



An
Bord
Pleanála

Recording of Meeting 07.PC0232 1st meeting

Case Reference / Description	07.PC0232 Construction of a new deep water quay facility and all ancillary works at Rossaveel, Co. Galway.		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	1 st		
Date	07/11/16	Start Time	11a.m.
Location	Conference Room	End Time	12.20 p.m
Chairperson	Anne Marie O'Connor	Executive Officer	Kieran Somers

Attendees		
Representing An Bord Pleanála		
Staff Member	Email Address	Phone
Anne Marie O'Connor, Assistant Director of Planning		
Philip Green, Assistant Director of Planning		
Stephen Kay, Senior Planning Inspector		
Marcella Doyle, Senior Administrative Officer		

Kieran Somers, Executive Officer	k.somers@pleanala.ie	01-8737107
Representing the Prospective Applicant		
Gerard Egan, Divisional Engineer, Marine Engineering Division, Department of Agriculture, Food and the Marine		
John Donnelly, Harbour Master, Rossaveel		
Ciaran Reilly, Project Manager, Mott MacDonald		
Mark McCarthy, Environmental Planner, Mott MacDonald		
Noel O'Murchu, Engineer, Marine Engineering Division, Department of Agriculture, Food and the Marine		

The meeting commenced at 11a.m.

Introduction:

The Board referred to the letter received from the prospective applicant dated the 11th October, 2016 formally requesting pre-application consultations with the Board.

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.

The Board also noted the prospective applicant's preliminary opinion, as set out in its letter dated the 11th October, 2016, that the proposed development would not constitute strategic infrastructure development.

Presentation by the prospective applicant:

The proposed development comprises the construction of a 200-metre deep water quay with associated works, including dredging to facilitate a vessel approach channel with a turning circle of 200 metres diameter. The proposed development would require disposal at sea of the dredged material.

The prospective applicant gave some planning background to the project and stated that development very similar to the current proposal was granted permission by Galway County Council in 2002 as part of a larger development for a deep water quay and ferry terminal. Only the ferry terminal part was, however, developed. Permission for the deep water berth was granted again by the Council in 2006. It was clarified to the Board that the original planning application made to Galway County Council included the lodgement of an EIS. Subsequent applications in 2006 and 2011 allowed for updates in respect of existing works.

Dredging for the proposed approach channel will be to a depth of 8.0 metres CD. Excess dredge material which cannot be re-used in construction will be dumped at sea. There is an existing dumping-at-sea licence for 100,000 tonnes of material. To date, only 60,000 tonnes of this permitted volume has been availed of. It is expected that the quantities arising from the proposed development will be quite small and could be accommodated within the existing licence.

The existing port serves fishing vessels operating along the west coast, and comes under the remit of the Department of Agriculture, Food and the Marine. It is one of six fishery harbour centres in the country. Of these, only Castletownbere and Killybegs are identified under the National Ports Policy.

Fishing vessels have got larger over the years and the existing facility is restricted in terms of the size of vessels it can accommodate. It is also government policy to encourage foreign vessels fishing in Irish waters to unload their fish in Ireland. The existing depth of -3.7 metres CD restricts the size of vessel to circa 30 metres in length and the harbour needs to be able to accommodate larger vessels of 60-70 metres. Volumes of fish landed at Rossaveel have reduced significantly over the years from an official 10,000 tonnes in 1990 to 3,000 to 4,000 tonnes today reflecting the fact that the harbour cannot accommodate modern vessels. Currently such vessels have to travel to Castletownbere and Killybegs harbours to unload fish. The department wishes to upgrade the existing facilities in Rossaveel to accommodate larger vessels and promote food-related economic activity in the area. There is currently one fish processing plant associated with the port.

The layout for the proposed deep water quay includes outside berthing frontage and rock armour protection. There would be no breakwater required as the location is adequately sheltered.

The chief benefits and opportunities arising from the proposed development were set out by the prospective applicant as follows:

- It will attract more and larger fishing vessels
- It will facilitate ship-to-shore fish transfer systems
- It will facilitate upgraded fish processing facilities, such as cold stores.
- Local support services will gain from increased economic output
- There will be ancillary potential opportunities such as dry cargo services to offshore hydrocarbon developments as well as non-commercial benefits

With respect to the Seventh Schedule of the Planning and Development Act 2000, as amended, the prospective applicant acknowledged that the proposed development falls under Class 2 as it would involve the construction of a quay in excess of 100 metres and would enable vessels in excess of 1,350 tonnes.

With regard to the criteria as set out under section 37(A)2 of the Planning and Development Act 2000, as amended, the prospective applicant restated its opinion that the proposed development would not satisfy any of the criteria here insofar that:

- The proposed development would not be of strategic economic or social importance to the State or region in which it would be situated. In this regard, the prospective applicant noted that the port is not identified as a tier 1 or 2 port in the National Ports Policy.
- The proposed development would not contribute significantly to the fulfilment of any objectives of the National Spatial Strategy or any regional spatial economic strategy in force in the area.

- The proposed development would not have a significant effect on the area of more than one planning authority during either construction or operational phases of development.

The prospective applicant summed up by reiterating its opinion that the proposed development would not constitute strategic infrastructure development.

Board comments/queries:

Responding to the Board's query, the prospective applicant said that it was its understanding that the original planning application in 2002 was made by the Department of Communications, Marine and Natural Resources. It made the point that the existing port has fallen under the jurisdiction of a number of various departments in the intervening years.

The prospective applicant confirmed to the Board that an EIS was submitted with the original application in 2002 and also that Mott McDonald have been commissioned to prepare a new EIS for the instant project.

The Board referred to the fact that there is provision under section 181B of the Planning and Development Act 2000, as amended, for applications to be made directly to it in respect of a proposed development requiring EIA or AA, where the prospective applicant is a state authority. It said that it will need to consider this matter further as to whether this might be the more appropriate mechanism for the prospective applicant to make its application to it. It also said that it would be open to the prospective applicant to make a further submission to it on this issue.

For the purposes of the instant meeting, the Board said it would wish to further tease out the matter as to whether the proposed development would be of strategic economic or social importance to the State or region in which it would be situated. Responding to this, the prospective applicant said that the proposed development would have some local importance in that there would be a potential economic benefit arising as well as sources of employment. In this respect it referred to the document entitled Ros an Mhíl: An Economic Survey to Determine the Level of Seafood Activity and Establish its Economic Importance to the Area published by Bord Iascaigh Mhara in May 2016. It said this report sets out the economic context generally and might assist the Board's understanding of the proposed development in this regard. Beyond this, the prospective applicant said that it is not aware of any other economic social or regional strategy pertaining to the port. In response to a question from the Board representatives, it was also stated that there was no other national or regional policy in place that would be relevant to an assessment of the economic significance of the proposed project. It was also clarified that the fishing grounds related to the port varies significantly with the season and the type of catch.

The Board indicated that it might seek meetings with the relevant local authority and/or the relevant regional authority in order to better inform its understanding of the case. It said that it may also come to an opinion as to what would be the appropriate mechanism for the prospective applicant to seek permission for the proposed development. It was highlighted to the prospective applicant that pre-application consultations are provided for under section 181C in the case of state authority development.

The prospective applicant queried as to what are the chief differences between making an application under section 37 as opposed to section 181B. The Board replied that section 37 applications are decided by the SID division of the Board. It also said that there is a higher assumption of an oral hearing taking place with respect to section 37 applications and there are some other small nuances between both types of applications. The Board made the general point that the assessment of the merits of the proposed development would be the same notwithstanding whichever application process is engaged. With respect to the preparation of an EIS for the application, the Board emphasised that the approach taken should be as robust as possible in terms of considering matters such as direct and indirect effects arising from the proposed development (including the dumping at sea) and the cumulative effects with other permitted plans or projects.

Conclusion:

The Board representatives stated that they would give further consideration to the most appropriate mechanism for the making of an application by the prospective applicant. The Board will then revert to the prospective applicant as to this preliminary view by way of a further meeting or other communication.

It was stated that they would be in contact with the prospective applicant to make arrangements for the holding of meetings regarding the other pre application consultation requests submitted by the Department of Agriculture, Food and the Marine, namely those at Howth (06F.PC0234), Castletownbere (04.PC0235) and Killybegs (05.PC0237) and how these meetings might be co-ordinated given the common issues arising.

The meeting concluded at 12.20p.m.

Anne Marie O'Connor
Assistant Director of Planning