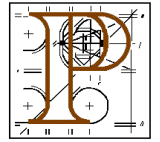


Record Of Meeting

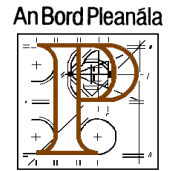


Case Reference/Description	09.PC0204 – Changes to the volume and nature of Waste to be accepted at the Drehid Waste Management Facility, County Kildare. 2 nd meeting		
Case Type:	Pre-app consultation		
Date:	25 th May, 2016	11.00a.m.	
Location:	Board's offices		
Chairperson:	Philip Green		

Attendees:
Representing An Bord Pleanála
Philip Green – Assistant Director of Planning
Pauline Fitzpatrick – Senior Planning Inspector
Marcella Doyle – Senior Executive Officer
Kieran Somers – Executive Officer
Representing Prospective Applicant
John Connolly, Infrastructure Development Manager, Bord na Mona
John Payne, Senior Project Engineer, Bord na Mona
Brian Downes, Project Manager, Tobin Consulting Engineers
David Conneran, Project Engineer, Tobin Consulting Engineers
Ciara Kellett – Planning Consultant, Jacobs (AOS) Planning

The Board referred to its previous meeting with the prospective applicant of the 1st September, 2015 and the record of this meeting. It asked the prospective applicant if it had any comments it wished to make on this record. The prospective applicant replied it had and provided the Board with suggested inserts for the record of this meeting as attached herein. The Board reminded the prospective applicant that it does not amend the record of its meetings; however, the comments by the prospective applicant will form part of the pre-application file.

Record Of Meeting



The Board also referred to the meetings it has held in the meantime with the Eastern Midlands Region Waste Management Office (22nd October, 2015) and the EPA (18th February, 2016). The Board provided copies of the records of these meetings and allowed the prospective applicant time to peruse these records and consider the contents.

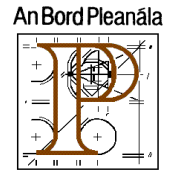
The Board summarised the main points which were raised at these meetings with the aforementioned bodies. The Board's representatives also advised the prospective applicant that the SID division of the Board had been initially briefed on the project and meetings held to date. The SID division of the Board noted that consultations to date were at a fairly broad level. Issues raised were with respect to the sources of materials, the alternative uses of such materials as opposed to disposal to landfill, and the overall justification/need for the project.

The Board representatives stated its preliminary view is that the proposed development would constitute strategic infrastructure development.

The prospective applicant addressed some points in respect of the Board's record of the meeting held with the Eastern Midlands Region Waste Management Office on the 22nd October, 2015. It also reserved the right at a later date to submit any written comments it might have with respect to the Board's record of the meeting held with the EPA on the 18th February, 2016. It was agreed that, when doing so, the prospective applicant would also submit its comments on the Eastern Midlands Region Waste Management Office at the same time.

Generally, the prospective applicant commented that the existing facility and related permission will remain in place and that there would be no changes to what is already permitted on site. The prospective applicant noted that the current landfill is predominantly for MSW. The instant proposal is to develop additional capacity for non-hazardous and hazardous waste streams to landfill for a period of 25 years, the pre-treatment or processing of certain waste streams prior to landfill and the increase in the volume of waste to be accepted at the composting facility with the removal of the restriction on its operating life.

Record Of Meeting



Project update:

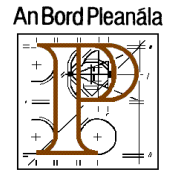
The site selection for the instant proposal was addressed by the prospective applicant. It said that matters such as ecology, hydrogeology, archaeology, distance from sensitive receptors and other relevant factors have informed the site selection process. The prospective applicant outlined for the Board's information the phases of the existing facility which are being currently utilised and those which have yet to be constructed. It said that the design of the instant proposal will be refined over the course of the coming months.

Responding to the Board's query, the prospective applicant said that the area of land proposed for the hazardous materials would be approximately 12 hectares; the area of land proposed for the non-hazardous materials area would be approximately 22 hectares. These would be considered to be the maximum and it is hoped that they would be reduced following detailed design.

The prospective applicant referred to the leachate which is currently collected on site and transported to a wastewater facility in Leixlip (it was noted by the prospective applicant that the Ringsend facility will also shortly be a destination). Responding to the Board's query on this element, the prospective applicant said that the management of leachate is under assessment. It said that the findings and conclusion of this assessment would be included in the formal planning application. The possibility of some primary treatment of leachate on site was referred to by the prospective applicant. It noted that full treatment of leachate prior to release to surface waters is a complex process. There are no plans at present to propose such treatment as part of a proposed development, but the prospective applicant said that it might explore such a proposal in the future. The Board noted that any such proposal would constitute a significant change on site. It advised the prospective applicant that any change it might pursue with respect to leachate would need to be addressed robustly in a planning application. It also noted that Irish Water is a mandatory body which the prospective applicant would have to notify in the event of a formal planning application to the Board.

In a general context the prospective applicant noted that the design and layout of the proposed development may change as the detailed design is advanced. It reiterated that the workings of the hazardous and non-hazardous facilities would be physically separate.

Record Of Meeting



Advice sought from Board regarding procedures:

The prospective applicant stated that it expects the proposed development to be deemed strategic infrastructure by the Board.

The prospective applicant put forward the scenario whereby for market or other reason(s) it might decide not to pursue a distinct element of the overall proposal. It indicated to the Board that of the proposed development the element more likely not to be pursued would be the hazardous landfill. The prospective applicant queried what its position would be where, between the Board making a SID determination on the overall proposal and prior to the lodging of a formal planning application, it decided not to pursue one of the distinct elements considered under the pre-application process.

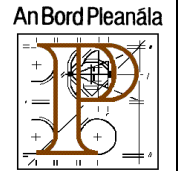
The prospective applicant asked if it could receive a view from the Board as to the SID status with respect to three scenarios:

- The entire proposed development as described up to the present time.
- The proposed development as a hazardous stand-alone (without the non-hazardous element).
- The proposed development as a non-hazardous stand-alone (without the hazardous element).

As a point of clarification it added that the proposed composting element (i.e. extension of the existing composting facility to accept an additional 45,000 TPA) would be included in all three scenarios. The Board stated its opinion, that any of the three scenarios would likely be SID.

The prospective applicant also posed another set of circumstances whereby it had received a grant of permission from the Board for the overall proposed development, and that post-consent it then decided not to pursue one of the distinct elements (such as the hazardous component). The prospective applicant said its chief concern in such a scenario would be that it would be open to charges of not fully implementing the terms of a planning permission. It wondered if part implementation of a permission is viable in procedural terms and with respect to enforcement.

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The Board's representatives responded by saying that it saw no difficulty for the Board to impart a SID opinion on all three aforementioned scenarios as presented by the prospective applicant. It reiterated that all three scenarios would likely comply with the criteria for SID. With respect to a decision by the prospective applicant not to pursue a component of a planning permission post-consent, the Board pointed out that the provisions of Section 146B of the Planning and Development Act 2000, as amended, could potentially be availed of. Notwithstanding this it was also pointed out that it would be a matter for the planning authority to consider issues of potential breach of planning control.

The prospective applicant noted the above and said that it would formally seek an opinion from the Board regarding the SID status of the three scenarios posed.

Programme update:

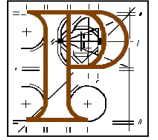
The prospective applicant said that it hopes to lodge a formal planning application with the Board circa September 2016. It is a matter in the first instance for the prospective applicant to request closure to the process. The reporting inspector would then finalise a report and recommendation to the Board. The Board said this can be dealt with relatively quickly and that, subject to workloads, it would be in a position to give its formal SID determination within a few weeks following request for closure. Generally, it reminded the prospective applicant that it is prudent to leave the process open for as long as possible in case of any outstanding issues or advice it might need to address.

Conclusion:

In respect of the prospective applicant's intention to seek the Board's SID opinion on the aforementioned three scenarios, it was agreed that this would be sought at a later time. The Board's representatives advised that plans and particulars for the proposed development should be firmed up prior to this and would assist the Board's understanding of the proposed development and nature and extent of the request.

The prospective applicant indicated its intention to seek a further meeting with the Board. It will revert to the Board as regards proposed dates for this.

Record Of Meeting



In the meantime, the prospective applicant will submit to the Board in writing its comments in respect of the records of the Board's meetings with the Eastern Midlands Region Waste Management Office and the EPA.

The meeting concluded at 12.55p.m.

Philip Green
Assistant Director of Planning