

Submission No.			280	
Organisation Name or Name of Submitter			Shira Mehlman (100 Botanic Road)	
Item No.	Section Ref.	Page No.	Observation Statement	TII Response
Letter Re: Intended application by the NRA (Operating as TII Ireland) for the Railway (MetroLink - Estuary to Charlemont via Dublin Airport) Order (2022)				
1	Letter	1	As per the documentation received, my property will be directly impacted by this proposed project.	Thank you for your submission and for sharing your concerns/observations related to the MetroLink project. We have reviewed the submission and provided response for the observations/concerns raised in detail below.
2	Letter	1	I have been in receipt of documentation in relation to the above, via register post, without any reference to any form of consultation process other than this written submission. Considering the length, technicalities and depth of the documentation, I would state that the above as a form of consultation is unacceptable and at least, should have warranted invites to public meetings to allow for responses to specific questions in order to make a considered and in-depth response. Considering the documentation provided, its focus is on what will be done by TII with little specifics as to HOW this will be done. The information that is of interest to myself, as a property owner, is at best “scant”.	<p>EIAR Chapter 08 (Consultation) presents an overview of the extensive stakeholder and public consultation that has been undertaken to date to inform the development of the proposed Project. EIAR Appendix A8.7: EPR Public Consultation Report details the process and records from the public consultation that has been carried out to date. Consultation has taken place throughout the project development including but not limited to the Emerging Preferred Route, Environmental Impact Assessment Scoping and Preferred Route Public Consultation. The chapter details the ongoing consultation and stakeholder engagement that has taken place since 2018 with schools, landowners and businesses along the proposed route. Early and continuous public participation has influenced the design and development of the Project. The MetroLink Project Team has responded to the submissions and feedback received during the above-mentioned non-statutory consultation periods. The MetroLink Project Team has at all times endeavoured to ensure the widest possible access for the public, stakeholders and landowners to information about the Project at all stages of its pre-planning development. In this regard, it is intended that the consultation undertaken in respect of the MetroLink project will, when the railway order application process is complete, fully meet the requirements of the Aarhus Convention, Codified EIA Directive and Irish national legislation.</p> <p>TII are committed to engaging with and listening to the views and concerns of the local community, and working with the local community to manage any impacts resulting from MetroLink construction. As noted in the Outline Construction Environmental Management Plan (Appendix A5.1 of the EIAR), TII and the contractor(s) will take all reasonable steps to engage with stakeholders in the local community, especially those who may be affected by the construction works including residents, businesses, community resources and specific vulnerable groups. The contractor(s) will be responsible for putting in place a Stakeholder Communications Plan which will be developed under the consent of a designated Public Liaison officer appointed by TII. This will provide a two-way mechanism for members of the public to relay any concerns, allowing them to be resolved in a coordinated and consensual manner.</p>

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3	Letter	1	<p>For example, the Section on the Environmental Impact Assessment notes that most concerns for residents will be around ground vibrations, drilling and blasting. While noting these concerns, e.g., “ground vibrations, air over pressure (air blast) and dust generation”, it does not outline details as to how it will by addressing these very real and potentially litigant concerns. It also fails to outline in any details, what recourse a home owner would have should such circumstances occur. As a resident home owner, this does not provide any assurance that my home and investment will be secure and free from harm.</p>	<p>TII understand the reasons for your concerns and would like to provide the assurance that the potential disturbance impact on your property as a result of the proximity of the proposed tunnel and station has been carefully assessed. This includes the impact of noise and vibrations from: the tunnel boring machine (TBM), mechanical excavation and blasting; construction generated ground movements leading to settlement and possible building and property movement; and the operation of MetroLink. All of which have been assessed and reported in the EIAR and are summarised below. With exception of a temporary disturbance when the TBM passes your property, TII are predicting a 'not significant' impact to the building occupants and your building, or risk to the integrity of your house.</p> <p>Groundborne Noise and Vibration</p> <p>EIAR Chapter 14 Groundborne Noise and Vibration, Appendix 14.5 presents the predicted groundborne noise and vibration levels during the construction phase of the project for 100 Botanic Road:</p> <ul style="list-style-type: none">• The predicted level of groundborne noise during TBM passage is 50 dB LASmax, which is above the 45 dB LASmax threshold resulting in a significant impact on the occupants of the building for the relatively short duration of TBM passage.• The predicted level of groundborne vibration during TBM passage is 0.28 ms-1.75 day and 0.236 ms-1.75 night, below the VDV (Vibration Dose Value is a parameter that combines the magnitude of vibration and the time for which it occurs) Threshold Level of 1.0 ms-1.75 day and 0.5 ms-1.75 night, resulting in a not significant impact on the building. <p>* Mechanical Excavation and drilling or blasting do not occur at this location and therefore there will be no impact on your property from these activities. As such, air overpressure will not occur at this location.</p> <p>Unfortunately, there are no effective methods available to reduce groundborne noise or vibration from the TBM at source but noting that the duration of this impact will be temporary and of the order of up to two-weeks as the TBM passes. TII will undertake advanced consultation and stakeholder engagement to prepare people for the passing of the TBM and ensure the timing of these impacts are known.</p> <p>TII's contractor(s) will prepare a Construction Noise and Vibration Management Plan (CNVMP) for the proposed Project as referred to in EIAR Appendix A5.1 (Table 6.2), Outline Construction Environmental Management Plan (CEMP). The CNVMP will be a live document and will include a full monitoring and auditing programme which will be agreed with the Local Authorities prior to the commencement of the Construction Phase. Table 6.2: Noise and Vibration Measures of the Outline CEMP outlines the monitoring programme requirements.</p> <p>The Transport Infrastructure Ireland (TII) Airborne Noise and Ground-borne Noise Mitigation Policy (Appendix A14.6 of EIAR Chapter 14) also sets out the construction noise insulation and temporary rehousing measures to be implemented where required. This document also details the thresholds/limits for such measures.</p>

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			Response (3) continued.	<p>Construction Generated Ground Movements</p> <p>EIAR Appendix A 5.17 Building Damage Report, covers the assessed impacts of construction generated ground movements and settlement on your property and has been predicted to not exceed the 'Slight' category, an explanation for which can be found in Table 4-4 of the aforementioned report. These properties are therefore categorised such that they were not required to progress to the next stage of assessment.</p> <p>Monitoring instrumentation will also be installed to monitor the performance of the works and potential environmental impacts, including those discussed above, to ensure the thresholds identified in the EIAR are not breached. TII would also draw attention to the fact that private properties within 50m of the station excavation, or 30m of the tunnel are eligible to subscribe to the Property Owners Protection Scheme (POPs) which includes for pre and post-construction condition surveys and repair of damage. The Property Owners’ Protection Scheme is in addition to the existing legal rights of property owners and is in place to provide a simple and prompt way of rectifying any damage caused under the project up to the ceiling of €45,000. If the sum should exceed this amount the normal claims process would be used with the insurance companies for TII and/or the contractor.</p> <p>Additionally, the appointed contractor will prepare detailed design and construction methodologies in the form of a detailed Construction Environmental Management Plan (CEMP) to ensure all environmental impacts are managed and mitigated in accordance with the EIAR and Railway Order, assuming an Enforceable Railway Order is granted. The detailed CEMP(s) will be based on the specific environmental measures identified in the EIAR, and listed in EIAR Appendix 5.1: Outline Construction Environmental Management Plan, Section 6. These will be provided to DCC for consultation and approval in advance of any construction works on site. An Outline CEMP is included in Appendix A5.1 of the EIAR that will be developed further by the appointed contractors. Monitoring instrumentation will also be used throughout the works to monitor potential environmental impacts, including those discussed above.</p> <p>Air Quality:</p> <p>Chapter 16 (Air Quality) details the likely direct and indirect effects of the proposed project on Air Quality, including the risk of dust emission during construction. At Glasnevin, it is expected that there will be high risk of dust related health impacts from the associated demolition with all other construction activities having medium risk. However, before commencing relevant works, an Air Quality Management Plan shall be prepared and submitted for approval to the relevant planning authority, as stated in section 6.3 of EIAR Appendix 5.1. The plan must include all appropriate dust and emissions mitigation measures including for asbestos and aspergillus, applicable to the circumstances of the relevant site, based on the local authority requirements and industry best practices. The plan will be developed by the contractor and for each worksite will include an inventory and timetable of activities which may give rise to emissions or dust; alert levels; alert system to be used; details of control measures; details of dust monitoring arrangements, including the location of sensitive receptors, monitoring locations, and monitoring equipment to be used; and, details of the air quality reporting requirements.</p> <p>In order to ensure that no dust nuisance occurs, a series of measures will be implemented, these have been detailed in Table 6.3 of Appendix A5.1 of the EIAR. In summary, the measures which will be implemented will include:</p> <p>* Material handling systems and site stockpiling of materials will be designed and laid out to minimise exposure to wind. Water misting or sprays will be used as required if particularly dusty activities are necessary during dry or windy periods;</p> <p>* Any blasting will be completed by specialised contractors with a specific blasting dust management plan;</p> <p>* Liaison with local authorities and community groups;</p> <p>* Hoarding will be provided around the construction compounds.</p> <p>Strict dust prevention will be in place at all times, to minimise any potential emissions and these procedures will be strictly monitored and assessed. In the event of dust nuisance occurring outside the site boundary, movements of materials likely to raise dust will be curtailed and satisfactory procedures implemented to rectify the problem before the resumption of construction operations. This is detailed in section 16.6.1.1 of Chapter 16 (Air Quality).</p>

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4	Letter	1	<p>Furthermore, should such damage occur, it is unclear what should happen in such instances.</p> <p>For example, what if the property needs to be vacated for a period time for remedial work. As there is currently a significant housing shortage, it is unclear how alternative housing in the short, medium and permanent terms will be facilitated and assured that it is of character and size in keeping the current structure. Personal property within the house will also need to be insured against these proposed impacts. This is not addressed at all. There needs to be insurance to cover such eventualities; not at the cost to the resident.</p>	<p>TII is committed to having a Property Owner Protection Scheme (POPS) in place prior to construction works commencing. The scheme allows residential property owners to register with TII if their property is within thirty metres of the edge of the MetroLink alignment or fifty metres of station structures. The POPS comprises condition surveys of private properties and other selected properties along the route of the proposed Project. The purpose of the condition surveys would be to ascertain the condition of the properties before, during (if deemed necessary), and after the completion of the proposed Project to determine whether there has been any deterioration of any of the properties surveyed and whether the same may be attributable to the proposed Project and recommend repairs as appropriate. Condition survey data gathered pre and post construction, and possibly during construction, will be used to assist the property owner and TII in the swift and accurate verification of any property damage claims which may be received from property owners. The POPS scheme is now active and with over 3,000 eligible households notified and requested to register their interest in participation.</p> <p>Useful information on POPS can also be found in the MetroLink Frequently Asked Questions document which can be found on-line at: https://www.metrolink.ie/en/your-property/property-owners-protection-scheme/</p> <p>In cases where parts of properties are occupied, access to the remaining unoccupied parts will be maintained, where it is possible and safe to do so. Protection such as hoarding will be used to ensure that the boundary of any construction site will be maintained, and damage would not occur outside of this boundary. Where damage could not be avoided, it would be repaired.</p> <p>Information regarding any situations requiring relocation and the process for financial compensation for property impacts directly related to the proposed Project is provided in Chapter 11 (Population & Land Use) and Chapter 21 (Land Take) of the EIAR.</p> <p>The Property Owners’ Protection Scheme is in addition to the existing legal rights of property owners and is in place to provide a simple and prompt way of rectifying any damage caused under the project up to the ceiling of €45,000. If the sum should exceed this amount the normal claims process would be used with the insurance companies for TII and/or the contractor.</p> <p>As detailed in response item (3), your property will see 'Slight' damage, which includes for cracks which can be easily filled, and redecoration. Exterior cracks may be visible which may require repainting for weather tightness, and doors and windows may stick. It is anticipated that rehousing will not be required during this time as no structural damage will occur. Further details on the categorisations can be found in Table 4-4 of EIAR Appendix A5.17 Building Damage Report.</p>
5	Letter	1	<p>My other major concern is that I am unable to find specific information relating to the depth that the tunnels will be underground and the dimensions of the tunnels themselves. At a minimum, I would expect a guarantee from TII that best practice in relation to European Standards relating to such projects will be adhered to. This guarantee is sadly lacking.</p>	<p>Information about the tunnelling works are provided in EIAR Chapter 05 (MetroLink Construction Phase) and Chapter 04 (Description of the MetroLink Project). The tunnel sections are provided to ensure that there is maximum operational efficiency of the proposed Project while also reducing potential impacts on the developed urban areas above the alignment.</p> <p>The substratum land take has been generated by creating a limit of deviation (LOD) ranging from 5 metres vertically upwards and 10 metres downwards to 15 metres laterally for the tunnel alignment. The statutory powers contained within the Railway Order allow for changes within the LOD to occur where it is found that the spatial position of the MetroLink may need to be adjusted, mainly for reasons of engineering practicability. Substratum land take is shown on the Property Drawings submitted with the RO application and on Figure 21.1. of the EIAR Chapter 21 (Land Take).</p> <p>For the MetroLink project, the depth of tunnel will vary along the route but it is expected that the average depth will be approximately 24m from ground level to track level. In the vast majority of cases the subsoil can be acquired without affecting the above ground property. For 100 Botanic Road property the following data are shown on the individualised property details plan (please refer to Plan drawing no. ML1-JAI-BOR-ROUT_XX-DR-Y-03101, ML4M-U19):</p> <ul style="list-style-type: none">• Ground level to crown of tunnel (m) - 14.5• Ground level to track (m) - 21.2

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6	Letter	2	Full accountability and transparency have not taken place, and while I have outlined major concerns above, I would expect that a more public and detailed consultation process will take place. The lack of communication from TII, and its refusal to date to engage with residents would impress as more autocratic than democratic in process. I would hope that this is not how consultation around this project will continue.	<p>Please refer to response item (2) above related to the consultation process.</p> <p>The material provided as part of the Railway Order application (including the EIAR and associated documents) together with any feedback or submissions received during the statutory public consultation period, such as this submission, will be reviewed and considered by An Bord Pleanála. An Bord Pleanála has confirmed there will be an Oral Hearing prior to making a decision on the application. The Oral Hearing is a process whereby TII and its specialists are given an opportunity to present evidence on the proposed Project and on submissions received. There is also an opportunity for The Board and parties who made submissions during the statutory consultation process to question TII and its specialists. Following this process and based on the information available to The Board, they will make a decision on the application.</p>