



An  
Bord  
Pleanála

## Record of Meeting 09.PC0204 4<sup>th</sup> meeting

|   |  |                          |               |
|---|--|--------------------------|---------------|
| <b>Case Reference / Description</b>                             | 09.PC0204<br>Changes to the volume and nature of waste to be accepted at the Drehid Waste Management Facility, County Kildare. |                          |               |
| <b>Case Type</b>  | Pre-application consultation   |                          |               |
| <b>1<sup>st</sup> / 2<sup>nd</sup> / 3<sup>rd</sup> Meeting</b> | 4 <sup>th</sup>  |                          |               |
| <b>Date</b>   | 30/03/17   | <b>Start Time</b>        | 11 a.m.       |
| <b>Location</b>   | Meeting Room 3   | <b>End Time</b>          | 12.35 p.m.    |
| <b>Chairperson</b>  | Philip Green   | <b>Executive Officer</b> | Kieran Somers |

| <b>Attendees</b>                               |                      |              |
|--|----------------------|--------------|
| <b>Representing An Bord Pleanála</b>           |                      |              |
| <b>Staff Member</b>                            | <b>Email Address</b> | <b>Phone</b> |
| Philip Green, Assistant Director of Planning   |                      |              |
| Pauline Fitzpatrick, Senior Planning Inspector |                      |              |
| Marcella Doyle, Senior Executive Officer       |                      |              |
| Kieran Somers, Executive Officer               | k.somers@pleanala.ie | 01-8737107   |
|  |                      |              |

| <b>Representing the Prospective Applicant</b>                                     |  |  |
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| John Connolly, Bord Na Mona,<br>Infrastructure Development<br>Manager             |  |  |
| John Payne, Bord Na Mona,<br>Senior Project Engineer                              |  |  |
| Damien Grehan, Tobin Consulting<br>Engineers, Project Director                    |  |  |
| Orla McAllister, Tobin Consulting<br>Engineers, Senior Environmental<br>Scientist |  |  |
| Lara Gough, AOS Planning,<br>Planning Consultant                                  |  |  |

The meeting commenced at 11 a.m.

The Board referred to its previous meeting with the prospective applicant of the 16<sup>th</sup> November, 2016 and the record of same and asked if it had any comments to make on this. The prospective applicant replied that it had previously submitted some comments on this record in writing by letter dated the 24<sup>th</sup> January, 2017.

The Board's representatives noted the current point of detail request (case reference number 09.PF0002) relating to the Drehid Facility and stated that this meeting would not be an opportunity for the prospective applicant to discuss that case.

The Board referred to the meeting it held with representatives from Kildare County Council on the 26<sup>th</sup> January, 2017. It also advised the prospective applicant that, since the time of the previous meeting, it had met with the SID division of the Board.

The Board allowed the prospective applicant some time to peruse the record of its meeting with Kildare County Council. Following this, the Board asked the prospective applicant for clarity in relation to the various figures which are being proposed for the instant development:

- With respect to the proposed 250,000 TPA waste for the non-hazardous landfill, the Board enquired as to whether this is an overall figure or in addition to the 120,000 TPA which is already permitted. The prospective applicant said that the 250,000 TPA figure would be in addition to the 120,000 TPA. With regard to this latter figure, the prospective applicant stated that it has an extant permission which is due to expire in 2028. It said that permission would be sought for the 250,000 TPA. It acknowledged that both permissions would run concurrently for a time thereby giving a TPA of 370,000 (i.e. up until 2028 at which point the extant permission would expire).
- The prospective applicant clarified that the proposed development would seek permission for the facility to accept 15,000 TPA of metals for recovery over a 25-year time period.
- With regard to composting, the prospective applicant stated the current capacity intake is 25,000 TPA and that the instant development would be seeking to increase this to 45,000 TPA. It would then intend to develop further facilities so as to accept 90,000 TPA for composting.
- In relation to the mechanical biological treatment (MBT) facility, which has an extant 10-year permission granted in 2013 to accept 250,000 TPA of waste, the prospective applicant said there are no immediate plans to advance this project. The prospective applicant commented that the development of the Poolbeg facility will be an important factor with regard to this particular market and that its own position is to wait and see how this sector develops once that facility becomes operational. The prospective applicant advised the Board that it has a licence for this facility from the EPA which will have a lifespan of ten years from the date any MBT facility on site would become operational.

The Board noted these figures and reminded the prospective applicant that all such details should be clearly set out in the formal planning application. The prospective applicant noted this and said that it was preparing the EIS to address all cumulative impacts. It added that the EIS will address various scenarios on site in this regard. The prospective applicant said that the same level of clarity on this point had previously been provided to Kildare County Council.

The Board's representatives reported some of the principal matters the SID division of the Board had highlighted with respect to the proposed development. The SID division expressed its view that all figures and tonnages proposed, including nature and source of materials as part of the proposed development, should be justified as robustly as possible. With regard to the issue of traffic and roads, the Board is of the opinion that a proactive approach should be taken in the strategic management of this element of the proposed development particularly in regard to traffic management controls which would be a material consideration in this case. The Board was also of the opinion that there should be a level of certainty with respect to what is being proposed and that it might be appropriate to apply for all elements of the proposals at one time.

Noting this, the prospective applicant referred to its previously stated intention of possibly receiving the Board's SID opinion on three scenarios of development. These were:

- The entire proposed development with all constituent elements included.
- 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).

The prospective applicant raised its own concern if a scenario arose that it had a planning permission and decided (for market condition reasons or other) not to develop out a particular part of the project. The prospective applicant questioned whether there might be an issue then with any SID status were a specific element of the project not to be subsequently pursued. From its point of view, the prospective applicant said it would be only prudent to envisage such a scenario.

Responding to this, the Board's representatives said it would be reasonable to assume that any of the three scenarios would likely be SID. It advised the prospective applicant again that it was open to them to seek the opinion of the SID division of the Board on these scenarios when closing the pre-application process, but also to be clear in relation to what it is proposing in any subsequent planning application. Ultimately, it would be a matter for the Board to determine the matter as it saw fit. The Board's representatives reminded the prospective applicant that the record of the instant meeting and previous meetings would document all discussions which have taken place on this point.

The prospective applicant indicated that it would probably seek the Board's SID opinion on the aforementioned three scenarios and would also set out in the closing letter the rationale behind its seeking this opinion.

With regard to the proposed additional 250,000 TPA, the prospective applicant emphasised that this would be for particular waste streams including C & D waste and C & D fines rather than municipal solid waste (MSW).

The prospective applicant also addressed the matter of landfilling bottom ash and said that the likelihood of such material being re-used after being landfilled is minimal as it becomes solid in form and the cost is prohibitive. The Board noted this and advised the prospective applicant that the option and opportunity for reuse of bottom ash (for example in construction materials) be explored in any formal planning application.

The Board reminded the prospective applicant to clearly set out and substantiate all elements of the proposed development and contextualise these with respect to regional and national policy.

With regard to the construction and demolition waste sector, the prospective applicant noted that the three regional waste bodies had recently produced a study on this and also noted an absence of facilities to deal with such material. The Board for its part noted that it has met with representatives from the Eastern-Midlands Regional Waste Office and would be consulting with this body on any subsequent planning application.

With respect to roads and traffic, the Board noted the concerns expressed by Kildare County Council in its meeting of the 26<sup>th</sup> January, 2017. The Board emphasised to the prospective applicant the requirement that it be clear on matters such as increases in traffic generation and cumulative impacts on the road network. It said this matter would be a material consideration for the Board in its assessment of the case and added that all studies in this regard be as robust as possible.

Noting that it has already addressed many of the concerns raised, the prospective applicant made some comments in relation to the record of the Board's meeting with representatives from Kildare County Council as follows:

- On page 5 of this record, the prospective applicant noted the comments of the local authority that the volume of waste proposed to be accepted to the facility appears to be at national levels and not just county or regional figures. The prospective applicant said that its own position is that the facility would be a national one. This would also apply to any MBT facility if developed in the future it added. Noting this, the Board pointed out that it had noted in the record that the Regional Waste Management Plans appear to accept that waste may travel beyond the individual regions.
- On page 8 of the record, the prospective applicant noted the local authority had advised the representatives of the Board that there are no site specific policies in respect of the Drehid facility. The prospective applicant said this is not its understanding of the situation and pointed to two specific policies on Drehid which it said were being introduced at the material alteration stage of the draft county development plan. Noting this, the Board said this is a matter which will be examined when the formal planning application is lodged.
- On page 7 of the record, the prospective applicant noted the reference to a community gain scheme which focuses on a nine-kilometre radius around the facility. The prospective applicant noted for the record that the composition of the community liaison committee includes many individuals and groups of which it is just one part.

- On page 7 of the record, the prospective applicant also noted the reference to a funding structure in relation to road maintenance and that there is no rate per tonne for maintenance of roads set out in the county council's Development Contribution Scheme. The prospective applicant voiced its opinion that road maintenance is financed by a local authority's section 48 contribution scheme.
- On page 8 of the record, the prospective applicant noted the local authority's uncertainty as to whether hazardous waste might come from Northern Ireland. The prospective applicant said it had previously advised the local authority that no waste would be coming from that jurisdiction.

With regard to the matter of community gain generally, the Board pointed out that it may impose a community gain condition if granting permission for a proposed development. It added that the prospective applicant can put forward any proposals it has on community gain.

The Board's representatives noted that application procedures were given to the prospective applicant at the previous meeting of 16<sup>th</sup> November, 2016. It reminded the prospective applicant to include reference to the EPA licence in its public notices. The Board also enquired as to whether the subject site would be in the vicinity of a Seveso Site. The prospective applicant said that this had not featured in public notices for any of its previous applications, but undertook to check on this. The Board pointed out that if a Seveso Site is involved, then it is required to liaise with the Health and Safety Authority in respect of any planning application.

The prospective applicant asked if it could get advice from the Board on the scale of drawings to be included with the formal planning application. The Board said such advice could be imparted by it, but asked that the prospective applicant forward such drawings in hard copy so as to facilitate this.

### **Conclusion:**

The Board asked the prospective applicant if it considered this to be the final meeting in this particular pre-application case. The prospective applicant said that it believed it probably would be. The Board reminded the prospective applicant not to seek closure to the process until at least following its receipt of the record of the instant meeting. The prospective applicant noted this and indicated a planning application would be lodged by it circa early Summer 2017.

The meeting concluded at 12.35 p.m.

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**Philip Green**

**Assistant Director of Planning**