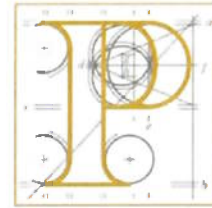


Our Case Number: PCI0005



An
Bord
Pleanála

Mr Darren Quinn,
Siga Hydro Limited,
C/o Hourigan Rowsome,
3rd Floor Riverfront,
Howley's Quay,
Limerick.
V94 FY96

Date: 9 November, 2023.

Dear Mr Quinn,

I refer further to your letter dated 30th August, 2023 concerning the request for the project known as Silvermines Hydro (Hydroelectric Power Station Silvermines (IE) 2.29 on the Union List) to enter the Permit Granting Process of Regulation (EU) No. 2022/869.

Under Article 10.3 of Regulation (EU) No. 2022/869, within three months of receipt of the notification, An Bord Pleanála as National Competent Authority, shall, including on behalf of other authorities concerned, acknowledge or reject the notification.

You will note from our Manual of Procedures that if any authority concerned informs us that it does not consider, having regard to its area of competence, that the project is sufficiently mature to enter the process, we as the National Competent Authority will reject the notification. This is irrespective of any other (or all other) authorities concerned informing us that they consider the project as being sufficiently mature to enter the process.

Accordingly, as National Competent Authority we inform you, on behalf of the authorities concerned, that we reject the notification as the project is not considered mature enough to enter the Permit Granting Process under Chapter III of EU Regulation No. 2022/869. The

Teil	Tel	(01) 858 8100
Glao Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

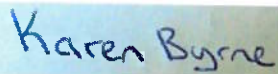
64 Marlborough Street
Dublin 1
D01 V902

reasons for this decision are set out in the attached documents from the other authorities concerned, refer to Appendix attached.

As the National Competent Authority, we are willing to meet with project promoters to discuss and clarify any aspect of the permit granting process and as stated in our Manual of Procedures for the Permit Granting Process we encourage project promoters to contact all authorities concerned before formally notifying us of the project.

In that regard, we suggest that it would be beneficial for you to arrange a meeting with us before notifying us again of the project. We consider it essential that you contact An Bord Pleanála (Strategic Infrastructure Development) in relation to any necessary pre-application consultations and contact the CRU. Your attention is also drawn to the comments by Tipperary County Council in relation to the matter of the possible involvement by the Department of the Environment, Climate and Communications.

Yours sincerely,



Karen Byrne,
Executive Officer,
PCI Unit.
Direct Line: 01-8737264

Appendix – Responses by other Authorities

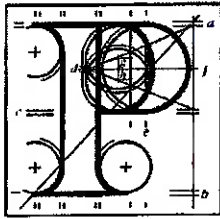
Authority Concerned	Response from Authority
An Bord Pleanála (Strategic Infrastructure Development)	Attached
Commission for Regulation of Utilities (CRU)	Attached
Tipperary County Council	Attached
National Monuments Service	It was informed of the project. No response received.

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An
Bord
Pleanála

**Memorandum Re: PCI for the
Silvermines Hydroelectric Power
Station**

To: Diarmuid Collins, SAO, PCI Unit
From: Ciara Kellett, Director of Planning, An Bord Pleanála
Topic: Notification of entering the PCI permit granting process pre-application procedure for a hydro-electric power station at Silvermines Co Tipperary
Date: October 23rd 2023

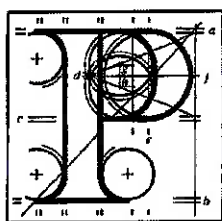
Further to the Promoters letter dated 30th August 2023 regarding the notification of entering the PCI permit granting process pre-application procedure, I would comment as follows:

Having regard to the lack of substantive information regarding the proposal in order to assure the relevant consenting authorities that an appropriate level of progression has been made on the project, particularly in relation to environmental and technical assessments, together with the fact that at the time of reviewing the documentation, the promoter has not embarked on pre-application consultations with the Board under the provisions of S37B of the Planning and Development Act, and the Report attached from the Assistant Director of Planning, Paul Caprani, it is my considered opinion that the project as presented is not mature enough to enter the permit granting process under the provisions of Article 10(3) of Regulation (EU) 2022/869.

I recommend that the promoter of the project be notified accordingly.

Ciara Kellett

Director of Planning



An
Bord
Pleanála

Project of Common Interest Hydroelectric Power Station Silvermines Co Tipperary Inspectors Report

To: Ciara Kellet: Director of Planning
From: Paul Caprani: Assistant Director of Planning
Topic: Notification of entering the PCI permit granting process pre-application procedure for a hydro-electric power station at Silvermines Co Tipperary
Date: October 19th 2023

1.0 Background

Siga Hydro Limited entered the 4th List of Projects of Common Interest in 2019 and retained its designation as a PCI in the 5th list in 2021¹. In a letter received 30th August 2023, the applicant placed formal notification to the Board for 'Silvermines Hydro' to enter the PCI permit granting process pre-application procedure in accordance with the Regulation (EU) No. 2022/869 and The Board's *Projects of Common Interest Manual of Procedures for the Permit Granting Process*. It is noted that the project promoter at the time of writing this report has not formally engaged in pre-application consultations with the Board in relation to the project in question.

2.0 Legislative Provisions

The Guidelines for trans-European energy infrastructure is set out in Regulation (EU) 2022/869². Article 10(1)(a) of the Regulation sets out the pre-application procedure; it states the following "*the pre-application procedure, covering the period between the start of the permit granting process and the acceptance of the submitted*

¹ PCI ref. 2.29 Hydroelectric Power Station Silvermines (IE) in 2021.

² Replacing Regulation (EU) 347/2013

application file by the national competent authority, which shall take place within an indicative period of 24 months';

Article 10.(3) states "For the purpose of establishing the start of the permit granting process, the project promoters shall notify the project to the national competent authority of each Member State concerned in written form and shall include a reasonably detailed outline of the project".

While not providing much in the way of the detail required, Annex VI.1(e)³ states the following:

"Information about the scope structure and level of detail of documents to be submitted with the application for decisions, including a checklist".

Section 4.2.3 of the Board's PCI manual provides a checklist of documents generally to be submitted as part of the application file for comprehensive decision. These include:

- Schedule of permits/authorisations required to build the energy infrastructure by having the possibility to start or procure and start the necessary construction works (ready-to-build phase).
- Statement confirming that the project promoter has included the details of all permits/authorisations that are required.
- Provision of contact details for each of the relevant consenting authorities.
- Documents detailing all information and plans and particulars that are required for each separate application for consent required for the comprehensive decision. This should include details of the environmental assessments.
- Details of any documents such as reports or surveys that are incomplete together with an estimated timeline for completion.
- A schedule for the intended dates of lodgment for all relevant applications for permits/authorisations concerned.
- Contact details for the project promoter and the address for a dedicated project website.

³ Annex VI Guidelines for Transparency and Public Participation

3.0 The Project

Silvermines Hydro (the promoter/ prospective applicant) seeks to repurpose the historic mining site at Silvermines Co Tipperary. The project location was selected after an island wide study under various wide-ranging criteria. The preliminary design was developed during the project feasibility report stage with inputs from specialist environmental, engineering and hydro consultants. The proposal involves delivering a hydroelectric power station with a planned capacity of 360MW including a 1.8 GWh daily storage capacity. The project is to be located at the former Silvermines mining site approximately 1km south of the village of Silvermines in County Tipperary. The project involves the transfer of water between two reservoirs of differing heights c. (a height differential of c.300m) in order to generate hydro-electricity. Water is stored in the upper reservoir and released when necessary to flow through a turbine in order to generate electricity. Each of the reservoir has the capacity to hold c.2.64 million m³ of water. Excess electricity generated is stored, and in periods of low demand (ie nighttime) the electricity is used to pump water back to the upper reservoir to be reused in the further generation of electricity. The proposal is, according to the documentation submitted, fully in accordance with promoting renewable energy and transitioning to a low carbon future. The site is located within a 5km radius of two principal transmission lines; the 400kV Moneypoint to Dunstown Line and the 220 kV Killonan to Shannonbridge line. An Underground cable along roadways and lands will connect the plant to the transmission lines. These lines provide onward connections to electricity grids to the UK and France.

The project to date has progressed through several pre-development stages, including:

- Preliminary feasibility Studies
- Feasibility Studies
- Preliminary design and
- Environmental Evaluation.

In June 2023 the project received financial backing €4.3m from the EU (CEF) programme to conduct essential studies for advancing the Project's design and consenting activities.

4.0 Statutory Consent Requirements

The current phase aims to advance the proposal through the various statutory processes. The project identifies the following consents that are required to enable the project to proceed:

Table 1: Pre-Decision and Post-Decision Permits Required

Pre-Decision		
Consent Type	Consenting Authority	Relevant Legislation
Planning Approval	An Bord Pleanála	P&D Act 2000 (as amended)
Authorisation to Construct	Commission for the Regulation of Utilities (CRU)	Electricity Regulation Act 1999
Authorisation to Generate	Commission for the Regulation of Utilities (CRU)	Electricity Regulation Act 1999
Consent for Wayleaves	Commission for the Regulation of Utilities (CRU)	Electricity Regulation Act 1999
Post-Decision		
Commencement Notice / 7 Day licence	Tipperary Co. Council.	Building Control Act (1990) and Regulations (1997 as amended)
Fire Safety Certificate	Tipperary Co. Council.	Building Control Act (1990) and Regulations (1997 as amended)
Disability Access Certificate	Tipperary Co Council	Building Control Act (1990) and Regulations (1997 as amended)
Discharge Licence	Tipperary Co Council	Local Government (Water Pollution Acts), 1977 and 1990 (as amended)
Road Opening Licence	Tipperary Co Council	Roads Act 1993 (as amended)
Abnormal Loads Permit	Tipperary Co Council	Road Traffic (Construction, Equipment and Use of Vehicles) Regulations (as amended).

Application for Ministerial Consent for archaeological works at or near a national monument	National Monuments Service	National Monuments Acts 1930 to 2004 (as amended)
Application for a licence to excavate archaeological remains	National Monuments Service	National Monuments Acts 1930 to 2004 (as amended)
Application for Consent to use detection device	National Monuments Service	National Monuments Acts 1930 to 2004 (as amended)

5.0 Environmental Considerations

The project will be the subject of environmental impact assessment and appropriate assessment. The need for such assessments are formally acknowledged. Early engagement with the NPWS has included habitat mapping such as local flora and fauna field surveys.

6.0 Public Involvement, Stakeholders and Planning Policy

In order to raise awareness and public engagement, the promoters have placed notices in the public newspapers confirming its intention to commence the PCI permit granting process, including providing links to the project website.

Stakeholders who are the subject of on-going public consultation include county councillors, TD's, local residents, NGO's and the chamber of commerce.

The Project is specifically referenced in Chapter 10 of the Tipperary County Development Plan. Section 10.7 which relates to Disruptive Technologies and Energy Storage states that *"The only electricity generating project planned for Ireland under the European Network of Transmission Systems Operators for Electricity plan for 2018 to 2028, is proposed for Tipperary. This "pumped-storage hydroelectricity plant" proposed to be located at Silvermines, would be one of the largest private infrastructure projects in the history of the State and generate 360*

megawatts of electricity. The Council will support this development, subject to planning and environmental protection standards”.

Objective 10- H of the Development Plan makes specific reference to the project where it states, *“Support the development of a proposed Hydroelectric Power Station at Silvermines as identified in the European Network of Transmission Systems Operators for Electricity plan for 2018 to 2028, subject to compliance with normal planning and environmental criteria, in co-operation with statutory and other energy providers”.*

6.0 Public Participation and Consultation

The applicant has initiated a public participation framework as part of the pre-application phase which will continue through the permit granting process. This includes the appointment of a dedicated community liaison officer, targeted outreach to numerous stakeholders, information dissemination, clear protocols for receiving acknowledging and addressing public feedback and the production of a project specific brochure.

7.0 Implementation to Date

The inception of the development commenced in 2011 and the project will progress through eight stages, to date the applicant has progressed the project through the pre-feasibility and feasibility stages. The feasibility studies included grid connection options, environmental evaluation, stakeholder engagement and independent technical assessments. The applicant is now ready, according to the information submitted, ready to embark on the consenting phase. Schedule one of the notification letter submitted sets out an implementation plan in accordance with Regulation 2022/869 and ABP’s Manual of Procedures. The letter submitted, it is argued, provides reasonably detailed project information to allow PCI 2.29 Hydroelectric Power Station Silvermines to enter the permit granting process pre-application procedure.

8.0 Consideration of the Scope of Material Submitted

The single matter to be addressed in this instance is whether or not there is sufficient scope of material or detail of information which is required in relation to consider the application to be sufficiently 'mature' and is likely to be sufficiently advanced to be able to submit an application of the permits or authorisation required for construction of the project within one or two years of the written notification. Article 10.(3) states that *"Within three months of receipt of the notification, the national competent authority shall acknowledge or, if it considers the project not to be mature enough to enter the permit granting process, reject the notification, in writing, including on behalf of other authorities concerned. In the event of a rejection, the national competent authority shall provide reasons for its decision, including on behalf of other authorities concerned. The date of signature of the acknowledgement of the notification by the national competent authority shall mark the start of the permit granting process."*

The Board's PCI Manual includes a checklist as a specified requirement of Annex VI(1)(e) of Regulation (EU) 2022/869. The information contained in the applicant's notification letter is assessed below in the context of the Checklist set out in S.4.2.3 of the Board's PCI Manual. The manual suggests the scope of documents/information which is required generally to be submitted as part of the application file for a comprehensive decision. These are assessed under the separate headings below:

- *(i) Schedule of permits /authorisations required to build the energy infrastructure by having the possibility to start, or procure to start, the necessary construction works.*

The letter submitted clearly sets out in tabular form (Section 2.1 & 2.2 of the letter and Section 4 of my report above) the various consents which need obtained in order to permit the project to commence. I am satisfied that the promoter of the project has identified and provided details of the permits and authorisations that will be required at this stage.

- *(ii) Statement confirming that the project promoter has included details of all permits /authorisations that are required.*

Again, I refer to letter submitted which clearly indicates the various consents required to implement the project. The list includes all consenting authorities and the relevant legislation under which the consent is being sought. Notwithstanding this general conclusion, It should also be noted that the project may fall under the Seventh Schedule of the Planning and Development Act 2000 (as amended)⁴ . As part of the consent process, the applicant would be required to enter into pre-application consultations in accordance with the provisions of S37B of the Act. To date no such pre-application consultations have been initiated or taken place. I note that in the case of other Projects of Common Interest (for example PCI 0003) the fact that the promoter had initiated pre-application consultations for the project at the same time as initiating the pre-application procedure under Regulation No.347/2013⁵ was a material consideration in determining that the project in question was sufficiently “mature” to formally enter the permit granting process. The promoter’s formal engagement in a pre-application consultation process would assist in assessing the extent to which the preparation of any environmental reports and other technical assessments had progressed.

- *(iii) Provision of contact details for each of the authorities concerned.*

Personal contact details of each of the persons involved/departments for each of the authorities concerned are contained in the notification letter. E-mail addresses are also provided. The promoter has stated that that each of the authorities have been contacted and informed in relation to the proposed project.

- *(iv) Document detailing all the information and plans and particulars that are required for each separate application for consent required for the comprehensive decision. This should include details of environmental assessments.*

⁴ An installation for hydroelectric energy production with an output of 300 megawatts or more, or where the new or extended superficial area of water impounded would be 30 hectares or more, or where there would be a 30 per cent change in the maximum, minimum or mean flows in the main river channel.

⁵ Superseded by current Regulation (EU) 2022/869.

This information is not sufficiently addressed in my opinion in the documentation submitted in the notification letter or on the applicant's standalone website. The Boards PCI Manual notes that *"Details provided should enable the authorities to understand the scope of the project and be broadly satisfied that the project promoter understands all likely considerations, issues, constraints, public participation and technical and environmental reports required on the level of details of plans and drawings and technical specifications to be lodged"*. Very little information is provided in relation to environmental information that is likely to be submitted with the application. The notification letter merely states that the characteristics of the Project *'mandates European environmental assessments such as Environmental Impact Assessment (and environmental impact assessment report), Appropriate Assessment (and Natura impact statement)'*.

The PCI manual states in terms of the information required, at pre-application stage, that *"the project promoter should therefore submit a proposal which may be done by submitting the documentation (though not necessarily complete) or by submitting a schedule of documents that is intended to submit with the relevant consent applications. Any schedule of documents should at a minimum include a table of contents of various technical reports (where applicable) including for example an EIAR or NIS should they apply. Any plans or drawings necessary to identify the site, scope and extent of the project should be exact enough to enable the relevant authorities to examine the context of the site in terms of its layout and relationship to the adjacent nearby are other relevant sites."*

This information has not been submitted by the promoter to the detail required in my considered opinion to comply with the requirements of the checklist set out in Section 4.2.3 of the Board's PCI Manual. This is an important and material consideration, particularly as the PCI Manual states that there is an indicative period of 2 years for the pre-application procedure. Survey work and studies, particularly in relation to birds and other fauna are on occasion carried out over a long period, up to and in some cases beyond two years in order to fully assess the environmental impact of the proposal. In the absence of information regarding the level of survey work undertaken which will inform any EIAR or Appropriate Assessment submitted with any future consent application, it is difficult to ascertain whether the project is

mature enough to commence the pre-application procedure. While the information to be submitted does not need to be complete at this stage, the promoter in this instance has not submitted a schedule of documents necessary for the relevant consent applications, nor are the details of the project in my view exact enough to enable the relevant authorities to examine the context of the site in terms of its layout and relationship to adjacent, nearby or other relevant sites as specified in the PCI Manual.

Based on the information presented in the notification letter and the website, the project is not sufficiently advanced in my opinion for the promoter to be able to submit an application for the permits or authorisations required for the construction of the project within 1 to 2 years of the written notification.

- *(v) Details of any documents such as reports or surveys that are incomplete together with an estimated timeline for completion.*

No details have been provided in relation to the progress to date on any reports or surveys which have been initiated or are on-going as part of the project. The notification letter does provide an implementation plan (Schedule 1 - appended to the letter). This implementation makes general reference to commencement and completion dates for design engineering and assessment studies, environmental screening and assessments, and technical assessments. However, no details as to what these assessments entail, vis-à-vis the scope and extent of works and or surveys completed to date and a schedule of further studies to be undertaken, are provided in the notification letter. The PCI manual also notes "*that any schedule of documents should at a minimum include a table of contents of various technical reports (where applicable) including for example an EIAR or NIS should they apply.*" This information has not been furnished in the information submitted nor is it contained on the project website.

- *(vi) A schedule of the intended dates for lodgment of all relevant applications for permits/authorisations concerned.*

The intended dates for lodgment are included in Schedule 1 attached to the notification letter (Implementation Plan) under tasks 3.00 to 3.05. It is anticipated that lodgment of the various consent will commence in July 2025 and cease by December of that year. Again, the PCI manual makes reference to the indicative timeframe of 2 years for the pre-application procedure, if the consent process is estimated to commence in 20 months from now, I consider that further information is required in relation to the progress of design, engineering and environmental and ecological assessment studies undertaken thus far to ensure that the pre-application procedure can be realised within the timeframe allocated.

- *(vii) Contact details for the project promoter*

The contact details for the project promoter are contained in the notification letter and the registered address and e-mail address of the project promoter are also contained on the standalone project website.

- *(viii) Address of the Dedicated project website.*

The dedicated website can be accessed at www.silvermineshydro.ie

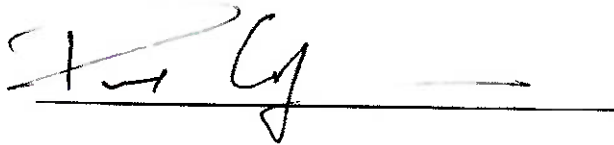
9.0 Conclusion

In light of the above, I recommend that the Director of Planning be advised that on the basis of the information submitted that the project is not sufficiently advanced or “mature” to enable the promoter to submit an application for the permits or authorisations required for construction of the project within one to two years of the written notification. On this basis I would recommend the promoter be informed that the application is not mature enough to enter the permit granting process and the promoter be served written notification of same under the provisions of Article 10.3 of Regulation (EU) No.2022/869.

In reaching this conclusion I have had regard to the lack of substantive information regarding the scope and extent of assessment and/ or surveys of a technical or environmental nature necessary to be undertaken, or any details regarding the

preparation of any environmental reports to be prepared by the promoter. It was also noted that, notwithstanding the fact that the project may qualify as Infrastructural Development for the purposes of Sections 37A and 37B of the Act, pre-application consultations have yet to be initiated.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

A handwritten signature in black ink, appearing to read 'P. Caprani', is written over a horizontal line.

Paul Caprani

Assistant Director of Planning

23th October 2023



An Coimisiún
um Rialáil Fóntas
Commission for
Regulation of Utilities

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Letter Ref: D/23/25450

8th November 2023

Karen Byrne
Processing Section
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Re: PCI permit granting process for Siga Hydro Limited – reference: PCI0005

Dear Ms Byrne,

I refer to your email of 7th September 2023, requesting the CRU's consideration of the maturity of the Siga Hydro Limited "Silvermines Hydro" project.

The PCI Manual provided by An Bord Pleanála recommends that the project promoter should complete the following tasks prior to contacting the PCI Unit in relation to entering the comprehensive decision process:

- Commence all necessary pre-application processes with the other authorities concerned.
- Have established contact with all relevant authorities (and include contact details when notifying us).
- Have briefed all authorities concerned about the project.
- Have supplied sufficient plans and documentation to the authorities to describe the nature and extent of the project.
- Have made the authorities concerned generally aware of the potential timescales including the intended project notification to us.

The CRU also notes the following statement from the PCI Manual:

"Consideration of whether a project is "mature" means, in practice, whether the project is likely to be sufficiently advanced to be able to submit an application for the permits or authorisations required for construction of the project within one to two years of the written notification."

The letter dated 30th August 2023 provided to the PCI Unit as part of the notification procedure lists three CRU consents, identified by the project promoter, as required for the Comprehensive Decision and states that,

"...ongoing and project-specific communication with the Commission for Regulation of Utilities (CRU) has been established, with the initial project briefing facilitated since 2020."

The project promoter has engaged with the CRU on recent occasions and has provided an overview of the project and expected timelines. Most recently, the CRU received a Briefing Note from the project promoter on the 28th August 2023. This note outlined,

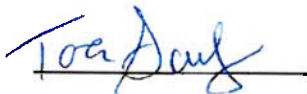
- some brief details around the size and type of generation station,
- the inclusion of the project in the 5th PCI List under the TEN-E Regulation,
- the recent award of €4.3M grant to the project by the EU Connecting Europe Facility (CEF) to support the development and consenting phase, and
- its intention to achieve operational status by 2030.

The project promoter has not engaged specifically on the issue of consents to be issued by the CRU and the CRU notes some misunderstandings in relation to timelines and application requirements. Furthermore, the CRU notes reference to a 'Regulated Regime' in the 'Phase 4 Consenting' milestones in Section 5.0. There is no framework in place to facilitate a regulated regime for such projects.

In order for the CRU to fully assess the maturity of the project in line with the recommendations in the PCI Manual, it would be necessary to hold discussions with the project promoter to address at least the following aspects:

- A more substantial briefing on the overall plan for the project, indicating awareness of the market situation, planning considerations and relevant financial information such as sources of equity and debt and the business plan.
- Demonstration of engagement with the TSO and clarity on the likely pathway to securing a grid connection for the project.
- The requirements, expectations and timelines for an application for an Authorisation to Construct and Licence to Generate.
- The requirements, expectations and timelines for an application for Section 48/49 consents.
- The expected timelines for the wider project in more detail than have been provided in the notification document, including the interdependencies of different consents and processes.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Tara Scully', written over a horizontal line.

Tara Scully

Licensing Manager



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigí Cathartha,
Cluain Meala,
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Ref No. PCI0005

08/11/2023

An Bord Pleanála,
64 Marlborough Street,
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D01 V902

RE: PCI permitting granting process under Article 10.3 of Regulation
(EU) 20221869 of the European Parliament and of the Council of
30th May 2022.

A Chara

I refer to your email dated 07/09/2023, regarding the above-mentioned process.

Based on the interaction to date between Silvermines Hydro and the Local Authority, the details submitted with the notification to An Bord Pleanála as the NCA, the data available on the project website, and ABPs Projects of Common Interest, Manual of Procedures for the Permit Granting Process, Tipperary County Council is satisfied that subject to the above the project is mature - to be able to submit an application for the permits or authorisations required for construction of the project within two years of the written notification given by Silvermines Hydro to the An Bord Pleanála as the National Competent Authority (NCA). If you have any queries, please do not hesitate to contact me.

I enclose memo in relation to the above.

Mise, le meas

For Director of Services

Letter to issue to An Bord Pleanála regarding Ref. PCI0005 - PCI 2.29
Hydroelectric Power Station Silvermines

Tipperary County Council note that Silvermines Hydro has initiated the permit granting process pre-application procedure for "Silvermines Hydro," a Trans European Network-Energy (TEN-E) Project of Common Interest (PCI). The project in Silvermines, Co. Tipperary, Ireland, aims to generate, store, and transmit green renewable energy from a repurposed mining site.

Tipperary County Council have given consideration of whether the 'Silvermines Hydro' project is "mature" which means, in practice, whether the project is likely to be sufficiently advanced (i.e. sufficient to develop a detailed scheme) to be able to submit an application for the permits or authorisations required for construction of the project within two years of the written notification given by Silvermines Hydro to the An Bord Pleanála as the National Competent Authority (NCA).

Based on the information available, the Project components include:

Project Description:

- Works to enhance the lower reservoir, incorporating the existing artificial lake at the site and construction of an upper reservoir
- The turbine hall, which connects to the lower reservoir and houses the pump/turbines and auxiliary plant
- An intake/outlet structure and steel penstock linking the upper reservoir to the power plant
- An intake/outfall structure connecting the power plant to the lower reservoir
- Transformers and switchgear for connecting the plant to the transmission grid
- An underground cable connection to integrate with the grid
- The powerhouse (turbine hall) will accommodate three 120MW pump/turbine units
- The average difference in elevation between the upper and lower reservoirs is approximately 300m. Each reservoir will possess a water capacity capable of providing up to six hours of energy storage.

The capacity plan is for 1.8GWh of storage, 360MW of export capacity, and 360MW of pumping load

Grid Connection:

Silvermines Hydro is located near two major transmission lines, the 400kV Moneypoint to Dunstown line and the 220kV Killonan to Shannonbridge line, within a 5km radius. The proximity to transmission lines minimizes the need for extensive new network infrastructure while improving network resilience and reinforcing the power grid.

Silvermines Hydro will connect to the existing transmission network, facilitating the flow of electricity across Ireland, thereby providing power to customers where it is required. The proposed physical connection to the grid will involve an underground cable route.

Development Phases & Project Feasibility Report:

Silvermines Hydro has carefully completed assessments through various studies and actions conducted during Phases 0-3. Feasibility studies encompassed site evaluations, environmental assessments, design considerations, technology and cost assessments, and economic and financial analyses. The Promoter has and continues to engage with public and private stakeholders, industry players, and communities.

As Phase 3 concluded, the Promoter expressed satisfaction with the feasibility and agreed to move forward to Phase 4, which entails refining the project design, conducting technical studies on environmental and physical impacts, engaging in public consultation, and commencing formal engagement with the regulatory public authorities.

Project Funding:

The Project has received financial backing from the EU Connecting Europe Facility (CEF) to conduct essential studies necessary for advancing the Project's design and consenting phase. These studies encompass geological surveys, environmental evaluations, engineering design, and active public participation. To support the implementation of Silvermines Hydro, the European Climate Innovation and Networks Executive Agency (CINEA) has awarded €4.3 million in CEF grant support (June 2023).

Some noteworthy aspects of the Project's maturity as presented by Silvermiens Hydro include:

- Feasibility Studies: Thorough studies were conducted, analysing high-level benefits, technological options, and associated costs during the Preliminary and Feasibility Phases. The Pre-Feasibility and Feasibility studies investigated physical requirements, grid connections options, and potential economic benefits, establishing a solid foundation for decision-making.
- Environmental Evaluation: Environmental assessments were integral to the Project's advancement, with expert consultants and ecological specialists assessing and evaluating the environmental footprints.
- Independent Technical Assessment: Independent technical assessments by engineering consultants provided essential insights into the Project's readiness. The preliminary design and development work thus far was deemed appropriate, instilling confidence in the Project's engineering complexity.
- Stakeholder Engagement: The Project prioritised engagement with relevant stakeholders, industry groups, communities, and public authorities throughout the earlier development phases. Public input was actively sought through town-hall meetings and community sessions, showcasing a considered approach to collaboration.
- Socio-Economic and Analysis: The Promoter assessed the Project's socio-economic and financial viability by employing comprehensive market modelling studies, cost-benefit assessments and economic analyses. The resulting models considered the Project's economic value and laid a solid foundation for the Project's potential to bring notable social-economic benefits.

Local Authority Comments:

The following comments and recommendations are submitted;

1. Protection of the Public Road Network:

The development site is accessed from the R499 regional road. The road is in good condition with a PSCI rating of 6 to 8. The projects may impact on the road during 2 phases, the importation of construction materials during construction and the possibility of a grid connection using the public road network. There is no information available on the quantities of bulk earthwork material required for the project

There is no information available on the requirement of other construction materials such as concrete, pipes and fittings, heavy mechanical equipment which could be required in very large quantities.

It should be possible to ensure the integrity of the roads network in the vicinity of the development site using planning bonds, detailed condition surveys and through the Road Open Licence procedure. However, it not possible to make any detailed analysis in the absence of the project construction details.

Recommendation: Provide sufficient construction details of the scheme to allow for a preliminary assessment of the potential impact of the scheme on the existing road network.

2. Grid Connection

There will be underground grid connection from the development. The route has not been selected at this stage but is likely to be 5 to 10 km in length. The connection may utilise the existing road network. Concerns relate to access to bridges, unhindered access to carry out road maintenance and improvements, reinstatement requirements and clarity of financial responsibility.

Recommendation: Clarify the proposed grid connection route to allow for an assessment of the impact of the proposed scheme on the existing roads network.

3. Drainage District of Kilmastulla

The proposed development site has the potential to impact on the drainage district of Kilmastulla. Nenagh Municipal District carries out drainage works throughout the catchment on an annual basis. There are sections of the catchment prone to flooding. Is the hydro scheme a 'closed system' with no discharge to the Kilmastulla drainage district.

Recommendation: Assess the potential hydrological impact of the scheme on the Kilmasculia River.

4. Community Gain

The proposed development site has the potential to impact on the local community. A number of discussions have taken place over the years with the promoters about Community Gain. The formal application to ABP from Silvermines Hydro should include agreed community gain measures. If it can be agreed in advance then the question of community gain should not be a significant issue that would need to be addressed as part of the oral hearing.

Recommendation: Clarity on Community Gain to allow assessment having regard to other community gain offers for the Nenagh MD Area.

5. An Bord Pleanála may be aware of the history around the aftercare of Silvermines and the involvement of Department of the Environment, Climate and Communications. They may need to be listed as a stakeholder. Tipperary County Council chairs the Silvermines Inter Agency Group, which meets annually to review risks and the implementation of the IAG Report.

Recommendation: Include the Department of the Environment, Climate and Communications and Silvermines Inter Agency Group as stakeholders.

It is noted that the following Post Comprehensive Decision Consents and Licences will be required from Tipperary County Council;

Consent Type	Legislation under which consent is required	Consenting Authority & Contact Details
Commencement Notice/7 Day Licence Fire Safety Certificate Disability Access Certificate	Building Control Act 1990, as amended and Building Control Regulations 1997, as amended	Tipperary County Council, Civic Offices, Nenagh, Co. Tipperary Overall Contact: Brian Beck A/Director of Services brian.beck@tipperarycoco.ie Planning and Development: Dave Carroll A/Director of Services dave.carroll@tipperarycoco.ie
Discharge Licence	Local Government (Water Pollution Acts), 1977 and 1990, as amended and Local Government Act, 2001	Environment and Climate Action, Water Services Eamon Lonergan Director of Services eamon.lonergan@tipperarycoco.ie
Road Opening Licence Abnormal Loads Permits	Roads Act 1993, as amended Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 2003, as amended	Roads and Transportation: Marcus O Connor Director of Services marcus.oconnor@tipperarycoco.ie

The above consents and licenses are expected to be sought during Project implementation as deemed necessary following statutory consenting decisions.

Application Process

The Planning Authority notes that no later than 6 months after the notification of the project, An Bord Pleanála (NCA) will determine in close co-operation with us and other stakeholders the scope of the reports and documents and the level of detail of information to be submitted.

The following are considered necessary at this early stage;

- the project to be essentially in the ownership of the project promoter
 - any land is not in the ownership or under the control of the project promoter, details of the legal interests intended should be given
- the formal application to ABP from Silvermines Hydro should include agreed community gain measures
- Environmental Impact Assessment (and environmental impact assessment report) including the following:
 - Plans or drawings necessary to identify the site, scope and extent of the project
 - the grid connection route should be shown as closely as possible
 - Alternatives
 - Population & Human Health
 - Biodiversity
 - Land, Soils & Geology
 - Hydrology & Hydrogeology
 - Air Quality & Climate
 - Noise & Vibration
 - Landscape
 - Material Assets
 - Roads, Traffic & transportation
 - Waste Management
 - Archaeology
 - Architectural Heritage
 - Interaction of the foregoing topics
 - Cumulative Impact with other plans and projects
- Appropriate Assessment (and Natura impact statement)
 - habitats of protected species, important habitats or other diversity features, with sufficient detail to enable the consenting authority to carry out an Appropriate Assessment under the Habitats Directive
- Water Framework Directive
 - water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or water bodies likely to be caused by the proposed development.
- Flood Risk Assessment
- Schedule of start dates/construction timeframes, etc

Following receipt of the draft application, it is noted that the National Competent Authority (ABP) will circulate an electronic copy of the entire draft application file to Tipperary County Council and other relevant authorities. It is noted that the National Competent Authority itself will not undertake any examination or assessment of the draft application file nor will they check that all stated documentation is included. This will be done by the authorities concerned having regard to their statutory responsibilities. Tipperary County Council will advise the NCA as to whether or not there is any missing information.

Conclusion:

Based on the interaction to date between Silvermines Hydro and the Local Authority, the details submitted with the notification to An Bord Pleanála as the NCA, the data available on the project website, and ABPs Projects of Common Interest, Manual of Procedures for the Permit Granting Process, Tipperary County Council is satisfied that subject to the above the project is mature - to be

able to submit an application for the permits or authorisations required for construction of the project within two years of the written notification given by Silvermines Hydro to the An Bord Plenala as the National Competent Authority (NCA).

Senior Executive Planner:

Date: 26/10/2023

A/Senior Planner:

 **Date:** 08/11/2023