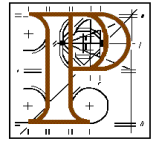


Record Of Meeting



Case Reference/Description	PC0152 – Greater Dublin Drainage Project Comprising a Regional Waste Water Treatment Plant and Associated Orbital Drainage Network and Marine Outfall, North County Dublin.		
Case Type:	Section 37B of the Planning and Development Act 2000, as amended		
Meeting No.:	2 nd Meeting		
Date:	12 th February 2014	Start Time:	11.30 a.m.
Location:	Conference Room, An Bord Pleanála	End Time:	1.05 p.m.
Chairperson:	Philip Green, Assistant Director of Planning	Executive Officer:	Sinéad McInerney

Attendees:

Representing An Bord Pleanála

Philip Green, Assistant Director of Planning

Paul Caprani, Senior Planning Inspector

Marcella Doyle, Senior Executive Officer

Sinéad McInerney, Executive Officer

Representing Prospective Applicant (Fingal County Council)

Peter O'Reilly, Fingal County Council

Aoife Lawler, Fingal County Council

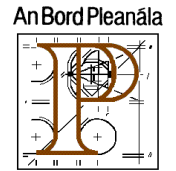
John Barry, Irish Water

Ciaran O'Keefe, Jacobs/Tobin

Elaine Casey, Jacobs/Tobin

Ciara Kellett, AOS Planning

Record Of Meeting



Introduction

The prospective applicant was welcomed and the teams were introduced (Appendix 1).

The prospective applicant stated that it had no comment to make in connection with the record of the first pre-application consultation meeting held on 24th January 2013.

The prospective applicant gave a presentation to the Board providing an update in relation to the status of the proposed development (Appendix 2).

Strategic Infrastructure Development

At the outset the prospective applicant stated that it retains the view, as stated at the first pre-application consultation meeting, that the proposed development is strategic infrastructure development (SID) in accordance with section 37A of the Planning and Development Act 2000, as amended. The proposed development comprises a waste water treatment plant for a population equivalent (PE) of 750,000 and the prospective applicant considers that it is of strategic economic and social importance to the region and it will have a significant effect on more than one planning authority.

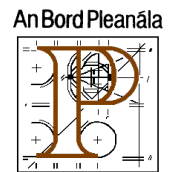
Irish Water

It was confirmed that the applicant for the proposed development will be Irish Water. The representative of Irish Water in attendance stated that it would submit clarification in writing to the Board in this regard.

A brief description of Irish Water was provided. Irish Water was established in March 2013 and will amalgamate water and waste water services of the local authorities to provide one national service provider. In summary the Government decided to create a public water utility, appoint a new economic regulator for public water and create a new funding regime based on domestic water charges and capital from international markets. With regard to the establishment of Irish Water, The Programme Milestones and the organisational structure were presented.

The Board's representatives stated that the Board would welcome such a written clarification with regard to Irish Water now being the prospective applicant, as a prospective applicant must enter into pre-application consultations with the Board under section 37B in respect of any proposed development which is of a class of development listed in the Seventh Schedule of the Act.

Record Of Meeting



The Board's representatives queried if it is proposed to compulsorily acquire any lands relating to the proposed development and, if so, whether Irish Water would have the legislative power to do so. The prospective applicant stated that it is its understanding that all powers currently with a local authority relating to the provision of water services will be transferred to Irish Water, and this will include the power to compulsorily acquire lands. Irish Water will, in effect, become the water services authority. The prospective applicant confirmed that it will seek legal opinion on this matter in due course.

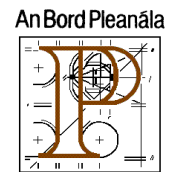
The Project

The prospective applicant set out the various elements of the project. The proposed development comprises a regional waste water treatment plant with an ultimate capacity of 750,000 PE and a sludge treatment plant. The Sludge Management Plan for Fingal County Council has been revised and updated and it has been decided to co-locate its sludge hub centre with the regional waste water treatment plant. Two pumping stations will also be developed – one at Abbotstown and one at Grange. The project includes an orbital sewer from Blanchardstown to Clonshagh and Stapolin to Clonshagh. With regard to outfall, the proposed development will include a land-based outfall pipeline from Clonshagh to Baldoyle, a marine based outfall pipeline from Baldoyle to a point about 1 km north-east of Irelands Eye. A diffuser will be placed at the end of the outfall pipe.

With regard to construction of the proposed development, the prospective applicant said that it intends to construct the waste water treatment plant in two phases – the first phase for a capacity of 400,000 PE from 2020 to 2035 and the remainder after 2035, to meet the needs at that time and to allow for the connection of the North Dublin Catchment.

In this regard, the Board's representatives suggested that the prospective applicant consider two Board decisions in relation to the an application for the upgrade of the Mountmellick Waste Water Treatment Plant (Application Reference Number 11.JA0026) and an application for the upgrade of the Portarlinton Waste Water Treatment Plant (Application Reference Number 11.JA0027). In these cases, the local authority applied to upgrade the waste water treatment plants in a series of phases over an extended period of time. The Board approved the first phase only in each application as it considered that further evaluation of the receiving environment would be required at the time of the further expansion of the facilities. The Board's representatives advised the prospective applicant to be cognisant of these decisions

Record Of Meeting



as the Board may not be satisfied that baseline studies carried out now would be relevant in the long term and it may not be possible to carry out an environmental assessment for the Phase 2 of construction/ operation. The prospective applicant stated that it is aware of this issue and referred to a concern that if it was to apply for Phase 2 in the future, that might be regarded as project splitting. The Board's representatives suggested that the prospective applicant could consider addressing the need for expansion in a future application in the application for the Phase 1 of the development. The prospective applicant said that it would consider the matter. It may be an option to construct all infrastructure for Phase 1 and Phase 2 at this stage, with Phase 2 of the facility to become operational into the future. The Board's representatives stated that such an approach may still be an issue as the Board may not be satisfied that environmental assessments carried out now for operation of the facility at full capacity may not be valid into the future.

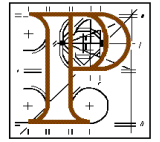
The prospective applicant clarified that the two phase construction only applies to the waste water treatment plant and it intends to construct the entire pipeline within a defined pipe corridor during the first phase of construction.

Project Road Map

The prospective applicant outlined the various stages of its Project Road Map. Public consultations and environmental studies have been carried out as the project has progressed and it has now completed the Alternative Sites Assessment and Route Selection Report. The prospective applicant is currently preparing its Environmental Impact Statement (EIS) for submission with the application for the proposed development.

Alternative Sites Assessment and Route Selection Findings

The alternative sites assessment and route selection has been carried out in a four phase process. During Phase 1, nine land parcels were identified on which to develop the waste water treatment plant and preliminary screening was carried out. Phase 2 identified three emerging preferred site options, eliminating sites which were considered less favourable than others, and preferred pipeline corridors were also identified. Phase 3 involved public consultations in relation to the three preferred site options, orbital sewer and pipeline corridors. Phase 4 involved the selection of the preferred site at Clonshagh and outfall location in Dublin Bay, and the identification of pumping station sites at Abbotstown and Grange.



Record Of Meeting

Various outfall locations were considered and a range of modelling was carried out. The chosen outfall site is located 6 km out to sea, just north-east of Ireland's Eye. In determining the location, the primary aim was to achieve gravity outfall and two stages of modelling have been carried out. The studies will be included as part of the EIS for submission with the application for the proposed development. The Board's representatives advised the prospective applicant to ensure that modelling outfall accounts for in-combination effects, including from existing outfalls, point-source discharges and rivers flowing into Dublin Bay. The prospective applicant confirmed that there will be a small area of a mixing zone at the outfall and discussions are taking place with the Environmental Protection Agency (EPA) in this regard.

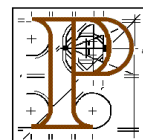
The Board's representatives referred to the Ringsend facility, which it considers should be accounted for in any studies carried out, in particular with regard to the location of the outfall for the proposed development. The prospective applicant noted that the project will rely on previous studies that would have addressed the Ringsend facility, i.e. the Greater Dublin Strategic Drainage Study (GSDSDS), which identified the need for an additional waste water treatment plant and identified constraints in the network in carrying the flow to the Ringsend facility. It stated that these studies will be referred to in the application.

With regard to the preferred location for the outfall, it is considered that it is of less ecological value, there is less potential for archaeological findings, better initial dilution and mixing characteristics for the effluent plume, less technical difficulty for the tunnelling of the outfall, and the length of pipeline required is significantly shorter and the preliminary estimates for costs is significantly less. The prospective applicant stated that the nearest dwelling is 300m from the waste water treatment plant site, and a 300m buffer to sensitive receptors has been applied in identifying the preferred site location. The Board queried the proximity to Dublin Airport, to which the prospective applicant responded that it has had consultations with the Dublin Airport Authority (DAA) and the Irish Aviation Authority (IAA). The site is located within the outer safety zone, but outside the inner safety zone, and the DAA and IAA are satisfied with the proposed development, once there are no open bodies of water on site and that the height of any structure does not exceed a stated height.

Project Elements

The prospective applicant presented an indicative site layout of the proposed facility. It has examined proven options of other waste water treatment plants with a capacity of 750,000 PE. It stated that the highest building would be approx. 20m and a fall of approx. 4m exists across the site. It is likely that the waste water treatment plant will

Record Of Meeting



be a Design Build Operate (DBO) contract. This matter remains to be determined with regard to the pipeline and outfall. The Board's representatives advised that the Board will be required to examine all construction impacts and if a DBO development is proposed, the prospective applicant should examine the worst case scenario for all potential impacts e.g. noise, odour, visual impact, traffic and include detailed drawings in respect of alternatives.

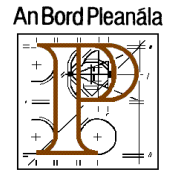
With regard to waste water sludge generated by the waste water treatment plant, treatment will take place on site and the treatment process will be addressed in the EIS to be submitted with the application. A review of the Fingal County Council Sludge Management Plan in 2013 has recommended that a single Sludge Hub Centre should be developed in the county which should be co-located with the proposed regional waste water treatment plant. The sludge hub centre will also accept sewage sludge from domestic tanks in the Fingal area. An additional 180,000 PE of imported sewage sludge from the county will be managed at the site. The Board's representatives stressed that the prospective applicant should address impacts arising from the Sludge Hub Centre in the EIS e.g. in relation to odour and traffic.

The prospective applicant confirmed that a Waste Water Discharge Authorisation Licence will be required in respect of the proposed development and it will determine if a Waste Licence is required. It stated that an Integrated Pollution Prevention Control (IPPC) Licence is not required for the proposed development. Discussions with regard to required licences are on-going with the EPA. It was also confirmed that a Foreshore Licence will be required for the proposed development. The Board's representatives advised the prospective applicant to outline the various consents that will be required in respect of the proposed development in its application to the Board.

The pumping stations are proposed to be located at Abbotstown and Grange. The Abbotstown Pumping Station will accept waste water from Clonee, Dunboyne, Ashbourne, Ratoath and Kilbride areas with a future connection to Leixlip. The Grange pump station will accept waste water from North Dublin.

The prospective applicant presented a map showing the designated sites in Dublin Bay. The marine outfall will be located in the Rockabill to Dalkey Island candidate Special Area of Conservation (cSAC). It was stated that there are no priority habitats within the cSAC and the qualifying features are reefs and the harbour porpoise. The prospective applicant has engaged a marine ecologist and it is currently modelling flows. The Board's representatives referred to underwater noise as a potentially

Record Of Meeting



significant issue. Consultations have taken place with National Parks and Wildlife Service (NPWS) who have indicated that it considers a Natura impact statement (NIS) will be required. The Board's representatives stressed the importance of continued liaison with NPWS, and referred to the Imperative Reasons of Overriding Public Interest (IROPI) process, should the Board conclude that the proposed development would adversely affect the integrity of the cSAC. The prospective applicant stated that it has also met with Birdwatch Ireland, An Taisce and Coastwatch Ireland and it has yet to meet with The Irish Whale and Dolphin Group in relation to the matter. The prospective applicant is proposing to tunnel the pipeline to the outfall but will also look at dredging as an alternative.

Consultations

Public consultations have taken place during each of the four phases of the project development. In total 33,233 submissions have been received, with 13,491 submissions received during Phase 4 which focused on issues to be considered in the EIS to be prepared for the preferred site option. Submissions related to issues including noise, odour, vermin and impacts on agriculture and horticulture in particular. The prospective applicant has carried out on-going engagement with the community groups and local politicians and has communicated with the public through a hotline, e-mail, a project website and outreach information stands.

The prospective applicant stated that it has also engaged in consultations with statutory and non-statutory bodies and has issued an EIS Scoping Stage – Consultation Brief to 62 bodies setting out details of the proposed development, the study area and the completed and proposed environmental surveys. To date, responses have been received from 16 statutory bodies and interested parties. Consultations are on-going and meetings with key stakeholders will continue.

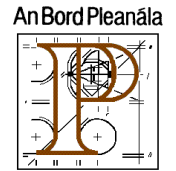
Appropriate Assessment and Environmental Impact Assessment

Following Stage1: Appropriate Assessment Screening, the prospective applicant has concluded that there may be potential effects on 14 European sites and a NIS will be included in the application for the proposed development.

Preparation of the EIS and the investigative studies are on-going and individual chapters are being prepared.

The Board's representatives suggested that the prospective applicant should have regard to the Guidelines for Local Authorities and An Bord Pleanála on carrying out

Record Of Meeting



Environmental Impact Assessment published by the Department of Environment Community and Local Government. The Board's representatives also advised that, when referring to any scientific terms, to use the phrasing and terminology referred to in the relevant Regulations e.g. European Communities Environmental Objectives (Surface Waters) Regulations 2009, as amended.

Other Matters

The prospective applicant noted that a five year duration applies to a planning permission granted under section 37G of the Act and enquired in relation to extending that length of permission having regard to the potential for the two phases of construction that may be involved. The Board's representatives stated that the prospective applicant could apply for a planning permission in excess of five years and the onus would be on the prospective applicant to make a case to justify the length of the permission being sought.

It was confirmed by the prospective applicant that the proposed development is located generally within a Greenbelt area where it considers that the proposed development is open to consideration and is supported by development plan and policies. Part of the site is also zoned High Technology where utilities are permitted.

It was also stated that a strategic environmental assessment has been carried out and the Board suggested that the reference to the level of analysis and policy context should be set out in the application.

The prospective applicant is seeking a preliminary opinion from the Board on whether it considers the proposed development to be SID within the meaning of the Act.

Conclusion

The prospective applicant confirmed that Irish Water will be the applicant and it will submit a letter to the Board providing clarification in this regard.

The Board's representatives suggested that it might be beneficial to have an interim meeting in respect of the legislative provisions and the appropriate mechanism in

Record Of Meeting



which Irish Water may submit the application. At such a meeting the legal opinion sought by Irish Water could be provided to the Board. Other matters including scale and details of drawings to be submitted and further on-going work on the environmental studies etc. could be discussed at a further meeting.

The prospective applicant will revert to the Board to arrange a further pre-application consultation meeting in due course.

Philip Green
Assistant Director of Planning
February, 2014