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## Memorandum Galway Harbour extension 61 PA0033

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**To:** Board  
**From:** Philip Green (ADP)  
**Re:** Galway Harbour extension 61 PA0033  
**Date:** 18/01/17

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As the Board will be aware it issued its initial Direction on this case on the 25<sup>th</sup> September 2015.

In consequent correspondence to the applicants dated 29<sup>th</sup> September 2015 the Board set out its statement of appropriate assessment, identified the resultant impacts on the integrity on the European site concerned arising from the proposed development and, on a without prejudice basis to the final determination of the application sought to invoke the derogation provisions set out in Article 6(4) of the Habitats Directive in regard to Imperative Reasons of Overriding Public Interest (IROPI). The Board's letter sought compensatory measures from the applicant to address the impacts on the integrity of the Galway Bay Complex SAC.

A response to this letter was received from the applicants on the 24<sup>th</sup> September 2015 setting out initial approaches to compensatory measures. Following the Board's consideration of these at a number of meetings a Direction was issued on 29<sup>th</sup> January 2016 instructing that this submission be forwarded to the NPWS for comment and to arrange a meeting between representatives of the Board and the NPWS to discuss the acceptability in principle of the emerging measures.

By way of a submission dated 27<sup>th</sup> May 2016 the NPWS responded to the request for comments and subsequent to this a meeting between representatives of the NPWS and the Board (Director of Planning and Assistant Director of Planning) was held on the 28<sup>th</sup> June 2016. A Written record of that meeting was prepared and is on file.

Pursuant to that meeting discussions were held between the applicant and NPWS to discuss the approach to the proposed compensatory measures. A tripartite meeting between the Board, NPWS and the applicants was then held on the 13<sup>th</sup> December prior to which (on 9<sup>th</sup> December 2016) the applicants lodged a further package of information setting out their proposals for compensatory measures. Due to the time constraints it was not possible to review in any detail this further submission prior to the meeting although it was discussed at the tripartite meeting (a written record for which was prepared).

Having regard to the progress made on the compensatory measures it was noted that the Board would seek expert ecological advice on the approach to compensatory measures being proposed in the applicants submissions. The Board will recall that a similar approach was taken at the application reporting stage in the appointment of ecologist Mr Daniel Bastreri to assist the reporting inspector and Board in determining the application. The Board's agreement to reappointing Mr Bastreri to carry out this further analysis is now therefore requested. It is also likely that Mr Bastreri would be involved in subsequent meetings with the NPWS and potentially in further tripartite meetings including the applicants at which these compensatory measures will be discussed. Mr Bastreri has already indicated his availability to carry out this role and for which a brief will be prepared.

The Board should note that the correspondence, documentation and written records referred to above are all contained on the Board's file (attached).

**Recommendation:** That ecological consultant Daniel Bastreri be re-appointed to continue work on the case and specifically to review and provide expert ecological advice in relation to the proposed compensatory measures proposed by the applicant and related matters.

*Philly Green ADP.*

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23.1.2017