Extract of Draft Minutes - Ordinary Meeting of Kerry County Council held on 15 July 2024

15.07.2024.08 Section 37E Strategic Infrastructure Application

(a) For Proposed Shannon Technology and Energy Park consisting of a proposed Power Plant,

Mr. D. Ginty Senior Planner referred Elected Members to the report on the Strategic Infrastructure Application Ref. ABP-319566-24 of a proposed Power Plant, which will comprise 3no. turbine halls (approximately 6,175m2 each, and approximately 30.145m in height), each containing 1no. Combined Cycle Gas Turbine (CCGT). Each turbine hall will have a capacity of approximately 200MW for a total installed capacity of 600MW, at Kilcolgan Lower and Ralappane, Ballylongford, Co. Kerry and on the Shannon Estuary. This report is being prepared pursuant to S37E(4) and (5) of the Planning and Development Act 2000, as amended. The detailed report which has been circulated to the Members for their consideration contains the views of the Planning Authority of the effect of the proposed development on the environment and proper sustainable development of the area.

Mr. D. Ginty, Senior Planner, outlined the report as had been circulated:

Section 37E Strategic Infrastructure Application Report for proposed 10-year permission

Proposed Shannon Technology and Energy Park consisting of a proposed Power Plant, which will comprise 3no. turbine halls (approximately 6,175m2 each, and approximately 30.145m in height), each containing 1no. Combined Cycle Gas Turbine (CCGT). Each turbine
hall will have a capacity of approximately 200MW for a total installed capacity of 600MW, at Kilcolgan Lower and Ralappane, Ballylongford, Co. Kerry and on the Shannon Estuary.

An Bord Pleanála Ref: ABP-319566-24

Submission to An Bord Pleanála by Kerry County Council pursuant to Section 37E of the Planning and Development Acts, 2000, as amended.

July 2024

Contents

1. Introduction

1.1 Introduction

An application has been submitted to An Bord Pleanála for a proposed project under S37E of the Planning and Development Act 2000, as amended. This report is being prepared pursuant to S37E(4) and (5) of the Planning and Development Act 2000, as amended. This report sets out the views of Kerry County Council on the effects of the proposed development on the proper planning and sustainable development of the area in which it would be located and on the Environment. The full legislative requirements are contained in Appendix A of this report.

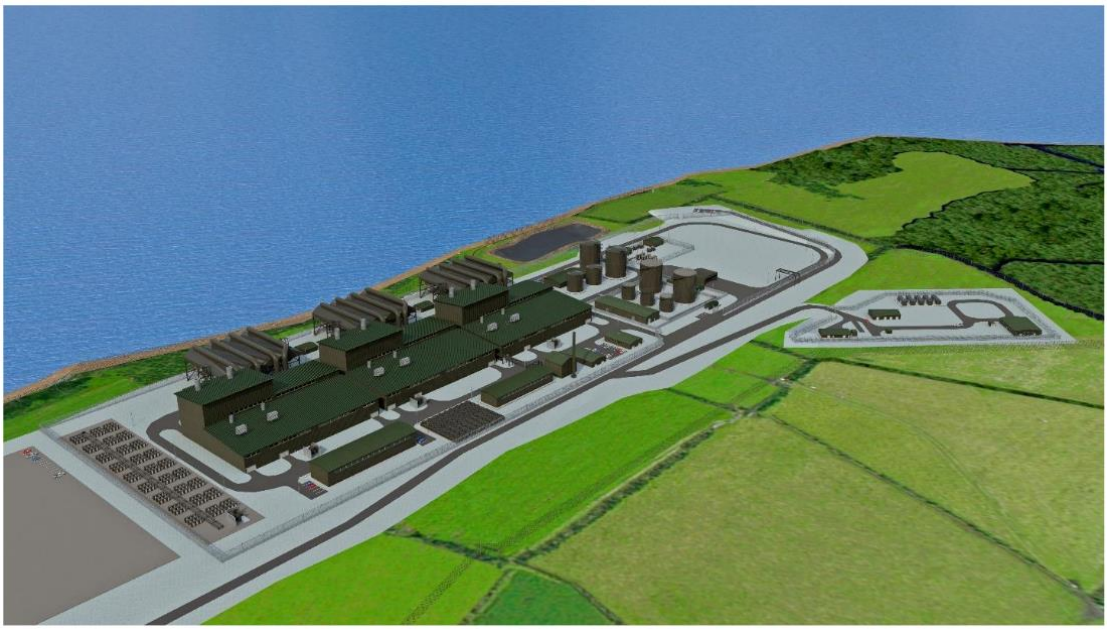


Figure 1: Overview of proposal extracted from the planning documentation submitted

1.2 Report structure

This report is set out in the following manner. Section 1 provides an introduction to the report. Section 2 describes the proposed development, the site location and its geographical context. Section 3 sets out the current planning policy and context, included with respect to energy and climate change. Section 4 provides a planning assessment of the proposal. Section 5 contains observations on the Environmental Impact Assessment Report (EIAR) and Natura impact Statement (NIS) submitted. The planning authority's conclusion is set out in Section 6. Conditions to be considered for inclusion in any grant of permission are set out in Section 7. The report contains 3 Appendices. Appendix A sets out the legislative requirements as set out in S37 of the Planning and Development Act 2000, as amended. Appendix B contains a full description of Proposed Development, while Appendix C includes details of Kerry County Councils internal consultations undertaken in relation to the proposal, including the report from the Fire Authority.

2. Proposed development, site location and geographical context

2.1 Proposed development and location

The proposed development would be located within the townlands of Kilcolgan Lower and Ralappane, Ballylongford, Co. Kerry in the North of the County and on the Shannon Estuary. Included in the proposal for a gas-powered power plant capable of 600 MW of electricity generation are three (3 No.) blocks of Combined Cycle Gas Turbines, a 120 MWh Battery Energy Storage System, Above Ground Installation (AGI) compound, High voltage 220 kV Gas Insulated (GIS) Substation and ancillary structures/works. A full description of the development is outlined Appendix B of this report.

The power plant will employ combined cycle gas turbine (CCGT) technology. The application outlines that the proposal would provide additional and flexible power generation capacity to support intermittent renewable generation and resolve a predicted generation capacity shortfall, in line with national policy goals. For example, during periods of high wind (renewable) generation, it is expected that the Power Plant would be turned down or off by the system operator (EirGrid) to give priority to renewable power.

The application outlines that the proposed development will address Ireland's security of energy supply risks, supports intermittent renewable generation, and resolves a predicted generation capacity shortfall. As electricity from renewable sources increases, a simultaneous increase in electricity demand, and closure of coal, oil and peat-fired electricity generation, means that natural gas is predicted to play an increasingly important role as a backup fuel.

It is anticipated that natural gas demand will increase from 4.4 million tonnes of oil equivalent to between 6.38 to 8.06 million tonnes of oil from now until 2040. Renewable energy generation is weather dependent, and its output fluctuates considerably. For this reason, conventional power plants are required to fill the fluctuating gap between electricity demand and renewable generation. Natural gas is the only major energy source currently available to back-up renewable generation and thereby maintain a resilient electricity supply to the country while supporting the transition to 80% renewable generation by 2030.

The proposed development would be regulated by the following bodies:- Environmental Protection Agency (EPA); Commission for Regulation of Utilities; Health and Safety Authority; and Local Planning Authority (Kerry County Council (KCC)).

2.2 Geographical context having regard to existing and permitted developments

The Tarbert / Ballylongford landbank has been identified as a suitable location for industrial development since the state purchased the first tranche of land at this location in the 1960's. North Kerry's location on the Shannon Estuary presents opportunities for future sustainable economic development and employment growth. The estuary at this location has the benefit of naturally occurring deep and sheltered waters and has long been recognised as having huge potential for industry and employment, both in the marine area of the Estuary and its fringe lands. Both are key resources and provide space and location for development.

The proposed development site is 41ha and is located within the 430.6Ha Tarbert/Ballylongford strategic landbank. Tarbert village is located to the east as is Shannon Foynes Port a Tier 1 and EU Core Network Port. A Liquified Natural Gas Terminal was previously permitted at this location. That permission has now expired. The site is located reasonably close to national gas and electricity transmission networks. Permission exists for a

gas connection from the proposed site. A foreshore lease is in place for a jetty and a foreshore licence for a storm water outfall pipe at the proposed site.

Access to the site is via the local coast road (L1010) to the south, which is one of two roads linking Ballylongford with Tarbert. This road is currently being upgraded. A small section of the Ralappane Stream is located in the southernmost part of the site close to the public road. The site generally slopes to the Shannon Estuary to the north, where the coastline is defined by a low soft sedimentary cliff, typically 2 to 5m in height. The adjoining intertidal area consists of tidal rock or shingle. The Ralappane Stream discharges to the sea to the west of the proposed site.

The site is characterised by pasture fields bounded by hedgerows and small field drains. The area has a dispersed settlement pattern. The immediate vicinity of the site is sparsely populated. The main settlements in the area are Ballylongford, Tarbert and Listowel Town. Dairy farming is the predominant land use in the area with forestry and peatbogs also present. The site adjoins the 'Fort Shannon' military defence site at Ardmore Point – constructed in the 1940's.

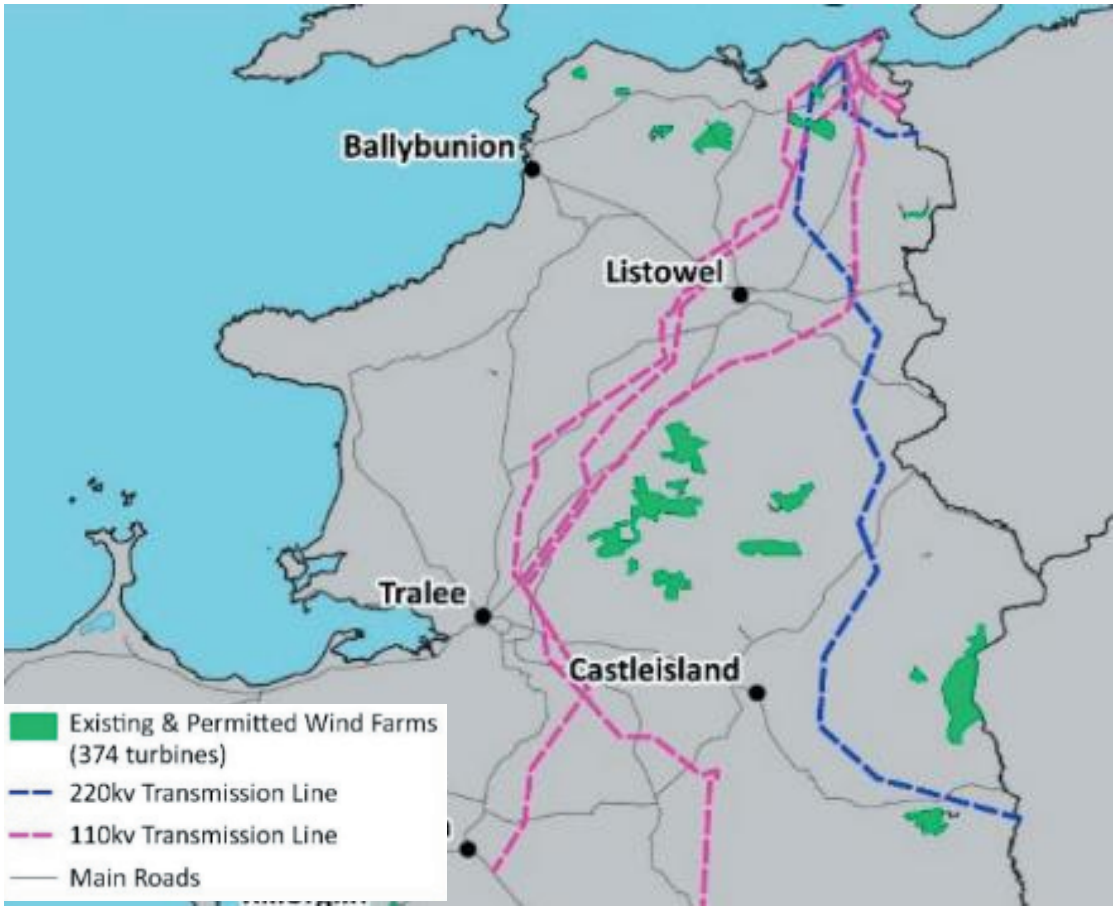
A 885MW coal-fired power station is in operation at Moneypoint on the opposite side of the Shannon Estuary (which is expected to close in 2025). Industrial development in the wider area with high energy demand include the Rusal Aughinish Alumina refinery and Kerry Co-Op Milk Processing Plant in Listowel. An oil storage facility of strategic national importance in located at Tarbert. This was upgraded in 2012 and is managed by the National oil Reserve Agency (NORA). North Kerry supports windfarm development of national significance as shown in Map 1 below, including Leanmore Wind Farm c. 2km to the south-east of the proposed development.

2.3 Context in relation to existing energy infrastructure in the area

Kerry and in particular North Kerry is an existing energy hub of national importance. An oil-fired power station has been operational at Tarbert since 1969. This conventional steam turbine thermal generation power plant with an export capacity of 590MW was expected to close in 2023, though its lifespan has been extended in light of overriding energy security concerns.

It should be noted that a Strategic Infrastructure Development (ABP Ref: PA08.318540) was recently proposed by SSE Generation Ireland Ltd for a 10 year planning permission for the proposed Open Cycle Gas Turbine (OCGT) power plant fuelled by Hydrotreated Vegetable Oil (HVO) and associated site works at Tarbert Island, Tarbert, Co. Kerry. This application is currently under assessment by An Bord Pleanala.

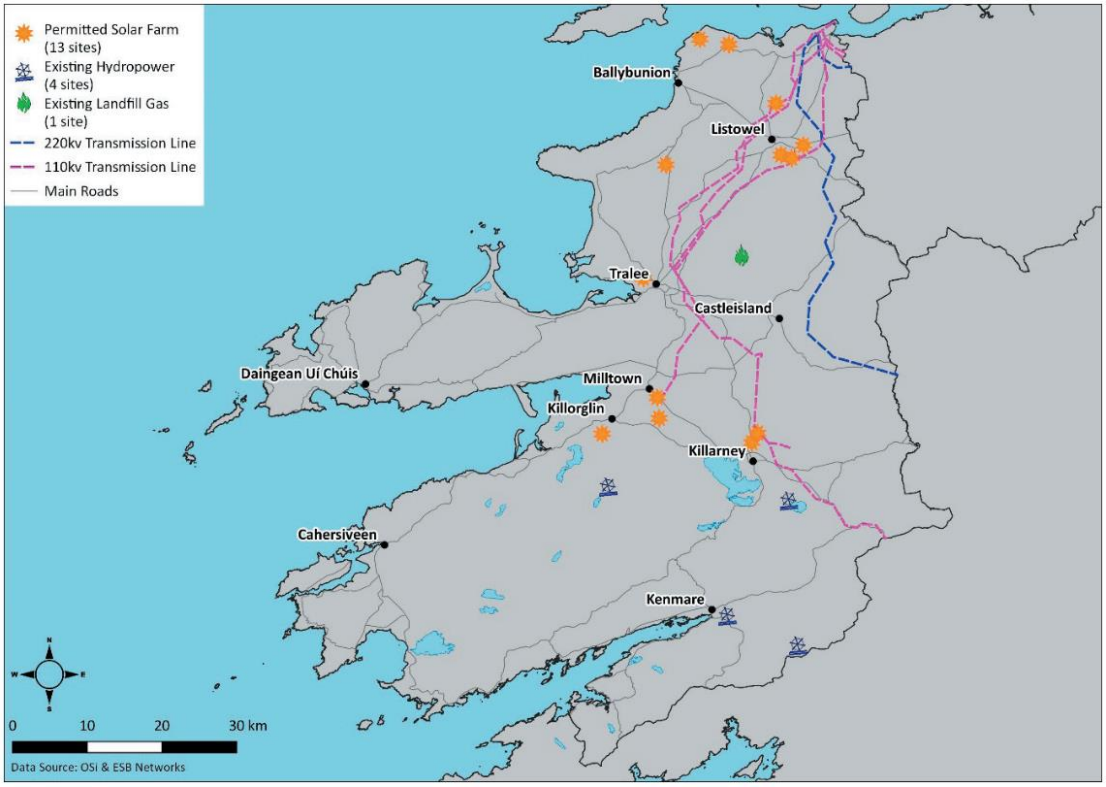
Kerry is a leading County in the transition to renewable energy generation. To date, a total of 362 wind turbines have been constructed in the County, with more permitted and going through the planning process. The 362 constructed wind turbines can generate approximately 742MW of electricity, which equates to approximately 18% of the National wind generation total.



Map 1: Existing and Permitted Wind Turbines in North Kerry

Kerry has also supported the strengthening of the National transmission grid required to support the National transition away from fossil fuel use and dependence. As part of this planning approval has been granted for a 400kV cross Shannon submarine cable between Moneypoint in Clare and Kilpaddoge in North Kerry to facilitate flow of electricity from Kerry to the East of the Country – where demand is greatest. A 220 kV substation and a battery energy storage system are located at Kilpaddoge – which forms part of the Tarbert / Ballylongford landbank.

The existing energy infrastructure, which has been developed over many years, represents major and on-going capital and infrastructural investment in these strategic national assets essential for the continued provision of a secure and reliable electricity.



Map 2: Existing and permitted Renewable Energy Infrastructure in Kerry

3. Planning Policy and Context

3.1 UN Sustainable Development Goals 2030

The UN 2030 Agenda is a plan of action for people, the planet and prosperity which seeks to better incorporate sustainability into planning and policy. The plan sets out 17 Sustainable Development Goals (SDGs) that integrate the three indivisible dimensions of sustainable development – 1) Economic, 2) Social and 3) Environmental (see Figure 2).

Figure 2: UN Sustainable Development Goals

3.2 European Context

3.2.1 Europe 2020

European spatial planning is closely interlinked with a number of trans-national, regional, economic and environmental policies and programmes. The European Union's cohesion policy is currently divided into 11 no. Thematic Objectives (TO) (see Figure 3), aimed at reducing disparities in the development of its territories and to contribute to the priorities of smart, sustainable and inclusive growth envisaged by the Strategy 'Europe 2020'.

Figure 3: 11 EU Cohesion Policy Thematic Objectives

3.2.2 European Green Deal 2019

The European Green Deal is a new growth strategy that aims to transform the EU into a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. It is about improving the well-being of people, making Europe climate neutral and protecting the natural habitat which will be good for people, the planet and

the economy. The aims of the Green Deal are: for Europe to become climate-neutral by 2050; to protect human life, animals and plants by cutting pollution; to help companies become world leaders in clean products and technologies; and to help ensure a just and inclusive transition.

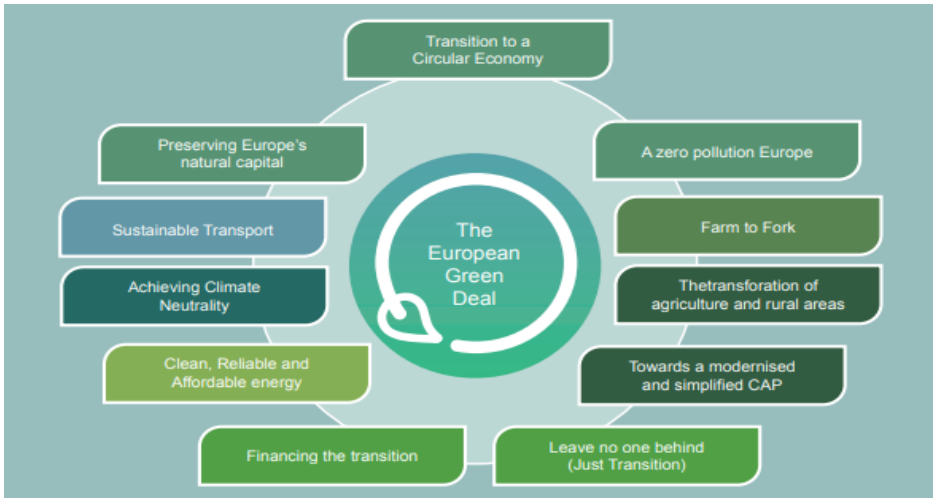


Figure 4: The European Green Deal

The European Green Deal focuses on 3 key principles for the clean energy transition, which will help reduce greenhouse gas emissions and enhance the quality of life of our citizens:

1. Ensuring a **secure** and **affordable EU energy supply**
2. Developing a **fully integrated, interconnected** and **digitalised EU energy market**
3. Prioritising **energy efficiency**, improving the **energy performance of our buildings** and developing a power sector based largely on **renewable sources**

The Commission's main objectives to achieve this are outlined as:

- **Building interconnected energy systems** and better integrated grids to support renewable energy sources
- Promoting innovative technologies and **modern infrastructure**
- Boosting **energy efficiency** and **eco-design** of products
- **Decarbonising the gas sector** and promote **smart integration** across sectors
- **Empowering consumers** and help EU countries to tackle energy poverty
- Promoting **EU energy standards** and technologies at global level
- Developing the full potential of Europe's **offshore wind** energy

3.2.3 A hydrogen strategy for a climate-neutral Europe - European Commission 2020

Hydrogen does not emit CO2 and offers a solution to decarbonise carbon intensive industrial processes and economic sectors. Hydrogen also has a strong potential as a vector for renewable energy storage. It is also outlined that a progressive uptake of hydrogen solutions can also lead to repurposing or re-using parts of the existing natural gas infrastructure, helping to avoid stranded assets in pipelines.

To date, hydrogen production is small and is largely 'grey' in nature. Currently 'green' renewable hydrogen and low-carbon 'blue' hydrogen are not yet cost competitive compared to

'grey' fossil-based hydrogen. Cost decline of renewable energy, technological developments and the urgency to reduce greenhouse emissions, are opening up new possibilities for hydrogen - though significant challenges remain.

The priority for the EU is to develop renewable hydrogen, produced using mainly wind and solar energy. In the short and medium term, however, other forms of low-carbon hydrogen are needed, primarily to rapidly reduce emissions from existing hydrogen production and support the parallel and future uptake of renewable hydrogen.

3.3 National Planning Context

3.3.1 National Planning Framework (NPF) - Ireland 2040 and National Development Plan Provisions

The Shannon Integrated Framework Plan is outlined as a case study/example in the National Planning Framework (NPF). Chapter 7 of the Framework is entitled "Realising our Island and Marine Potential". Within this Chapter the Shannon Estuary and in particular the Shannon Integrated Framework Plan is included as a case Study.

National Development Plan 2018-2027, outlines that *"while a significant proportion of renewable power generation is being delivered from wind energy, given the intermittent nature of this technology, a proportion of Ireland's electricity needs will likely continue to be generated from gas over the medium to longer term".* Reference is also made to supply and while domestic gas sources have enhanced the security of supply, Ireland will still need to import gas via the UK on a long-term basis as these resources are projected to decline over the medium term.

3.3.2 The Climate Action and Low Carbon Development (Amendment) Act 2021

The Climate Action and Low Carbon Development (Amendment) Act 2021 was signed into law on the in July 2021. The Act commits Ireland to becoming a carbon-neutral economy by no later than 2050 and to reduce emissions by 51% by the end of this decade and is binding on the entire state. The Act requires local authorities to prepare and update every five years individual Climate Action Plans which will include both mitigation and adaptation measures. The Act also requires that Local Authority Development Plans be aligned with their Climate Action Plan and that more generally that public bodies are required to take account of Climate Action plans in the performance of their functions.

3.3.3 Climate Action and Low-Carbon Development

National Policy Position Ireland. (Department of the Environment, Climate and Communications 2013 & 2021)

National climate policy in Ireland –

- Recognises the threat of climate change for humanity;
- Anticipates and supports mobilisation of a comprehensive international response to climate change, and global transition to a low-carbon future;
- Recognises the challenges and opportunities of the broad transition agenda for society; and
- Aims, as a fundamental national objective, to achieve transition to a competitive, low carbon, climate-resilient and environmentally sustainable economy by 2050.

3.3.4 Climate Action Plan 2019

A case study included in the Plan (pg. 53) on the cost of renewable electricity notes that "Renewable generation is intermittent and often unpredictable. This creates new challenges for utilities, market participants, and policy makers. Intermittency also creates the need for a range of technology solutions which may include large-scale interconnection, storage, and dispatchable capacity (e.g., natural gas plants that can generate electricity at times where there is no wind). There is no one-size-fits-all answer to supporting 70% renewables". Section 7.2 of the Plan refers to targets in respect of meeting the required level of emissions reduction by 2020 and notes that "achieving 70% renewable electricity by 2030 will involve phasing out coal- and peat-fired electricity generation plants, increasing our renewable electricity, reinforcing our grid (including greater interconnection to allow electricity to flow between Ireland and other countries), and putting systems in place to manage intermittent sources of power, especially from wind".

3.3.5 National Energy & Climate Plan 2021-2030

Page 108 of the plan states 'Ireland has ambitious plans for renewable electricity with 70% of our electricity due to come from renewable sources by 2030. At times our electrical grid will not be able to use all this renewable generation so having the option to produce green hydrogen and having an integrated energy system will help enable Ireland fully utilise its renewable resources. This in turn will have the potential to reduce the overall cost of reaching decarbonisation targets. This hydrogen produced via underutilised renewable electricity could be stored in the local gas grid and used in the heating and transport sectors. This would provide benefits to all sectors and help the difficult to decarbonise areas of the economy such as industry and heavy goods vehicles. Blending with natural gas can create a demand for hydrogen and reduce emissions in grids across Europe. Current CCGTs (Combined Cycle Gas Turbines) could be reconfigured for H2 and potentially hydrogen turbines could be developed as backups for intermittent renewables.'

3.3.6 Policy Statement on Security of Electricity Supply

Section 2 identifies key challenges, including maintaining security of electricity supply throughout the transition to up to 80% renewable energy by 2030. Much of the older, higher emission conventional generation is expected to close in coming years and will need to be replaced by generation that provides the same support and backup capability but that is also flexible, supporting high levels of wind and solar generation. As more wind, solar, storage and interconnection is added to the system, conventional generation is expected to operate less. Sufficient conventional generation capacity will still be required but will spend much of its time in reserve for when needed. Natural gas will form the vast majority of this conventional generation, for which there will be a continuing need beyond 2030.

Section 3 recognises the need for significant investment in additional flexible conventional electricity generation, grid infrastructure, interconnection and storage.
The Government has approved that:

- The development of new conventional generation (including gas and gasoil / distillate-fired generation) is a national priority and should be permitted and supported to ensure security of supply and support the growth of renewable electricity generation.
- It is appropriate that existing conventional generation capacity, including coal, heavy fuel oil and biomass fired generation, be retained until the new conventional electricity generation capacity is developed.

- The connection of large energy users to the electricity grid should take account of the potential impact on security of supply and the need to decarbonise the grid.
- It is appropriate for additional electricity transmission and distribution grid infrastructure, interconnection and storage to be permitted and developed in order to support the growth of renewable energy and security of electricity supply.
- It is appropriate for additional natural gas transmission and distribution grid infrastructure to be permitted and developed to support security of supply.

3.3.7 All-Island Generation Capacity Statement 2022-2031

Capacity statements set out expected electricity demand and the level of generation capacity required, over the next ten years. The 2022 statement predicts a challenging outlook with capacity deficits identified to 2031. In the short term, deficits will increase due to the deteriorating availability of power plants. In later years the deficits are expected to reduce as new capacity comes forward through the SEM capacity auctions. Further new electricity generation will be required to secure the transition to high levels of renewable electricity. A balanced portfolio of new capacity is required, including new cleaner gas fired generation plant which are renewable gas ready, especially at times when the wind and solar generation is low. This is crucial to ensuring Ireland meets its carbon budgets to 2030 for the electricity sector.
Section 4, Meeting the challenges, notes that actions to be delivered under the Commission for the Regulation of Utilities (CRU), programme of work include the delivery of over 2GW of enduring flexible gas-fired generation capacity, which is renewable gas ready, by 2030.

3.3.8 CRU Information Paper, Security of Electricity Supply – Programme of Actions

Key elements in the programme of actions, include:

- Delivery of new, enduring, capacity, complementary to renewable electricity and central to our low carbon transition.
- The procurement of additional temporary emergency generation capacity.
- The extended availability and operation of older generation capacity otherwise expected to retire in this timeframe.

Temporary measures will be unwound on delivery of other measures. The core element is the procurement of 2GW of flexible gas-fired plant, as an enabler of the decarbonisation of the electricity system, particularly as we accelerate the decarbonisation of the natural gas network.

3.3.9 The Climate Change Adaptation Plan for the Electricity and Gas Networks Sector

This plan focusses on the energy networks (electricity and gas), specifically electricity generation, electricity and gas transmission and distribution infrastructures and interconnectors. The plan outlines that future iterations of this plan may also need to consider the resilience of energy resources to climate change impacts as well as the increased resilience required from electricity networks supporting increased electrification of heat and transport.

3.3.10 Our Rural Future: Rural Development Policy 2021-2025

Our Rural Future provides a national framework for the development of rural Ireland over the coming years. As a predominantly rural county the policy document is of particular relevance to Kerry. The policy document seeks to put the development and regeneration of our rural towns and villages at the heart of decision making so that they are vibrant centres where people can live, work and socialise, with walking, cycling and public transport options connecting people and places. Key deliverables contained in the policy document relate to the following areas:-

- Remote working – supported by the rollout of the National Broadband Plan,
- Revitalising Rural Towns and Villages,
- Jobs for Rural Ireland,
- Rural Living,
- Rural Ireland's Unique Tourism, Culture & Heritage,
- Supporting Communities to create their own future,
- Agriculture, the Marine and Forestry,
- Island and Coastal Communities,
- Transitioning to a climate neutral economy.

3.4 Regional Planning Context

3.4.1 The Southern Regional Spatial and Economic Strategy (RSES) Provisions

The Southern Regional Assembly is responsible for the preparation and implementation of a Regional Spatial and Economic Strategy (RSES) for the Southern Region. The RSES for the Southern Region came into effect on 31st January 2020 and the primary aim of the RSES is to implement Project Ireland 2040 - the National Planning Framework. Furthermore, the Southern Regional Assembly supports the implementation of the Irish Government's Climate Action Plan.

The RSES advocates networked and collaborative approaches to infrastructure development, and in this regard it specifically instances, the 'North Kerry/West Limerick/Shannon Estuary/Clare Axis. S4.9.1 cites, as a good practice example, the Strategic Integrated Framework Plan (SIFP) for the Shannon Estuary, noting that this involves inter-county and inter-agency collaboration. This section of the RSES references the zoned lands at Tarbert/Ballylongford in North Kerry. The Tarbert-Ballylongford Landbank is also highlighted in the RSES as a 'Energy Hub' case study.

The following Regional Policy Objectives as set out in the RSES are of relevance: -

RPO 79 (a): Shannon Estuary and Other Harbour Plans

The RSES recognises the national and international importance of the Shannon Estuary, its potential to attract multinational development and the significant work that has been undertaken to progress its promotion and development. It is an objective to support and promote the delivery of the Strategic Development Locations as set out in the SIFP for the Shannon Estuary subject to the implementation of mitigation measures outlined in the SEA and AA undertaken on SIFP and zoned in the Local Authority Development Plans.

RPO 96: Integrating Renewable Energy Sources

It is an objective to support the sustainable development, maintenance and upgrading of electricity and gas network grid infrastructure to integrate (a) renewable energy sources and ensure our national and regional energy system remains safe, secure and ready to meet increased demand as the regional economy grows.

RPO 97: Power Stations and Renewable Energy

It is an objective to support the sustainable technology upgrading and conversion of power stations in the Region to increase capacity for use of energy efficient and renewable energy sources.

RPO104: Energy Storage and Carbon Capture

It is an objective to support investment in initiatives to develop innovation, advances in technology and pilot projects for the sustainable development of energy storage and carbon capture within the Region and to work with key stakeholders in developing sustainable forestry, including initiatives for native tree planting and better management of peatland and soil management to support carbon sequestration and enhancement of biodiversity.

RPO 142 (e): Ports
Support the sustainable development of the 9no. strategic development locations adjoining sheltered deep-water in line with the recommendations of the SIFP for the Shannon Estuary and subject to the implementation of mitigation measures outlined in the SEA and AA undertaken on the SIFP.

RPO219 – New Energy Infrastructure
It is an objective to support the sustainable reinforcement and provision of new energy infrastructure by infrastructure providers (subject to appropriate environmental assessment and the planning process) to ensure the energy needs of future population and economic expansion within designated growth areas and across the Region can be delivered in a sustainable and timely manner and that capacity is available at local and regional scale to meet future needs.

RPO222 – Electricity Infrastructure
It is an objective to support the development of a safe, secure and reliable supply of electricity and to support and facilitate the development of enhanced electricity networks and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this plan under EirGrid's (2017) Grid Development Strategy (subject to appropriate environmental assessment and the planning process) to serve the existing and future needs of the Region and strengthen all-island energy infrastructure and interconnection capacity

RPO225: Gas Network
Subject to appropriate environmental assessment and the planning process where required, it is an objective to:

a) Promote renewable gas leading to carbon emission reduction in agriculture, industry, heating and transport as well as sustainable local employment opportunities. Support the transition of the gas network to a "carbon neutral" gas network by 2050, which will drive Ireland and the Region to becoming a low carbon society.
b) Support investment in the sustainable development of agricultural biogas sector and regional gas supply projects which strengthen gas networks in the Region and assist integration of renewable gas to the grid network.
c) Support investment in developing renewable gas and provision of CNG refuelling infrastructure which will help reduce the Green House Gas emissions in both the agriculture and transport sectors and support Carbon Capture and Storage initiatives, which has the potential to decarbonise power generation at scale.
d) Strengthen the gas network sustainably to service settlements and employment areas in the Region, support progress in developing the infrastructures to enable strategic energy projects in the Region. An example is the Tarbert/Ballylongford landbank in Co Kerry which is a strategic development site under the Strategic Integrated Framework Plan for the Shannon Estuary and support for the extension of the Gas Network from Listowel into the Kerry Hub and Knowledge Tri-Angle settlements of Tralee, Killarney and Killorglin.

3.4.2 South West Regional Enterprise Plan to 2024

This plan builds on the first iteration of the REPs and each Steering Committee had a clear mandate to deliver a new Plan to 2024 that would:

- complement and translate national enterprise policy in a regional context;
- facilitate collaboration regionally to address prioritised ecosystem gaps and opportunities, and help achieve Agency and LEO investment and jobs targets in each region; and
- use collective insight and resources in each region, and available regional funding, to progress initiatives to enable enterprise growth and job creation in each region.

In the South-West, industry sectors with significant concentrations of employment exist in financial services, agritech, agri-food, pharma, medtech, ICT, engineering, tourism/hospitality, and manufacturing, whilst sectors such as, cyber security, renewable energy, maritime and the marine are expanding.

The enterprise ecosystem in the South-West is bolstered by a number of centres of excellence, digital enterprise & innovation Hubs, research centres, start-up programmes as well as the Higher Education Institutions, Local Authorities and the evolution of clusters which continues to be supported as an economic development and enterprise capability development tool to support regional growth, and to forge greater linkages and collaborations amongst the plethora of indigenous and foreign owned enterprises across the region, and beyond.

Strategic Objective No.5 supports the opportunities of Climate Action in the Marine, Circular Bioeconomy, Tourism and Energy Sectors and specifically references the Shannon Estuary and strategic landbanks as identified in the Shannon Integrated Framework Plan (SIFP).

3.4.3 Shannon Integrated Framework Plan Provisions

The Strategic Integrated Framework Plan (SIFP) for the Shannon Estuary is an inter-jurisdictional land and marine based framework plan to guide the future development and management of the Shannon Estuary. It was commissioned by Clare County Council, Kerry County Council, Limerick City and County Councils, Shannon Development and the Shannon Foynes Port Company in 2011 with a view to unlocking the immense economic potential afforded by the naturally occurring deepwater of the Shannon Estuary, in a sustainable manner. The SIFP document and accompanying environmental assessments were finalised in 2013 and have since being incorporated into and or are supported by the Clare, Limerick and Kerry County Development Plans.

The Estuary and its environs are a multi-functional zone, with the waters and adjoining lands supporting a range of functions, uses, communities, activities, and environmental resources/assets which bring character and prosperity to the area. The key objective of the SIFP is developing an integrated and balanced approach to facilitating economic growth in all areas of opportunity. The Plan facilitates the diversification of the economy, through the promotion of commercial/industrial employment, environmentally friendly aqua culture, maritime, energy, transport, recreation and tourism industries in a sustainable manner. It also sets out the importance of safeguarding the Estuary's sensitive environmental resources and natural heritage of national, European and International significance.

The Shannon Estuary and adjoining lands have a number of environmental designations, including Natura 2000 designations, archaeological and landscape. These designations were taken into consideration in the setting of 'realistic' SIFP objectives for the Estuary and the Environmental Authorities were heavily consulted with as part of SIFP preparation (NPWS, IFI, the EPA Irish whale and dolphin group). Nine Strategic Development Zones (SDZ) sites

have been identified for marine related industry in the SIFP area. Two of these are located in Kerry, on the Tarbert Power Plant site and the Tarbert / Ballylongford Land Bank. The plan identifies these strategic sites as being critical to the future development potential of marine and energy related industry in the Estuary. Site selection involved technical, engineering, planning and environmental considerations and was subject to both Strategic Environmental Assessment and Appropriate Assessment. Within the SIFP the Tarbert – Ballylongford Landbank is identified as Strategic Development Location.

3.5 County Context

3.5.1 Kerry County Council Local Authority Climate Action Plan 2024-2029

Local Government has been identified as a key player in leading climate action at a local, community-based level. Local Authorities (LAs) have been tasked with levering support and resources to deliver effective climate action from the ground up. This approach has been made into law requiring each Local Authority in the country to lead in Climate Action at a county level. It is envisaged that leadership will be plan-led namely through a Local Authority Climate Action Plan (LACAP). Kerry County Council seeks to influence, advocate and facilitate climate action ambitions within the local community. These ambitions and pathways to achieve targets are outlined in this plan.

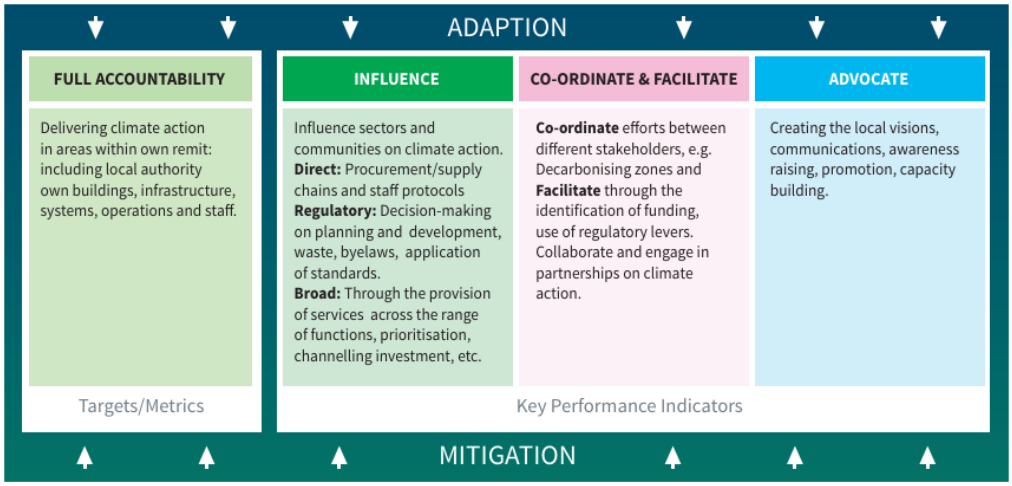


Figure 5: Role of Local Government within Climate Action – from full accountability of its own GHG emissions through to influencing, co-ordinating/facilitating and advocating across its range of functions and responsibilities

Figure 6: Strategic Goals of the Kerry County Council Local Authority Climate Action Plan 2024-2029

REF	MEASURE
EG1	Promote climate action projects that support and maximize environmental cobenefits, such as biodiversity protection and enhancement; improved air, water or soil quality; or enhanced recreation, amenity and cultural heritage value, to ensure win-win benefits are gained.
EG2	Support or facilitate climate action related projects and initiatives which seek to make improvements in soil structure, management and health by increasing soil organic carbon - which will create the environmental co-benefits of improving flood resilience by enhancing water holding capacity of soils and increasing the level of GHG sequestration associated with land use functions.
EG3	Ensure all development underpinned or supported by climate action is planned and implemented in a manner that appropriately considers the potential for environmental co-benefits, potential environmental impacts and environmental protection requirements. No climate action related development project that is likely to have significant negative effects on the receiving environment shall be supported.
EG4	Flood projects, or related maintenance works, shall be carried out in a manner that promotes climate action-biodiversity related co-benefits, and shall have due regard for the protection and enhancement of rare, protected or important habitats and species.
EG5	Ensure climate action related projects are carried out in a manner that promotes climate action-cultural heritage co-benefits, and do not result in unauthorized physical damage to cultural, archaeological or architectural features, or unauthorized or inappropriate alteration of the context of sensitive cultural heritage features.
EG6	Ensure climate action related projects are carried out in a manner that promotes climate action water quality co-benefits, and align with the provisions of the Water Framework Directive and relevant River Basin Management Plan.
EG7	Promote climate action projects that support protected trees, hedgerows and other habitats such as wetlands, flood zones which contribute to green infrastructure.
EG8	Support opportunities to improve ecological connectivity of non-designated habitats and sites to improve overall ecosystem resilience and functioning while supporting climate action within the county.
EG9	Ensure all projects supported by the council have taken the necessary precautions to identify and manage invasives species, particularly with regard to Schedule III species. No climate action related development project that is likely to cause the spread of invasives species listed in Schedule III shall be supported.

Figure 7: Overarching Objectives of the Kerry County Council Local Authority Climate Action Plan 2024-2029

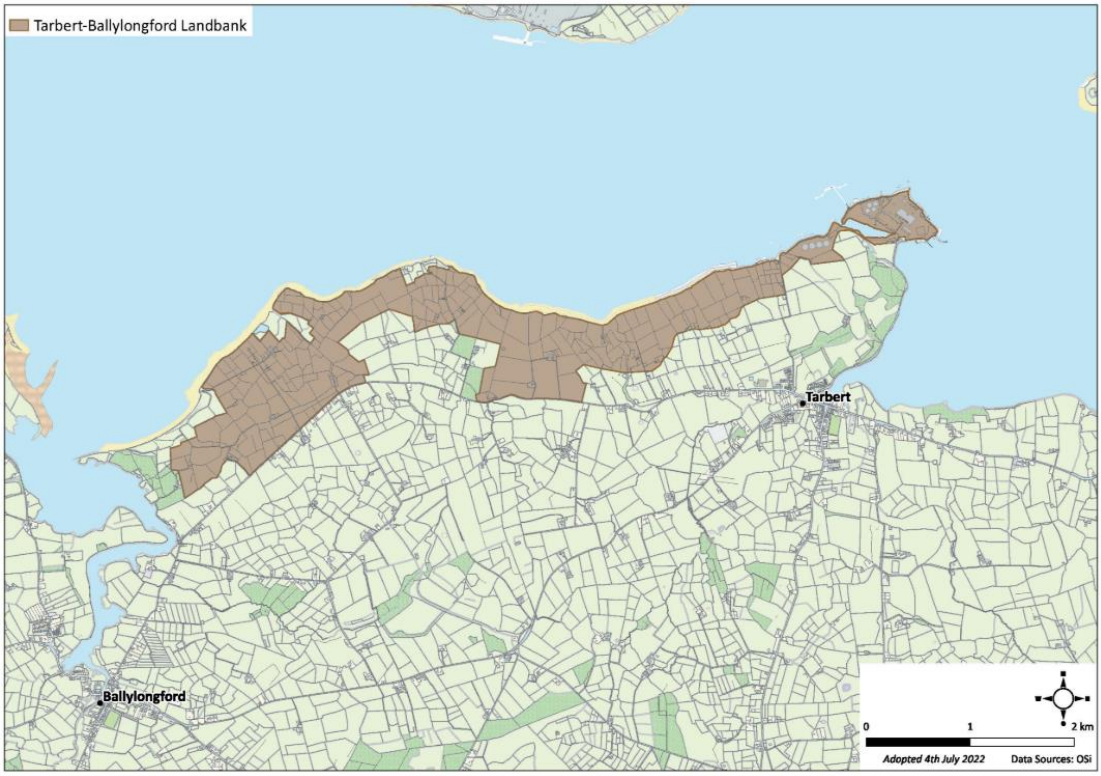
3.5.2 Kerry County Development Plan 2022-2028

The site is located within the functional area of the Kerry County Development Plan (CDP) 2022 - 2028 in an area zoned C2.2 for general industry. Proposals for marine related industry, general industrial development, and particularly those industries creating a synergism with existing uses and contributing to the development of a strategic energy hub at this location will also be encouraged.

Section 3.5.1.4 (North Kerry / West Limerick / Shannon Estuary / Clare Settlement Network) of the Core & Settlement Strategy chapter (Chapter 3) of the CDP states:

Kerry County Council supports the economic role and potential of the established towns of Listowel, Abbeyfeale, Newcastle West (Key Town) and Kilrush as economic drivers in a potential North Kerry/West Limerick/Clare network connected with the Shannon Estuary referred to as the North Kerry/Shannon Estuary Network. This includes the Shannon Integrated

Framework Plan (SIFP) area and strategic locations identified under the SIFP as a Shannon Estuary Coastal Network. This area is viewed as a driver for economic growth within the County and Region. There is potential for innovative projects, collaboration between stakeholders and sectors, infrastructure projects (including multi-modal transport infrastructure, more frequent public transport services and digital connectivity) to/ from and within the network to unlock the strengths and opportunities. This includes the County's Regional Town of Listowel, Ballybunion and support for economic interaction with the AEC, Strategic Development Sites in the Shannon Estuary, the Kerry Hub and Knowledge Triangle and cross county boundary connectivity to other settlements in a network.



Map 3: Extract from Kerry County Development Plan 2022-2028 Tarbert-Ballylongford Landbank

The Tarbert / Ballylongford strategic landbank is specifically highlighted within Section 9.4.2 and Section 9.6.1 of the Economic Development Chapter. The following Objectives from the CDP are of relevance:-

Objective KCDP 9-23
Support and promote the delivery of the Strategic Development Locations (SDLs) as set out in the SIFP for the Shannon Estuary subject to the implementation of mitigation measures outlined in the SEA and AA undertaken on SIFP and zoned in the Local Authority Development Plans.'

Objective KCDP 9-24
Support the promotion, marketing and seeking of financial and expert support for the Strategic Integrated Framework Plan (SIFP) for the Shannon Estuary and specific projects emerging from the plan. Projects shall be subject to the relevant environmental assessment requirements including SEA, EIA SFRA and AA as appropriate.'

Objective KCDP 9-25
Promote and facilitate the sustainable development of the Tarbert-Ballylongford landbank for industry, utilising the presence of deep water, existing infrastructure, natural resources, and waterside location to harness the potential of this Strategic Location. Proposals for marine related industry, general industrial development, and particularly those industries creating a synergism with existing uses and contributing to the development of a strategic energy hub at this location will also be encouraged.'

Objective KCDP 9-29
An objective of the Council to Protect sites of significant historical military importance along the Shannon Estuary, including the Battery on Carrig Island, Carrigafoyle Castle, the Bastioned Star Shaped Fort in Tarbert and the core area of Fort Shannon at Ardmore point.

Chapter 12 of the CDP contains the policy and objectives relating to Energy, specifically Section 12.2 Gas Network and Section 12.5 Renewable Energy, which includes a number of policies and objectives of relevance to same, including:-

Objective KCDP 12-1
Support and facilitate the sustainable provision of a reliable energy supply in the County, with emphasis on increasing energy supplies derived from renewable resources whilst seeking to protect and maintain biodiversity, archaeological and built heritage, the landscape and residential amenity and integration of spatial planning and energy planning in the county.'

Objective KCDP 12-3
Facilitate the sustainable expansion of the gas network, including the facilitation of a gas importation facility in the Tarbert/Ballylongford Landbank, and the expansion of the network to the Kerry Hub and Knowledge Triangle settlements of Tralee, Killarney and Killorglin.

Objective KCDP 12-6
Facilitate sustainable energy infrastructure provision, so as to provide for the further physical and economic development of the County.

Objective KCDP 12-7
Support and facilitate the sustainable development of enhanced electricity and gas supplies, additional electricity generation capacity, and associated networks, to serve the existing and future needs of the County.

Objective KCDP 12-36
Facilitate the sustainable development of Battery Storage systems in appropriate locations at or adjacent to existing energy infrastructure, subject to requirements and considerations in relation to: residential amenity, landscape; cultural heritage; Natura 2000 sites and the Habitats & Birds Directive; the objectives of the Water Framework Directive; Flood Directive; electricity infrastructure; and health & safety.

Protected Structures and Architectural Conservation Areas (ACA's)

There are no Protected Structures, identified in the Kerry CDP 2022-2028 Record of Protected Structures, within the site. Two Protected Structures are located within the wider 2 km study area.

The first is Ralapane House (RPS-KY-0888) which is located approximately 300 m to the south of the Proposed Development. This is a two-storey, L-shaped residence of four bays and a porch to the front (south) side which is located at the end of a lane leading north from the L1010 road. The house is believed to date to the 18th century.

The second Protected Structure is the searchlight chamber associated with the Fort Shannon Coast Defence Artillery installation constructed in 1941. It is located adjacent to the north-east boundary of the Proposed Development and 20m to the south of the foreshore. This small concrete structure with flat roof and wide aperture opening looking seawards is located adjacent to the northeast extent of the Site and outside the red line boundary.

In the interests of clarity, it should be noted that two searchlight chambers form part of the Fort Shannon Coast Defence Artillery installation, one (mentioned above) identified on the RPS as RPS-KY-0888 and the other located to the west of RPS-KY-0888, on the eastern boundary of the subject site (See Fig 9 below).

It should be noted that an engine room/underground bunker is also located along the eastern boundary of the subject site (See Fig 9 below).

Figure 8: Fort Shannon Layout

As can be seen in figure 9 below 6 no. pillboxes are associated with the Fort Shannon Coast Defence Artillery installation. Each of the boxes is set into the ground with a square plan a small entrance doorway and narrow vertical slot on each of the four faces. The purpose of the pillboxes was presumably to provide machine gun cover against a direct assault from either the river or the landward side.

Pillbox 6 is within the building envelope of the proposed development.

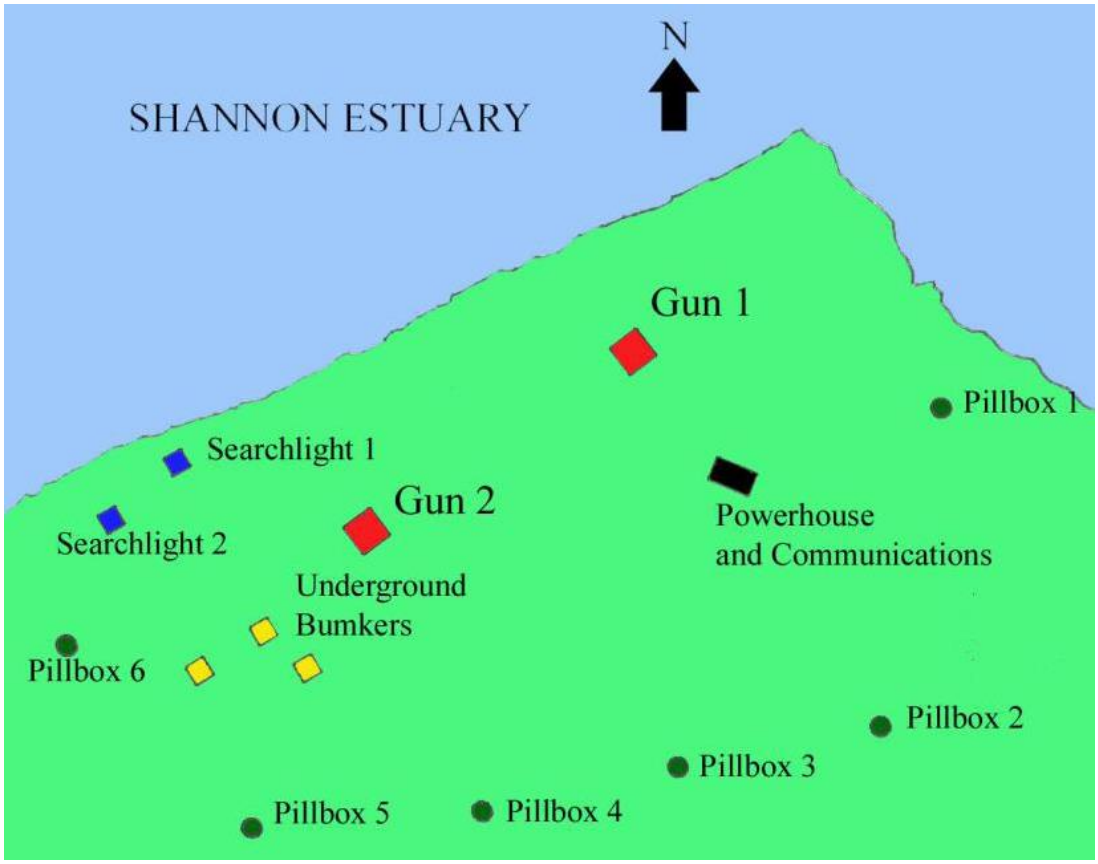


Figure 9: Fort Shannon Layout

Archaeological Monuments and Sites
Area 3 of the proposed development site is the location of the recorded monument Ke003 004, listed in the Record of Monuments & Places as a ringfort (cashel).

Special Area Amenity Order
There is no designated SAAO (Special Area Amenity Order) on site or of relevance to the proposed site in Kerry.

Protected Views and Prospects
There are Protected Views and Prospects in the direction of the site from Carrig Bridge to Carrig Island along the L-1004 local road to the west of the application site.

Map 4: Extract from Kerry County Development Plan 2022-2028 showing protected views and prospects

Nature Conservation and scientific designations

The Lower Shannon candidate Special Area of Conservation (SAC) (Site code: 002165) is partly within and adjacent to the site along the northern/ north-western boundary and also along part of the eastern boundary. The Ballylongford Bay proposed Natural Heritage Area (pNHA) is adjacent to a part of the north-western boundary of the proposed development site. The Shannon-Fergus Estuary Special Protection Area (SPA) (Site code: 004077) is to the west of the proposed development site. There are no Geological (audited or unaudited) sites in the vicinity.

The CDP has no role in the delineation of the above site boundaries or designations. The County Development Plan does however support the protection of same primarily through Chapter 11 of the plan. These environmental designations were also taken into account as part of the Kerry County Development Plan making process.

Nature Conservation Designations

European Sites (SAC and SPAs collectively known as Natura 2000 Sites)

Designated Natura 2000 sites found within and adjacent to the proposed development:-

(i) The Lower River Shannon SAC (Site Code 002165) is located partly within the application site.

(ii) The River Shannon & River Fergus Estuaries SPA (Site code 004077) is located partly within the application site.

Designated European Sites located within the wider vicinity

(iii) The Moanveanlagh Bog SAC (Site Code 002351) is located c.13Km away to the south

(iv) The Stacks to Mullaghareirk Mountains, West Limerick Hills & Mount Eagle SPA (Site Code 004161) is located c.10.5Km to the Southeast.

(v) Tullaher Lough and Bog SAC (Site Code 002343) is located c.14.5Km to the northwest (Co Clare).

Natural Heritage Areas (NHAs)

(i) Bunnaruddee Bog NHA – qualifying interest: peatlands

Proposed Heritage Areas (pNHAs)
The following proposed Natural Heritage Areas located in Kerry are located in the wider vicinity of the project:

(i) Tarbert Bay Site Code: 001386
(ii) Ballylongford Bay Site Code: 001332
(iii) Beal Point Site Code: 001335
(iv) Casheen River Estuary Site Code: 001340
(v) Moanveanlagh Bog site Code: 000374

3.5.2 Kerry Local Economic and Community Plan (LECP) 2016-2022& County Kerry COVID-19 Economic Recovery Plan.
The Local Economic and Community Plan (LECP) 2016-2022 sits alongside the County Development Plan providing a stronger and clearer role for local government in economic and community development. This framework underpins the vision set out in the *Putting People First: Action Programme for Effective Local Government* (DoECLG). The Local Economic Community Plan 2016-2022 is a key document that significantly influences the Development Plan.

Central to the LECP is the marketing of the county as a place to invest, live and to visit. While this will be led by the public sector, existing firms in the county will play a pivotal role in promoting the positive experience of both doing business and living in Kerry. It is crucial to build on the history of entrepreneurship in the county, through brand leaders such as Kerry Group (Listowel), Dairymaster (Causeway), Dingle Distillery (Daingean Uí Chuis) and Fexco (Killorglin).

Sustainable Economic Development Objective 1.10.1: Promote renewable energy initiatives and various alternative power pilots.

Action 1.10.1.1: Support the sustainable development of the Shannon Estuary and particularly the development locations of Tarbert and the Tarbert/ Ballylongford landbank as identified in the SIFP (Shannon Integrated Framework Plan) and in compliance with the Kerry CDP 2015-2021.

3.5.3 Listowel Municipal District Local Area Plan 2020-2026
One of the key objectives of this plan is to provide an improved quality of life for all citizens in the plan area by promoting the area's economic potential, protect its natural and built environment and safeguard its cultural heritage.

The development of the Tarbert/Ballylongford landbank in line with The Strategic Integrated Framework Plan for the Shannon Estuary (SIFP) and the realisation of its potential is outlined to be a strategic use of importance for the Municipal District as set out in S2.1.3 and 2.1.4 of the LAP. The following is included as a 'Overall Strategic Development Objective' for the plan

Development Objective OS-08
It is an objective of the Council to support the sustainable development of the land zoned within the Tarbert/ Ballylongford area in accordance with the policies and objectives of the Strategic

Integrated Framework Plan for the Shannon Estuary (SIFP) and the Kerry County Development Plan.

Section 2.3.3 of the LAP specifically relates to the Shannon Estuary (Tarbert / Ballylongford landbank). As part of this the plan recognises the Shannon Estuary as a major shipping artery and further recognises the on-going potential of the Tarbert/ Ballylongford landbank to be sustainably developed for industry in compliance with the EIA and Habitats Directives.

S2.4 of the LAP relates to infrastructure. Included in this section of the plan is the following infrastructure objective:

Development Objective LS-T-01
Sustainably harness the economic potential from the provision of a secure natural gas energy supply to the region.

The development of the Tarbert / Ballylongford landbank is outlined to be a strategic issue of importance in S3.5 of the plan to enable Ballylongford to develop as a service supporting settlement. The enormous potential and significance of local employment possibilities associate with the landbank are also outlined for both Ballylongford and Tarbert. The plan notes that the wastewater treatment infrastructure in both Ballylongford and Tarbert have recently been upgraded with modern tertiary treatment facilities provided. Architectural Conservation Areas for the settlements of Ballylongford and Tarbert are included in the plan.

3.6 Energy Context

3.6.1 EirGrid's All-Island Generation Capacity Statement 2021-2030

Long-term system electricity demand in Ireland is increasing and is forecast to increase significantly, due to the expected expansion of many large energy users, in particular data centres. Generator availability performance has been poor and has been trending downwards for the last number of years. The current position is concerning. The Celtic Interconnector with France and the Greenlink Interconnector with the UK are noted as projects of importance. Over the course of the next 5 years around 1650 MW of generation will retire in Ireland with up to a further 500-600 MW retiring in Northern Ireland.

Under the section headed 'Factors to consider when assessing the management of Security of Supply, Operational requirements and Uncertainties' the report outlines that 'EirGrid believes new cleaner, dispatchable plant is required to replace generation exiting the market between now and 2030 in Ireland. In the future, a more diverse portfolio of technologies will be required. Traditionally, there was a reliance on conventional generation to provide the full range of services and capabilities, while in the future, with less conventional generation synchronised at times of high variable RES output, the services must come from other technologies, which typically provide a subset of the required system services'. The report goes on to outline that it considers 'New cleaner gas fired capacity will be part of the solution to manage future power system adequacy and security especially at times when the wind and solar output levels are low and for what may be extended periods of time'.

It is noted that this statement has forecast a shortfall in generation capacity of up to 620MW by 2026 in a High Demand Scenario. The need for additional dispatchable generation, such as gas fired power plants, during periods of low wind energy generation being most acute.

3.6.2 EirGrid's All-Island Generation Capacity Statement 2020-2029

It is noted that this statement has forecast a shortfall in generation capacity of up to 570MW by 2026 in a High Demand Scenario. The need for additional dispatchable generation, such as gas fired power plants, during periods of low wind energy generation being most acute.

3.7 Planning History

This landbank designation has facilitated a number of large scale industrial development applications over the years, including:-

- PA81/2426 Oil refinery, tank farm and marine terminal.
- PA02/2292 Demolition of all existing dwelling houses, out building and derelict buildings.
- PA06/3428 Erection of a weather station on a 10m high mast with security fencing.
- ABP Ref 08.PA0002 Liquefied natural gas (LNG) regasification terminal (2008) – permission expired.
- ABP Ref 08.GA0003 & 08.DA0003 Gas pipeline to connect Shannon LNG Terminal at Ralappane, Co. Kerry to existing natural gas network at Leahys, Co. Limerick (2009).
- ABP Ref. 08.PM0002: Modifications/alterations to approved development ref. 08.PA0002 (2013).
- ABP Ref. 08.311233 10-year permission sought for power plant, battery energy storage system, floating storage and regasification unit, jetty, onshore receiving facilities, above ground installation and all ancillary structures/works (2021). This application was refused permission due to the fact that the proposal incorporated an LNG terminal and had a clear focus on the use of LNG as the primary fuel source for related elements such as the proposed power station. It was considered that the development would be contrary to government policy at that time. It is understood that this proposal is subject to a judicial review.

3.8 Other Relevant Planning Applications

- 220/110 KV Station (2011).
- Electricity peaker power generating plant (2013).
- ABP Ref: PA08.318540 SSE Generation Ireland Ltd are seeking a 10 year planning permission for the proposed Open Cycle Gas Turbine (OCGT) power plant fuelled by Hydrotreated Vegetable Oil (HVO) and associated site works at Tarbert Island, Tarbert, Co. Kerry. This application is still under assessment by An Bord Pleanala.
- PA23/350 Permission granted for the removal of the existing cable joint bay, provision of two no. new lengths of 220kv underground cabling measuring approximately 340m each and provision of a new 220kv switchgear bay within the existing Tarbert substation compound.

3.9 Enforcement Action

None

4. Planning Assessment

4.1 Introduction

It is noted that the proposed site has previously been assessed and a similar proposal refused on same. Within this context it is considered that the most pertinent issue relates to the principle of the proposal within the context of land use policy, climate change and energy security. As required by S37 of the Planning and Development Act as amended this assessment is particularly focused on the proper planning and sustainable development area. Section 6 contains additional observations regarding the submitted NIS and EIAR.

4.2 Principle of the proposed development

The proposed development site is zoned C2.2 for general industry in the current Kerry County Development Plan (CDP) and the Shannon Integrated Framework Plan, which is supported by Regional and National Land Use Policy, as set out in section 4 of this report. It is therefore considered that the proposed development conforms with the lands use zoning requirements and objectives KCDP 9-23, KCDP 9-24, KCDP 9-25, KCDP 12-1, KCDP 12-3, KCDP 12-6, KCDP 12-7 and KCDP 12-36. As such, the proposed development is commensurate with the current land use zoning.

4.3 Project need within the context of Electricity Generation, Gas Supply and Climate

Ireland is transitioning to an energy system with increasing levels of renewable energy and with an increased role for electricity in the provision of heat and transport. Kerry has been to the forefront of this transition in terms of renewable electricity generation.

Current national policy seeks to achieve zero-carbon emissions by 2050. The transition to achieving this scenario requires the development of alternative sources of power generation and continued security of power supply. Security of supply and system resilience requires the provision and maintenance of infrastructure to meet variable and peak electricity demands and for same to be responsive to rapid changes in supply or demand. Conventional gas has fulfilled this role and facilitated the expansion of the renewable energy sector to date. It is noted that RSES development objective RPO96 'Integrating Renewable Energy Sources' seeks to support the sustainable development, maintenance and upgrading of electricity and gas network grid infrastructure to integrate a renewable energy sources and ensure our national and regional energy system remains safe, secure and ready to meet increased demand as the regional economy grows.

4.3.2 Electricity Generation and Energy System Resilience

The challenge for electricity supply is for the power system to meet growing electricity demands, while also increasing the amount of low and zero carbon electricity into the supply mix and maintaining a stable and secure grid. The projected growth in renewable generation in the electricity market along with increased demand has increased the importance of gas-fired electricity generation to manage intermittency and increase security of supply. The 2030 target of 70% renewables will still require a significant dispatchable generation capacity in 2030 and beyond to ensure security of supply.
Ireland's Electricity & Gas Networks Sector Climate Change Adaptation Plan outlines that increased variability of wind generation will increase requirements for backup generation and/or storage.

4.3.3 Project Need Overview

It is considered that the proposal has a role to play in the pathway to ultimate elimination of greenhouse gas (GHG) emissions. When operating GHG emissions would impact adversely on

air and climate. However, it is noted that a highly flexible gas fired power plant is capable of backing up existing and increasing renewable energy capacity. Within this context, it is considered that the proposal is a sustainable one during the transition period to full decarbonisation.

Operational regulation are matters for the Commission for Regulation of Utilities and Gas Networks Ireland in light of policy pertaining. Various licences would also be required. Notwithstanding the above, the Bord may wish to consider the appropriateness of attaching a condition limiting the life of the planning permission. Such a condition could be problematic as it would reduce operational flexibility, particularly within ever evolving energy and climate change policy environments.

The purpose of setting a finite planning permission period would be to enable the planning authority, in conjunction with the developer and environmental authorities, to review changes in environmental standards and technology over the period since the original permission was granted and to support the transition of energy use and generation away from non-renewable resources. Any such condition should facilitate the repurposing of the development, where necessary.

In the event of infrastructure becoming obsolete, the Planning Authority requests an Bord Pleanála to take this eventuality into account. It is considered that this matter can be adequality dealt with by way of condition.

4.4 Economic and population

The proposed development is of strategic economic importance to the state, region and the area in which the proposal would be located. As part of this the proposal would help secure the nation's energy supply and generate employment. The likey impacts of climate change are accepted. However, it is also difficult to envisage a functioning economy and society in the transition period in the absence of secure electricity and gas supplies.

4.4.1 Energy security and competition

The proposed development would improve Irelands energy security and would therefore help retain and attract economic investment. With reference to EirGrids All Ireland Generation Statement 2020-2029 the application outlines that new additional gas fired conventional power plants are urgently required on the grid. The need for same is reiterated and emphasised in EirGrids All Ireland Generation Statement 2021-2030. It is the applicant's contention that the proposed CCGT would comprise such an additional plant and this appears reasonable. Such matters are of strategic importance to the state.

It should be noted that Shannon LNG Limited was awarded a capacity contract on the 28th of March 2023 from Eirgrid to deliver 400MW of electricity generation capacity at the Shannon Technology & Energy Park site by no later than 1st of October 2026.

4.4.2 Local socio-economic impact

The proposal both by itself and through the opportunities it would create would generate employment, enabling, sustaining, and strengthening the local population and economy. The proposed development would represent a sustainable use of the landbank, which has been earmarked for industrial development since the 1960's. As outlined in section 3, the area in

which the proposal would be located is in need of economic development. The proposal and the development of the landbank in conforms with the Shannon Integrated Framework Plan and the South West Regional Enterprise Plan to 2024 as outlined in section 4.

The proposal if permitted would encourage and facilitate the location of high energy demand industry to a location where there is an existing surplus of renewable energy generation and where the potential offshore renewable energy resource is vast. The locating of high energy demand industry near to existing or emerging renewal energy generation locations is part of the long-term solution to climate change and global sustainability. The Tarbert /Ballylongford landbank fulfils these requirements.

In the context of the above, it is likely that the proposed development would directly and indirectly have a positive long-term effect on population and settlement in the area.

4.5 Built Heritage

As stated previously there are no Protected Structures indicated in the Kerry CDP 2022-2028 Record of Protected Structures, within the site. Two Protected Structures are located within the wider 2 km study area, Ralapane House (RPS-KY-0888) and the searchlight chamber associated with the Fort Shannon Coast Defence Artillery installation constructed in 1941.

In the interests of clarity, it should be noted that two searchlight chambers form part of the Fort Shannon Coast Defence Artillery installation, one mentioned above and the other located on the eastern boundary of the subject site. While one of these searchlight chambers is a protected structure, Objective KCDP 9-29 is also relevant in this instance as it seeks to protect sites of significant historical military importance along the Shannon Estuary, including the core area of Fort Shannon at Ardmore point. Both searchlight chambers are considered to be within the core are of Fort Shannon and as such should be protected.

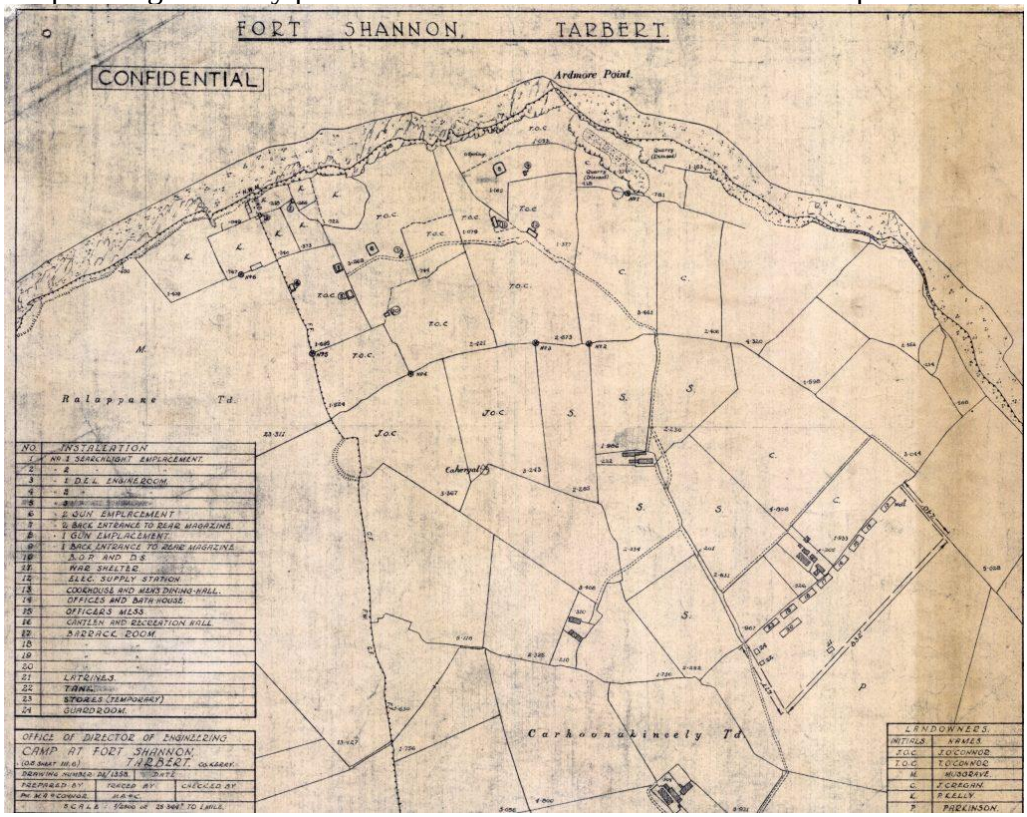
It is noted that the pill box which is proposed to be demolished, is one of a number constructed around the fort and is not considered to be located within the core of the Fort. The zoning of the lands where the pill box is located, for industrial development within the Kerry CDP 2022, supports this view.

The eastern boundary proposed as part of this development will straddle a searchlight (searchlight 2), an underground bunker and a pillbox (Pillbox 5). It is considered appropriate that these elements of Fort Shannon should be safeguarded by way of appropriate boundary treatment / setbacks. It is considered that this can be satisfactorily addressed by way of condition.

Having regard to the information contained in the application and to the report of the E. Planner (Conservation), it is considered that the proposal would not adversely impact the special interest of Fort Shannon.

The visual impact of the treatment of the eastern boundary of the proposed site, particularly in terms of character and setting of RPS-KY-0887, should respect the proximity of the protected structure and its position should ensure no negative impact on the character, setting or fabric of the structure or indeed, elements within its curtilage. Any security fencing should be planted with native species associated with the site and maintained to form a feature of the development. Any proposed removal of associated structures shall be photographed and

surveyed prior to demolition and a colour annotated photographic survey shall be submitted to the planning authority prior to commencement of the construction phase of the development.



Map 5: Camp at Fort Shannon, Tarbert, Co. Kerry, (not dated), Office of Director of Engineering

The extent of the development associated with the military embankment at Fort Shannon is evident on Map 5 above, which provides documentary evidence as to the nature and extent of the military designed landscape at the location. Although outside the red line of the proposed development site, it is nonetheless considered appropriate that the character and setting of this protected structure forms part of the overall planning assessment. It is accordingly recommended that an analysis of the historic designed military landscape should be carried out prior to commencement of development to inform mitigation in respect of undiscovered structures, tunnels, features, that may be impacted by the development.

Section 12.6.1 of the EIAR also states "there is the possibility that it [the WWII structure] could be accidentally impacted during construction works". The issue of impact to the structure arising during, and post construction, should be managed to ensure no negative impact on the fabric and setting of the structure. Mitigation proposals to minimise the impact of construction should be considered for Ralappane House and for the military complex. The construction management plan should include proposals to minimise impact and to prevent any accidental damage to structures within the curtilage of the protected structure at Fort Shannon.

4.6 Biodiversity

Nature conservation designations in the area are set out in section 3.5.2. As outlined in the application the Lower River Shannon SAC and the River Shannon and Fergus Estuaries SPA are the most likely to be impacted – even based on proximity alone. These are amongst the largest European Sites in the Country. A substantial amount of specialist studies have been undertaken and scientific data collated for the development site and the surrounding area both

as part of this application and previous studies. This increases the scientific certainty of conclusions reached.

It is noted that the boundaries of the River Shannon and Fergus Estuary SPA has been extended since the earlier applications on the subject site and that this has been taken into account as part of the application. As part of this it is noted that there are no significant populations of Special Conservation Interest (SCI) bird species in the vicinity of the proposed development site, influenced by the limited intertidal foraging habitat at this location. Red-throated Diver, Great Northern Diver and Sandwich Tern were recorded in the inshore waters bordering the proposed site and this was taken into account as part of the assessments.

It is noted that the majority of the terrestrial site is characterised by improved agricultural grassland and to a lesser extend a mosaic of improved agricultural grassland and wet grassland. The application outlines that scrub a habitat of local (higher level) importance is encroaching from field margins. The habitats while supporting bird species such as meadow pipit and snipe were determined to be of low value for forging Hen Harrier and unsuitable for breeding Curlew. It is noted that the sedimentary cliffs located along the estuary were not found to be an example of the Annex I habitat 'vegetated sea cliffs of the Atlantic and Baltic coasts 1230). As expected, badger use was found and given proximity to water a level of Otter use can also expected.

4.7 Water supply, surface water disposal, wastewater treatment.
This is a matter to be clarified by Uisce Éireann.

4.8 Roads and Transport
It is considered that adequate carrying capacity is available on the road network to serve the proposed development, particularly in light of the public infrastructure works currently underway on a section of the L1010 which extends from Tarbert Town (and the National Road network) to the proposed development lands. Subject to the mitigation measures being implemented and the further conditions recommended by KCC being adhered to including the payment of a special development contribution to cover the cost of the upgrade works which would benefit the proposed development, it is considered that the proposed development would not have a significant impact on traffic safety or general infrastructure in the area.

4.9 Residential impact
The proposed development is located c300m from the nearest residential dwelling, Ralappane House. Other residential properties are located along the Coast Road and, as such any views from same would be at a distance and not significant. Temporary disturbance would occur during the construction phase of the project. It is noted that mitigation measures have been outlined in this regard. It is considered that the proposed development is not likely to have significant residual residential amenity impacts.

4.10 Flood Risk Management
Regarding the flood risk assessment associated with the proposed development and other documentation submitted it is considered that the proposal would have a negligible impact in terms of flood risk. It is noted that the design and approval of the proposed new culverts at the crossings of the existing watercourses will require Section 50 licences from the OPW.

4.11 Landscape (and seascape) and visual impact assessment
Landscape status is as set out in section 3.5.2. The proposed site is located on pasture lands located on the southern banks of the Shannon Estuary. The character of the site and the surrounding landscape is that of rolling agricultural pastureland in a coastal location. The site is mostly visible from the estuary itself, from County Clare on the northern side of the estuary and from the west on the Co. Kerry side of the Estuary. The site is not readily visible from the south or east. Large industrial developments are not out of character along the Shannon Estuary. Tarbert Power Plant in Co Kerry, Moneypoint in Co Clare, Aughinish in Co Limerick are all accepted parts of the landscape. Ships using the Shannon Estuary are also part of the landscape / seascape and provide visual interest. Landscaping and site restoration proposals have been submitted as part of the application and are noted.

The proposed power plant would be constructed on a Platform at 18m OD (Ordnance Datum). It is noted that this is 8m OD higher than the platform permitted for the CHP plant on site. The highest venting stack proposed would be 53 OD as compared to the permitted 70 OD stack. The highest stack forms part of the proposed Heat Recovery Steam Generator (HRSG) and would be 35 m above finished ground level.

As referenced in Section 3.5.2, the proposed site is zoned C2.2 for general industry in the County Development Plan and is not designated as an area of special amenity. In general, the proposed development would only be visible from a distance or from the estuary. Scenic routes or views and prospects would not be significantly impacted. The proposal as viewed from the protected view to the west is shown on photomontage no. 8. As outlined, industrial development is located at other locations along the Estuary and has long been zoned for industrial development. Therefore, notwithstanding the rural nature of the site, it is considered that the proposed development would not constitute an incongruous feature in the landscape and would conform with the land use zoning for the site.

5. EIAR / NIS Observations
The Bord may wish to take the following observations on the submitted Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) into consideration:

General Observations
As outlined in the application submitted, the Lower River Shannon SAC and the River Shannon & River Fergus Estuaries SPA are the most likely nature conservation sites to be impacted. These are amongst the largest European Sites in the Country. It is noted that a substantial amount of specialist studies has been undertaken and scientific data collated for the development site and the surrounding, as part of this application and as part of previously undertaken studies. This increases the scientific certainty of conclusions reached.

Emissions from natural gas-fired plant include Nitrogen Oxides. Within this context it is noted and considered appropriate that Moanveanlagh Bog SAC and Tullaher Lough and Bog SAC

have been included in the EIAR air quality assessments as sensitive receptors and that these considerations also form part of the AA Screening / NIS submitted.

The boundaries of some proposed Natural Heritage Areas in the area overlap those of Natura 2000 site designations. Where this occurs the pNHA scientific interests may be wider than the qualifying interests of the Natura 2000 sites.

In relation to the proposed outfall, is noted that the application outlines that '*the cliff face is proposed to be armoured with rock to prevent erosion and maintain the integrity of the foreshore'*. The impact of same should be assessed, including in relation to any deflected energy / coastal erosion / habitat loss.

It is noted that a construction laydown area has been indicated including on Figure F2.4 in Volume 3, Section 2 of the EIAR submitted and that this has been taken into account as part of the environmental assessments undertaken. It is noted that detailed ecological assessments have been undertaken of structures proposed to be demolished and of lighting proposals.

5.1 Site selection and Consideration of Alternatives

Overview

The proposal outlines how power demand in Ireland has increased significantly in recent years and how generation capacity has not kept pace. The need for dispatchable power is required to mitigate for aging conventions power plants and the increase in non-dispatchable renewable generation. The need for natural gas is required to increase security of supply. The national and international supply and demand contexts are outlined. The EIAR outlines that natural gas is the only realistic major energy source currently available to back-up and support the growth of renewable generation while maintaining security of supply.

Alternatives with regard to site selection, designs and layouts are clearly set out the EIAR. As part of this, the preference for the proposed multi-shaft combined cycle configuration over a combined Heat and Power Plant (CHP), as is currently permitted on site is outlined.

The EIAR stresses the ability of the Power Plant to operate at a 50% blend of hydrogen by design.

5.2 Energy and Planning Policy

This chapter is clearly set out. With regards Climate Change, Chapter 15 of the EIAR 'Climate' outlines:-

- As the use of coal and peat for electricity generation is reduced, natural gas has been identified as a relatively lower-carbon option to provide security of supply.
- After an operational life of 25.5 years (to 2050), the Proposed Development may be transitioned from a natural gas to a hydrogen-powered facility subject to technology availability and feasibility and approval from planning authorities.
- The National Energy and Climate Plan 2021-2030 recognises that that if Ireland is to meet its ambitious renewable energy target of 80% by 2030, then natural gas has a key role to play in providing a contribution to the energy mix for heat and transportation and as a back up to variable renewable power generation.

- The Proposed Development will result in direct emissions from the combustion of fossil fuel, this is seen as necessary if the overall impact of electricity generation on the climate is to be reduced through the introduction of higher renewable generation capacity.
- At Construction stage, there would be unavoidable GHG emissions resulting from the construction phase of the Proposed Development as materials, energy and fuel use, and transport would be required. However, with embedded mitigation measures their effects have been assessed as minor adverse.
- At Operational Phase, there would be unavoidable GHG emissions resulting from the operational phase of the Proposed Development as materials, energy and fuel use, and transport would be required. The fuel consumption associated with the operating of the Power Plant would contribute the majority of the operational phase emissions. Operational emissions have been assessed as major adverse
- For Ireland to meet its 2030 target for 80% of electricity generation from renewable energy the remaining 20% will predominantly have to be met from natural gas-powered generation.
- As the use of coal and peat for electricity generation will cease by 2025 under the 2024 Climate Action Plan, natural gas has been identified in the Climate Action Plan, and the National Energy and Climate Plan, as the only remaining dispatchable power source capable of providing significant security of electricity supply when wind sources are insufficient
- The Proposed Development will diversify the supply of electricity to the Irish market. It does not in itself increase demand for natural gas or electricity.

5.3 Climate observations

Natural gas has been identified as a "transition fuel" in the goal of decarbonising the energy sector. It is considered that if the ambitious government targets of achieving 80% of energy resource from renewables, there will still be a substantial amount required from non-renewables (20%). Wind energy will not be in a position to supply 100% of energy requirements 100% of the time, and an alternative back up will be required when wind energy is not available (natural gas, bio-gas, bio-fuels, hydrogen, wave energy etc).

It is considered that the proposal would play a positive role in ensuring security of energy supply and be supportive of renewable energy expansion within the foreseeable future and up to 2050. As gas is a fossil fuel, which is not renewable and a contributor to greenhouse emissions, it is considered that the future use of unabated fossil gas post 2050 would not be compatible with current national targets regarding greenhouse emissions. The proposal outlines that the power plant is capable of transitioning to burning a blend of hydrogen. This is an advantage of new infrastructure and is welcomed.

Regarding the well-to-tank emissions calculation methodology outlined in 15.8.1.2 of the EIAR. The Bord should satisfy itself as to the appropriateness of same.

5.4 Land and Soils

Chapter 5 of the EIAR outlines that the proposed site is a greenfield site and requires excavation and regrading of approximately 475,000m3 of overburden soils and rock. Importation of approx. 26,000 tonnes of aggregates is also envisaged. Of the 35,000m3 of topsoil excavated,

13,745m3 is expected to be used as backfill and the remaining 21,255m3 to cover lay down areas, landscaping and berms.

Quarry material should be sourced from an authorised location.

5.5 Water

The reports submitted outline that the likelihood of large-scale hydrocarbon spills is considered to be low and that pollution mitigation and response protocols are outlined to address any such occurrence. It is noted and accepted that the receiving waters of the estuary are naturally turbid. Notwithstanding this, it is noted that sediment control measures are provided for. It is further noted that a discharge license will be required as part of the operational stage.

It is noted that the Ralappane Stream was previously surveyed in 2006 as part of the LNG proposal environmental assessments. As part of this quantitative electrofishing was undertaken. Overall fish numbers recorded were low as would be expected for a watercourse of this limited size and no salmonids or lamprey were recorded.

The NIS outlines that no significant decline in Otter habitat or prey availability is considered likely. The NIS addresses potential for impact on Dolphin within S3.4 of the NIS. As part of this it is outlined that dolphin are accustomed to the naturally turbid nature of the Shannon Estuary. Noise, visual and vibration disturbance aspects are addressed in S3.4.2 of the NIS, with underwater noise addressed in S3.4.3. Operational stage discharges are addressed in S3.4.5. The conclusions outlined are considered reasonable.

The intertidal habitats encountered as part of the 2024 intertidal survey were noted to be '*typical of cobbly rocky shores in Ireland being dominated by Pelvetia canaliculata, Fucus sp. and Ascophyllum nodosum. No rare, protected or unusual species were observed, and no changes were observed compared to previous surveys undertaken in previous years'*. Loss of Annex I habitat (associated with the provision of the trench outfall) estuaries habitat is estimated to be 100m2 while the loss of reef habitat is estimated to be 65m2. S3.4.4 of the NIS outlines that the loss of Annex I habitats relative to the total area of the habitats in the Lower River Shannon SAC is negligible and will not give rise to negative impacts to the structure or functioning of the habitats. Having regard to the extent of habitat loss relative to the extent remaining this conclusion seems reasonable.

5.6 Biodiversity

It is noted that the boundaries of the River Shannon & River Fergus Estuaries SPA have been extended since the LNG terminal was permitted at this location and that this has been taken into account as part of the application. As part of this, it is noted that there are no significant population of SCI bird species in the vicinity of the proposed development site - influenced by the limited intertidal foraging habitat at this location. Red-throated Diver Great Northern Diver and Sandwich Tern were previously recorded in the inshore waters bordering the proposed site and this was taken into account as part of the assessments.

It is noted that the most comprehensive waterbird survey ever undertaken for the Shannon Estuary in 2017/2018 has been referenced in the EIAR submitted. That study undertaken commissioned by the SIFP partnership, assessed waterfowl numbers, usage and distribution on the River Shannon and the River Fergus Estuaries, with particular reference to the identified Strategic Development Zones.

As per the 2021 application, it is noted that the majority of the site is characterised by improved agricultural grassland and to a lesser extent, a mosaic of improved agricultural grassland and wet grassland. The application outlines that scrub, a habitat of local (higher level) importance is encroaching from field margins. The habitats which supporting bird species such as meadow pipit and snipe were determined to be of low value for foraging Hen Harrier and unsuitable for breeding Curlew. The 2021 EAIR outlined that red listed Curlew and Snipe, were recorded feeding in the agricultural wet grassland within and adjoining the development site in the winter months. S.7B.4.5.2 of the current EIAR provides greater context and discussion on same, noting that Curlew were recorded in wet grassland habitats adjacent to Ralappane point to the west and outside of the Proposed Development site and outlines that the terrestrial habitats of value for Curlew are outside the site boundary. While there was some variation between results from the 2019/2020 and 2023 surveys, the species assemblages recorded were noted to be broadly similar. A total of 42 bird species were recorded during the 2021 to 2023 estuarine bird surveys. No species were recorded in nationally important numbers. The report outlines that *there is no evidence that the terrestrial habitats within the Proposed Development site boundary are regularly used as high tides roosts or terrestrial foraging sites.* The Breeding Bird Survey Report 2023 concluded that the proposed development site is of moderate value for breeding birds, which is considered reasonable.

The application outlines that sand martin forage but do not breed within the site. An abandoned Sand Martin colony was found along the coast west of the proposed site. Given the location of sedimentary cliffs within the site and surrounding area, possible sand martin breeding activity should be reviewed prior to the commencement to development, particularly given the 10-year nature of the permission being sought.

It is noted and welcomed that no terrestrial land take of Natura 2000 sites would occur as a result of this proposal. It is noted that the sedimentary cliffs located along the estuary and within the proposed site were not found to be an example of the Annex I habitat vegetated sea cliffs of the Atlantic and Baltic coasts 1230).

As expected, badger use on site was found and given the proximity of water, a level of Otter use can also be expected. These matters are addressed in the reports submitted.
Details of the landscaping plan for the Proposed Development are included, including within Figure F2.4 in Section 2 of Volume 3 of the EIAR submitted. While the details could have been set out more clearly set out, the proposals provide for areas of native woodland and native scrub habitat as well as native wildflower planting. It has also been indicated that it is proposed to retain existing vegetation +/- 5-10m either side of the (Ralappane) Stream (with the exception of where the proposed crossing is to be located).

Map 6: Landscaping proposals as per Figure F2.4 in Volume 3, Section 2 of the EIAR submitted

As part of the proposed landscaping, it is noted that a band of trees is proposed along the southern site boundary. It is considered that this along with the protection of the Ralappane stream, adequately addresses the requirements of Section 11.2.6 of the Kerry County Development Plan 2022-2028, which outlines the following with regard to green and blue infrastructure and ecological corridors: '*Given the extent of the Tarbert Ballylongford landbank and its location relative to areas of nature conservation value, it is of particular importance that ecological connectivity at a landscape level is taken into account as part of development proposals for this area'.*

The proposed development would benefit from the creation of additional features of local biodiversity value as supported in the Kerry CDP 2022. It is considered that this can be addressed by way of condition. It is unclear where the landscape berm shown on Figure F2.4 in Volume 3, Section 2 of the EIAR submitted, is proposed to be located. Such a berm would be of additional biodiversity value.

5.7 Air Quality, Noise and Human Health

The assessment would benefit from the undertaking of some element of baseline air quality monitoring at and in the vicinity of the application site.

An Bord Pleanála should be satisfied that the noise assessment undertaken addresses the issue of low-frequency noise potentially arising and its impact on human beings and the wider environment and that all all potentially harmful emissions associated with the proposal are included in the assessment.

5.8 Landscape and Visual Impact

It is noted that the landscape assessment incorporates a seascape assessment and has also taken into account potential for impact after dark. The bord should also consider whether further information is required regarding plume visual impact assessment. Landscaping proposals and species selection should take account of the site's coastal location.

5.9 Cultural Heritage

The submitted EIAR Chapter 12 deals with Cultural Heritage including archaeology and pulls together the previous archaeological studies, surveys and archaeological testing that has been

carried out on the site over the years and which has identified a rich variety of features and deposits of archaeological interest.

In general terms the EIAR assesses the likely archaeological impacts based on the available information. The rating system used to value 'heritage assets' (Table 12-2) is itself of questionable value and there would be particular issues with the designation of identified/potential archaeological features as being of only 'local significance' (though this statement is qualified several times). In the absence of any detailed information on the true nature, extent or date of these features such a designation cannot be accepted and the significance of these features is effectively unknown.

Indeed, it should be noted that excavations on the similarly located ESB site at Kilpaddoge, 2.5km to the east, have uncovered evidence for both Mesolithic and early Neolithic settlement close to the shoreline, which would be considered of at least regional if not national significance and initially presented as similar features to those on the proposed development site.

The EIAR states that 31 areas of archaeological potential, recorded during previous archaeological testing, are located within the footprint of the proposed development. This is a significant number of areas of potential. The EIAR states that 'full resolution of all archaeological sites and areas identified during testing within the proposed development boundary will be carried out', which would be the minimum requirement.

As the report also notes, the excavated test trenches were 10m apart which in effect means that there are substantial untested areas between many of the trenches within the proposed development site and the true picture of the extent of archaeological features identified during testing has not been established. Notwithstanding the proposal to excavate of a 5m buffer area around the previously identified features, there is a strong likelihood that groups of features already identified extend further and possibly link to other groups of features within the overall site. As such, there should be a requirement to strip all the untested areas of the proposed development site, under archaeological licence, to establish the full extent of the archaeological material prior to the commencement of excavation of the already identified features. This archaeologically licensed stripping should be conducted in advance of any site works in order to properly inform any proposed mitigation/resolution measures.

Area 3 of the proposed development site is the location of the recorded monument Ke003 004, listed in the Record of Monuments & Places as a ringfort (cashel). The EIAR notes that a buffer zone will be preserved around this monument and will be fenced. However, the report also notes that a number of archaeological features were recorded within the proposed buffer zone during archaeological testing to establish the true extent of the monument. It is possible that some of these features relate to the ringfort and should be viewed as part of the overall monument.
As such, the buffer zone should be measured from the outermost of these features which it is proposed to preserve in situ. The buffer zone should be demarcated with a secure fence during construction works on the site, to prevent accidental damage, tracking of machinery, storage of materials etc. However, on completion of the construction phase this fence should be replaced with a planted boundary using native species to mitigate the visual impact of the development on the monument setting.

A management plan in relation to the medium/long term care, maintenance and management of the ringfort Ke003 004 should also be compiled and a management programme for the

monument put in place so that it does not become an overgrown area of back land on the boundary of the development. The erection of an information panel at the location should also be considered and could be used to outline the archaeological history of the development site as well as provide information on the monument itself.
The EIAR notes that a new marine geophysical survey was carried out in February 2024 and that, while it failed to relocate an anomaly identified in an earlier survey in 2007, it did identify an anomaly (A8) which is interpreted as a potential archaeological feature. The report notes the feature will not be impacted directly and is located 390m from the proposed outfall pipe. A 50m buffer zone around this anomaly is proposed and should be implemented.

With respect to Protected Structure in the vicinity, the EIAR outlines the methodology used to assess the impact on the character and setting of the development on curtilage and attendant grounds. It concludes "the terrain within the footprint of the Site slopes downhill to the north and the shoreline. A small concrete structure with flat roof and wide aperture opening looking seawards (Searchlight 1) is located adjacent to the north-east extent of the Site and outside the red line boundary. The Protected Structure is located just outside the Site boundary and will not be physically impacted by the Proposed Development. Similarly, other remains of the associated Fort Shannon Coast Defence Artillery installation are present to the east of the Proposed Development."

It also outlines cultural heritage assets "will not be physically impacted by the Proposed Development, there is the possibility of negative impact to the setting of the designated assets by noise, dust and vibration from construction related traffic which could diminish the importance of these assets [and also states] the Proposed Development will be clearly visible from the Lookout Post / Searchlight Emplacement especially the adjacent security fence and the power station building which will be the largest structure within the area.

Appendix A12.2: Protected Structures. This section does not refer to the broader military landscape associated with the Fort Shannon complex.

Note: Section 12.5.7 of the EIAR refers to planned landscapes and highlights Sallowglen. The report notes in error that none of the architectural features are extant. Furthermore, the avenues and approach have remained since the second edition OS period.

The extent of the development associated with the military embankment at Fort Shannon is evident on Map 4 (Conservation Report Appendix C) which provides documentary evidence as to the nature and extent of the military designed landscape at the location. Although outside the red line of the proposed development site, it is nonetheless considered appropriate that the character and setting of this protected structure forms part of the overall planning assessment.

The visual impact of the treatment of the eastern boundary of the proposed site, particularly in terms of character and setting of RPS-KY-0887, should respect the proximity of the protected structure and its position should ensure no negative impact on the character, setting or fabric of the structure or indeed, elements within its curtilage.

It is noted that the EIAR states that "the setting of Ralapane House (RPS KY 003-001) may be temporarily impacted by noise, dust and vibration from the construction works but these will cease as the Proposed Development is completed. The change to setting will be such that the special interests or qualities of the house are slightly affected without a noticeable change". Section 12.6.1 of the EIAR also states "there is the possibility that it [the WWII structure] could

be accidentally impacted during construction works". The issue of impact to the structure arising during, and post construction, should be managed to ensure no negative impact on the fabric and setting of the structure.

5.10 Major Accidents and Disasters

The main risk of a major accident or disaster is identified as fire risk. The application outlines that the proposed development, through its training regime, will ensure every employee is aware of his/ her responsibility to work safely, adhere to safety rules and work procedures, use safety equipment provided, is environmentally responsible, and play an active role in the Proposed Development's drive for continual improvement in health, safety and environmental (HSE) performance. It is further noted that the application outlines that pre-operational training and regular refresher courses, using simulators, will be undertaken, involving all relevant parties, including SFPA, KCC's Fire Department and the Proposed Development employees. In this regard the report of the Authority should be taken into account, as appropriate. This is included in Appendix C.

5.11 Mitigation measures

It is noted that the project has been designed having regard to the hierarchy of mitigation measures i.e first avoidance so as to prevent significant impacts from happening in the first place and then reduction of impact i.e. reducing the magnitude and/or likelihood of an impact. This approach is considered to be appropriate.

Mitigation measures for the proposal are outlined including within S3.6 of the NIS. The format provided, while not mirroring the example provided in S3.2.4 of the EU guidance document (EC Commission Notice 2021/C 437/01 'Assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC'), is considered to be compatible with same and the measures outlined do target impacts identified earlier in the appropriate assessment.

5.12 Other

Matters of relevance contained in the Planning Assessment Report should also be taken into account, where relevant.

6 Conclusion

While Government policy recognises the need to transition to a zero-carbon economy by 2050, it also recognises that the realisation of renewable energy resources to achieve this target will involve a transitionary period. These policy matters and their relevance to the assessment of the project are a matter for the Bord.

The planning application is supported by comprehensive information including mitigation measures by means of the Environmental Impact Assessment Report and Natura Impact Statement. The environmental studies and assessments completed including the mitigation measures proposed demonstrate that the development would not have a significant effect on the environment or on the residential amenity of the area. However, the Planning Authority has

included in section 5 a number of observations on the submitted EIAR and NIS that the Bord may wish to take into consideration.

The roads, water and in particular the energy infrastructure serving and adjacent to the application site is adequate to cater for the proposed development.

The proposed development accords with National and Regional policy as set out in the National Planning Framework and the Regional and Spatial Economic Strategy for the Southern Region. The proposed development aligns with the goals and objectives of the Kerry County Council Local Authority Climate Action Plan 2024-2029 and is consistent with the land use zoning and objectives contained in Kerry County Development Plan and the Listowel Municipal District Local Area Plan and is in accordance with the proper planning and sustainable development of County Kerry and the Shannon Estuary.

7. Matters to consider in relation to any decision.
Kerry County Council requests An Bord Pleanála to consider the following items in making a decision on this application.

7.1 General

(i) All environmental mitigation measures as set out in the information submitted in support of the application, including within the EIAR and the NIS shall be fully implemented, except as may be otherwise required or specified by way of condition.

Reason: In the interests of clarity and the proper planning and sustainable development of the area.

7.2 Construction Management Plan

(i) The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall include all environmental and ecological measures arising from reports submitted with the planning application and shall provide details of intended construction practice for the development, including:
(a) The location of the site and materials compound(s) including area(s) identified for the storage of construction refuse.
(b) The location of areas for construction site offices and staff facilities.
(c) Details of boundary treatment, site security fencing and hoardings.
(d) Details of on-site car parking facilities for site workers during the course of construction.
(e) Proposals to minimise impact and to prevent any accidental damage to structures within Fort Shannon on adjoining lands to the east and along the eastern site boundary.
Reason: In the interest of clarity, heritage protection, amenities, public health and safety and the proper planning and sustainable development of the area.

7.3 Water Services

(i) Prior to the commencement of development, the developer shall enter into water connection agreement(s) with Irish Water

7.4 Roads and Transportation

(i) Public infrastructure works comprising the L1010 Coast Road Improvement Scheme from Tarbert Town to the proposed development lands at Kilcolgan Lower will be required to be completed prior to the commencement of the main construction elements of the proposed development. This shall not preclude the undertaking of site preparation and earthworks contemporaneously with the upgrading of the L1010 coast road. The precise extent of works, which may be carried out prior to the completion of the public infrastructure works, shall be submitted to and agreed in writing with the planning authority, prior to commencement of development and in default of agreement, shall be determined by An Bord Pleanála.

(ii) Prior to commencement of development, the developer shall submit and agree in writing with the planning authority a detailed traffic management plan. This management plan shall include restrictions on traffic movements at Tarbert Comprehensive School, which shall prohibit the movement of heavy goods vehicle traffic associated with the construction of the terminal for a minimum period of 20 minutes before and ten minutes after the opening and closing times of the school. It shall also include the staggering of various shift start and finish times.

(iii) The splayed entrance and the area between the entrance and the public road shall not interfere with roadside drainage which shall be maintained, repaired or made good by providing a dished water channel constructed of concrete or piped culvert.

(iv) The splayed entrance shall not cause surface water or seepage water to flow onto the road surface. No water from the proposed development shall be allowed to flow onto the public road.

(v) The applicant shall make good any damage to the public road or existing drainage that may result from the proposed development to the satisfaction of the planning authority.

(vi) The applicant shall provide sightlines of 160m in both directions of the proposed site access road from a point 3.0m back along the centreline of the direct access measured from the line of the nearside edge of the paved surface.

(vii) A "dwell" area of at least 10m shall be provided at access roads immediately adjacent to the public road. The gradient for the dwell area shall lie between plus and minus 2.5%.

(viii) Pre and post construction phase surveys of the public road network identified and agreed with the planning authority, to be used as haul routes, shall be carried out by the applicant.

(ix) Pre and post construction phase principal Inspections of structures and culverts within the road network shall be undertaken at locations to be agreed with the planning authority in advance.

(x) Abnormal Load licences shall be secured by the developer in advance, if required, for the transportation components, units and materials. Consultation with the Road Authority, An Garda Siochana and all necessary stakeholders shall be carried out by the developer in advance of transportation of abnormal loads.

(xi) Any required alterations to the road network for the transportation of components, units and/or materials of shall be agreed in advance with the planning authority and reinstated thereafter to the satisfaction of planning authority. Any temporary alterations to utilities shall be agreed with the appropriate utility provider in advance by the developer. Any land acquisition or temporary access to lands required for the conveyance of abnormal loads or materials will be incumbent on the applicant to agree with the appropriate landowner. A schedule of alterations to the road network including but not limited to signage, street furniture and vegetation shall be agreed in advance with the planning authority.

(xii) Pre and post construction phase surveys shall be undertaken by the developer of landowner's boundaries including but not limited to walls, fences, ditches, vegetation and house front curtilage in advance of transportation of abnormal loads and/or haulage of materials.

(xiii) Traffic Management arrangements for the works shall be in accordance Chapter 8 of the 'Traffic Signs Manual'.

(xiv) Adequate provision must be made within the site for storage of materials, marshalling of incoming and outgoing deliveries and on-site parking of staff involved in the construction phase of the works.

(xv) All vehicles traversing unpaved areas of the construction site shall pass through wheel wash facilities with rumble grids prior to exiting the site and accessing the public road network. These facilities shall be located inside all exits from the site. All vehicles leaving the site shall be monitored to ensure that the public road is kept free of mud and debris.

Any works or excavation on the public road network will be subject to a Road Opening Licence.

Reason: In the interest of road safety, orderly development and the proper planning and sustainable development of the area.

7.5 Environmental Protection

(i) All environmental mitigation measures as set out in the information submitted in support of the application shall be fully implemented, except as may be otherwise required or specified by way of condition.

(ii) The developer shall appoint a full-time, appropriately qualified environmental manager for the duration of the construction and development phases of the project. This person will be responsible for ensuring that all environmental control measures are fully implemented and maintained, and will also act as the point of contact with the Planning Authority in the event of any environmental difficulties arising with the project. Contact details of the person in question shall be provided to the Planning Authority prior to any works commencing on-site.

(iii) In advance of any works commencing on-site the developer shall prepare and submit a Construction Environmental Management Plan (CEMP) for approval by the Planning Authority. The CEMP shall cover all relevant environmental issues potentially associated with the development phase of the project, including air quality, noise control, water management, waste management etc.

(iv) Noise generated from activities carried out within the development to which this permission relates shall not give rise to public noise nuisance beyond the facility boundaries.

(v) During the course of the construction phase of the project, the developer shall develop and implement a noise and vibration monitoring programme to determine compliance with the relevant noise criteria. The detail of the programme shall be agreed with the Planning Authority in advance of any works commencing on-site.

(vi) The applicant shall arrange the carrying out of a noise and vibration monitoring survey on an annual basis. The Planning Authority reserves the right to nominate the location(s) at which the annual exercise is to be undertaken. The results of the annual survey shall be retained at the facility and made available to the Planning Authority on request. Upon review of any of the monitoring results, the Planning Authority reserves the right to alter the frequency and scope of the said monitoring programme. The applicant shall be liable for all costs associated with the said monitoring programme.

(vii) In the event of complaints being received regarding alleged noise nuisance from the development to which this permission relates and, upon investigation by the Planning Authority, such complaints are found to be justifiable the applicant shall, upon written receipt of notification from the Planning Authority, retain the services of an acoustic specialist to establish the cause of the noise nuisance and the remediation measures required in order to abate said nuisance. The applicant shall ensure that all such measures are fully implemented and shall be liable for all costs incurred therein.

(viii) All operations undertaken within the development to which this permission relates shall be carried out in a manner such that air emissions and/or odours do not result in significant impairment of, or significant interference with amenities or the environment beyond the site boundary and/or at sensitive locations.

(ix) Dust suppression equipment must be available at all times to minimize the risk of excess dust generation during the construction phase of the project.

(x) During the construction and development phase of the project, total dust deposition (soluble and insoluble) levels shall not exceed the following limits at the site boundaries: 350 mg/m2/day (when averaged over a 30-day period).

(xi) During the construction and development phase of the project, the facility shall be provided with a suitable wheel-wash. The wheel-wash shall be maintained on an on-going basis.

(xii) If required by the Planning Authority, the applicant shall retain the services of a competent person(s) to undertake air quality monitoring at the facility. The scope of same shall be agreed in advance with the Planning Authority. A report shall be furnished to the Planning Authority as soon as practical after the monitoring is carried out. The applicant will be liable for all costs associated with this monitoring.

(xiii) In the event of complaints being received regarding alleged odour nuisance from the development to which this permission relates and, upon investigation by the Planning Authority, such complaints are found to be justifiable the applicant shall, upon written receipt of notification from the Planning Authority, retain the services of an odour specialist to establish the cause of the odour nuisance and the remediation measures required in order to abate said nuisance. The applicant shall ensure that all such measures are fully implemented and shall be liable for all costs incurred therein.

(xiv) The applicant shall install and maintain in a prominent location on the site a wind sock or other wind direction indicator, which shall be visible from the public roadway outside the site.

(xv) The developer shall prepare and implement a site-specific water management plan, to include detailed drawings of adequate scale, for each development phase of the project. The plan shall provide specific details of the measures which are to be implemented on-site in relation to (a) sediment and erosion control, and (b) the management of any other potentially polluting substances. The plan shall be developed taking account of all relevant guidance and standards and shall be submitted to the planning authority in advance of any works commencing on-site.

(xvi) The developer shall retain the services of a competent environment consultant to carry out both freshwater and marine water biological monitoring prior to and after the construction phase of the proposed development. A proposed plan for the monitoring programme shall be submitted to the Planning Authority for agreement prior to the commencement of any works on-site and the results of all such monitoring shall be submitted to the planning authority upon completion.

(xvii) No silt/sediment laden water shall be discharged from the development to any watercourse in the vicinity of the site. In this regard, during the development phase of the project, a suitable system for the collection and treatment of any sediment/siltation

arising shall be installed on-site and maintained thereafter for the duration of the development works.

(xviii) Bunds shall be installed around all temporary oil-containment facilities and the developer shall ensure that no oil, grease or other objectionable matter is discharged into any drain or watercourse.

(xix) All tank and drum storage areas shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:

- 110% of the capacity of the largest tank or drum within the bunded area; or
- 25% of the total volume of substance which could be stored within the bunded area.
- All inlets, outlets, vent pipes, valves and gauges must be within the bunded area.
- All drainage from bunded areas shall be treated as contaminated unless it can be demonstrated to be otherwise. All drainage from bunded areas shall be diverted for collection and safe disposal, unless it can be deemed uncontaminated.
- All tanks, containers and drums shall be labelled to clearly indicate their contents.

(xx) The developer shall install and maintain a Class 1 bypass oil separator system on the storm water discharge from the impermeable areas at the facility. The separator shall be in accordance with I.S. EN-858 (Separator systems for light liquids).

(xxi) The applicant shall enter into a maintenance contract with a suitably qualified and authorized entity for the on-going maintenance of the oil-separator system. The contract shall be maintained on an on-going basis and the applicant shall maintain records of same.

(xxii) Prior to the commencement of works on-site, the developer shall arrange preparation of an Oil and Hazardous & Noxious Substances (HNS) Spill Contingency Plan for the facility and all relevant activities associated with the facility. The plan shall be prepared in accordance with the requirements of the National Maritime Oil/HNS Contingency Plan and the relevant guidance referenced therein, including Standard Operating Procedure 05-2020.

(xxiii) A suitably stocked spill-kit, to include an adequate supply of absorbent materials, shall be retained at the facility to ensure the appropriate containment and management of any spill potentially occurring at the facility. All facility personnel should be made aware of the location and proper use of this material.

(xxiv) The development shall be provided with an on-site wastewater treatment system in accordance with the Environmental Protection Agency Code of Practice "Domestic Wastewater Treatment Systems (Population Equivalent < 10)", as outlined in the plans and particulars received by the Planning Authority.

(xxv) Within one month of commissioning of the wastewater treatment system, the applicant/developer shall submit a certificate {this shall include relevant photographs and as constructed records of the installation} from a suitably qualified person, the holder of up-to-date professional indemnity insurance, stating that the on-site wastewater treatment system has been installed in accordance with –

- The terms of the planning permission;
- The Environmental Protection Agency Code of Practice "Domestic Wastewater Treatment Systems (Population Equivalent < 10)".

A copy of the insurance certificate confirming that the qualified person referred to above held up-to-date professional indemnity insurance at the time of preparation of the installation certificate shall be submitted along with the certificate.

(xxvi) Prior to the commencement of any works on-site, the applicant shall carry out a detailed survey of the structures due for demolition in order to identify the potential presence of any asbestos containing material or other potentially hazardous materials. A report on

the findings of the survey, along with any recommendations arising therefrom, shall be submitted to the Planning Authority.

(xxvii) Prior to the commencement of the development, the developer or any agent acting on its behalf shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP) as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021), including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to the how the RWMP will be measured and monitored for effectiveness. These details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the Planning Authority for written agreement prior to the commencement of the development and, once agreed, shall be fully implemented unless otherwise agreed with or directed by the Planning Authority. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

(xxviii) The development shall be provided with suitable waste storage facilities. The storage facilities shall provide adequate capacity for the proper storage and appropriate segregation of all wastes arising from the proposed development, in such as manner as to avoid any potential risk of environmental pollution.

(xxix) The lighting scheme for the proposed facility shall be the minimum required for operational, safety and security purposes. A detailed lighting plan shall be developed prior to the commencement of any works on-site for agreement with the Planning Authority.

7.6 Biodiversity

(i) Pre-construction sand martin and otter surveys shall be undertaken in line with best practice, the result of which shall be submitted to the planning authority for file purposes.

(ii) An operational stage biodiversity management plan for the site shall be developed by a suitably qualified individual and agreed in writing with the planning authority prior to the commencement of the powerplant operations. As part of this, opportunities for bird / sand martin nesting, pollinator friendly grasslands and freshwater aquatic interest and riparian habitat enhancement measures shall be considered.

Reason: In the interests of biodiversity and the proper planning and sustainable development of the area.

7.7 Conservation related

(i) An analysis of the historic designed military landscape should be carried out prior to commencement of development to inform mitigation in respect of undiscovered structures, tunnels, features, that may be impacted by the development.

(ii) The security fencing on the eastern side of the proposed development shall be setback from the existing structures associated with Fort Shannon. These include Searchlight 2, an underground bunker and Pillbox 5 and any security fencing should be planted with native species associated with the site and maintained to form a feature of the development. Details of same to be submitted to the Planning Authority for written agreement prior to commencement of the construction phase of the development.

(iii) The vegetation surrounding pill box 6 shall be carefully removed and the pill box shall be photographed and surveyed prior to demolition and a colour annotated photographic survey shall be submitted to the planning authority prior to commencement of the construction phase of the development.

(iv) Mitigation proposals to minimise the impact of construction should be considered for Ralappane House and for the military complex. The construction management plan should include proposals to minimise impact and to prevent any accidental damage to structures within the curtilage of the protected structure at Fort Shannon.

7.8 Archaeology related

(i) All topsoil within untested areas of the proposed development site should be stripped under licence and any identified archaeological features and strata mapped so as to provide a detailed picture of the archaeology on the site. This work should be carried out prior to the excavation of the already identified archaeological features in order to properly inform any mitigation and/or excavation methodology for the site. All ground disturbance on the foreshore (outfall pipe) should also be archaeologically monitored under licence. A report on the results of this controlled stripping and the monitoring should be submitted to the planning authority on completion

(ii) All the archaeological/potential archaeological features and strata identified during previous surveys and archaeological testing and any additional features identified during the course of the stripping of the untested areas should be fully excavated, under licence from the National Monuments Service and a report submitted to the planning authority on completion. These excavations should be completed prior to the commencement of construction works on the site.

(iii) The EIAR states that a 30m buffer zone around the recorded monument Ke003 004 will be part of 'embedded mitigation for the project. This buffer zone should be measured from the outermost of the features identified during archaeological testing or the outermost element of the recorded ringfort based either on the archaeological investigations or the map representations of the monument, whichever is the outermost feature. The buffer zone should be securely fenced during construction and following completion of the works this fence should be replaced with a planted boundary using native species.

(iv) Given the proposed preservation in situ of the location of the recorded monument Ke003 004 a management plan for the monument should be compiled and recommendations for the medium/long term care and maintenance of the monument should form the basis for an on-going management programme. As part of this plan the erection of an information board at the location should be considered. The board could outline the range and significance of the archaeological material found on the development site as well as providing information of the recorded monument.

(v) A 50m buffer zone around the underwater anomaly A8 should be implemented, as proposed.

7.9 Visual amenity

(i) Details of the material, colours and textures of all external finishes to the proposed buildings and structures shall be as submitted with the application, unless otherwise agreed in writing with the planning authority prior to the commencement of development.

7.10 Development levies

(i) The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution

Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

(ii) The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2)(c) of the Planning and Development Act 2000 in respect of

- Upgrading and widening the L1010 coast road to the standard required to facilitate the project. This will take account of works completed to date on the L1010 to facilitate undergrounding of Electrical Services and connection to the substation.
- Upgrading footpaths and the road surface of Bridewell Street, Tarbert and the development of an off-street car park to facilitate proposed traffic management and parking control measures.
- Improvements at the junction of the R551 and L1010 to accommodate the projected traffic volumes travelling along the Coast Road.

The value of the contribution outlined shall be agreed in writing, with the Planning Authority prior to commencement of construction of the development

7.11 Bond and allied matters

(i) Prior to commencement of the development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security in a sum to be agreed with the planning authority, to secure the reinstatement of public roads that may be damaged by the transport of materials and/or used as haul routes for construction to the development site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and quantum of the security shall be agreed between the planning authority and the developer in advance of commencement of the development.

(ii) Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site on cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Signed:

_____

Paul Neary
Actg. Director of Services / Oifig Stiúrthóir Seirbhísí,
Planning, Environment & Emergency Management/Pleanáil, Comhshaol & Bainistíocht Éigeandála

Date: 10th July 2024

Appendix A – Legislative Requirements as set out in S37 of the Planning and Development Act 2000, as amended.

(4) The planning authority for the area (or, as the case may be, each planning authority for the areas) in which the proposed development would be situated shall, within 10 weeks from the making of the application to the Board under this section (or such longer period as may be specified by the Board), prepare and submit to the Board a report setting out the views of the authority on the effects of the proposed development on the environment and the proper planning and sustainable development of the area of the authority, having regard in particular to the matters specified in *section 34(2)* .

(5) The F323 **[** chief executive **]** of a planning authority shall, before submitting any report in relation to a proposed development to the Board under *subsection (4)* , submit the report to the members of the authority and seek the views of the members on the proposed development.

(6) The members of the planning authority may, by resolution, decide to attach recommendations specified in the resolution to the report of the authority; where the members so decide those recommendations (together with the meetings administrator ' s record) shall be attached to the report submitted to the Board under *subsection (4)* .

(7) In *subsection (6)* ' the meetings adminis trator ' s record ' means a record prepared by the meeting administrator (within the meaning of section 46 of the Local Government Act 2001) of the views expressed by the members on the proposed development.

(8) In addition to the report referred to in *subsection (4)* , the Board may, where it considers it necessary to do so, require the planning authority or authorities referred to in that subsection or any planning authority or authorities on whose area or areas it would have a significant effect to furnish to the Board such information in relation to the effects of the proposed development on the proper planning and sustainable development of the area concerned and on the environment as the Board may specify. **]**

Appendix B – Description of Proposed Development

Shannon Technology and Energy Park (STEP) Power Plant, herein referred to as the 'proposed development'. The proposed development the subject of this application for permission will be located within the townlands of Kilcolgan Lower and Ralappane, between Tarbert and Ballylongford, Co. Kerry and on the Shannon Estuary. The proposed development will consist of:

1. A proposed Power Plant, which will comprise 3no. turbine halls (approximately 6,175m2 each, and approximately 30.145m in height), each containing 1no. Combined Cycle Gas Turbine (CCGT). Each turbine hall will have a capacity of approximately 200MW for a total installed capacity of 600MW. Each turbine hall will comprise:

- 2no. gas turbines with generators;
- 2no. heat recovery steam generators (HRSG) with exhaust stacks exiting at approximately 35m in height;
- 1no. steam turbine with generator and exhaust duct;
- 1no. electrical equipment room;
- 1no. auxiliary control room;
- 1no. Distributed Control System (DCS) room;
- 1no. batteries room;
- 1no. standby diesel generator room;
- 1no. overhead crane;
- 1no. auxiliary transformer.

Each turbine hall will be linked via 1no. exhaust duct to 1no. Air Cooled Condenser (ACC) (approximately 2,711.9m2 each, and approximately 32.605m in height). Each Air Cooled Condenser will comprise:

- 1no. single-storey air cooled condenser (ACC) electrical Power Distribution Centre (approximately 103.7m2 and approximately 4.25m in height);
- 1no. condensate collection tank;
- 1no. single-storey condensate polishing equipment enclosure (approximately 103m2 and approximately 5.014m in height);
- 1no. single-storey ACC air extraction and equipment enclosure (approximately 196m2 and approximately 10.25m in height).

The Power Plant will also include the following ancillary structures:

- 1no. 2-storey electrical (GIS) substation building (approximately 1,096m2 and approximately 13.5m in height);
- 1no. air cooled heat exchangers structure (approximately 1,292.5m2 and approximately 10m in height), with sound retention wall;
- 1no. single-storey workshop/stores/canteen building (approximately 732m2 and approximately 8.013m in height);
- 1no. single-storey auxiliary boiler building (approximately 204m2 and approximately 13.050m in height) and exhaust stack (approximately 32m in height);
- 1no. single-storey central control operations building (approximately 318m2 and approximately 6.41m in height);
- 1no. single-storey administration building (approximately 318m2 and approximately 5.435m in height);
- 1no. single-storey water treatment building (approximately 630m2 and approximately 7.445m in height);

- 1no. single-storey firewater pumps enclosure (approximately 47m2 and approximately 7.185m in height);
- 1no. effluent sump;
- 2no. raw/service/fire water storage tanks (approximately 24.15m in height);
- 2no. demineralised water storage tanks (approximately 15.65m in height);
- 3no. generator step-up transformers (each approximately 104m2 and approximately 6.04m in height), each with a sound retention wall;
- 1no. single-storey fuel gas metering enclosure (approximately 166m2 and approximately 5.725m in height);
- 1no. single-storey fuel gas regulating enclosure (approximately 166m2 and approximately 5.725m in height);
- 1no. single-storey security building (approximately 63.8m2 and approximately 3.657m in height);
- 1no. single-storey metering & regulating area kiosk enclosure (approximately 9m2 and approximately 3m in height);
- 1no. single-storey metering & regulating area analyzer enclosure (approximately 13.2m2 and approximately 3m in height);
- 1no. single-storey metering & regulating area instrument enclosure (approximately 13.2m2 and approximately 3m in height);
- 1no. single-storey fuel oil forwarding pump building (approximately 823m2 and approximately 6.935m in height);
- 1no. centrifuge and fuel oil unloading pump building (approximately 263m2 and approximately 7.185m in height);
- 1no. fuel oil truck unloading area and shelter (approximately 304m2 and approximately 8.85m in height);
- 2no. fuel oil storage tanks (approximately 21.15m in height);
- 3no. fuel oil storage day tanks (approximately 15.65m in height); and
- 3no. flue gas heaters (approximately 307.8m2 and approximately 5.73m in height).

2. A proposed 120 megawatt hour (MWh) (1-hr) Battery Energy Storage System (BESS) (approximately 5,552.7m2 and approximately 6.296m in height), which will comprise 27no. battery containers, approximately 4.5 MWh each, containing lithium ion batteries, and ancillary power conversion system (PCS) skids, as well as:

- 1no. BESS power distribution centre (approximately 37.2m2 and approximately 4.25m in height);
- 1no. BESS step-up transformer (approximately 91.5m2 and approximately 5.7m in height); and
- 1no. BESS auxiliary transformer (approximately 25m2 and approximately 3m in height) and sound retention wall.

3. A proposed Above Ground Installation (AGI) to include:

- 2no. single-storey chromatograph buildings (approximately 14.19m2 and approximately 2.7m in height each);
- 1no. single-storey control & instrumentation building (approximately 186.7m2 and approximately 4.29m in height);
- 1no. single-storey metering building (approximately 480m2 and approximately 5.175m in height);
- 5no. single-storey boiler unit buildings (approximately 42.24m2 and approximately 8m in height each);

- 1no. single-storey regulator building (approximately 243.6m2 and approximately 5.27m in height);
- 1no. single-storey generator kiosk building (approximately 60.72m2 and approximately 3.25m in height);
- The following ancillary structures: heat exchangers; filtering; reverse flow valve arrangement; pig trap; and fuel gas let down units.

The AGI will facilitate the import of natural gas to the national gas transmission network via the already consented 26 km Shannon Pipeline (ABP Reg. Ref.
PL08.GA0003 and PL08.DA0003).

4. All ancillary structures/works, including: the demolition of a small farm complex (in ruin), to include 2no. outhouses (in ruin) and a former habitable dwelling (in ruin), a gun emplacement structure (in ruin), a well (in ruin), and a field boundary wall structure (in ruin); 2no. oil/water separators; 1no. retaining wall; 1no. firewater retention pond; utility racks; utility sleepers; 2no. crossover platforms; water supply connection; 1no. electrical grid interface building (indicative) preengineered/package biological waste water treatment system and a surface water drainage network, both of which will discharge directly to the Shannon Estuary via a discharge pipe; all car parking, including mobility and EV spaces, and cycle parking; new access off the L-1010 (Coast Road); 2no. culverts; internal roadways; pre-cast concrete bridge over the Ralappane Stream; all temporary construction works, including laydown area; all site development works, including earthworks to create a level platform at +18mOD for the main footprint of the proposed development (excluding the proposed AGI), and landscaping; security fencing and gates, including 2.9m high chain link outer site perimeter fence, a 4m high inner site security fence, internal 2.4m high palisade fencing and external 2.995m high weld mesh fencing for the AGI; CCTV cameras; telecommunications connections; and all lighting.

Both an Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development and accompany this application for permission.

The proposed development relates to development which comprises an activity requiring an Industrial Emission Licence.

The proposed development is an establishment for the purposes of the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances (COMAH)) Regulations 2015 (S.I.209 of 2015). The COMAH Regulations implement the latest version of the 'Seveso III' Directive (Directive 2012/18/EU of the European Parliament
and of the Council of 4 July 2012).

Appendix C: Kerry County Council internal consultations, including Fire Service Report and recommendations.

Kerry County Council - Internal consultees

Michael Boyce, Environment Department

MEMORANDUM

To : Damien Ginty – Planning Department.

From : Mick Boyce, S.E.E. – Environment Department.

Re : Strategic Infrastructure Development Application – Shannon LNG Ltd. (STEP Power Plant)

Date : 28th May, 2024.

With reference to the above application, I have reviewed the supporting information submitted. The application relates to a large development involving a number of distinct elements, including a power plant and a battery storage facility. Under the SID process, Kerry County Council is required to submit a report on the proposal for consideration by an Bord Pleanala.

In the event that an Bord Pleanala grants approval for this proposed development, I have suggested some conditions which might be considered. These encompass both the development and operational phases of the proposed project. While I am mindful of the fact that operational issues would most likely be dealt with separately by way of a licence application under the Industrial Emissions Directive provisions, I have nevertheless included conditions which I think might be relevant.

The following is the full list of suggested conditions :

- All environmental mitigation measures as set out in the information submitted in support of the application shall be fully implemented, except as may be otherwise required or specified by way of condition.

- The developer shall appoint a full-time, appropriately qualified environmental manager for the duration of the construction and development phases of the project. This person will be responsible for ensuring that all environmental control measures are fully implemented and maintained, and will also act as the point of contact with the Planning Authority in the event of any environmental difficulties arising with the project. Contact details of the person in question shall be provided to the Planning Authority prior to any works commencing on-site.

- In advance of any works commencing on-site the developer shall prepare and submit a Construction Environmental Management Plan (CEMP) for approval by

the Planning Authority. The CEMP shall cover all relevant environmental issues potentially associated with the development phase of the project, including air quality, noise control, water management, waste management etc.

- Noise generated from activities carried out within the development to which this permission relates shall not give rise to public noise nuisance beyond the facility boundaries.

- During the course of the construction phase of the project, the developer shall develop and implement a noise and vibration monitoring programme to determine compliance with the relevant noise criteria. The detail of the programme shall be agreed with the Planning Authority in advance of any works commencing on-site.

- The applicant shall arrange the carrying out of a noise and vibration monitoring survey on an annual basis. The Planning Authority reserves the right to nominate the location(s) at which the annual exercise is to be undertaken. The results of the annual survey shall be retained at the facility and made available to the Planning Authority on request. Upon review of any of the monitoring results, the Planning Authority reserves the right to alter the frequency and scope of the said monitoring programme. The applicant shall be liable for all costs associated with the said monitoring programme.

- In the event of complaints being received regarding alleged noise nuisance from the development to which this permission relates and, upon investigation by the Planning Authority, such complaints are found to be justifiable the applicant shall, upon written receipt of notification from the Planning Authority, retain the services of an acoustic specialist to establish the cause of the noise nuisance and the remediation measures required in order to abate said nuisance. The applicant shall ensure that all such measures are fully implemented and shall be liable for all costs incurred therein.

- All operations undertaken within the development to which this permission relates shall be carried out in a manner such that air emissions and/or odours do not result in significant impairment of, or significant interference with amenities or the environment beyond the site boundary and/or at sensitive locations.

- Dust suppression equipment must be available at all times to minimize the risk of excess dust generation during the construction phase of the project.

- During the construction and development phase of the project, total dust deposition (soluble and insoluble) levels shall not exceed the following limits at the site boundaries: 350 $mg/m^2/day$ (when averaged over a 30-day period).

- During the construction and development phase of the project, the facility shall be provided with a suitable wheel-wash. The wheel-wash shall be maintained on an on-going basis.

- If required by the Planning Authority, the applicant shall retain the services of a competent person(s) to undertake air quality monitoring at the facility. The scope of same shall be agreed in advance with the Planning Authority. A report shall be furnished to the Planning Authority as soon as practical after the monitoring is carried out. The applicant will be liable for all costs associated with this monitoring.

- In the event of complaints being received regarding alleged odour nuisance from the development to which this permission relates and, upon investigation by the Planning Authority, such complaints are found to be justifiable the applicant shall, upon written receipt of notification from the Planning Authority, retain the services of an odour specialist to establish the cause of the odour nuisance and the remediation measures required in order to abate said nuisance. The applicant shall ensure that all such measures are fully implemented and shall be liable for all costs incurred therein.

- The applicant shall install and maintain in a prominent location on the site a wind sock or other wind direction indicator, which shall be visible from the public roadway outside the site.

- The developer shall prepare and implement a site-specific water management plan, to include detailed drawings of adequate scale, for each development phase of the project. The plan shall provide specific details of the measures which are to be implemented on-site in relation to (a) sediment and erosion control, and (b) the management of any other potentially polluting substances. The plan shall be developed taking account of all relevant guidance and standards and shall be submitted to the planning authority in advance of any works commencing on-site.

- The developer shall retain the services of a competent environment consultant to carry out both freshwater and marine water biological monitoring prior to and after the construction phase of the proposed development. A proposed plan for the monitoring programme shall be submitted to the Planning Authority for agreement prior to the commencement of any works on-site and the results of all such monitoring shall be submitted to the planning authority upon completion.

- No silt/sediment laden water shall be discharged from the development to any watercourse in the vicinity of the site. In this regard, during the development phase of the project, a suitable system for the collection and treatment of any sediment/siltation arising shall be installed on-site and maintained thereafter for the duration of the development works.

- Bunds shall be installed around all temporary oil-containment facilities and the developer shall ensure that no oil, grease or other objectionable matter is discharged into any drain or watercourse.

- All tank and drum storage areas shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:
    - 110% of the capacity of the largest tank or drum within the bunded area; or
    - 25% of the total volume of substance which could be stored within the bunded area.
    - All inlets, outlets, vent pipes, valves and gauges must be within the bunded area.
    - All drainage from bunded areas shall be treated as contaminated unless it can be demonstrated to be otherwise. All drainage from bunded areas shall be diverted for collection and safe disposal, unless it can be deemed uncontaminated.
    - All tanks, containers and drums shall be labelled to clearly indicate their contents.

- The developer shall install and maintain a Class 1 bypass oil separator system on the storm water discharge from the impermeable areas at the facility. The separator shall be in accordance with I.S. EN-858 (Separator systems for light liquids).

- The applicant shall enter into a maintenance contract with a suitably qualified and authorized entity for the on-going maintenance of the oil-separator system. The contract shall be maintained on an on-going basis and the applicant shall maintain records of same.

- Prior to the commencement of works on-site, the developer shall arrange preparation of an Oil and Hazardous & Noxious Substances (HNS) Spill Contingency Plan for the facility and all relevant activities associated with the facility. The plan shall be prepared in accordance with the requirements of the National Maritime Oil/HNS Contingency Plan and the relevant guidance referenced therein, including Standard Operating Procedure 05-2020.

- A suitably stocked spill-kit, to include an adequate supply of absorbent materials, shall be retained at the facility to ensure the appropriate containment and management of any spill potentially occurring at the facility. All facility personnel should be made aware of the location and proper use of this material.

- The development shall be provided with an on-site wastewater treatment system in accordance with the Environmental Protection Agency Code of Practice *"Domestic Wastewater Treatment Systems (Population Equivalent $\leq$ 10)"*, as outlined in the plans and particulars received by the Planning Authority.

- Within one month of commissioning of the wastewater treatment system, the applicant/developer shall submit a certificate {this shall include relevant photographs and as constructed records of the installation} from a suitably qualified person, the holder of up-to-date professional indemnity insurance,

stating that the on-site wastewater treatment system has been installed in accordance with –

- The terms of the planning permission;
- The Environmental Protection Agency Code of Practice *"Domestic Wastewater Treatment Systems (Population Equivalent $\leq$ 10)"*.

A copy of the insurance certificate confirming that the qualified person referred to above held up-to-date professional indemnity insurance at the time of preparation of the installation certificate shall be submitted along with the certificate.

- Prior to the commencement of any works on-site, the applicant shall carry out a detailed survey of the structures due for demolition in order to identify the potential presence of any asbestos containing material or other potentially hazardous materials. A report on the findings of the survey, along with any recommendations arising therefrom, shall be submitted to the Planning Authority.

- Prior to the commencement of the development, the developer or any agent acting on its behalf shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP) as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021), including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to the how the RWMP will be measured and monitored for effectiveness. These details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the Planning Authority for written agreement prior to the commencement of the development and, once agreed, shall be fully implemented unless otherwise agreed with or directed by the Planning Authority. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

- The development shall be provided with suitable waste storage facilities. The storage facilities shall provide adequate capacity for the proper storage and appropriate segregation of all wastes arising from the proposed development, in such as manner as to avoid any potential risk of environmental pollution.

- The lighting scheme for the proposed facility shall be the minimum required for operational, safety and security purposes. A detailed lighting plan shall be developed prior to the commencement of any works on-site for agreement with the Planning Authority.

Mick Boyce, S.E.E.

Dr Michael Connolly, County Archaeologist

MEMORANDUM

Date/Dáta: 10th May 2024.

To/Chuig: Damien Ginty,	**From/O: Michael Connolly**
Senior Planner	**County Archaeologist**

Re/Le: Shannon Technology & Energy Park Power Plant SID

Damien,

I would make the following comments in relation to the submitted documentation dealing with archaeology in relation to the proposed Shannon Technology & Energy Park Power Plant site at Kilcolgan Lower and Ralappane, Ballylongford.

The submitted EIAR Chapter 12 deals with Cultural Heritage including archaeology and pulls together the previous archaeological studies, surveys and archaeological testing that has been carried out on the site over the years and which has identified a rich variety of features and deposits of archaeological interest.

In general terms the EIAR assesses the likely archaeological impacts based on the available information. The rating system used to value 'heritage assets' (Table 12-2) is itself of questionable value and there would be particular issues with the designation of identified/potential archaeological features as being of only 'local significance' (though this statement is qualified several times). In the absence of any detailed information on the true nature, extent or date of these features such a designation cannot be accepted and the significance of these features is effectively unknown.

Indeed, it should be noted that excavations on the similarly located ESB site at Kilpaddoge, 2.5km to the east, have uncovered evidence for both Mesolithic and early Neolithic settlement close to the shoreline, which would be considered of at least regional if not national significance and initially presented as similar features to those on the proposed development site.

The EIAR states that 31 areas of archaeological potential, recorded during previous archaeological testing, are located with the footprint of the proposed development. This is a significant number of areas of potential. The EIAR states that 'full resolution of all archaeological sites and areas identified during testing within the proposed development boundary will be carried out', which would be the minimum requirement.

As the report also notes, the excavated test trenches were 10m apart which in effect means that there are substantial untested areas between many of the trenches within the proposed development site and the true picture of the extent of archaeological features identified during testing has not been established. Notwithstanding the proposal to excavate of a 5m buffer area around the previously identified features, there is a strong likelihood that groups of features already identified extend further and possibly link to other groups of features within the overall site. As such, there should be a requirement to strip all the untested areas of the proposed development site, under archaeological licence, to establish the full extent of the archaeological material prior to the commencement of excavation of the already identified features. This archaeologically licensed stripping should be conducted in advance of any site works in order to properly inform any proposed mitigation/resolution measures.

Area 3 of the proposed development site is the location of the recorded monument Ke003 004, listed in the Record of Monuments & Places as a ringfort (cashel). The EIAR notes that a buffer zone will be preserved around this monument and will be fenced. However, the report also notes that a number of archaeological features were recorded within the proposed buffer zone during archaeological testing to establish the true extent of the monument. It is possible that some of these features relate to the ringfort and should be viewed as part of the overall monument.

As such, the buffer zone should be measured from the outermost of these features which it is proposed to preserve *in situ*. The buffer zone should be demarcated with a secure fence during construction works on the site, to prevent accidental damage, tracking of machinery, storage of materials etc. However, on completion of the construction phase this fence should be replaced with a planted boundary using native species to mitigate the visual impact of the development on the monument setting.

A management plan in relation to the medium/long term care, maintenance and management of the ringfort Ke003 004 should also be compiled and a management programme for the monument put in place so that it does not become an overgrown area of back land on the boundary of the development. The erection of an information panel at the location should also be considered and could be used to outline the archaeological history of the development site as well as provide information on the monument itself.

The EIAR notes that a new marine geophysical survey was carried out in February 2024 and that, while it failed to relocate an anomaly identified in an earlier survey in 2007, it did identify an anomaly (A8) which is interpreted as a potential archaeological feature. The report notes the feature will not be impacted directly and is located 390m from the proposed outfall pipe. A 50m buffer zone around this anomaly is proposed and should be implemented.

In summary:

- All topsoil within untested areas of the proposed development site should be stripped under licence and any identified archaeological features and strata mapped so as to provide a detailed picture of the archaeology on the site. This work should be carried out prior to the excavation of the already identified archaeological features in order to properly inform any mitigation and/or excavation methodology for the site. All ground disturbance on the foreshore (outfall pipe) should also be archaeologically

monitored under licence. A report on the results of this controlled stripping and the monitoring should be submitted to the planning authority on completion.

- All the archaeological/potential archaeological features and strata identified during previous surveys and archaeological testing and any additional features identified during the course of the stripping of the untested areas should be fully excavated, under licence from the National Monuments Service and a report submitted to the planning authority on completion. These excavations should be completed prior to the commencement of construction works on the site.
- The EIAR states that a 30m buffer zone around the recorded monument Ke003 004 will be part of 'embedded mitigation for the project. This buffer zone should be measured from the outermost of the features identified during archaeological testing or the outermost element of the recorded ringfort based either on the archaeological investigations or the map representations of the monument, whichever is the outermost feature. The buffer zone should be securely fenced during construction and following completion of the works this fence should be replaced with a planted boundary using native species
- Given the proposed preservation in situ of the location of the recorded monument Ke003 004 a management plan for the monument should be compiled and recommendations for the medium/long term care and maintenance of the monument should form the basis for an on-going management programme. As part of this plan the erection of an information board at the location should be considered. The board could outline the range and significance of the archaeological material found on the development site as well as providing information of the recorded monument.
- A 50m buffer zone around the underwater anomaly A8 should be implemented, as proposed.

Regards,

_____

Dr Michael Connolly,
County Archaeologist

Eoin Kelleher, Planner and Ecologist

Kerry County Council
Memo

From: Eoin Kelleher E.Planner and Ecologist, Environmental Assessment Unit
To: Seán Flahive, E. Planner
RE: SID Project ABP Ref:319566-24- Biodiversity considerations
Date: 30.05.24

1. Project overview

10-year permission for proposed development of a 600MW Powerplant, 120MW Battery Energy Storage System, above ground installation and ancillary works at Kilcolgan Lower and Ralappane, between Tarbert and Balylongford, Co Kerry (steppowerplant.com).

This proposal is a modification of that submitted to an Bord Pleanála in 2021 by way of ABP Ref:PA08.311233. It is noted the 2021 proposal was refused planning permission by the Bord, but not for reasons relating to biodiversity. It is understood that the 2021 proposal is subject to a judicial review. It is noted that this proposal does not contain an LNG terminal nor associated seawater intake.

It is noted that the following (supplementary) ecological surveys have been undertaken in support of the proposal in addition to the surveys previously undertaken:- Breeding Bird Survey 2023, Mammal surveys 2022-2024 (Badger, Otter and Bats), Estuarine Bird Survey 2018-2023, Intertidal survey (March 2024)

2. Kerry CDP 2022-2028 – Biodiversity considerations

Land use zoning / strategic level environmental assessment

It is noted that since the 2021 application was submitted that the industrial landbank zoning at this location was reaffirmed by way of the Kerry CDP 2022-2028. It is noted that lands to the east associated with Fort Shannon were removed from the zoning and other lands in the vicinity of Tarbert island were added. The lands which are the subject of this application remain within the industrial landbank zoning. The Kerry CDP 2022 – 2028 was subject to public consultation, Strategic Environmental Assessment, Appropriate Assessment and Strategic Flood Risk Assessment.

Integrating watercourses into development proposals

Volume 1, Chapter 11 Environment, S.11.2.6 Green and Blue Infrastructure - Ecological Corridors

Ecological corridors/ steppingstones are habitat patches that may not necessarily be of high conservation value themselves but serve to maintain ecological connectivity in the landscape. An ecological corridor permits the movement of wildlife between areas of high conservation interest or through areas that have little ability to support these species. Examples of ecological corridors include field boundaries comprising of stone

walls, hedgerows and treelines, which support biodiversity by providing food and shelter for plants and animals.....Given the extent of the Tarbert Ballylongford landbank and its location relative to areas of nature conservation value, it is of particular importance that ecological connectivity at a landscape level is taken into account as part of development proposals for this area.

KCDP 11-22 Encourage and facilitate the retention and creation of features of local biodiversity value, ecological corridors and networks that connect areas of high conservation value such as watercourses, woodlands, hedgerows, earth banks and wetlands

Development Objective KCDP 11-24
It is an objective of the Council to promote the integration and improvement of natural watercourses in development proposals having regard to the IFI's guidance Planning for Watercourses in the Urban Environment.

Volume 1, Chapter 13 Water & Waste Management
Development Objective KCDP 13-8
It is an objective of the Council to protect rivers, streams and other watercourses and where applicable ensure developments follow guidelines outlined in the IFI's Planning for Watercourses in the Urban Environment, 2020.

Kerry CDP 2022 requirements – public lighting
Kerry CDP 2022-2028, Volume 1 Section 11.3.3 Light Pollution
When used inappropriately or excessively, artificial lighting can cause light pollution.....

Development Objective KCDP 11-42
It is an objective of the Council to require proposals for development that include the provision of external lighting, to clearly demonstrate that the lighting scheme is the minimum needed for security and working purposes and also to ensure that external lighting and lighting schemes are designed so that the incidence of light spillage is minimised ensuring that the amenities of adjoining properties, wildlife and the surrounding environment are protected.

Section 11.3.3.2 Lights and Biodiversity
Excessive or directional lighting can also impact on nocturnal species effecting their ability to forage (feed) or commute. Bat species vary in their sensitivity to light pollution. Kerry has international important populations of the annexed II Lesser Horseshoe bat, a bat species particularly vulnerable to light pollution and habitat loss and fragmentation arising from same.

Development Objective KCDP 11-44
It is an objective of the Council to take into consideration the Bat Conservation Trust 2018 Note 08/18 Bats and Artificial Lighting in the UK Guidelines when choosing lighting specifications for developments and/or Bat specialist advice, so as to ensure the requirements of the Habitats Directive are adhered to, including Article 10.

Kerry CDP 2022-2028 Volume 6 Section 1.14.2 Lighting and illumination
The following good practice should be considered for development proposals:

- Adequately light the area or object without using more light then necessary
- Provide safety for all users, whether motorists, services, pedestrians or cyclists
- Eliminate or minimise glare and excessive lighting
- Prevent light trespass
- Minimise sky glow
- Choose light fixtures to allow for aesthetic considerations
- Maximise energy efficiency
- Take cognisance of protected species, where applicable
- Have regard to Bat Conservation Trust 2018 Guideline Note 08/18

Nature based solutions to storm water management
The nature-based approach to management of surface water run-off is supported by the policies and objectives of the Kerry CDP 2022, e.g in relation to public realm proposals (Volume 1, S4.2.7), landscaping (Volume 6, S.1.5.4.5) and storm water management (Volume 1, S13.2.4).

Fine Sediment Control
S1.3.6 of Volume 6 of the Kerry CDP, includes:-

Many development projects have the potential to generate soiled water run-off containing sediment and silt, particularly during the construction phase. Such run-off can be harmful to the ecological functioning of watercourses downstream. Freshwaters are generally more vulnerable to sedimentation than coastal and estuarine waters, which can have greater dilution capacities and can be more naturally turbid. It is accepted that in certain instances soil and or vegetation characteristics may facilitate natural interception of sediments from overland surface water run-off. In other cases, there may be sufficient capacity in naturally occurring landscape features or in the urban drainage infrastructure to cater for the sediment and run-off likely to arise.

Sediment control measures and or a Construction Erosion and Sediment Control Plan CESCP will be required by the Planning Authority, where deemed necessary or may be submitted as part of a planning application as a best practice measure - regardless of ecological risk. Where required the purpose of a Construction Erosion and Sediment Control Plan (CESCP) is to:
- Minimise erosion potential by effective planning, procedures and water management;
- Apply erosion control measures to prevent the movement of sediment; and
- Apply sediment control measures to prevent off-site sediment release in the event of sediment movement.

Kerry CDP – derelict and vacant properties / biodiversity
S4.3.4 of Volume 1 of the Kerry CDP (Derelict and Vacant Properties), includes:-

Derelict properties may be used as homes for wildlife such as swifts, bats and barn owls. In many cases these will be protected by law, and a NPWS derogation licence will be needed for their conversion. Where feasible, the retention of features used by such wildlife, or their appropriate replacement where permissible, should be considered during the renovation of derelict buildings which contain these features.

Development Objective KCDP 4-39: It is an objective of the Council to take into consideration the potential for impact on wildlife as part of derelict site renovation proposals, as outlined in S 4.3.4 of this plan.

3. Nature conservation designations in the vicinity

<u>European Sites (SAC and SPAs collectively known as Natura 2000 Sites)</u>

(i) The Lower River Shannon SAC (Site Code 002165) is located partly within the application site.
(ii) The River Shannon & River Fergus Estuaries SPA (Site Code 004077) is located partly within the application site.

<u>Designated European Sites located within the wider vicinity</u>

(i) The Moanveanlagh Bog SAC (Site Code 002165) is located c13m away to the south
(ii) The Stacks to Mulaghareirk Mountains, West Limerick Hills & Mount Eagle SPA (Site Code 004161) is located c10.5km to the Southeast.
(iii) Tullagher Lough and Bog SAC (Site Code 002343) is located c14.5Km to the northwest (Co. Clare).

<u>Natural Heritage Areas (NHAs)</u>

(i) Bunnaruddee Bog NHA (Site Code 001352) – qualifying interest: peatlands

<u>Proposed Natural Heritage Areas (pNHAs)</u>

(i) Tarbert Bay pNHA (Site Code 001386).
(ii) Ballylongford Bay pNHA (Site Code 001332) adjacent to the NW boundary of the site.
(iii) Beal Point pNHA (Site Code 001335).
(iv) Casheen River Estuary (Site Code 001340).
(v) Moanveanlagh Bog (Site Code 000374).

4. Observations

4.1 General observations

As outlined in the application submitted, the Lower River Shannon SAC and the River Shannon & River Fergus Estuaries SPA ae the most likely nature conservation sites to be impacted. These are amongst the largest European Sites in the Country. It is noted that a substantial amount of specialist studies have been undertaken and scientific data collated for the development site and the surrounding, as part of this application and as part of previously undertaken studies. This increases the scientific certainty of conclusions reached.

Emissions from natural gas-fired plant include Nitrogen Oxides. Within this context it is noted and considered appropriate that Moanveanlagh Bog SAC and Tullaher Lough and Bog SAC have been included in the EIAR air quality assessments as sensitive receptors and that these considerations also form part of the AA Screening / NIS submitted.

The boundaries of some proposed Natural Heritage Areas in the area overlap those of Natura 2000 site designations. Where this occurs the pNHA scientific interests may be wider than the qualifying interests of the Natura 2000 sites.

In relation to the proposed outfall, is noted that the application outlines that '*the cliff face is proposed to be armoured with rock to prevent erosion and maintain the integrity of the foreshore*'. The impact of same should be assessed, including in relation to any deflected energy / coastal erosion / habitat loss.

It is noted that a construction laydown area has been indicated including on Figure F2.4 in Volume 3, Section 2 of the EIAR submitted and that this has been taken into account as part of the environmental assessments undertaken. It is noted that detailed ecological assessments have been undertaken of structures proposed to be demolished and of lighting proposals.

4.2 Birdlife

It is noted that the boundaries of the River Shannon & River Fergus Estuaries SPA have been extended since the LNG terminal was permitted at this location and that this has been taken into account as part of the application. As part of this, it is noted that there are no significant population of SCI bird species in the vicinity of the prosed development site - influenced by the limited intertidal foraging habitat at this location. Red-throated Diver Great Northern Diver and Sandwich Tern were previously recorded in the inshore waters bordering the proposed site and this was taken into account as part of the assessments.

It is noted that the most comprehensive waterbird survey ever undertaken for the Shannon Estuary in 2017/2018 has been referenced in the EIAR submitted. That study undertaken commissioned by the SIFP partnership, assessed waterfowl numbers, usage and distribution on the River Shannon and the River Fergus Estuaries, with particular reference to the identified Strategic Development Zones.

As per the 2021 application, it is noted that the majority of the site is characterised by improved agricultural grassland and to a lesser extent, a mosaic of improved agricultural grassland and wet grassland. The application outlines that scrub, a habitat of local (higher level) importance is encroaching from field margins. The habitats which supporting bird species such as meadow pipit and snipe were determined to be of low value for foraging Hen Harrier and unsuitable for breeding Curlew. The 2021 EAIR outlined that red listed Curlew and Snipe, were recorded feeding in the agricultural wet grassland within and adjoining the development site in the winter months. S.7B.4.5.2 of the current EIAR provides greater context and discussion on same, noting that Curlew were recorded in wet grassland habitats adjacent to Ralappane point to the west and outside of the Proposed Development site and outlines that the terrestrial habitats of value for Curlew are outside the site boundary. While there was some variation between results from the 2019/2020 and 2023 surveys, the species assemblages recorded were noted to be broadly similar. A total of 42 bird species were recorded during the 2021 to 2023 estuarine bird surveys. No species were recorded in nationally important numbers The report outlines that *there is no evidence that the terrestrial habitats within the Proposed Development site boundary are regularly used as high tides roosts or terrestrial foraging sites.* The Breeding Bird Survey Report 2023 concluded that the proposed development site is of moderate value for breeding birds, which is considered reasonable.

The application outlines that sand martin forage but do not breed within the site. An abandoned Sand Martin colony was found along the coast west of the proposed site. Given the location of sedimentary cliffs within the site and surrounding area, possible sand martin breeding activity should be reviewed prior to the commencement to development, particularly given the 10-year nature of the permission being sought.

4.3 Water aspects

The reports submitted outline that the likelihood of large-scale hydrocarbon spills is considered to be low and that pollution mitigation and response protocols are outlined to address any such occurrence. It is noted and accepted that the receiving waters of the estuary are naturally turbid. Notwithstanding this, it is noted that sediment control measures are provided for. It is further noted that a discharge license will be required as part of the operational stage.

It is noted that the Ralappane Stream was previously surveyed in 2006 as part of the LNG proposal environmental assessments. As part of this quantitative electrofishing was undertaken. Overall fish numbers recorded were low as would be expected for a watercourse of this limited size and no salmonids or lamprey were recorded.

The NIS outlines that no significant decline in Otter habitat or prey availability is considered likely. The NIS addresses potential for impact on Dolphin within S3.4 of the NIS. As part of this it is outlined that dolphin are accustomed to the naturally turbid nature of the Shannon Estuary. Noise, visual and vibration disturbance aspects are addressed in S3.4.2 of the NIS, with underwater noise addressed in S3.4.3. Operational stage discharges are addressed in S3.4.5. The conclusions outlined are considered reasonable.

The intertidal habitats encountered as part of the 2024 intertidal survey were noted to be *'typical of cobbly rocky shores in Ireland being dominated by Pelvetia canaliculata, Fucus sp. and Ascophyllum nodosum. No rare, protected or unusual species were observed, and no changes were observed compared to previous surveys undertaken in previous years'*. Loss of Annex I habitat (associated with the provision of the trench outfall) estuaries habitat is estimated to be 100m2 while the loss of reef habitat is estimated to be 65m2. S3.4.4 of the NIS outlines that the loss of Annex I habitats relative to the total area of the habitats in the Lower River Shannon SAC is negligible and will not give rise to negative impacts to the structure or functioning of the habitats. Having regard to the extent of habitat loss relative to the extent remaining this conclusion seems reasonable.

4.4 Terrestrial ecology

It is noted and welcomed that no terrestrial land take of Natura 2000 sites would occur as a result of this proposal. It is noted that the sedimentary cliffs located along the estuary and within the proposed site were not found to be an example of the Annex I habitat vegetated sea cliffs of the Atlantic and Baltic coasts 1230).

As expected, badger use on site was found and given the proximity of water, a level of Otter use can also be expected. These matters are addressed in the reports submitted. Details of the landscaping plan for the Proposed Development are included, including within Figure F2.4 in Section 2 of Volume 3 of the EIAR submitted. While the details could have been set out more clearly set out, the proposals provide for areas of native woodland and native scrub habitat as well as native wildflower planting. It has also been indicated that it is proposed to retain existing vegetation +/- 5-10m either side of the (Ralappane) Stream (with the exception of where the proposed crossing is to be located).

Above: Landscaping proposals as per Figure F2.4 in Volume 3, Section 2 of the EIAR submitted

As part of the proposed landscaping, it is noted that a band of trees is proposed along the southern site boundary. It is considered that this along with the protection of the Ralappane stream, adequately addresses the requirements of Section 11.2.6 of the Kerry County Development Plan 2022-2028, which outlines the following with regard to green and blue infrastructure and ecological corridors: '*Given the extent of the Tarbert Ballylongford landbank and its location relative to areas of nature conservation value, it is of particular importance that ecological connectivity at a landscape level is taken into account as part of development proposals for this area*'.

The proposed development would benefit from the creation of additional features of local biodiversity value as supported in the Kerry CDP 2022. It is considered that this can be addressed by way of condition. It is unclear where the landscape berm shown on Figure F2.4 in Volume 3, Section 2 of the EIAR submitted, is proposed to be located. Such a berm would be of additional biodiversity value.

4.5 Mitigation measures

It is noted that the project has been designed having regard to the hierarchy of mitigation measures i.e first avoidance so as to prevent significant impacts from happening in the first place and then reduction of impact i.e. reducing the magnitude and/or likelihood of an impact. This approach is considered to be appropriate.

Mitigation measures for the proposal are outlined including within S3.6 of the NIS. The format provided, while not mirroring the example provided in S3.2.4 of the EU guidance document (EC Commission Notice 2021/C 437/01 'Assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC'), is considered to be compatible with same and the measures outlined do target impacts identified earlier in the appropriate assessment.

5 Recommended conditions to be included in any grant of planning permission

5.1 General

All environmental mitigation measures as set out in the information submitted in support of the application, including within the EIAR and the NIS shall be fully implemented, except as may be otherwise required or specified by way of condition.

Reason: In the interests of clarity and the proper planning and sustainable development of the area.

5.2 Environmental Protection

(i) The developer shall appoint a full-time, appropriately qualified environmental manager for the duration of the construction and development phases of the project. This person will be responsible for ensuring that all environmental control measures are fully implemented and maintained, and will also act as the point of contact with the Planning Authority in the event of any environmental difficulties arising with the project. Contact details of the

person in question shall be provided to the Planning Authority prior to any works commencing on-site.

(ii) In advance of any works commencing on-site the developer shall prepare and submit a Construction Environmental Management Plan (CEMP) for approval by the Planning Authority. The CEMP shall cover all relevant environmental issues potentially associated with the development phase of the project, including air quality, noise control, water management, waste management etc.

(iii) No silt/sediment laden water shall be discharged from the development to any watercourse in the vicinity of the site. In this regard, during the development phase of the project, a suitable system for the collection and treatment of any sediment/siltation arising shall be installed on-site and maintained thereafter for the duration of the development works.

(iv) Bunds shall be installed around all temporary oil-containment facilities and the developer shall ensure that no oil, grease or other objectionable matter is discharged into any drain or watercourse.

Reason: In the interests of clarity, environmental protection and the proper planning and sustainable development of the area.

5.3 Biodiversity

(i) Pre-construction sand martin and otter surveys shall be undertaken in line with best practice, the result of which shall be submitted to the planning authority for file purposes.

(ii) An operational stage biodiversity management plan for the site shall be developed by a suitably qualified individual and agreed in writing with the planning authority prior to the commencement of the powerplant operations. As part of this, opportunities for bird / sand martin nesting, pollinator friendly grasslands and freshwater aquatic interest and riparian habitat enhancement measures shall be considered.

Reason: In the interests of biodiversity and the proper planning and sustainable development of the area.

5.4 Construction Management Plan

The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall include all environmental and ecological measures arising from reports submitted with the planning application and shall provide details of intended construction practice for the development, including:

(a) The location of the site and materials compound(s) including area(s) identified for the storage of construction refuse.
(b) The location of areas for construction site offices and staff facilities.
(c) Details of boundary treatment, site security fencing and hoardings.

(d) Details of on-site car parking facilities for site workers during the course of construction.

Reason: In the interest of clarity, amenities, public health and safety and the proper planning and sustainable development of the area.

6. Summary

A considerable amount of ecological surveys and assessments have been undertaken, in support of the proposal. It is evident that the proposal has had regard to the requirements of the Kerry CDP 2022-2028 and that the requirements of same along with the ecological findings have influenced the proposal, including proposed landscaping, lighting arrangements etc - which is considered to be appropriate. It is noted that the reports submitted conclude that the proposal is compatible with the requirements of the Habitats Directive. In the interests of clarity, biodiversity and the proper planning and sustainable development, a number of recommended conditions have been outlined.

Eoghan O' Brien, Flood Risk Management

Seán Flahive

From: Eoghan O'Brien
Sent: Friday 24 May 2024 12:09
To: Seán Flahive
Cc: Sharon O'Keeffe; Mike McEnery
Subject: RE: Proposed 600MW Powerplant, 120MW Battery Energy Storage System, above ground installation at Kilcolgan Lower and Ralappane between Tarbert and Ballylongford

Hi Seán,

I reviewed the planning documentation and specifically the flood risk assessment associated with the proposed development and based on the documentation submitted the proposal would have a negligible impact in terms of flood risk.
The design and approval of the proposed new stream culverts at the crossings of the existing watercourses will need Section 50 licences from the OPW.

If a decision to grant planning is approved the applicant must provide a detailed submission for agreement outlining the exact measures proposed for the management, treatment and discharge of all surface water and run-off on the site, for the protection of watercourses. Any proposed measures will need to be outlined in the detailed Construction and Environmental Management Plan to allow for regular monitoring/inspection and to ensure ongoing maintenance and repair both pre and post construction.

Declan O' Mahony, Roads and Transportation (Special Development Contribution recommended)

Ceantar Bardasach Lios Tuathail
Comhairle Contae Chiarrai,
Áras an Phiarsaigh,
Lios Tuathail,
Co. Chiarrai.

COMHAIRLE CONTAE CHIARRAÍ
KERRY COUNTY COUNCIL

Listowel Municipal District
Kerry County Council,
Áras an Phiarsaigh,
Listowel,
Co. Kerry.

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MEMORANDUM

To:	Mr. Damien Ginty, Senior Planner, Planning Department, Kerry County Council
CC:	Mr. Seán Flahive, Senior Executive Planner, Planning Department, Kerry County Council
From:	Declan O'Mahony, A/Senior Executive Engineer, Listowel MD
Date:	27th May 2024
Re:	SID – Shannon Technology & Energy Park (Proposed 600MW Powerplant, 120MW Battery Energy Storage System, above ground installation at Kilcolgan Lower and Ralappane between Tarbert and Ballylongford) - ABP Case Reference ABP-319566-24)

Please find hereunder a roads report with recommendations the above referenced Strategic Infrastructure Development:

1. Public infrastructure works comprising the L1010 Coast Road Improvement Scheme from Tarbert Town to the proposed development lands at Kilcolgan Lower will be required to be completed prior to the commencement of the main construction elements of the proposed development. This shall not preclude the undertaking of site preparation and earthworks contemporaneously with the upgrading of the L1010 coast road. The precise extent of works, which may be carried out prior to the completion of the public infrastructure works, shall be submitted to and agreed in writing with the planning authority, prior to commencement of development and in default of agreement, shall be determined by An Bord Pleanála.
2. Prior to commencement of development, the developer shall submit and agree in writing with the planning authority a detailed traffic management plan. This management plan shall include restrictions on traffic movements at Tarbert Comprehensive School, which shall prohibit the movement of heavy goods vehicle traffic associated with the construction of the terminal for a minimum period of 20 minutes before and ten minutes after the opening and closing times of the school. It shall also include the staggering of various shift start and finish times.
3. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2)(c) of the Planning and Development Act 2000 in respect of
   - Upgrading and widening the L1010 coast road to the standard required to facilitate the project. This will take account of works completed to date on the L1010 to facilitate undergrounding of Electrical Services and connection to the substation.
   - Upgrading footpaths and the road surface of Bridewell Street, Tarbert and the development of an off-street car park to facilitate proposed traffic management and parking control measures.
   - Improvements at the junction of the R551 and L1010 to accommodate the projected traffic volumes travelling along the Coast Road.
4. The splayed entrance and the area between the entrance and the public road shall not interfere with roadside drainage which shall be maintained, repaired or made good by providing a dished water channel constructed of concrete or piped culvert.

5. The splayed entrance shall not cause surface water or seepage water to flow onto the road surface. No water from the proposed development shall be allowed to flow onto the public road.
6. The applicant shall make good any damage to the public road or existing drainage that may result from the proposed development to the satisfaction of the planning authority.
7. The applicant shall provide sightlines of 160m in both directions of the proposed site access road from a point 3.0m back along the centreline of the direct access measured from the line of the nearside edge of the paved surface.
8. A "dwell" area of at least 10m shall be provided at access roads immediately adjacent to the public road. The gradient for the dwell area shall lie between plus and minus 2.5%.
9. Pre and post construction phase surveys of the public road network identified and agreed with the planning authority, to be used as haul routes, shall be carried out by the applicant.
10. Pre and post construction phase principal Inspections of structures and culverts within the road network shall be undertaken at locations to be agreed with the planning authority in advance.
11. Prior to commencement of the development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security in a sum to be agreed with the planning authority, to secure the reinstatement of public roads that may be damaged by the transport of materials and/or used as haul routes for construction to the development site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and quantum of the security shall be agreed between the planning authority and the developer in advance of commencement of the development.
12. Abnormal Load licences shall be secured by the developer in advance, if required, for the transportation components, units and materials. Consultation with the Road Authority, An Garda Siochana and all necessary stakeholders shall be carried out by the developer in advance of transportation of abnormal loads.
13. Any required alterations to the road network for the transportation of components, units and/or materials of shall be agreed in advance with the planning authority and reinstated thereafter to the satisfaction of planning authority. Any temporary alterations to utilities shall be agreed with the appropriate utility provider in advance by the developer. Any land acquisition or temporary access to lands required for the conveyance of abnormal loads or materials will be incumbent on the applicant to agree with the appropriate landowner. A schedule of alterations to the road network including but not limited to signage, street furniture and vegetation shall be agreed in advance with the planning authority.
14. Pre and post construction phase surveys shall be undertaken by the developer of landowner's boundaries including but not limited to walls, fences, ditches, vegetation and house front curtilage in advance of transportation of abnormal loads and/or haulage of materials.
15. Traffic Management arrangements for the works shall be in accordance Chapter 8 of the 'Traffic Signs Manual'.
16. Adequate provision must be made within the site for storage of materials, marshalling of incoming and outgoing deliveries and on-site parking of staff involved in the construction phase of the works.
17. All vehicles traversing unpaved areas of the construction site shall pass through wheel wash facilities with rumble grids prior to exiting the site and accessing the public road network.

These facilities shall be located inside all exits from the site. All vehicles leaving the site shall be monitored to ensure that the public road is kept free of mud and debris.

18. Any works or excavation on the public road network will be subject to a Road Opening Licence.

Yours sincerely,

Declan O'Mahony, A/SEE,
Listowel Municipal District Engineer,
Kerry County Council.

Andrew Macilwraith, Chief Fire Officer, Fire Authority

MEMO

To: **Planning Department, Kerry County Council**

From: **Fire Services Department, Kerry County Council**

Date: **22nd May 2024**

RE: **Case Number: ABP-319566-24**

I refer to the proposed 600MW Powerplant, 120MW Battery Energy Storage System, above ground installation at Kilcolgan Lower and Ralappane between Tarbert and Ballylongford

The Fire Service Department wish to make the following observations,

- The proposed development will require a Fire Safety Certificate application.
- The proposed development will require a Disability Access Certificate application.
- The proposed development falls within of the provisions of the Control of Major Accident Hazards (COMAH) involving Dangerous Substances Regulations and the operator must inform the Central Competent Authority the HSA in writing of the development.

p. Michael Flynn

Andrew Macilwraith
Chief Fire Officer

Cathaoirleach Breandan Fitzgerald welcomed the application and said as outlined by the Senior Planner, the report circulated sets out the views of the Planning Authority on the application and will be submitted to An Bord Pleanála. The views of the Elected Members will also be included with the submission to An Bord Pleanála.

Cllr. Michael Foley read the following into the record of the meeting.

"Having read the submission I note that the Council has provided a positive report and recommends condition. Also, this application is in line with our County Development Plan. I support this project and recommend the submission. For the following reasons: Our Energy demand over the next 10 years is going to increase due to demand from large energy users, continued population growth and the increased electrification of transportation and buildings. According to the National Development Plan electricity demand from large energy users, including data centres, is forecast to grow up to 27% of total power demand in 2030.
This proposed development by Shannon LNG Ltd of a 600MW Power Plant and 120MW Battery Storage System will facilitate all remaining oil and coal fired power

stations to be decommissioned and to be replaced with the efficient, fast responding Power Plant which is necessary to back up intermittent renewables. The proposed 600 MW power plant will be a gas fire power plant. It must be noted that on 22nd March 2022 before the Oireachtas Joint Committee on Environment and Climate Change, EirGrid's Chief Executive Officer, Mark Foley, stated that *"Ireland will need 2,000 MW of dispatchable gas generation by the end of 2026, which will backstop the system and ensure that there is sufficient security of supply, while removing old fossil-intensive plants in the system".* Therefore, making this proposed development necessary to deliver Ireland's Climate Action Plan 2024 policies and support renewables as we require electricity from every available source to secure our energy demand.

Shannon LNG Limited was awarded a capacity contract on 28th March 2023, from EirGrid, to deliver an urgently needed 353 MW of electricity generation capacity by no later than 1st October 2026, or any subsequent date approved by the regulator.

The proposed development is located on the Tarbert/Ballylongford Landbank which has been identified suitable location for industrial development and as a Strategic Development Location in the Shannon Integrated Framework Plan 2013-2020 (SIFP), the Regional Spatial and Economic Strategy (RSES) for the Southern Region, the Listowel Municipal District Local Area Plan, our current County Development Plan and the recent published Shannon Estuary Economic Taskforce report.

The Landbank is close to the 220 kV and 110 kV electrical transmission available from the Kilpaddoge substation and is 26km from the national gas network at Foynes, Co Limerick, for which Shannon LNG Ltd obtained consent for a Natural Gas Pipeline which will facilitate transport of natural gas to the Site.

North Kerry's location on the Shannon Estuary presents huge opportunities for future sustainable economic development and employment growth for this County. The estuary at this location has the benefit of naturally occurring deep and sheltered waters and has long been recognised as having huge potential for industry and employment, both in the marine area of the Estuary and its fringe lands. Both are key resources and provide space and location for development. The Tarbert/Ballylongford landbank has be undeveloped since the state purchased the first tranche of land at this location in the 1960's with many empty promises of potential development over the years. However, this project can deliver a future for the landbank and turn the whole area into an Energy Hub along with the proposed development at Tarbert Island delivering sustainable employment, improving the local economy and sowing the seed for continued development in the area.

I welcome the comprehensive Environmental Impact Assessment Report (EIAR) and the Natura Impact Statement (NIS) attached to the application in recognition of the importance of the Shannon Estuary".

Cllr. Jimmy Moloney welcomed the application and comprehensive report. He concurred with all comments expressed by Cllr. Michael Foley. This is a very positive application for Kerry County Council. It is a very important project both national and internationally. It will assist with meeting our Climate Action targets which is included in the County Development Plan. This project will have a significant positive economic impact on the area and encourage more development to follow.

Cllr. Sam Locke welcomed the application and said it will create significant employment to the area. It will contribute to a cleaner environment and reduce the reliance on electricity.

Cllr. Tom Barry wished to support the project and said it is very positive and will prove to be a very important facility to assist in meeting our climate action targets. There has been nothing developed in this landbank since it was purchased in the 1960's, only a number of false promises.

Cllr. Liam Nolan wished to support the project and concurred with the previous comments expressed. This project would a great boost to the businesses in North Kerry and the West coast of Ireland. It would encourage more amenities into the area.

Cllr. Charlie Farrelly wished to support this project and said there has been a lot of false made to the people of Noth Kerry regarding this landbank.

Cllr. Mike Leen wished to support this project and concurred with the comments expressed by his fellow councillors.

It was agreed to accept the Chief Executive's Report on Strategic Infrastructure Application for proposed Power Plant, which will comprise 3no. turbine halls (approximately 6,175m2 each, and approximately 30.145m in height), each containing 1no. Combined Cycle Gas Turbine (CCGT). Each turbine hall will have a capacity of approximately 200MW for a total installed capacity of 600MW, at Kilcolgan Lower and Ralappane, Ballylongford, Co. Kerry and on the Shannon Estuary.