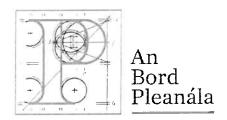
Our Case Number: ABP-318816-24



Transport Infrastructure Ireland Land Use Planning Parkgate Business Centre Parkgate Street Dublin 8 D08 DK10

Date: 04 March 2024

Re: 10 year planning permission for wind energy development consisting of 8 no. wind turbines and all

associated works

located at Cush, Galros West, Boolinarig Big, Eglish, and Ballindown, Co. Offaly.

(www.cushwindfarmplanning.ie)

Dear Sir / Madam,

An Bord Pleanála has received your submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

The Board will revert to you in due course in respect of this matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of the local authority and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: <a href="www.pleanala.ie">www.pleanala.ie</a>.

If you have any queries in the meantime please contact the undersigned officer of the Board. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully.

Ellen Moss

Executive Officer

Direct Line: 01-8737285

PA09

Teil Glao Áitiúil Facs Láithreán Gréasáin

Ríomhphost

Tel LoCall Fax Website Email (01) 858 8100 1800 275 175 (01) 872 2684 www.pleanala.ie bord@pleanala.ie

64 Sráid Maoilbhríde Baile Átha Cliath 1 D01 V902 64 Marlborough Street Dublin 1 D01 V902

## **Ellen Moss**

From: Landuse Planning <LandUsePlanning@tii.ie>

Sent: Friday 1 March 2024 14:26
To: Strategic Housing Unit
Cc: Landuse Planning

**Subject:** TII submission ABP-318816-24\_Cush Wind Limited (TII ref. TII24-125821 ) **Attachments:** TII24-125821\_SID windFarm and undergorund cabling Cush Co. Offaly ABP ref.

PA19.318816\_issued 01.03.2024.pdf

**Caution:** This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Dear Sir/Madam,

Please find attached a copy of TII's observation on the above application.

Please acknowledge receipt of this submission.

Acknowledgements can be forwarded to landuseplanning@tii.ie.

Regards,

Cliona Ryan Land Use Planner Transport Infrastructure Ireland Phone: +353 (0)1 646 0000

Land Use Planning Email: landuseplanning@tii.ie

Address: Parkgate Business Centre, Parkgate Place, Parkgate Street, Dublin 8, Ireland, D08 DK10



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Strategic Infrastructure Development Section An Bord Pleanála 64 Marlborough Street Dublin 1

Email: sids@pleanala.ie

Dáta | Date

Ár dTag | Our Ref.

Bhur dTag | Your Ref.

01/03/2024

TII24-125821

PA19.318816

RE.: Wind Farm and underground cabling at townlands including Cush, Co. Offaly.

Dear Secretary,

Transport Infrastructure Ireland (TII) acknowledges referral of the above proposed Strategic Infrastructure Development application on behalf of Cush Wind Limited (Applicant) for a wind farm comprised of 8 no. turbines and ancillary works including underground cabling, and a turbine component delivery haul route. The site for the proposed windfarm straddles the western and eastern side of the N62, north of its junction with the N52 at a location where a 100 kph speed limit applies.

Project Ireland 2040, National Development Plan 2021 - 2030, sets out the key sectoral priority of maintaining Ireland's existing national road network to a robust and safe standard for users. Government also includes the objective to maintain the strategic capacity and safety of the national roads network, including planning for future capacity enhancements, in National Strategic Outcome 2 of the National Planning Framework. The N/M6, N52 and N62 are part of the national roads network with the N/M6 also part of the TEN-T Comprehensive Network. The Authority's priorities in relation to existing national roads are the maintenance of the existing national road network, including junctions, safeguarding the Exchequer investment in national roads to date.

TII's observations seek to address the safety, capacity, and strategic function of the national road network in accordance with TII's statutory functions and the provisions of official policy outlined in the Section 28 Guidelines Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and the EMRA Regional Spatial and Economic Strategy (RSES). The maintenance and protection of the strategic function of the national road networks and associated junctions are amongst the guiding principles of the transport strategy of the RSES at Regional Policy Objective (RPO) 8.1. RPO 8.2 promotes the management and enhancement of strategic land transport networks, including by travel demand management. In addition, RPO 8.3 requires future development is to be planned and designed in a manner that inter alia maximises the efficiency and protects the strategic capacity of the metropolitan area transport network both existing and planned, and further protects and maintains regional accessibility.

In addition, TII as the national roads authority, sets guidance and standards for traffic and road assessments and construction that may be necessary by reason of proposed development location, scale or typology. Any crossing of the national road network, including by under or over pass will require prior consultation with TII and compliance with all relevant TII standards as detailed within the TII Publications website www.tiipublications.ie.

Having regard to official policy and in the interests of national road network maintenance and safety TII provides the following observations for the Board's consideration:













As noted above, official policy concerning development management and access to national roads is outlined in the Section 28 Ministerial Guidelines *Spatial Planning and National Roads Guidelines for Planning Authorities* (DoECLG, 2012).

Section 2.5 of the DoECLG Guidelines sets out policy that seeks to avoid the creation of additional access points from new development or the generation of increased traffic from existing accesses (i.e. non-public road access) to national roads, to which speed limits greater than 60 kph apply.

With respect to national roads network the following works are identified as part of the development application:

- Construction phase works consisting of "Upgrade works to 2 no. existing site entrances from the N62 national secondary road to provide access for the construction phase" to access two temporary construction compounds, and
- "Temporary works to public roads along the turbine component haul route, including a vehicle turning area at the junction of the N52 and N62 national secondary roads".
- An indicative cable route is indicated to cross the N62;
- There also appears to be a turbine component delivery haul "Route A" from Galway Harbour substantively comprised of the national road network: the N/M6, N52 and N62 where temporary accommodation works are required including temporary removal of street furniture and signage as identified in Annex 3.5 Route Access Survey of the submitted EIAR. The relevant sections of the N52 and N62 are managed by the local roads authority Offaly County Council, while the N/M6 from Galway to Ballinasloe is under PPP Concession contract and the M6 from Ballinasloe eastward to the N52 within MMaRC Area B. The Board should be aware that elements of the national road network are operated and managed by a combination of (Public Private Partnerships) PPP Concessions, Motorway Maintenance and Renewal Contracts (MMaRC) and local road authorities in association with TII.

Having reviewed the documentation submitted, TII are seriously concerned that TII's EIAR scoping response issued does not appear to have been considered in the preparation of the submitted EIAR and therefore not reflected in mitigation measures proposed as part of the EIAR. The maters of concern yet to be addressed include:

## A. Issues identified which impact the safety, efficiency, and capacity of the National Road Network

#### 1. Proposed 2 no. construction accesses off the N62

Chapter 3: Description of the Project of the submitted EIAR at subsection 3.4.5 describes the Site Entrances of development and notes the proposed temporary construction accesses proposed on either side of the N62. "The existing agricultural/forestry entrances at these locations will be upgraded in order to provide the construction phase entrances to the project." This section of the EIAR refers to a submitted Road Safety Audit (Stage 1), which is Annex 13.1 of the EIAR, and states that all responses to problems identified have been incorporated into the proposed development.

Chapter 3: Description of the Project of the submitted EIAR at subsection 3.6 describes the Construction Phase of the project stated duration of 12 – 18 months. Under subsection 3.6.1 Construction Method, a commitment to the preparation of a Traffic Management Plan (TMP) prior to commencement of development is made. This traffic management plan is to form part of the CEMP (Construction Environmental Management Plan), an initial copy of which is provided as Annex 3.4 of the submitted EIAR.

Drawing Figure 5 - Temporary Construction Site Entrance Details, Dwg. No. C US\_PAS\_GA\_001, REV00 indicates works to install two opposing construction entrances, enlarged to accommodate "access for the oversize turbine components only. Area shall not be used for normal construction traffic." The western entrance includes a "farm access" gate within the construction access entrance area. In view of the proximity of the main construction access to this indicated farm access, no rationale for this separate farm access appears provided in Chapter 3 (subjections 3.4.5 and 3.6.2) or Chapter 13, (subjection 13.2.3.1) of the submitted EIAR.

Also indicated is an extended "tarmacadam" inset at each entrance "to avoid hardcore spill onto public road", and setback roadside boundaries with new stock proof fence and hedge line to provide for sightlines (noted in footnote 5 of submitted EIAR Chapter 3: Description of the Project "to provide sightlines in accordance with TII Publication Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade separated and compact grade separated junctions) – DN-GEO-03060.)."

As noted, Chapter 13 Material Assets of the submitted EIAR includes Annex 13.1 Stage 1 Road Safety Audit that at section 1.1 is stated to relate to "the N52/N62 junction, the two temporary construction site entrances off the N62 and the two operation site entrances". The "operational site entrances" are located on the local road network.

Having regard to the content of this Stage 1 Road Safety Audit, it is not apparent to TII that full regard to "recommendations" 2.3 and 2.4 that "An appropriate dwell area should be provided on the construction access track approach to the mainline" or "A suitable wheel washing facility should be provided to serve each of the construction site entrances" respectively, have been included in the proposed development either by reference to submitted drawings or EIAR text at EIAR Chapter 3, or Chapter 13.

Having regard to the EIAR assessment at *Chapter 13: Material Assets, Annex 3.4 CEMP* (Construction Environmental Management Plan) and mitigation measures as recorded in submitted *Annex 1.9* of the EIAR, TII is not satisfied that the undertaking of works for the proposed temporary construction accesses or traffic management for the construction period in the vicinity of those proposed entrances, has identified and had regard to the status of the N62 as part of the national road network and therefore subject to TII Publications compliance. In TII's opinion, proposed mitigation for the temporary construction accesses sufficient to satisfy the maintenance of the safe and efficient operation of the national road network has not been provided. This is a serious concern.

In addition, official policy in relation to development involving access to national roads and development along such roads is set out in the *Spatial Planning and National Roads Guidelines for Planning Authorities* (DoECLG, 2012). Section 2.5 of the Guidelines states that the policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60kph apply.

It is noted that at *Chapter 3: Description of the Project*, subsection 3.4.5 Site Entrances in relation to the temporary construction accesses off the N62 it is stated that after the construction phase "These entrances will be fenced off and will only be used in rare occasions in the event of a major turbine component replacement during the operational phase of development (e.g. replacing a turbine blade or gearbox/generator) (see also Section 3.6.2 below)".

At subsection 3.6.2 Construction Site Entrances it is stated that "Following the delivery of turbine components, the construction phase site entrances will be fenced off but will be reinstated such that they remain capable of accommodating abnormal loads in the event of a major component replacement during the operational phase of development. The reinstatement of the site entrances will comprise the erection of post and rail fencing and the planting of hedgerows."

These statements (at subsection 3.4.5 and 3.6.2 of the submitted EIAR) appear inconsistent in that they appear to seek to retain access directly from the N62 during the operational phase of development despite stating elsewhere that the entrances will be completely removed and fenced off.

The proposed development includes installation of operational phase site accesses off local roads either side of the N62. TII consider that having regard to official national roads policy and public safety, a clear commitment is required to the temporary construction entrances being completely removed from this section of the N62 where the 100kph speed limit applies and appropriate provision for development requirements during operational phase to be via the local road accesses.

### 2. Works to the junction of the N52 and N62

Lands to the immediate east of the junction of the N52 / N62 are included in the application boundary. As noted above, EIAR Chapter 3: Description of the Project, section 3.5 Off-Site & Secondary Development, includes subsection 3.5.1.3 N52/N62 Junction to Wind Farm Site. Submitted Figure 4.7: Site Layout Map 7, Dwg. No. CUS\_PAS\_LAY\_007 indicates the installation of a "temporary turning head" at the junction of the N52 / N62.

Having regard to the EIAR description of this part of the development, it is understood that this turning head is to allow for "reversing the abnormal load from the N62 onto private lands, controlled by the Developer, before making a forward movement along the N62 towards the construction phase site entrances." Accommodation works including removal of planting and road signage is stated necessary with commitment for full reinstatement after turbine component delivery. No entrance exists at the location indicated for this temporary turning head.

Chapter 13 Material Assets of the submitted EIAR includes Annex 13.1 Stage 1 Road Safety Audit. Having regard to the content of this Stage 1 Road Safety Audit, it is not apparent to TII that full regard to the "recommendation" 2.1 "Appropriate traffic management should be deployed to provide short 'All Stop' at an appropriate location on the N52 & N62 National Road mainline approaches" has been included in the proposed development either by reference to submitted drawings or EIAR text at EIAR Chapter 3, Chapter 13, or Annex 1.9.

Based on the information available, TII is not satisfied that:

- The proposed works for the proposed temporary turning head at the N52/N62 for the construction period has identified and had regard to TII Publications compliance requirements.
- The recommendation in the submitted Road Stafey Audit is reflected in mitigation measures part of the proposed development. Therefore, proposed mitigation for the temporary turning head off the N52/N62 junction does not demonstrate adequate maintenance of the safe and efficient operation of the national road network has not been provided.

Til recommends that these matters are addressed prior to a decision being made on this application.

### 3. Indicative cable crossing of the N62

By reference to *Wind Farm Site Layout* Dwg. No. CUS\_PAS\_EIAR\_005 that "an indicative wind farm cable route" is indicated to cross the N62 at the location where the temporary construction accesses are proposed.

Review of the submitted EIAR does not appear to record the proposed method for this cable crossing. Til is therefore unclear as to whether it is intended that this crossing be under or over ground. Til notes that at Chapter 3: Description of the Project, subsection 3.4.7 Electrical/Communications Cabling & Wind Farm Control "on-site electrical and communication cables" are described to be underground.

TII recommends that the crossing of the national road network must be by horizontal directional drilling (HDD) and will be subject to the requirements of TII via <a href="mailto:thirdpartyworks@tii.ie">thirdpartyworks@tii.ie</a>.

TII advise underground cable crossing of the N62 proposed will require to be clarified.

#### 4. Proposed Turbine Component Haul Route

The description of development in public notices includes "Temporary works to public roads along the turbine component haul route, including a vehicle turning area at the junction of the N52 and N62 national secondary roads".

Chapter 3: Description of the Project, section 3.5 Off-Site & Secondary Development, EIAR subsection 3.5.1 Turbine Component Haul Route includes the following subsections, each with direct interactions and therefore impacts on the national road network:-

EIAR subsection 3.5.1.1 Port of Galway to M6/N52 Junction

EIAR subsection 3.5.1.2 M6/N52 Junction to N52/N62 Junction

EIAR subsection 3.5.1.3 N52/N62 Junction to Wind Farm Site

EIAR subsection 3.5.1.4 Summary

Submitted EIAR Chapter 13 Material Assets, subsection 13.2.3 Description of the Existing Environment describes the proposed turbine delivery haul route by reference to EIAR Chapter 3 and provides that abnormal size rather than weight loads are expected as part of the development.

The submitted application appears to identify a preferred turbine component delivery haul "Route A" from Galway Harbour substantively comprised of the national road network: the N/M6, N52 and N62 where temporary accommodation works are required including temporary removal of street furniture and signage. Annex 3.5 Route Access Survey of the EIAR is supplied in this regard and Table 3.4 of the EIAR identifies the main 17 no. locations where works to accommodate the proposed haul route have been assessed on foot of that survey. 13 no. of the 17 no. locations identified for temporary accommodation works are on national roads.

As noted above, the relevant sections of the N52 and N62 are managed by the local roads authority, Offaly County Council, the N/M6 from Galway to Ballinasloe is under PPP Concession contract and the M6 from Ballinasloe eastward to the N52 within MMaRC Area B.

Furthermore, temporary or permanent works impacting the national road network are required to be subject to TII Publications compliance. The proposed turbine component delivery route appears to require physical works capable of impacting the national road network directly by accommodation works within the network and indirectly by the requirement for co-ordination of component delivery.

It is critical to the safe and efficient operation of the national road network during and after the proposed works that any potential impacts of the proposed works are adequately mitigated.

TII advises that EIAR *Chapter 13 Material Assets* does not appear to assess the proposed haul route to identify the requirements of TII Publications appropriate to have regard to in undertaking the accommodation works for the proposed haul route along the national road network. This is a concern.

TII further notes submitted EIAR Annex 1.9 Schedule of Mitigation Measures includes two sections entitled "Material Assets (Transport & Access)" that includes commitment to Traffic Management Plan to be agreed as part of the Construction Environmental Management Plan (CEMP). The proposed mitigation measures do not identify the majority of the turbine component haul route as utilising the national road network.

Where accommodation works are required along the route, TII Publications compliance will be required to be demonstrated for the national road networks. In addition, there will remain a requirement for pre-development consultation of a Traffic Management Plan with TII and PPP Concession and MMaRC Contractors, in addition to local authorities and the gardai. However the Traffic Management Plan consultation commitment is currently stated to extend to local authorities and the gardai only.

Alternative turbine component delivery routes are also indicated e.g. at *Chapter 13*, footnote 7: "Turbine components may also be imported through other ports including Dublin Port, Port of Waterford or Foynes/Shannon/Limerick Port. The applicant indicates that each of these ports are regularly used in the transportation of turbine components and are readily accessible without the need for significant road upgrade

works between their location to the national road network." TII advises that these alternative routes utilising the national road network will also be required to undergo route survey for potential accommodation works for abnormal loads.

These omissions are a serious concern for TII and potential impact on the safe and efficient operation of the national road network.

# B. Further information recommendation to ensure the maintenance of the safety, efficiency, and capacity of the National Road Network

Based on the information submitted with the planning application, in particular proposed mitigation measures for the national road network for; temporary works associated with two construction accesses off the N62; a cable crossing indicated across the N62; a temporary turning head at the junction of the N52/N62; and proposed turbine component haul route, TII are unable to ascertain or evaluate national road interactions within the TII maintained areas, and all associated infrastructure assets including e.g. pavement, lighting, gantries, signage, boundary treatments, drainage arrangements and future maintenance arrangements.

TII recommends that the following matters are required to be addressed prior to a decision being made on this planning application in the interests of demonstrating that the proposed development will not have a detrimental impact on the capacity, safety, or operational efficiency of the national road network in the vicinity of the site:

- 1. The applicant shall submit revised documentation and plans demonstrating the requirements of TII Publications for temporary and permanent works required to accommodate the proposed temporary construction accesses off the N62 and a temporary turning head at the junction of the N52/N62 within the planning application boundary. Clarification of the temporary nature of the proposed construction access off the N62 and the proposed temporary turbine turning head at the junction of the N52 / N62 is required that should also include a commitment to the closure of these construction stage accesses after construction and a schedule of reinstatement to like effect is required.
- 2. The applicant shall submit revised documentation and plans demonstrating the proposed method of cable crossing of the N62. In this regard, horizontal direction drilling (HDD) crossing is preferred and shall be designed and constructed such that:
  - The launch and reception pits for the crossing are located outside the national road boundary,
  - The cabling will be installed at such depth so as not to conflict with the drainage for the national road carriageway,
  - Neither the Works nor the cable crossing will damage or interfere with the national road carriageway,
  - Any maintenance and/or future planned upgrades of the cabling at the crossing location can be carried out without access to the national road boundary,
  - There are no bolted joints in that part of the crossing within the national road fence-line.
- 3. The applicant shall submit revised documentation and plans demonstrating the requirements of TII Publications and have regard to the extents of the Public Private Partnership (PPP) Concessions and Motorway Maintenance and Renewal Contracts (MMaRC) Maintenance Areas impacted by proposed accommodation works for the turbine component delivery haul route. As part of this exercise, the Authority recommends the submission of a schedule of the TII Publications applicable and intended method of compliance with TII Publications.
- 4. The above matters will be reflected in updated EIAR assessment of impacts of temporary and permanent works proposed as part of the development on the national road network and identification of mitigation measures for that network having regard to Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012), relevant TII Publications and the submitted Annex 13.1 Stage 1 Road Safety Audit. Mitigation measures identified will be recorded as commitments to be

part of the proposed development in the updated EIAR and Construction Environmental Management Plan (CEMP). As necessary, matters for the Traffic Management Plan shall demonstrate the following in relation to proposed turbine components delivery route accommodation works and other proposed works in the vicinity of the N/M6, N52 and N62 to ensure compliance with TII Publications requirements and mitigation of potential impact on the national road network:-

- i. details demonstrating compliance of works on, or in the vicinity of the national road network with TII Publications;
- ii. consultation with all relevant Public Private Partnership (PPP) Concessions, Motorway Maintenance and Renewal Contracts (MMaRC) Maintenance Area Contractors, via TII and the relevant road authorities over which the component delivery route traverses to ascertain any operational requirements such as delivery timetabling, etc. to ensure that the strategic function of the national road network is maintained;
- iii. detailed information on traffic management, including signage (static and VMS) to ensure the strategic function of the national road network is protected;
- iv. an abnormal load assessment. Where abnormal loads fall outside height, weight or length loads allowed by the Road Traffic (Construction Equipment & Use of Vehicles) Regulations 2003, SI 5 of 2003. Where abnormal weight and size loads are proposed, with specific reference to structures on national roads on any proposed haul or component delivery route, all structures should be checked by the applicant/developer to confirm their capacity to accommodate any abnormal size and weight load proposed, where relevant.
- v. consultation with TII Bridge Management Section to ensure that national road structures are not adversely affected and to ensure adherence to required standards and procedures;
- vi. copies of any proposals agreed between the road authority, PPP Concessions and MMaRC Companies and the applicant impacting on national roads; and
- vii. consultation with thirdpartyworks@tii.ie for third party access and where temporary works within national road network maintenance boundaries are required to facilitate construction and component delivery traffic to site, as a works specific Deed of Indemnity may be required by TII before the works can take place.

TII advises that the Board should be aware with respect to the above clarifications of the following requirements:

- Any proposed works to the national road network, including signage, to facilitate turbine component
  delivery to site will need to demonstrate compliance with TII Publications (Standards) in accordance
  with relevant TII Publications (Technical) for any work that may impact the national road pavement,
  structures and infrastructure including drainage and shall be subject to Road Safety Audit as
  appropriate. Works should ensure the ongoing safety for all road users therefore prior to any
  development necessary licenses, approvals or agreements with PPP Concessions, Motorway
  Maintenance and Renewal Contracts (MMaRC) Companies and local road authorities, as necessary, shall
  be in place.
- Where temporary works within any PPP Concession or MMaRC Contract Boundary are required to
  facilitate the transport of turbine components or construction traffic to site, the applicant/developer
  shall contact thirdpartyworks@tii.ie in advance, as a works specific Deed of Indemnity may be required
  by TII before the works can take place.

- Access for the turbine component delivery route preparation and utilisation periods and any
  subsequent monitoring and maintenance in relation to any works proposed, including temporary and
  permanent signage, landscaping or groundworks that affect the national road and associated junctions
  in terms of operational requirements, timetabling, etc. will require prior consultation with the MMaRC
  Contractors and fulfilment of requirements to complete their 3<sup>rd</sup> party protocols, via the relevant road
  authorities and TII.
- The developer should consult with all PPP Companies, MMaRC Contractors and road authorities over
  which the haul route traverses to ascertain any operational requirements such as delivery timetabling,
  etc. and to ensure that the strategic function of the national road network is maintained.
- TII requests referral of all proposals agreed between the road authority, PPP Concessions and MMaRC
  Companies and the applicant impacting on national roads. Mitigation measures identified by the
  applicant should be included as conditions in any decision to grant permission.
- Any damage caused to the pavement of the existing national road due to movement of abnormal loads (e.g. tearing of the surface course) shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authority prior to the commencement of any development on site.
- Separate structure approvals/permits and other licences may be required in connection with the proposed development, including where temporary modification to the road network may be required.
- Any additional works required as a result of these requirements should be funded by the developer.

#### Conclusion

TII recommends resolution of the above matters in advance of any decision on the subject application.

Please acknowledge receipt of this submission.

Yours sincerely,

Cliona Ryan Land Use Planner