



An
Bord
Pleanála

Recording of Meeting 13.PC0224 1st meeting

Case Reference / Description	13.PC0224 Extension of jetty facilities including the reclamation of foreshore and extension of the port estate, Co. Limerick.		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	1 st		
Date	12/08/16	Start Time	11a.m.
Location	Meeting Room 1	End Time	12.30p.m.
Chairperson	Brendan Wyse	Executive Officer	Kieran Somers

Attendees		
Representing An Bord Pleanála		
Staff Member	Email Address	Phone
Brendan Wyse, Assistant Director of Planning		
Karla McBride, Senior Planning Inspector		
Marcella Doyle, Senior Executive Officer		
Kieran Somers, Executive Officer	k.somers@pleanala.ie	01-8737107

Representing the Prospective Applicant		
Pat Keating, CEO, Shannon Foynes Port Company		
John Carlton, Operations Manager, Shannon Foynes Port Company		
Mary Hughes, Director, HRA Planning		
Alan Barr, Technical Director, RPS		

The meeting commenced at 11a.m.

Introduction:

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 Board will serve formal notice at the conclusion of the process as to whether or not the proposed development is SID. It may form a preliminary view at an early stage in the process as to whether the proposed development would likely constitute strategic infrastructure.
- 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 gave a background in relation to Shannon Foynes Port Company and the operational context. It said that Shannon Foynes is the second largest port company in Ireland and has a statutory responsibility for all commercial maritime activities on the Shannon Estuary. The port is designated as a core network port (TEN-T) by the European Union and was identified as a Tier 1 Port in the National Ports Policy 2013. In relation to existing operations, the prospective applicant said that the port has a market share of 37% of non-unitised traffic. It handled just over 11.1 million tons of cargo in 2015; the value of trade handled for that particular year was 7.6 billion. The prospective applicant said that the port's unique selling point is its deep water advantage. It said that it has been extremely successful in attracting new business and provided the Board with examples of this. The prospective applicant said that it is currently in negotiations to secure an additional five port-centric type projects involving new cargo types for the port.

The prospective applicant provided the Board with an overview of the proposed development.

The overall site, inclusive of the existing port estate (64 hectares) and proposed extension, is some 90.58 hectares in size. There are two aspects to the proposed development:

- (a) A jetty extension, and
- (b) An extension of port related activities on lands to the east.

In relation to the proposed jetty extension there is completed reclamation at Berth 6 (as per planning permission under planning register reference number 12/212) and that there is also proposed reclamation to take place at Berth 5 as part of this permission. What is being proposed as part of this element is to reclaim an area of land in order to link the existing West Quay and existing East Jetty. In relation to the precise details for the jetty extension there will be a tube pile deck to provide an additional working area of 2,250 square metres; a steel tube/sheet pile retaining wall; and a proposed reclamation area generally to provide for an additional working area of 7,200 square metres.

The prospective applicant indicated to the Board that this element of the proposed development would not constitute a new jetty per se. What is envisaged is a continuous jetty from east to west in order to provide additional capacity. The prospective applicant emphasised that this element of the proposed development would not increase the size of ships coming into the port, rather it is to improve the efficiency of port operations generally. To this end it is proposed to extend the

existing West Quay by more than 20 metres, and the existing East Jetty by more than 90 metres.

Responding to the Board's query, and having regard to the relevant threshold in the Seventh Schedule, the prospective applicant stated its opinion that the proposed development would not constitute strategic infrastructure development. The Board suggested that this argument is something that the prospective applicant might wish to elaborate on further in writing.

With regard to the port expansion area generally, the prospective applicant said that the internal layout for this is yet to be determined. This area would primarily be used for storage facilities, marine industry and other future uses.

The prospective applicant noted that the nearby N69 provides good linkage between the port and Limerick City. It also made reference to the proposed dual carriageway link from the port to the N69; the preferred route for this has recently been published and the project forms part of the Government's Capital Expenditure Plan. There are studies being currently conducted to re-use the existing rail line between the port and Limerick. The prospective applicant is about to commence a detailed design study which will include a tender for rail line reinstatement works; it has secured EU funding for this. The rail line constitutes an important piece of infrastructure and there are niche markets which could be accessed by this means. It is a single line at present with the possibility of loops to be incorporated.

The prospective applicant set out the need for the proposed development. Port activity is growing in line with 'Vision 2041' which identified a need for port estate expansion and jetty extension. Since 2011 tonnage at Shannon Foynes has increased by 18%. The existing port estate (which consists of 64 hectares) is fully utilised and that there is no more available land for storage purposes. Continued growth in terms of tonnage would lead to significant ship congestion and the need to increase the number of typical berths from four to five.

The prospective applicant said that the port has an international significance in terms of EU transport policy (Ten-T); a national significance in terms of the National Ports Policy 2013; regional significance in terms of the Mid-West Regional Planning Guidelines 2010-2022, the Mid-West Area Strategic Plan 2012-2030, and the Strategic Integrated Framework Plan for the Shannon Estuary; and local significance in the context of the Limerick County Development Plan 2010-2016.

With respect to environmental considerations which will have to be taken into account in any planning application, the prospective applicant noted the presence of a Special Area of Conservation – Lower River Shannon SAC (site code 002165) – and a Special Protection Area – River Shannon and River Fergus Estuaries SPA (site code 004077) – as well as the proposed Natural Heritage Area. In relation to the NHA it noted that this has been at proposal stage for quite some time now, that

the designation covers lands already developed for port related activities and that the designation has not had any implications for permissions previously sought.

In terms of EIA Scoping, the prospective applicant advised that it has received responses from the DAHG Underwater Archaeology Department, Clare County Council and the Irish Whale and Dolphin Group. It is expecting responses from Limerick City and County Council and the National Parks and Wildlife Service.

The prospective applicant outlined the key issues which are being taken into consideration in relation to the scoping for the EIS; these include the impact on local residents, the impact on the environment, impacts on marine ecology and other impacts, such as coastal processes and climate change.

The prospective applicant said that there will be a requirement for Stage 2 Appropriate Assessment having regard to the proximity of the aforementioned SAC and SPA. The qualifying interests include Bottlenose Dolphins and over-wintering birds. With respect to the Bottlenose Dolphins, the prospective applicant noted that these are protected under Annex II of the Habitats Directive. Extensive baseline data has been gathered with respect to this particular species. With respect to birds, baseline winter feeding and roosting activity for the 2010/2011 winter season was undertaken for the East Jetty Reclamation Project. Further baseline data with respect to species such as the Dunlin, Black-Tailed Godwit and Redshank has been collected for the 2015/2016 winter season. With respect to coastal processes hydrodynamic models have been developed to appraise the impact of the proposed reclamation. The models will also be used to appraise the impact of coastal flooding and the predicted rises in sea level. Existing environmental baseline data will be updated and expanded, where necessary, to support the relevant environmental impact appraisals.

The prospective applicant said that, as part of the pre-application consultation process, it would be seeking advice from the Board on the following matters:

- The proposed development description – the prospective applicant noted that a ten-year permission will be sought. It said that it would seek advice as to what level of detail it might need to go into in terms of proposed port-centric development. This type of development would relate to activities such as bagging and the processing of goods within the confines of the port before such goods are moved onwards within the distribution network, and that this could include food processing for example. The Board's representatives suggested that any further written submission to it might elaborate further on such port-centric activities in order to inform the Board's eventual SID determination.
- Clarification on the red line boundary of the application site as to whether or not the entire port estate should be included or just the two specific sites.

- The extent of detail required for the port expansion area and serviced industrial/storage land.
- The scope of traffic assessment required.
- The scope of public consultations to be undertaken.
- The list of prescribed bodies that will need to be notified pursuant to Article 213 of the Planning and Development Regulations 2001, as amended.
- The implications of the EIA Directive 2014/52/EU in terms of the preparation of the EIS.

Board comments/queries:

The Board enquired as to whether there would be much dredging entailed as part of development works. The prospective applicant replied that there would likely be some, but not in large quantities.

In response to the Board's query, the prospective applicant said that current licenced dumping area for material or spoil is located one kilometre off Foynes Island. In terms of infill for the proposed reclamation area, it advised that this would mostly consist of inert material.

The prospective applicant confirmed that a Foreshore Licence and Dumping-At-Sea Permit would be required in respect of the proposed development. Irrespective of timelines, it noted that a Foreshore Licence is not granted until such time as planning permission has been obtained.

Responding to the Board's query, the prospective applicant said that there would be some rationalisation with respect to the internal road network around the port.

The Board for its part noted the presence of a ringfort in the vicinity of the port and remarked that any archaeological remains may need to be assessed.

The Board queried the presence of Seveso sites in the port estate.

The Board raised concerns in relation to the potential impact of pile driving noise on marine mammals in the Shannon Estuary during construction of the new jetty.

In relation to a likely timeline for the lodgement of a formal planning application, the prospective applicant said its current target is circa January/February 2017.

With regard to its own status, the prospective applicant said that the Shannon Foynes Port Company is the port authority for the region, but that it also has a commercial mandate pursuant to the Harbours Act. It is a regulatory body which also has a vested commercial interest.

Conclusion:

It was agreed that the prospective applicant will make a further written submission to the Board in respect of its opinion that the proposed development would not constitute strategic infrastructure development. Following receipt of this, a report and recommendation could then be made to the Board. The SID division of the Board would then form a preliminary opinion as to whether the proposed development is SID.

In relation to any formal planning application to it, the Board noted that an oral hearing might be convened. It said that the holding of an oral hearing should be presumed although such is ultimately at the discretion of the Board.

The prospective applicant indicated its intention to make its further written submission to the Board within the next few weeks. A copy of the record of this meeting will issue to the prospective applicant. If the prospective applicant wishes to make any comments on the written record of the meeting, it may do so along with the further written submission.

The meeting concluded at 12.30p.m.

Brendan Wyse

Assistant Director of Planning