is a very positive area. The Minister of State is very easy to deal with and engage with. I thank him and his staff for that. I am glad to see the Minister of State here. If there is something I would like to see more of in this committee, and I say it in the Minister of State's presence, it is a renewed focus on heritage. We spend much time on housing, planning and local government. Perhaps we should spend more time on the end of the tag line, which is



heritage. I am delighted the Minister of State is here nonetheless.

I have a final point on electoral reform. I raised this before and I still hold the view that it is not in our interest to have 31 different systems of local authority looking after electoral registers. We must get with it and modernise the system. We are a small enough country to have a centralised system, with one local authority managing it on behalf of other local authorities. Different local authorities can do different things. Some local authorities do not do door-to-door canvassing to get people on the register and check them. We have been forced into using technology more in the past 12 months because of Covid-19 but we need a slicker and a much more professional and centralised register. It can be subbed out but we do not need to duplicate resources and staff around 31 local authorities. I do not normally subscribe to the idea of taking things away from local authorities but in this case we would benefit from having a slick, professional and consistent approach across the country.

**Deputy Malcolm Noonan:** I will reiterate what I said at the outset. We are really grateful on the heritage side to have this attention and focus on our work. We know this is an incredibly busy committee that has worked through a huge amount of housing legislation since the Government was formed. We deeply appreciate the fact that it is affording equal time, energy and effort into heritage. It is equally important to other aspects and we appreciate that.

I will launch the vernacular architectural strategy this week in my county of Kilkenny. One of the buildings on the front is in Mooncoin in County Kilkenny and I look forward to launching it. It is a well-considered policy strategy and I will be happy to distribute a copy to the members of the committee next week along with a National Monuments Service calendar.

The Senator made a point about the Flemish decree and rural housing. I will not get into a full debate on that but there are significant challenges around the country where populations are in decline and perhaps consideration could be given to clustered housing and constructed wetlands in dealing with such approaches. There is no doubt we should not be demolishing our vernacular heritage. It can be repurposed and reused for housing and that should be happening. Ireland has beautiful farmhouses and cottages that might be reused for modern living and that should be given absolute consideration. Our traditional barns and outbuildings also provide fantastic refuges for bats and barn owls and we want to see this recognised as well.

The Senator mentioned that conservation officers are sometimes aligned to planning departments. He also mentioned the reserved function of elected members for the record of protected structures. We take on board the Senator's point on how local authorities update their record. In my time on a local authority, it was intermittent and may have happened once or twice per year and during a development plan cycle. There probably should be consistency in considering how local authorities update their record of protected structures. As I said, NIAH has submitted the records for Dublin city and there are over 1,400 there for consideration. It is a major job for elected members. Perhaps Ms Ryan might comment further on that. We have given additional resources to the National Inventory of Architectural Heritage to continue that work and expand it around updating the inventory. It is very important work.

The Senator referred to Heritage Ireland 2030, a copy of which I have here. There is still some work to be done on it but I hope we will be in a position to launch it early in the new year after it has gone to Cabinet. It is a much-anticipated launch. I welcome the fantastic session that the committee had with both the chair and chief executive of the Heritage Council. I spoke with them afterwards and it was very valuable to them as well. We recognise and thank the committee for the session.

Mr. Ryan will speak to the electoral reform piece. Our intention through the electoral reform Bill is to streamline the register. That will require a specific role for local authorities.

**Mr. Barry Ryan:** At the heart of the proposals to modernise the electoral registration process is a desire to ensure there is a simplified, streamlined and more accessible registration system. There are a number of elements to this, of which I will mention three important ones. The first is the move towards continuous registration and away from that annualised process. This will involve implementing a sort of rolling register. The second is the provision of an online registration system, giving people the option to register online. That is important. The third element I will mention is the move to individual registration as opposed to the existing household registration system.

The electoral commission will have an important oversight role with regard to the register. While local authorities will still be responsible for preparing their own registers, they will have to report on their operations annually. The electoral commission will have an oversight role in that regard. As part of its research and oversight role, the commission can issue guidelines and make recommendations to local authorities. That should assist in standardising processes.

**Deputy Malcolm Noonan:** May I give a quick update on the Dún Laoghaire-Rathdown survey? As I understand it, that survey is under way. It is due to be completed and its recommendations finalised in 2022.

**Senator Victor Boyhan:** I thank the Minister of State.

**Chairman:** The next slot is for Fine Gael but Senator Cummins has been delayed in the Seanad. I will move onto the next Sinn Féin slot. Is Deputy Ó Broin taking the slot?

**Deputy Eoin Ó Broin:** Yes. I will return to the issue of Moore Street. It is my understanding that there are three planning applications and that requests for further information are pending. The deadline for the latter is next week. There is a view among many people who are more involved in this project than I am that much of the success or failure of what is currently on the table will depend on what happens with Hammerson, that is, whether it will continue to have the ability to invest financially or whether it flips the site at some point in the future. It will also depend on what happens with metro north. I know that the Minister of State will not be in a position to comment on either of those matters but I would be interested to know whether the heritage section of his Department made any formal submissions to the planning authority in the most recent round of the planning process. If it did, will the Minister of State give us some information in that regard?

Will the Minister of State give us a timeline as to how he hopes the Electoral Reform Bill 2020 will progress? I have a small point regarding posters. I am very strongly in favour of tight regulation of posters in respect of designated sites and also designated materials to assist in meeting the sustainability challenge. The level of expenditure on posters is extravagant in the extreme. However, I urge people to always be mindful that, in an era of declining electoral turnout, anything we do that reduces the level of buzz around an election could have unintended consequences. While I share the Minister of State's intentions, I would not go as far as a full ban until such time as we have some good research from the electoral commission, once it is established, on the potential impact on turnout. In the expert advice and some of the expert commentary from political scientists, none of whom has any invested interest in posters, concern is expressed regarding a potential negative impact on turnout. If posters were to be controlled, first-time candidates may be disadvantaged because those of us who get an awful lot

of airtime and who are well established have the advantage of incumbency. Let us make sure our approach is evidence-based. I believe we can meet the environmental and sustainability objectives the Minister of State has outlined, which I share 100%, but we need to ensure that we do not lose turnout. I am just sharing that as an opinion rather than as a disagreement.

On the National Parks and Wildlife Service, in the timeline he gave us, the Minister of State took us up to the point at which he hopes to give an update to Cabinet. He did not indicate when he hoped the Government would have actual recommendations regarding the future structure and form on the other side of that. Does he hope Cabinet will agree that early in the new year or is there another stage after Cabinet? It is a little bit like the case of the EPA. It did not arrive in its current form, it evolved over a period of time. If Government is able to outline a trajectory with a very clear endpoint at which we will have a service with the strongest possible powers and the greatest level of independence - obviously resources are a matter for budgets - we would all welcome that.

**Deputy Malcolm Noonan:** I thank Deputy Ó Broin very much. With regard to Moore Street, I reiterate that we are committed to working on the national monument aspect. Over €12 million was awarded under the urban regeneration and development fund, URDF. We want to get working on that early next year. I will ask Ms Ryan to come in specifically on any comments the Department may have made. I do not want to speak about live planning applications, as the Deputy will appreciate.

With regard to the Electoral Reform Bill-----

**Deputy Eoin Ó Broin:** May I say one thing? I would not ask the Minister of State to comment on the live planning applications from the point of view of the planning authority but I believe he could comment on whether he or his officials have made a submission as part of the process. I believe it is reasonable to ask him to update the committee on that, if he can.

**Deputy Malcolm Noonan:** Absolutely. I will ask Ms Ryan to come in on that specific question if that is okay.

**Ms Caitríona Ryan:** I am trying to refresh my memory regarding Moore Street. Is the Deputy's question on the plan for Moore Street itself or the wider O'Connell Street plan?

**Deputy Eoin Ó Broin:** It is specifically in respect of the three live planning applications under consideration by Dublin City Council. My understanding is that these relate to the historic site, not the O'Connell Street side. I could be wrong in that but that is my understanding.

**Ms Caitríona Ryan:** Mr. MacDonagh might come in on this as well. We have commented. I believe there are three applications but I do not think we have commented on all of them. We have submitted comments regarding our preference for buildings to be reused, where at all possible. There might have been a small concern regarding areas where buildings could potentially be reused. I do not have the comments in front of me now. I am sorry; I am trying to refresh my memory. Does Mr. MacDonagh remember what our other comments were?

**Mr. Michael MacDonagh:** Yes. We commented on three blocks. As the Deputy will know, the Hammerson development is divided into various blocks. We commented on three. The remaining blocks have yet to come through our development applications unit. We and the Office of Public Works have also made comments regarding the finishing of the arch in line with recommendations of the Moore Street advisory group.

**Deputy Malcolm Noonan:** I thank Mr. MacDonagh and Ms Ryan. With regard to the timeline for the Electoral Reform Bill, as I have said, the Chair has written to us and we hope the Bill will be given consideration early next year. Mr. Ryan might be able to provide an update with regard to the timeline for that. As the Deputy can understand and appreciate, it is a very expansive Bill so we are still giving consideration to the very comprehensive report we received from this committee earlier this year.

**Mr. Barry Ryan:** I will come in and give a quick update. Really good progress is being made in the drafting with the Office of the Parliamentary Counsel. That drafting is nearing conclusion. As the Minister said, we expect it to be published and for its progress through the Oireachtas to commence early in the new year.

**Deputy Malcolm Noonan:** I thank Mr. Ryan. On the issue of posters, I absolutely take on board Deputy Ó Broin's point. These are issues I hope the commission will consider in carrying out its research and advisory function. I agree on the issue of declining electoral turn-outs. Yesterday, the other four Oireachtas Members from Carlow-Kilkenny and I attended a fantastic event in Loreto Secondary School, Kilkenny, on the concept of a new social contract in the wake of Covid-19. The assembly was full. It was a really useful debate by the school's politics class. We are seeing a great level of engagement, particularly at secondary school level. We now need to ensure that engagement continues throughout civic life. That includes the participation of minorities in our political processes and widespread and informed debate, discussion, discourse and publicity around the importance of our democratic structures. That would be a far more effective measure. Posters are certainly part of the paraphernalia of election campaigns but what we really need is much deeper and more meaningful engagement with the electorate on why it is important to vote and take part in referenda. I hope the commission will play a key role informing us how to do that. I am only expressing a personal view on posters. I managed to get away without using them. That is not to say they are not an effective tool for new candidates as part of the effort of trying to get elected. I take that on board.

On the recommendations of the NPWS review, it is a matter for Government to consider. All the way through this process, we want to ensure we engage with our team at the NPWS. We are in the process of doing that. On timelines, I would hope it would be early in the new year for the next phase of it. We hope to be able to present a set of recommendations in report form to Government perhaps mid-year next year. We will come back to this committee on those recommendations.

**Chairman:** Ms Nally wanted to comment on that.

**Ms Suzanne Nally:** I would like to clarify a point about the planning applications. Any submissions from the development applications unit of the Department in relation to the natural or built heritage would be available on the planning file of each planning authority and would be a matter of public record.

**Chairman:** Senator Cummins is back from the Seanad and might like to comment.

**Senator John Cummins:** I have just sat down. I thank the Minister of State and I apologise that I was not present for all the committee meeting as I had a commitment in the Seanad. I would like to comment on a couple of areas of the Minister of State's brief. The built heritage grant schemes that are in place, such as thatching grants schemes, are very valuable. I do not need to tell the Minister of State that. We get exceptional value for money in the rolling out of those schemes. Any additional moneys in that space would be very much welcomed, as would

any additional funding for our trails, walking trails in particular. They have been a significant outlet for many throughout the pandemic as well as for those who use them regularly.

I wonder about the electoral reform Bill. Does the Minister of State have a date for this? Maybe he has already answered this. Is there a date for that legislation? We have done substantial work as a committee in our pre-legislative scrutiny report on that. When will that be before both Houses? In that context, my colleague, Deputy Higgins, in her contribution, raised the regulation of political advertising outside of election periods. I echo her comments. The Bill, as it currently stands in the general scheme, is quite narrow in just focusing on that. This is particularly the case for the online space and we need to look beyond that.

I raised a local issue with the Minister of State, on which he has committed to coming back to me, namely, the possibility of roofing of Greyfriars through donations and at no cost to the State. This is where the Minister of State officially opened the Irish Museum of Time on a beautiful summer's day. While we did not get rained on that day, it would be fantastic to have a roof on the building to proof it for the future and against all weathers.

Waterford is a substantial coastal county. There is a growing number of issues with the population of seals on our coastline, which is impacting the livelihood of fishermen. Does the Minister of State have a plan in place to look at and address that matter?

**Deputy Malcolm Noonan:** Specifically, on the built heritage investment scheme and the historic structures fund, we could treble those funds over the next couple of years and we would still have huge demand for them. That would be our ambition; we would love to do that. They are very popular. They also provide much local employment. We have been trying to compile the number of hours in local skills and traditional skills the two built heritage schemes I mentioned and the community monuments fund provide. We have been trying to get data together on that, as well as on local materials. It would be very important.

I agree with the Senator about the trails. Mr. Donnelly from our National Parks and Wildlife Service has highlighted some of the work we have done to date in our national parks and nature reserves. There are other sources of funding through local authorities and through rural regeneration and rural development moneys that can be availed of to help with trails that are not under our stewardship. That is very important. Greenways are very successful.

On the electoral reform Bill, Mr. Ryan has outlined that we have made significant progress with the Office of the Parliamentary Counsel. The progress on the Bill and on its drafting is going well. We hope to have that early next year. Is that correct?

**Mr. Barry Ryan:** That is correct. We hope to publish the Bill and progress it early in the new year.

**Deputy Malcolm Noonan:** We have also responded to the Senator's colleague, Deputy Higgins, about paid political advertising outside of electoral events. We see this as quite innovative in our electoral reform Bill. Certainly, we will be working with the European Commission around other proposals concerning the online space. This has come out loud and clear in the pre-legislative scrutiny report this committee has sent to us. We are giving consideration to it. Our initiative around online political advertising during electoral events is very progressive. We are taking into account and trying to distil the recommendations that came forward from the committee on that.

Again, I will not comment specifically on the local issue the Senator brought to me. Cer-

tainly it was a wonderful event in Waterford, launching the Irish Museum of Time. Great credit is due to Waterford City and County Council, which has done an incredible job on the museum experience across the city and the public realm. The Irish Museum of Time is another timely, should I say, addition to that set of experiences for visitors. It have really contributed to the vibrancy of the city centre in Waterford. We will give consideration to the proposal the Senator brought forward to us.

On the coastline and the population of seals, we have had representations in that regard concerning harbour seals and grey seals. I might ask Mr. Donnelly from the National Parks and Wildlife Service or Ms Nally to come in on that point.

**Ms Suzanne Nally:** I can come in on the point about seals. Both species of seals - harbour or common seal and grey seal - are protected under the EU habitats directive. Ireland is obliged to maintain their numbers. We are monitoring their populations and we are reporting to the European Commission on their conservation status. A monitoring programme is in place.

While seals are protected, the Department can issue licences to cull them. Affected persons can apply for such licences. The officials in the NPWS are in discussions with the Marine Institute and Irish universities on approaches to managing seal-fishery interactions, including inshore fishing practices and trends, seal behaviour and numbers, and interactions between seals and fishing gear. We will continue to investigate these issues and potential solutions in partnership with the fishing industry.

**Chairman:** I will move to the Green Party slot, which I will take. I compliment the Minister of State, his staff and officials on some of the excellent work that has been done over the past 18 months to two years. It has been hard to keep up with many of the announcements that have made about funding, projects and schemes that are being carried out across the country. Both the Minister of State and the Minister, Deputy Darragh O'Brien, have visited many of these sites and that is very encouraging.

Comments were made earlier about giving time to heritage and this committee fully recognises that the heritage section is a significant part of the Department and an important aspect of our society because our cultural and architectural heritage and our buildings can be damaged quickly and take many years to restore. That is why we must be pre-emptive and protect that heritage as much as we can.

I will ask a couple of questions about the wildlife crime unit, which has caught the imagination of many people. While there are laws to protect biodiversity and our natural environments, the establishment of a wildlife crime unit may be significant and can work well to reinforce what is already there. Will the Minister of State outline for us the wildlife crime unit, its role and how it will work?

**Deputy Malcolm Noonan:** Is that the only question the Chair is asking?

**Chairman:** I have another question on national monuments. There are many national monuments around the country, comprising stones, cairns and old structures. There does not seem to be a lot of information on those sites. There is some crossover with the Office of Public Works, OPW, in that regard. Does the Minister of State see any advances that could be made in that area? I am not talking about putting up large signage and a big essay but just something to indicate to people what it is they are looking at, what era it is from and perhaps an indication of where they could find out more information about it. That is important not only with regard

to the archaeological monuments out there but also heritage buildings in our town centres. Kilkenny, the Minister of State's town, is a fine example of some of that because it contains walking trails and routes. Small bits of information are available to entice people into finding out more about the architectural heritage of an area, the importance of a building and what may have happened in it, who built it or the style of its design.

**Deputy Malcolm Noonan:** I thank the Chair. On the wildlife crime unit, it is the case that the NPWS, in association with the Garda, has been doing fantastic work, and continues to do so, on wildlife crime. Earlier this year, we signed a memorandum of understanding with the Garda around the investigation of wildlife crime and, more recently, we have formally established a wildlife crime unit within the NPWS. That is intended to enhance the work that is being done on the ground by our district conservation officers across the country. They are on the front line. The Chairman may have seen that, in recent months, a significant number of cases have been brought to successful prosecution. Doing that requires significant investigation, including the preservation of crime scenes and the preparation of books of evidence. We are also encouraged by the decisions judges have made in those cases. Significant fines have been handed down for destruction of habitats and hedgerows. In a recent case in County Laois, a landowner received a suspended sentence for being in possession of two birds of prey. There have been moves in that regard and I might ask Ms Nally to elaborate further.

The establishment of the wildlife crime unit is intended to ensure we have a consolidated and standardised approach to wildlife crime. There have been approximately 19 successful prosecutions this year and another 41 are pending. Members of the public are now seeing that the penalties are quite significant, including penalties on farm payments, etc. There is quite an amount of work being done in this space.

We also see a very important public awareness role for the unit as it is enhanced in the coming years. I will ask Ms Nally to come in that. I do not know if I have missed anything on that question.

**Ms Suzanne Nally:** I might pass over to my colleague, Mr. Donnelly, who can update the committee on enforcement and the rangers in place at the moment.

**Mr. Trevor Donnelly:** Wildlife enforcement is a big issue that involves all our field staff. The Minister announced in April his decision to accelerate the recruitment of rangers nationally and that is coming into frame already. We currently have 83 rangers nationally and that number will rise to 120 next year. That is a great resource for us to carry out front-line investigation work in all our areas.

**Deputy Malcolm Noonan:** I thank Mr. Donnelly. The Chairman also asked about information on the sites of national monuments. I was in County Cavan last week with Deputy Niamh Smyth and it was incredible to see the work that local communities have done on their interpretation of the local heritage and monuments, particularly graveyards and church sites. Funding is available under the community monuments fund, stream 3 of which is concerned with interpretation. We encourage communities to be a part of that. There was useful and simple graphic signage and useful interpretation panels at some of the sites in Cavan. They were not overly scripted but very useful for visitors.

The Chairman also made points about the heritage buildings and walking trails in my county of Kilkenny. Much of that was developed over many years with support from the local development company, the Kilkenny LEADER partnership, particularly around the Lingaun Valley and

places like that. There are heritage trails and walking trails. There is a trails officer in place in Kilkenny. I would see the interpretation of these sites as being mostly local initiatives. I am not sure if Mr. MacDonagh would agree or how he would respond to that specific issue but there are good examples all over the country.

**Chairman:** Before Mr. MacDonagh comes in, I will give the Minister of State an example. Raheen-a-Cluig is the church on the side of Bray Head. There is nothing in place to indicate what it is to people as they walk by. There is a sign that just states, I think, it is managed by the OPW. I cannot remember if that is what is written on the sign but it probably is. There is a very good local medieval group in Bray doing research in that area. Is standardisation required for signage so that we avoid random types of signage appearing on monuments around the country? Perhaps we need something that would fit with the monuments. Mr. MacDonagh might like to come in on that point.

**Mr. Michael MacDonagh:** Confirming the Minister of State's point that stream 3 of the community monuments fund offers significant funding for interpretation and access, in excess of €360,000 was committed to dozens of projects this year. The particular site the Chairman mentioned in Bray made a funding request and received that funding in 2020. We can continue to work with the community there on signage.

There is recognition that there should be diversity in signage. Our key aim is to work with communities and local authorities to ensure that the information provided, as the Minister of State said, is appropriate and authentic. We will continue to do that.

**Chairman:** I thank Mr. MacDonagh. I will ask another brief question of the Minister of State because I am almost out of time. Will he update the committee on the hen harrier threat response plan?

**Deputy Malcolm Noonan:** I might ask an official from the Department to respond to that question.

**Ms Ciara Carberry:** If it is acceptable, I can answer that one.

**Chairman:** Go ahead, Ms Carberry.

**Ms Ciara Carberry:** The hen harrier is under threat in Ireland due to a number of complex factors, including, primarily, the loss of suitable habitat through afforestation, forest maturation, agricultural reclamation and intensification, land abandonment and the development of wind energy in upland areas. Some of these land use changes may also cause unsustainable rates of nest loss due to increased levels of associated predation. In addition, there is a very low survival rate of juvenile births through their first winter, which is not balanced by the number of young being produced each summer.

In order to identify the actions required to address these threats and prepare a threat response plan, the Department has had to undertake comprehensive reviews of available evidence and scientific information and to gather, compile and analyse information on the precise nature, extent and distribution of the threats. It has also supported new research, for example, on the ecology of the wintering hen harrier, and engaged with stakeholders across the relevant sectors to inform the plan. Data and findings from the Department of Agriculture, Food and the Marine's hen harrier European innovation partnership have also been very useful in this regard.

While this process is taking a number of years, and certainly longer than we had hoped, it



is moving forward. Recently, the Department brought a draft of the threat response plan to the consultative committee to seek its views with the intention of then proceeding to public consultation, which we hope will happen in the coming months. The consultative committee raised a number of matters that we are working to address, including the finalisation of site-specific conservation objectives for the six breeding hen harrier special protection areas. Once the discussions with the consultative committee and the interdepartmental steering group conclude, the plan will then move to public consultation, which we hope will be shortly, as well as a strategic environmental assessment and an appropriate assessment of the plan, if required.

**Chairman:** I will move on to the Fianna Fáil slot. I call on Deputy McAuliffe.

**Deputy Paul McAuliffe:** I was at another meeting, so I apologise if I repeat a question. We have just concluded our pre-legislative scrutiny report on the local government (directly elected mayor with executive functions in Limerick city and county) Bill 2021. To be fair, the pre-legislative scrutiny report included a wide range of suggestions. However, it was very clear that the changes that were needed, even to the scheme proposed to us, would not be suitable for the Dublin region, which has four different local authorities. What is needed urgently in Dublin is a citizens' assembly to progress the issue. The Tánaiste has made a commitment to me that it is first in the queue. We need to find a way for that to progress, even with Covid restrictions. While many of us have said that the outcome of that process needs to be a directly elected mayor for Dublin, there is also a need to look for stronger executive decision-making in Dublin that is accountable. That comes down to the councillors. We have some fantastic and talented councillors across the city. There are more than 160 of them. To remove them from the process and replace them with a directly elected mayor would not be a good reflection of local democracy. I ask the Minister of State to expand a little on where we are doing in Dublin and how we can ensure that the people and, importantly, the councillors who have so much experience, have a say.

**Deputy Malcolm Noonan:** This issue, particularly in relation to the directly elected mayor, is the responsibility of my colleague, the Minister of State, Deputy Peter Burke. As such, I am not in a position to comment.

On the question of a citizens' assembly, we want to get the citizens' assembly on biodiversity loss over the line first. We have found, through Covid, that it is possible for online resources to be used in public engagement. We have seen that through city and county development plans and various plans and policies. We can be innovative in ensuring that any process, whether it is a citizens' assembly or another mechanism that is used for this really important decision-making, is deployed. A blended approach of in-person meetings and online engagement could be used. We do not know how long more we are going to be living through this pandemic. During the summer, we engaged extensively on the issue of marine protected areas and met communities. That engagement also had an online element to it. It is really important that whatever mechanism is used, whether it is a citizens' assembly, plebiscite or something else, the engagement with local communities and elected members is immersive.

The Deputy made a valid point that elected members across the Dublin region are fantastic and contribute greatly to local democracy and policies and plans in their own areas. Elected members are of huge value whatever the outcome that is delivered by the Minister of State, Deputy Burke. That is critically important. I am sure the Minister of State will lead on this issue, as he has done with regard to the directly elected mayor for Limerick. He acted fast and very comprehensively on the issue. As someone who served for 16 years on a local authority, I value the role of the elected members in local democracy and decision-making. I take the

Deputy's point on board fully.

**Deputy Paul McAuliffe:** If there is time, I would like to turn to the issue of the Electoral Reform Bill 2020. The committee's pre-legislative scrutiny report is with the Minister of State. One of the issues we did not really have time to develop, due the time pressures of the pre-legislative scrutiny process, was a belief by many members of the committee that social media is fundamentally changing our electoral system, how people within the system are operating and, equally, how voters engage with the political system. We have indicated that we will deal with the issue in our committee. Have discussions taken place between the Department and others on the idea of a new media regulator and the impact that social media is having on democracy? For example, the Bill proposes that we ban radio advertisements, yet it facilitates advertising through multinational companies that often do nothing to dissuade people from using fake news. That is a glaring error in the Bill. We need far more discussion on the whole area of how social media is impacting on our democracy. Has the Minister of State reflected on the pre-legislative scrutiny report? Is it intended that the Bill will proceed or will other legislation be required?

**Deputy Malcolm Noonan:** I will ask Mr. Ryan to respond to that question in a moment. The comprehensive report provided by the committee is being given due consideration as we frame the legislation and complete its drafting. Social media strays into a number of territories, in particular, the remit of my colleague, the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin. What we are doing here in terms of the regulation of online political advertising during electoral events is innovative in a European context. A number of other measures are being taken across other spheres at a European level and across other Departments. As I said, we are giving due consideration to the work of this committee. I know it is an issue on which the committee spent a long time deliberating. I ask Mr. Ryan to comment further on the specific issue raised by the Deputy.

**Mr. Barry Ryan:** To expand a little on that, as the Minister of State said, the measures contained in the general scheme of the Electoral Reform Bill and, ultimately, the Bill itself are very targeted. Their origins lie in an interdepartmental group chaired by the Department of the Taoiseach, which looked at Ireland's electoral processes and disinformation, and the recommendations the group made in its second report, in particular, the recommendation that we regulate for transparency around online political advertising at electoral events. That is what is contained in the proposals the Minister of State is bringing forward.

The Minister of State is correct that there are other elements to this. There is the online safety and media regulation Bill, for example, which is also being progressed. We have engaged with colleagues on that. We have also engaged extensively with the European Commission in the 12 months since it published the European democracy action plan this time last year. In the plan, the Commission made a commitment to bring forward proposals in the area of regulating online political advertising. It has done that and published proposals for regulation on 25 November. The piece on which we are focusing as we conclude drafting the Bill is making sure the proposals in the Bill align with the proposals coming from Europe.

**Chairman:** I do not see anyone offering to come back in. I am aware the Minister of State needs to make contact with staff in the National Parks and Wildlife Service regarding storms. There is so much we did not manage to touch on today - even around the work of Waterways Ireland, the national biodiversity plan for 2022 onwards and the management plans for our national parks and Natura sites. We need to do more to protect trees in urban settings. There is so little protection for urban trees. I know it comes under planning and local government but we

can do more there. Does the Minister of State wish to make concluding comments?

**Deputy Malcolm Noonan:** I again thank the committee for its positive engagement this afternoon. We appreciate the questions and how informed the committee is about our portfolio in heritage and electoral reform. I reiterate that we are very appreciative - knowing how busy this committee is - of it affording time to our work. We will continue to work with the committee over the next number of months and years. If there are any areas we have not touched on, we can certainly come back to the committee over time. Again, I thank my officials for the incredible work they do across our heritage division and the franchise section. They are incredibly dedicated to what they do. From built heritage to the National Parks and Wildlife Service to national monuments to the franchise section, they are just amazing people and we are deeply grateful to them for the work they do. I am very proud of the work of the Department and am very privileged as Minister of State to witness it at first hand through our work and travels around the country over recent months, be it visiting the corncrake project in Fota Wildlife Park, the restored castle in Fethard in County Wexford, the release of natterjack toads with young children in the wild dunes in Magharees, the restored pub fronts in Kilkenny or the ancient woodlands of Killarney National Park. All of these connect deeply with our work for nature, built and archaeological heritage and communities that treasure them. We certainly discovered that over the past 18 months or so. I hope that over the next number of months, members will join us on some of our projects if we are in their respective counties. We will certainly send out invites to all when we visit projects and highlight the positive impact of our work on the ground. I invite members to join us to visit some of those projects to see at first hand what we are doing in this incredible Department. I thank the Chairman and members for their time today. It is really appreciated.

**Chairman:** I thank the Minister of State and his officials. He brought the full team here today, which shows the range of work he covers. We will see him again shortly regarding the monuments Bill and the electoral reform Bill and will no doubt have another update from him. I thank him for all the work he is doing. Keep up the good work.

The joint committee adjourned at 5.35 p.m. until 11 a.m. on Tuesday, 14 December 2021.