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Submission from Thomas P. Broughan T.D at An Bord Pleanála
Oral Hearing on Plan ABP 301908-18 (SID/03/18) of Irish Water for
the Greater Dublin Drainage Project.

AN BORD PLEANÁLA	
TIME 14:00	BY
22 MAR 2019	
TR DATED	FROM
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1. My name is Thomas Broughan and I have represented the communities most affected by the proposed Clonsaugh Wastewater Treatment Plant and the proposed Baldoyle Bay outfall in Dáil Eireann for over 25 years. In the 1980's I was also founding chairperson of Coolock Development Council and a director of that body and other local development projects, including the Northside Centre for the Unemployed.

2. Since November 2011, this is my fifth submission opposing the location of the Wastewater Treatment Plant at Clonsaugh and the location of the outfall pipeline through the Portmarnock peninsula into our much loved Baldoyle Bay.

3. At each of the 4 phases of the alternative sites process, I have tried to reflect the growing disbelief and despair of my constituents as the 22 possible sites or land parcels were whittled down to 12, then to 9 and finally to 3 (Annsbrook, Newtowncorduff and Clonsaugh). Constituents immediately feared that Clonsaugh would be chosen on political grounds because the site is on the extreme boundary of Fingal County, closely adjacent to thousands of residents' homes in the North Fringe of Dublin City. Of course those fears were realized.

4. Constituent's key concerns relate to the likely negative impacts on the health of the receiving population from odours, emissions, noise, serious traffic disruption, flooding risks and damage to the Baldoyle Bay biosphere. In a nutshell, they believe that the Clonsaugh location is at

total variance with the Fingal and Dublin County Development Plans, with indicative and local area plans for the Clonshaugh/Belcamp, Balgriffin, Baldoyle North Fringe and with the Dublin bay biosphere and conservation marine zones. Constituents see the proposal as a disaster for the future planning of our region.

The Proposed Clonshaugh Location Greatly Exacerbates the Poor Planning of the North/South Fringe.

5. The Project Context and Strategic Planning Overview at Chapter 1.7 of the Jacob Tobin EIAR do not address the unique planning conditions and history of the proposed receiving area at Clonshaugh and Baldoyle Bay. On several City and county Development Plans down to 2023/24, the receiving area and much of old Clonshaugh was designated to be a high employment high tech industrial business park as a extension of Clonshaugh Industrial Estate in the heart of the Dublin Airport business development zone. To the east Belcamp College and environs is intended to be a mixed density high quality residential and associated commercial district, building on developments at Burnell, Newtown, Clare Hall, Belmayne, Clongriffin and The Coast further east.

6. None of the City and County plans in the AOS study, nor the many Local Area Plans nor the North/South Fringe Masterplans ever remotely considered giving any planning rationale for what my constituent's call 'a monster sewage plant' and massive sewage sludge terminal on the Old Clonshaugh boundary of the district.

7. The planning history of the North Fringe of Dublin City and the South Fringe of Fingal County is a litany of serious planning failures. The access to the sewage plant is directly opposite Caragh Park estate and

adjoining estates in Clonshaugh, Newbury, Swift's Grove, Priorswood, Darndale, Newtown and Clare Hall are just a few fields away. The past four decades have witnessed huge efforts by the local communities to obtain and provide key and essential social infrastructure including public transport, health, education, security, recreational and sport services. That struggle is ongoing.

8. Since the late 1990's the new communities in the eastern North Fringe in Belmayne, Clongriffin and the Coast and South Portmarnock have been bedevilled by serious structural (pyrite) insulation, fire safety, and construction and design flaws. This eastern North/South Fringe was planned by the two councils from the mid-1990's to have perhaps 25,000 to 30,000 homes and up to 60,000 new residents. But the delivery of social and commercial infrastructure (including shops, schools, youth and sporting facilities, medical centres and even a police station) have been painfully slow. For nearly a decade large stretches of development and amenity lands have lain deserted and uncared for.

9. The last infrastructure anybody wanted sited in this zone (whatever the possible uses referred to in the 2017/2023 County Development Plan) was a monster sewage plan on 75 acres for up to 700,000 PE capacity. So this Irish Water proposal on nearly 30 hectares wrecks any legible or sustainable planning of the North Fringe. There are also fears the sewage plant will freeze and dramatically change housing and commercial development in Clonshaugh and Belcamp college.

The planning presentation for Irish Water on Wednesday was misleading too with regard to developments on Old Clonshaugh Road since we understand the Carra Shore proposal for a 421 bed hotel was finally

approved by An Bord Pleanála and other similar developments are in train for this hotel district near the extended Clayton Hotel.

The Correct Central Fingal Locations for this Sewage Plant were Rejected on Spurious Cost and on Political Grounds.

10. The original and most appropriate proposal in 2005/2006 was to develop a modern extended sewage plant at Portrane (which was included in the 22 and later 9 emerging sites). I argued strongly in 2011 to 2013 that either of the other two so-called 'preferred treatment plant' sites in central Fingal were immensely preferable to Clonsaugh on planning, engineering, environmental and cost benefit grounds.

Annsbrook and Newtowncorduff in the Lusk district with their marine outfalls in the Northern Outfall Study area seem much more sustainable locations on all the above planning criteria.

11. Of course both Annsbrook and Newtowncorduff are over 10 kilometres north of Dublin Airport and its flight paths while Clonsaugh (as constituents constantly remind me) is located just a kilometre or so from the airport terminals and astonishingly almost in the centre of the lower flight path for almost all of Dublin Airports landings of more than 30 million passengers.

12. The Jacobs Tobin Environmental Impact Assessment Report (EIAR), Vol. 2 Part A of 6, Chapter 5 consideration of alternatives amazingly concludes that the Clonsaugh site is 'of less ecological value' than Annsbrook and Newtowncorduff and that the southern outfall into the Baldoyle Bay biosphere is preferable to the northern outfall. But the fundamental reason for choosing Clonsaugh seems to be that the total length of pipeline for Clonsaugh/Baldoyle is 'significantly shorter' than for the other two site options. Constituent have drawn parallels between

the siting of the North ring Wastewater Plant in New York City and the siting of this plant on the exact border of Clonshaugh and North Coolock. The New York plant was intended for the Upper West Side but due to alleged political influence was sited in Harlem instead.

13. But nowhere in the massive Jacobs Tobin and ancillary reports (as I noted in 2011/2012 is there a Cost Benefit Analysis of the 3 options or indeed the original Portrane option. When I looked at Cost Benefit Analyses for other comparably sized proposals as e.g. a plant in Halifax Nova Scotia, it is clear there could not be a positive NPV for the Clonshaugh site (no matter what level the discounts were set at).

14. We hear recently that the Clonshaugh/Baldoyle option will cost perhaps half a billion euros (from Irish Water's 6 billion capital budget under the National Development Plan). The Oireachtas is at last hugely sensitive to the costings of major capital projects following the Children's Hospital planning debacle but here we have a similar huge capital project without a detailed design, not even a model and crucially with no Cost Benefit Analysis and even targeted final cost. But the human cost to my constituents may be disastrous over the long term.

The Unacceptable Health and Human Costs to the Receiving Population are an Insurperable Barrier for Plan ABP-301908-18.

15. Visual Intrusion.

I have found the photomontages in Vol. 6 of the EIAR to be completely useless although the height of the new structures are said to be a maximum of 18 metres, the tallest buildings will be placed on the southern part of the 30 ha. site, easily visible from Caragh Park,

Moatview and Belcamp estates. A major ESB networks substation (just beside the proposed Clonshaugh site) was built outside the planning process a few years ago and dominates the landscape to the north of the above estates. Local residents rightly ask why no model of the proposal was produced and displayed locally in Coolock library and Darndale Village. (They remind me that even TV architect Dermot Bannon always makes a model of a single house redesign).

16. Noise

When I visit friends in Clonshaugh, Priorswood, Darndale, Newtown and Burnell, there is a steady loud traffic noise coming from the R139/N32. This is especially true of rush hours but also occurs throughout the day and evening. So, the receiving district already has to contend with other significant noise and vibration. This comes mainly from aircraft (especially on days when take-offs must ascend into a prevailing easterly wind). Residents also complain of noise from the huge ESB Networks facility referred to above. The EIAR of course mentions noise and vibration which will be generated by microtunneling works and construction of the WwTP and to a necessary suite of noise and vibration mitigation measures at the Clonshaugh site and eastwards to Baldoyle Bay.

17. Next week the Oireachtas will complete report stage of the Aircraft Noise (Dublin Airport) Regulation Bill, 2018 which many colleagues and I have tried to amend to create an independent regulator (I argued for the EPA and not Fingal County Council and An Bord Pleanála to have this role). The Dail debates clearly show that EU Directive 2002/49/EC the Environmental Noise Directive is not being implemented in the airport zone which includes Clonshaugh. Indeed the noise limits in the EPA

document entitled 'Dublin Agglomeration Environmental Noise Action Plan (2013-2018)' prepared by the four Dublin local authorities are not adhered to either in that zone and there are demonstrably profoundly negative health impacts from such noise which will now be exacerbated by the sewage plant plan.

18. Odours and Emissions.

The EIAR admits that there will be emissions of particulate matters and vehicle emissions during construction but there is no analysis whatsoever of the generation of odours and air pollutants during the operation of the new WwTP. Just last month, a tank failure at the Ringsend Sewage Plant caused a large plume of sewage to be discharged into the Liffey and Irish Water has been repeatedly fined for discharges and emissions at sewage plants around the country. Over the Summer of 2018 there was a very unpleasant odour along parts of the south Sutton coastline which (despite assurances from Dublin City Council) constituents attributed to emissions from the Ringsend Plant, upwind of Sutton. There are similar fears in the North/South Fringe about dangerous odours and emissions from any future plant at Clonsaugh. There is no risk analysis in Jacobs Tobin report for the dangers posed by the plant for the general health of the people of the North Coolock and North fringe parishes. We are only informed that there will be an 'Odour Management Plan' of which Jacobs Tobin give no details.

Among the Worst Human Impacts of the Clonsaugh site are Fears of Increased Traffic Gridlock.

19. Constituents are fearful that both the construction and operational phases of Plan ABP-301908-18 will bring major additional heavy vehicle traffic to the R139/N32, the Stockhole Lane/R139 roundabout and to the R139/M1/M50 roundabout itself. The R139/Clare Hall Avenue/ Malahide Road junction will also be badly impacted. The Clonsaugh and Priorswood estates of course use the already busy Clonsaugh Road/R139 junction and homes at Caragh Park and Northern Close/Old Belcamp Lane are accessed directly from that road. The Burnell district is also directly accessed from the R139 and the future large Belcamp College estates will also have access/egress from the R139. In addition the entrances to St. Michael's House and our popular GAA club Craobh Chiaráin also are located on the R139 close to the proposed WwTP site.

20. Proposals to relieve traffic congestion on the R139/N32 were prominent in the City and County Development Plans up to 2018. Dublin City Council still awaits government funding for a major bypass of the R139/Malahide Road/Clare Hall Avenue junction. Dublin City Council and Fingal County Council have also included an east west 'Northern Parkway' relief road for the North/South Fringe in development plans of the past 20 years. These proposals reflect existing traffic congestion concerns long before the sewage plant proposal.

21. The Jacob Tobin EIAR Vol. 3 Part A, Chapter 13 'Traffic and Transport Report' gives no supporting basis for its estimates of traffic growth at 13.5.4. Residents are particularly concerned that access to the WwTP construction and operational site will be from the R139 (400 metres from the south of the site). While the egress road (230 metres

from the east of the site) is onto old Clonshaugh Road, and the Old Clonshaugh Road/N32/R139 roundabout and the adjoining motorways roundabout will be deeply and negatively impacted.

22. The summaries of historic traffic performance analysis at Tables 13.7, 13.8 and 13.9 of Jacobs Tobin, Vol. 3 Part A Chapter 13 show indeed that the Clonshaugh Road/R139 roundabout is currently gridlocked with projected queues of more than a 1,000 vehicles at the p.m. peak and more than 800 vehicles at the a.m. peak. Table 13.11 shows that the R132/Moyne Road/R106 Coast Road junction is already well over capacity on all arms of that junction as is the R106 Coast Road/Station Road Portmarnock mini-roundabout on all its arms. Little weighting seems to have been given by the OSCADY traffic analysis to the certain development of Dublin airport for up to 40 million passengers and to the airports industrial zones over the next 5 to 10 years.

23. During the operational phase, residents have huge concerns about the 'fleet of trucks removing sludge from the proposed WwTP to the proposed RBSF' mentioned at 13.7.1 of the Jacob Tobin traffic chapter. We were reminded again by Irish Water on the first day of this hearing that sludge trucks would be coming to Clonshaugh from other wastewater facilities all over Fingal, South Meath and North Kildare. The out-of-date traffic forecasts in Jacobs Tobin underlines the glaring lack of a full updated Traffic and Transportation assessment of the WwTP and sludge centre project and its profoundly negative impacts on the receiving population.

The Fragile Hydrology of Clonshaugh Baldoyle and the North Fringe Rule Out a Sewage Plant being Located There.

24. The JB Barry and Partners/Jacobs Tobin Risk Assessment outline a methodology at Chapter 21 of 'avoid, substitute, justify, mitigate and proceed' in relation to flood risk management. But the study then goes on to ignore its own methodology in chapters 3, 4 and 5. The Moyne River catchment (including its Cuckoo tributary) has flooded regularly throughout my time as a public representative when adverse weather and tidal conditions produced serious flooding in Baldoyle and the North Fringe. There have been few years indeed when there is no flooding in that catchment.

25. But Chapter 3.3 of the Flood Risk Assessment agrees that the National Flood Hazard Mapping website shows that 7 locations of serious historic flooding were recorded in areas close to the WwTP. Those cited include Stockhole Lane and Balgriffin, a few hundred metres north east and directly east of the proposed WwTP. The 26 kilometres of land based pipeline route of course would cross three rivers, the Santry, the Moyne and the Cuckoo. And references to 100 year fluvial and 200 year tidal flooding are little comfort to my constituents who vividly recall several episodes of serious flooding in the past 5 years.

The hydrology and environment of Clonshaugh may already have been damaged by a huge illegal dump with up to 40,000 tonnes of waste matter discovered on the IDA lands in 2001 and still not remediated by the IDA or FCC.

26. Constituents are astonished that there is little or no reference to Climate Change in the Jacobs Tobin and JB Barry reports. Of all the areas in Ireland to choose for a sewage plant and outfall,

Clonshaugh/Baldoyle has to be one of the worst in an era when we are increasingly dealing with major storms like the Beast from the East just a year ago and much more regular episodes of flooding.

27. Climate Change is particularly relevant since the Baldoyle region is a Polder. The lowest levels of the Polder are in Seagrang Park but all districts of Baldoyle are impacted. For the recent part we have managed to avoid the confluence of flooding of the Moyne and its tributaries with very high tides in Baldoyle Bay. But it is certain that the future rising sea levels hold particular dangers for Baldoyle and for all residents living in the Moyne catchment, from Clonshaugh eastwards.

The Baldoyle Bay Outfall is Unconscionable.

28. Linked closely to flooding and climate change concerns are the grave fears of potential contamination of the marine environment in Baldoyle Bay from the construction and especially the operational phase of the WwTP and sludge centre. The EIAR informed us that of 'assessment used mathematical modelling' to evaluate the dredging and pipe laying of the marine outfall pipe and the continuous large discharges of treated wastewater through this pipe into Baldoyle Bay. On Wednesday last, Alan Berry for Irish Water explained how his calibrated computer model of hydrodynamics evaluated the impact of wastewater discharges onto the Velvet Strand of Portmarnock and Sutton/Claremont beach in Howth. But constituents are not reassured by Mr. Berry's conclusion that 'the model did not predict any significant impact on the receiving waters' since the diffusion area just a kilometre north east of Ireland's Eye is within the Baldoyle Bay biosphere and so

close to those and other beaches in Portmarncok and Howth and to the Malahide Estuary.

29. A major deficiency of the whole WwTP planning process since 2011 right down to this Oral Hearing is that we have had no independent reviews of Jacobs Tobin including the marine impacts modelling done by MarCon Computations. All we can go on is the record of the Ringsend WwTP and the often serious negative impacts of so-called accidental discharges and emissions especially in the first phase of that plants operation but also right down to last month. Residents want to avoid at all costs similar damage to shellfish and all other marine life in Baldoyle Bay and environs. Given Ringsend record, they ask why there should be two large sewage plants on Dublin Bay any way.

30. The comparisons between the northern outfall and the southern outfall in the Jacobs Tobin EIAR, Vol. 2, Part A of 6, Chapter 5 'Consideration of Alternatives' is another straw man so characteristic of this EIAR. The so-called southern study area is chosen because it has a deeper mean water depth closer to the shore (23 metres supposedly against 15 metres for the northern study area). But clearly the same discharge safety conditions can be found in the ecologically much less valuable northern outfall but simply at a perceived higher cost.

31. Constituents are deeply proud that the Dublin Bay Biosphere (of which Baldoyle Bay is part) is the world's only marine biosphere in a capital city region. The biosphere of course was designated by UNESCO in 2015 and expanded on the similar designation of the North Bull Island in 1981. The designation also includes Howth Peninsula and Ireland's Eye and compliments the Special Amenity Status of the Howth peninsula created by the government and Fingal County Council in

1998. I have also long campaigned for Special Areas of conservation and National Park status for much of this unique biosphere. Ireland's Eye is also a protected bird sanctuary and the island and Howth itself are home to large colonies of herring gulls, common and black guillemots, cormorants, gannets, puffins and many other seabird species.

32. While the announcement that a UV disinfection process will be applied to wastewater discharges from the proposed WwTP is welcome, constituents remain deeply worried at potential serious damage to the marine biosphere from medical and pharmaceutical residues and particularly hazardous and pathogenic substances in even tertiary treated water. The environmental impact of these and other dangerous residues is still largely unresearched and uncharted. Constituents are also deeply worried at possible leakage and operational pumping failures in the buffer zone of the Dublin Bay Biosphere which of course includes the WwTP site and the pipeline to the marine outfall. As I mentioned there is a string of court cases against Irish Water following incidents of sewage pollution at treatment plants at locations like Cork, Galway, Limerick and Balbriggan. Again last summer there were necessary swimming restrictions imposed for Dollymount, Sandymount and Merrion beaches following yet another engineering breakdown at Ringsend.

33. The location decision on Clonsaugh/Baldoyle was made in 2013. That was two years prior to the designation of Dublin Bay (including Baldoyle Bay) as a biosphere in 2015. Surely that renders the Jacobs Tobin and associated studies null and void and a process to locate one or a number of smaller sewage plants in central Fingal must completely recommence.

The AOS Planning Report for Irish Water Does Not Address Concerns Relating to the Proximity of Dublin Airport and the Proposed WwTP at Clonshaugh

34. The AOS Planning Report seems to be based on the Dublin Airport Local Area Plan of 2006. But in the past 13 years the size and the activity of the airport has changed beyond recognition. Objective DA 10 of the Fingal County Development Plan 2017-2023 is to restrict development which gives rise to conflicts with aircraft movements on environmental or safety grounds on lands in the vicinity of the airport. Objective DA 13 of the same County plan is even more specific and invokes 'the precaution principles, based on existing and anticipated environmental and safety impacts of aircraft movements'.

35. Yet Plan ABP 301908-18 places the proposed WwTP directly on the edge of the core flight path into Dublin Airport and just a kilometre or so from the airport terminals. Constituents are fearful that operational failures at a future WwTP on this site might release noxious gases like methane and ammonia into the lower atmosphere through which planes are rapidly descending close to landing or ascending eastwards after take off. Locals hoped that the Dublin Airport Authority would join the objections to a sewage plant on this site precisely on these grounds of safety for passengers, crews and the local population.

36. Many airplane crashes tragically occur near airports yet nowhere in the AOS and Jacobs Tobin is there any reference to a risk analysis for emissions from a sewage plant endangering air travellers. As the construction of the north runway begins of course there are now

projections being made for up to 50 million passengers per annum passing through Dublin Airport by 2035/40.

This Oral Hearing is Welcome But Consultation with Neighbouring Communities for ABP-301908-18 has Been Poor.

37. There was some consultation with the people of North Coolock in 2011/2012 by Jacobs Tobin and Dublin City and Fingal County Council water and drainage engineers. But since Irish Water was established there has been virtual silence over the years on the plans for this massive Fingal sewage plant. The current plan was submitted abruptly and without warning to the receiving communities. Many residents who came to meet me received no information at all and there seems to have been only a belated sporadic effort to reach and inform households. Unlike in 2011 and 2012 there were no visible site notices in either the R139/N32 or on the Old Clonsaugh Road/Stockhole Lane near where the egress will be located.

38. I myself only learned of the submission under the 2016 Planning Act from Fingal County Council's weekly planning lists (Week 25, 2018) and from a belated note from Irish Water. I of course directly alerted about 5,000 households who are closest to the proposed WwTP and alerted the rest of Dublin Bay North through my social media accounts and website. So despite the submission of Mr. Dan O'Boyle for Irish Water on Wednesday last, there was no flow of information from the proposers into the receiving communities in the short 7 week submission period.

39. There is still a huge lacuna in information and communication between Irish Water and the parishes of North Coolock and the North Fringe. An expected display of maps and drawings in local libraries and

community centres has not taken place. A key request for models of the WwTP, sludge centre and the other proposed infrastructure has not been produced. Even at this stage, there seems to be only 'indicative plans' for the WwTP and only the haziest notion of the final costings. Indeed we still do not know what the project has cost this far. All of this is simply not good enough for a proposal of this magnitude.

Conclusion: The Clonshaugh/Baldoyle Bay Proposal is Insuperably Flawed and Out of Time.

40. The UNESCO Biosphere designation of Dublin Bay and Baldoyle Bay in 2015 which (will be solidified in statute) changes the wrongheaded and very weak assumptions made by the proposers in 2011/2012. I believe the location decision made in 2013 would have been impossible in 2015 and is now not remotely feasible in 2019. A legal challenge on this issue is bound to be considered by Irish and European Courts should the UNESCO biosphere designation and other insuperable flaws with this proposal be disregarded by the board of An Bord Pleanála. Information and discussion on a number of other locations for smaller sewage plants for West Dublin and Central Fingal were key features of the 2011/2012 consultations and submission. I believe that such proposals and locations should be urgently re-examined and that Plan ABP 301908-18 for Clonshaugh/Baldoyle Bay should be abandoned forever.