

Strategic Infrastructure Development Applications
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Uisce Éireann
Bosca OP 448
Oifig Sheachadta na
Cathrach Theas
Cathair Chorcaí

Irish Water
PO Box 448,
South City
Delivery Office,
Cork City

www.water.ie

05 May 2022

Re: Case reference: PA06F.312131

Greater Dublin Drainage Project consisting of a new wastewater treatment plant, sludge hub centre, orbital sewer, outfall pipeline and regional biosolids storage facility (the "GDD Project")

Dear Sirs,

I refer to the above.

As you are aware planning permission for the GDD Project was granted by An Bord Pleanála (the "Board") to Irish Water on 11 November, 2019 under s. 37G of the Planning and Development Act, 2000. The decision by the Board to grant planning permission was subsequently challenged by way of Judicial Review proceedings (High Court record number 2020 No. 22 JR). Ultimately, by way of a judgment delivered on 24 November, 2020 ([2020] IEHC 601) Mr Justice Allen concluded that the decision made by the Board on 11 November 2019 ought to be quashed.

Following the judgment of 24 November 2020 there followed a further hearing before Mr Justice Allen in relation to whether, and if so the basis upon which, the planning application made by Irish Water for the GDD Project might be remitted to the Board. Mr Justice Allen delivered judgement in respect of that matter on 27 April 2021. In that judgment Mr Justice Allen concluded that:

"There will be an order of certiorari quashing the decision of the first respondent dated 11th November, 2019 and an order remitting the notice party's application dated 20th June, 2018 for reconsideration from the point at which the Inspector's report was submitted to the first respondent".

On that basis Irish Water's application for planning permission for the GDD project has been remitted back to the Board for a new decision. As you will appreciate there has been a significant passage of time as from the judgment of 27 April 2021 – a year to date in fact.

The GDD Project is a key Irish Water project and remains of critical importance to the provision of waste water services in the Greater Dublin Area. The GDD Project is essential to the growth and development of communities and businesses within greater Dublin and it will provide the future wastewater treatment capacity the area needs. The GDD Project is necessary to meet environmental compliance obligations under both the EU Urban Wastewater Treatment Directive (UWWTD) and the Water Framework Directive (WFD) as well as other relevant EU Directives and National Regulations related to water quality.

I note that subsequent to the decision of 27 April 2021 the Board indicated on its website that a new planning decision would be made by 11 April 2022. The website now notes the status as 'Case is Ongoing'.

Given the importance to Irish Water of the GDD Project, I would be most obliged if you could provide us with an update as to the status of the remitted application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'KMCS', with a stylized flourish at the end.

Kevin McSherry

Head of Major Projects – Infrastructure Delivery

kevin.mcsherry@water.ie

c.c. Mr Kieran Somers, ABP