



An
Bord
Pleanála

Record of Meeting

ABP-304007-19

Case Reference / Description	Proposed Shannon LNG regasification terminal at Ballylongford, Co. Kerry.		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	1 st		
Date	21/05/19	Start Time	11 a.m.
Location	Cathal Brugha Room	End Time	12 p.m.

Attendees
Representing An Bord Pleanála
Anne Marie O'Connor, Assistant Director of Planning (Chair)
Una Crosse, Senior Planning Inspector
Ellen Morrin, Senior Administrative Officer
Kieran Somers, Executive Officer
Representing the Prospective Applicant
Martin Ahern, Project Manager
Brannen McElmurray, Managing Director – Chief Development Officer
Adam Siegel, Managing Director – Head of Sales
Simon Duncan, Senior Vice President – Head of Marine Operations
Michael Daly, Arup

Introduction

Following introductions, the Board referred to the request received from the prospective applicant to enter into pre-application consultations.

The Board advised the prospective applicant that the instant meeting essentially constituted an information-gathering exercise for the Board; it also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters it wished to receive advice on from the Board.

The Board mentioned general procedures in relation to the pre-application consultation process as follows:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- The Board will serve notice at the conclusion of the process as to the strategic infrastructure status of the proposed development. It may form a preliminary view at an early stage in the process on the matter.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or any legal proceedings.

Presentation by the prospective applicant:

The prospective applicant provided a brief outline of the development as currently proposed and offered its opinion that the relevant application mechanism for this would be via a direct planning application to the Board pursuant to section 37E of the Planning and Development Act 2000, as amended.

The proposed development would be smaller in scale and more compact than that granted permission by the Board under case reference number 08.PA0002 (proposed LNG regasification terminal in the townlands of Ralappane and Kilcolgan Lower, County Kerry). The main elements of the proposed development comprise:

- a jetty (similar to previous permission)
- a floating off-shore storage facility for LNG (this facility was on-shore in previous permission)
- on-shore re-gasification of LNG (ie conversion to natural gas, similar to previous permission)
- Combined heat and power plant to be used in conjunction with the LNG re-gasification plant (similar to previous permission)
- It is also intended to include as a new element a suitable energy user such as a data centre or other use which requires cooling as part of its industrial process to provide an energy efficient synergy with the LNG terminal and CHP plant. Excess power would be exported to the national grid.
- It was noted that planning permission was previously granted for a gas pipeline to export gas to the national transmission system.

The Board's representatives requested that a clear description of the development being proposed be forwarded to it following the instant meeting for the purposes of clarity, including a comparison between the current proposal and the permitted development.

Discussion:

The following matters were discussed as part of the meeting:

- **Scope of application:** The Board's representatives enquired as to whether any planning application would involve the proposed ancillary industrial use (such as a data centre). The prospective applicant replied that its intention is to lodge a fully integrated planning application which would include all constituent elements. It indicated that such an application would include for the provision of phasing.
- **Regulatory context:** The Board noted the substantial number of changes which have taken place in the regulatory framework since the previous application (08.PA0002) was granted in 2008. The Board reminded the prospective applicant that it should be fully cognisant of all such regulatory changes (including the EIA and Habitats Directives) and legal judgments from the Irish and European courts in the interim.
- **Clarification:** The prospective applicant said that the proposed jetty infrastructure to serve the development would be fundamentally the same as per the previous planning application; it added that the configuration on site would be somewhat different now given that the on-shore storage tanks are no longer required.
- **EIA:** The EIAR must address the full project including any grid connection. In addition to direct effects, it must also comprehensively address the indirect effects of the proposed development. This will be particularly significant in terms of the operation of the off-shore storage facility. The EIAR must also address likely significant effects on the environment arising from disasters.
- **AA:** The Board noted the proximity of a Special Area of Conservation (SAC) and the ecological sensitivity of the Shannon Estuary. The NIS should be comprehensive in terms of survey data and scientifically robust to support conclusions reached regarding the effect of the proposed development on the integrity of European Sites. Early engagement/consultations with representatives of the National Parks and Wildlife Service (NPWS) was advised.

- **Environmental Effects:** The Board stressed that the environmental effects arising from the proposed development would be of paramount importance with respect to any planning consideration of the proposed development. Matters relating to EIA and AA can be discussed in further detail at subsequent meetings which should be attended by the prospective applicant's environmental team/ advisers.
- **Public Consultation:** The Board advised that public consultations should be carried out in the locality and with any identified stakeholders or persons or bodies who might have an interest in the proposed development (eg recreational or commercial users of the estuary). Early consultation with key prescribed bodies is also advised. Where possible, any issues or clarifications arising out of consultation with the public or prescribed bodies should be addressed in advance of the planning application process.
- **SID application process:** The prospective applicant had a general query regarding the likely process which would be involved following the lodging of a formal planning application under strategic infrastructure. The Board said that a time period (typically of seven weeks duration) is allowed for the making of written submissions/observations to it by members of the public and relevant prescribed bodies. Thereafter, the holding of an oral hearing is quite likely as there is a presumption towards this with respect to complex cases and ones which involve a significant degree of public participation. The reporting inspector then completes his/her report and recommendation to the Board and a final decision is made to grant or refuse permission for the proposed development. The Board's decision can also be challenged under subsequent legal proceedings and the various permutations in this regard were briefly outlined to the prospective applicant.
- **Statutory Consents:** The Board's representatives said that a list of all the various consents which would be required with respect to the project would be useful and it requested that the prospective applicant forward this.

Conclusion:

The Board stated its preliminary opinion that the proposed development would constitute strategic infrastructure.

The Board reiterated its request that the prospective applicant forward further detail and clarification regarding the nature and extent of the development that is now being proposed and a comparison with previous permissions.

The record of the instant meeting will issue to the prospective applicant once it is finalised. The prospective applicant should revert to the Board when it requires a further meeting. The Board said it would expect further elucidation on environmental matters pertaining at the time of this meeting.

Anne Marie O'Connor

Assistant Director of Planning