

Memorandum

To: Ms Marcella Doyle, Senior Executive Officer.

From: Mr Kieran Doherty, Executive Officer

Date: 17th January 2014

Re: PA0033. Galway Harbour Extension, Galway.

✓ M. Doyle
17/1/2014

1. Please find hereunder an application for permission for the above mentioned development from Galway Harbour Company care of their agents Tobin Consulting Engineers. The application is being made under section 37E of the Planning and Development Act, 2000, as amended. A fee of €100,000 has been submitted with the application.
2. Pre-application consultations were held with the applicant under reference PC0150 and previously under PC0012.
3. The applicant has stated that the proposed development requires a waste licence and a waste water discharge licence. It is required to make an application for such licences to the Environmental Protection Agency. In these circumstances the Board must have regard to the European Union (EIA)(Waste) Regulations 2012 and is required to notify the EPA of the application and seek general observations in respect of the of the EIS in so far as it relates to the licence. Therefore, in accordance with section 42 of the Waste Management Act 1996, as amended by the 2012 Regulations, the Board shall request the EPA to make observations within the agreed timeframe of 4 weeks. A draft notice to the EPA has been prepared for the Inspector. The EPA has been sent a copy of the application.
4. The applicant has stated that the proposed development requires a foreshore licence/lease. This will require the consent of the Foreshore Unit of the Department of the Environment, Community and Local Government. The Department has been sent a copy of the application.
5. As the reclamation of land from the sea is greater than 10 hectares the proposed development is subject to mandatory Environment Impact Assessment under Schedule 5, Part 2, Class 1(g) of the Planning and Development Regulations 2001. The application, therefore, includes an EIS.
6. Stage 1 Appropriate Assessment screening of the proposed development was carried out and determined that 15 Natura 2000 sites could potentially be impacted. Accordingly, a Natura impact statement has been submitted.

7. The public notice was published in the Irish Independent on the 9th January 2014 and Connacht Tribune on 10th January 2014. The notice describes the proposed development, states that an EIS and NIS accompany the application, and that submissions may be made for a period of seven weeks from 20th January to 11th March 2014.
8. Galway City Council's report should be received by the Board by 2nd April 2014.
9. The prescribed bodies for the purposes of the application are set out in Article 213 of the Planning and Development Regulations, 2006. The following bodies were circulated with the application documentation:
 - Minister for Environment, Community and Local Government
 - Minister for Arts, Heritage and the Gaeltacht (confirmed received by the Development Applications Unit)
 - Minister for Communications, Energy and Natural Resources
 - Minister for Transport, Tourism and Sport
 - Minister for Agriculture, Food and the Marine
 - Galway City Council
 - Galway County Council
 - An Comhairle Ealaíon
 - Fáilte Ireland
 - An Taisce
 - The Heritage Council
 - West Regional Authority
 - Inland Fisheries Ireland
 - Córas Iompair Éireann
 - Iarnród Éireann
 - Bus Éireann
 - Health and Safety Authority
 - National Roads Authority
 - Environmental Protection Agency
 - National Transport Authority
 - Health Service Executive
 - Railway Safety Commission
 - Údarás na Gaeltachta
 - Irish Aviation Authority
 - Galway Airport

Copies of the letters to the prescribed bodies dated 9th January 2014 have been submitted. However, it is noted that with effect from 1st January 2014 Irish Water has been made a statutory consultee in respect of all applications for permission under section 37E of the Planning Act.

10. The land on which permission is sought contains a Seveso site. It is noted that the Health and Safety Authority has been advised of the application. The HSA is required to provide technical advice to planning authorities in respect of the risks

arising from major accident hazard establishments, including modifications to existing installations. A draft notice to the HSA has been prepared.

11. The following documentation has been received:
- Volume 1A Application form, covering letter and notifications
 - Volume 1B Planning Report
 - Volume 1C Natura Impact Statement
 - Volume 1D Planning Drawings, received per the drawing schedule
 - Volume 2A EIS Non-Technical Summary
 - Volume 2B EIS Main text (in 2 parts)
 - Volume 2C Appendices to EIS (in 3 parts)
 - Volume 2D EIS Drawings (A3)

Six DVD copies and three hard copies of the application documentation have been received in accordance with the Board's application procedures.

12. A website has been created for the proposed development:
www.galwayharbourextension.com
13. A written opinion on the information to be contained in an EIS to be prepared in respect of the proposed development was given by the Board under reference PS0004.
14. The name of the contact at Galway City Council is Caroline Phelan, Senior Planner.
15. There are two previous Board decisions with regard to the site:
- 209018 (04/188) – Oil storage and distribution terminal – signed 4/2/05
 - 225966 (07/372) – Bus garage – signed 4/6/08
16. A CTL document has been created for the Board's website.
17. It is proposed to:
- Request the applicant to notify Irish Water of the application as a prescribed body.
 - Issue a notice to the EPA.
 - Issue a notice to the HSA.
18. **Planning Inspector Issues:**
- Except for Irish Water, the Inspector may wish to concur that appropriate statutory bodies have been contacted.
 - Are the drawings/maps sufficient and to an appropriate scale?
 - Whether any further documentation is required at this time.
 - The EPA is to be consulted, are there any specific matters which should be addressed by the EPA?
 - Are the Board's history files are required.
 - The inclusion of a helicopter pad was not part of the pre-application discussions.

The Inspector may wish to have some input in relation to technical advice from the H-S-A.

It was noted that applicant was advised not to submit documents in relation to IROPI at this stage.

n. Dyle
17/1/2014