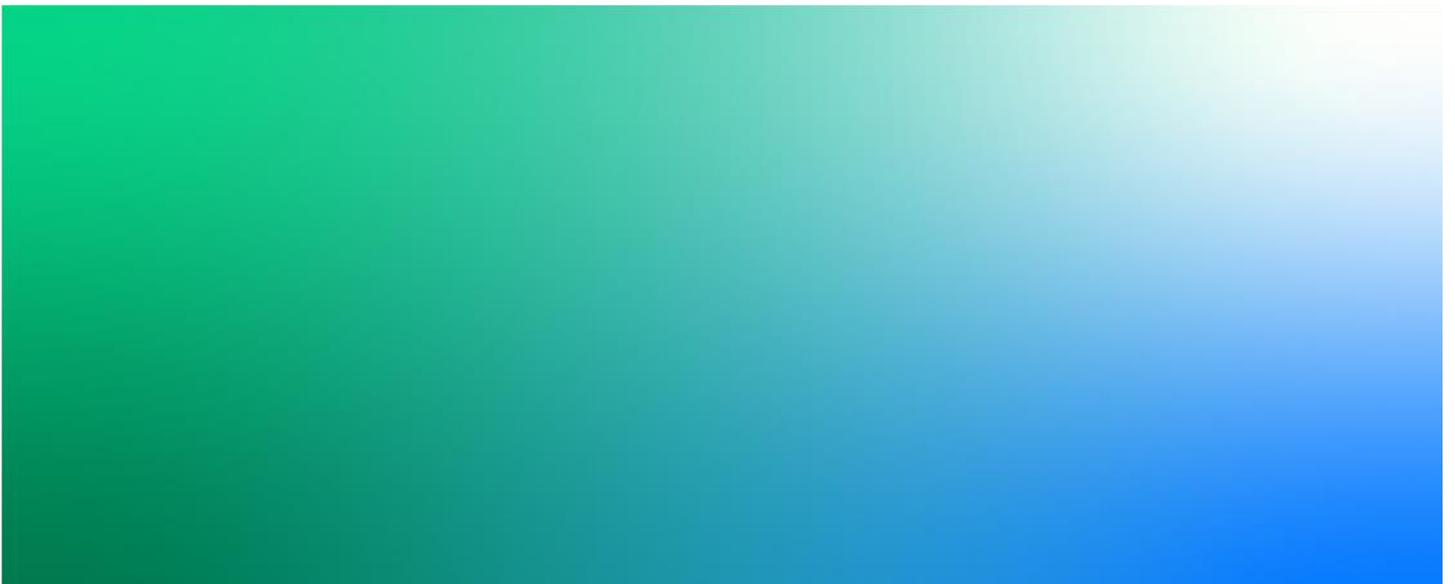


# Jacobs

**Cork Line Level Crossings**  
Volume 2, Chapter 1: Introduction  
Iarnród Éireann

March 2021



## Cork Line Level Crossings

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## Table of Acronyms

Acronym	Meaning
ABP	An Bord Pleanála
CA	Competent Authority
CCC	Cork County Council
CCTV	Closed Circuit Television
CIÉ	Coras Iompair Éireann
EC	European Commission
EEC	European Economic Community
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
Ha	Hectares
IÉ	Iarnród Éireann
LC	Level Crossing
LCC	Limerick City and County Council
m	Metres
NIS	Natura Impact Statement
NTA	National Transport Authority
SAC	Special Area of Conservation
TTA	Traffic and Transport Assessment
WFD	Water Framework Directive

# 1. Introduction

## 1.1 Introduction and Purpose of Report

Córas Iompair Éireann, hereafter referred to as CIÉ or 'the Applicant', is applying to An Bord Pleanála (ABP) for a Railway Order (RO) under the Transport (Railway Infrastructure) Act 2001 (as amended and substituted) ('the 2001 Act') to eliminate/upgrade seven public road level crossings on the Dublin-Cork Railway Line (hereafter referred to as 'the proposed Project'). Volume 4 of this report, Figures 1 – 80, provide site location plans, site layouts and elevations for all proposed infrastructure at each site location.

While the application is being made by CIÉ, Iarnród Éireann (IÉ), a wholly owned subsidiary of CIÉ, have developed the proposed Project from concept to application stage.

The application for the RO is made pursuant to the provisions of section 37 of the 2001 Act. Section 37 requires, *inter alia*, that the RO application be made in writing and be accompanied by:

- (a) A draft of the proposed RO
- (b) A Plan of the proposed railway works
- (c) A Book of Reference to a Plan indicating the identity of the owners and of the occupiers of the lands described in the Plan and
- (d) A statement of the likely effects on the environment of the proposed railway works

A statement of the likely effects on the environment of the proposed railway works is addressed by the preparation of this Environmental Impact Assessment Report (EIAR) (previously referred to as an Environmental Impact Statement in section 39 of the 2001 Act) and the EIAR has been compiled in accordance with the 2001 Act and Directive 2014/52/EU. Further details in regard to the statutory requirements for EIAR are set out in Volume 2, Chapter 4: EIA Process and Methodology.

Generally it is noted that section 6(c) of the Planning and Development (Strategic Infrastructure) Act 2006 amended the definitions section (section 2(1)(g)) in the Planning and Development Act 2000 so that the definition of 'strategic infrastructure development' includes *inter alia* any proposed railway works referred to in section 37(3) of the Transport (Railway Infrastructure) Act 2001 (as amended by the Planning and Development (Strategic Infrastructure) Act 2006). (It is further noted that the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No.296/2018) apply *inter alia* to applications for permission to An Bord Pleanála for strategic infrastructure development under section 37E of the Planning and Development Act 2000). In addition, section 54 of the Planning and Development (Amendment) Act 2010 amended section 172 of the Planning and Development Act 2000 and refers to the carrying out of an environmental assessment by An Bord Pleanála in respect of an application for consent for proposed development which includes *inter alia* a Railway Order granted under section 43 of the Transport (Railway Infrastructure) Act 2001.

A Natura Impact Statement (NIS) (See Volume 5, Appendix 7H) in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 - 2015 and a Water Framework Directive (WFD) (2000/60/EC) Assessment (Volume 5, Appendix 9B) have been prepared and accompany this application.

In summary, the purpose of the EIAR is to provide information to ABP, Cork County Council (CCC), Limerick City and County Council (LCC), statutory consultees, local residents and other interested parties about the proposed Project, its scale and extent, its likely environmental impacts and applicable mitigation measures. This is to assist in enabling them to make an objective judgement and consider the acceptability of the proposed Project within the context of national, regional, local planning and environmental policy. ABP is the Competent Authority (CA) which carries out the Environmental Impact Assessment (EIA).

## 1.2 The Applicant

As set out above, CIÉ is the applicant for the proposed Project and is Ireland's national transport provider with a number of subsidiaries including IÉ, Dublin Bus and Bus Éireann.

The 2001 Act provides that an application may be made to ABP for a RO by the National Transport Authority (NTA), the Agency (TII), CIÉ, or another person.

IÉ has developed the proposed Project on behalf of CIÉ and is responsible for the operation of intercity rail passenger services throughout Ireland and more specifically for the proposed Project between Dublin and Cork. As required under the 2001 Act, CIÉ has secured authorisation from the National Transport Authority (NTA) to make a Railway Order Application to An Bord Pleanála.

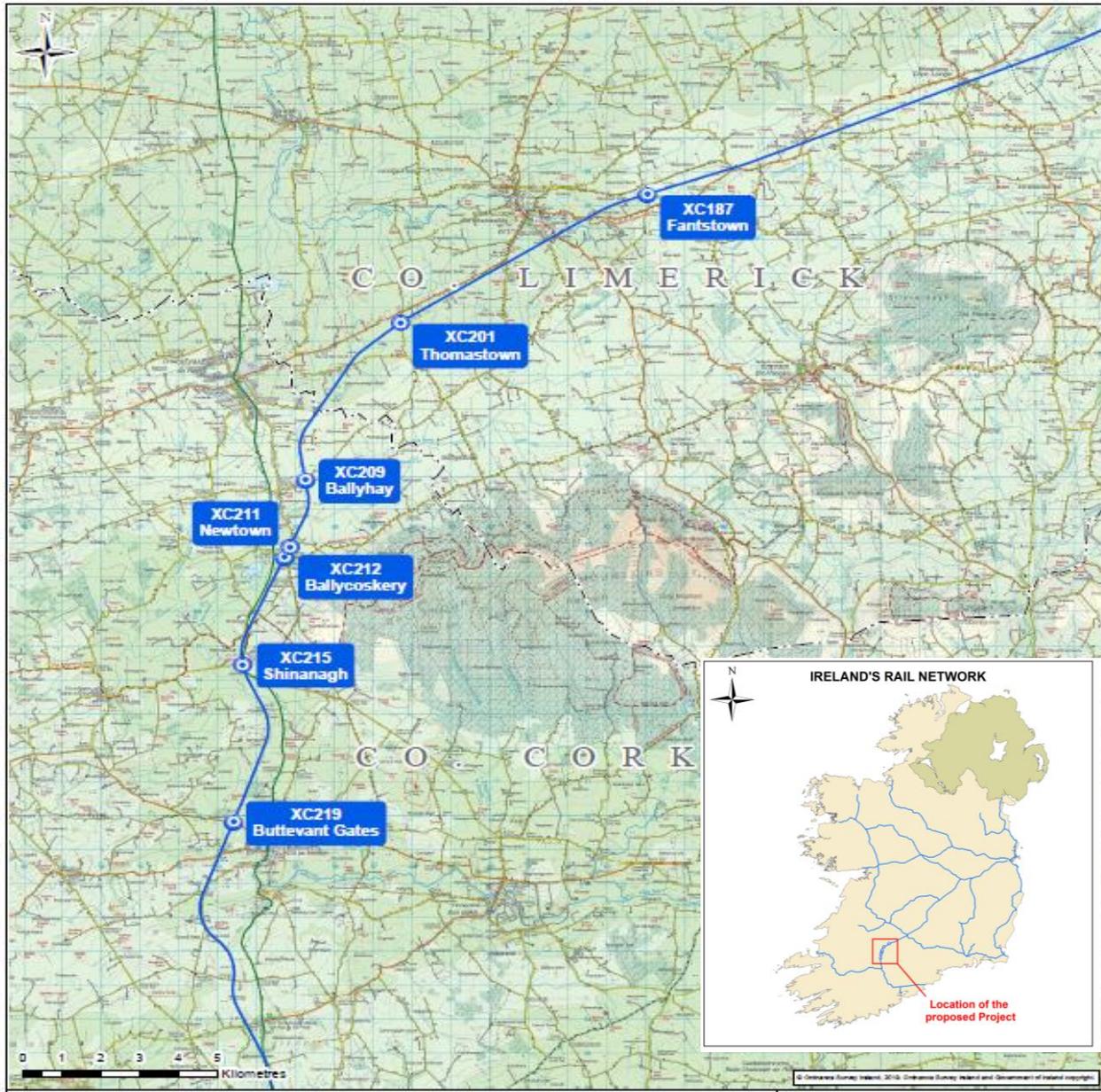
## 1.3 The Proposed Project

### 1.3.1 Project Overview

It is the policy of CIÉ and IÉ to eliminate where practicable and possible all level crossings on the rail network across Ireland. The proposed Project is located on the section of the Dublin – Cork railway line between Limerick Junction and Mallow Stations where rail speeds can reach up to 160km/hr. The proposed Project seeks to address the safety risks associated with the road rail interface at seven public road level crossings on this section of the line. The proposed Project seeks to eliminate/upgrade these level crossings and considers the level of relief required to facilitate the closures. The evolution of the proposed Project and the alternatives considered for the relief are set out at Volume 2, Chapter 2: Project Need and Alternatives. The preferred solutions are described in Volume 2, Chapter 3: Project Description.

The proposed Project is located within a 24km section of the Dublin – Cork railway line, which crosses the Cork/Limerick county boundary as set out at Figure 1.1 below.

Figure 1.1: Locations of the 7 Level Crossings



The proposed Project is described in detail in Volume 2, Chapter 3: Project Description of this EIAR. The key elements of the proposed Project are set out in Table 1.1 below.

Table 1.1: Overview of the Key Elements of the proposed Project

Location	Infrastructure	Description
XC187 Fantstown	N/A	Closure of existing level crossing: Divert traffic along existing roads to existing overbridge approximately 3 kilometres to the north east.
XC201 Thomastown	1no. road-over-rail bridge.	Closure of existing level crossing. New road-over-rail bridge. Tie into existing local road to south and new junction on Regional Road R515 to north.
XC209 Ballyhay	CCTV solution	Upgrade existing level crossing to a 4-barrier CCTV controlled level crossing.
XC211 Newtown	New access road.	Closure of existing level crossing. New access road immediately east of the existing road-over-rail bridge to the north of XC211 Newton, tie in to existing local road to the east of XC211 Newtown.
XC212 Ballycoskery (Ballyhea Village)	1 no. road-over-rail bridge, 2no. retaining walls.	Closure of existing level crossing. New road-over-rail bridge to tie into existing local road to east and west of level crossing, new car park to existing school. Tie into Beechwood Estate and Ballyhea National School to north and existing local road to south.
XC215 Shinanagh	Tie into existing road-over-rail bridge.  Upgrade of existing junction on N20, closure of existing N20 junction at current level crossing location.  Resurfacing of section of existing local road.	Closure of existing level crossing. New access road to tie into existing road-over-rail bridge approximately 1km to the north.
XC219 Buttevant	1no. road-over-rail bridge, 1no. portal frame road over river bridge culvert, 1no. ditch box culvert, 1no.access road box culvert, 2no. retaining walls.	Closure of existing level crossing. Construction of a new road-over-rail bridge and tie in to existing regional road to east and west.

### 1.3.2 Ancillary Infrastructure

The proposed Project includes a range of ancillary infrastructure including, walls/fencing to stop up existing level crossings (where relevant) car parking, traffic signage, road markings, lighting, electricity connection and fencing. Furthermore, XC209 Ballyhay includes a Relocatable Equipment Building (REB), underground electricity cabling and relocation of the gate keepers hut.

### 1.3.3 Construction Arrangements

Construction of the proposed Project is planned to take place over 18 months, commencing approximately nine months following the grant of the Railway Order. A construction management plan (which will include a construction environmental management plan (CEMP)) and schedule will be developed for the proposed Project to ensure that the construction phasing allows for maximum efficiency while minimising potential for environmental impact. An indicative programme and sequencing for construction of the proposed Project is set out at Volume 2, Chapter 3: Project Description.

## 1.4 Public Consultation

Full details of the Consultation with the public, key stakeholders, prescribed bodies and consultees is provided in Volume 5, Appendix 1H Public Consultation Report. The Consultation Report is also available to the general public on the project website: <https://www.irishrail.ie/about-us/iarnrod-eireann-projects-and-investments/cork-line-level-crossings-project>. A summary of the responses from the public consultation is provided in Volume 5, Appendix 1E.

This Section provides an overview of the consultation process and describes the statutory and non-statutory consultation and engagement processes to date. To assist in developing the EIAR, consultation serves the following key objectives:

- To establish a sufficiently robust environmental baseline of the proposed Project and its surroundings;
- To identify, early in the process, specific concerns and issues relating to the proposed Project so that they can be discussed and appropriately accounted for in the design and assessment;
- To ensure the appropriate involvement of the public and stakeholders in the assessment and design process; and
- To comply in full with the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters.

Public consultation is a useful tool in helping to identify local constraints which may be only locally known, and therefore not accounted for during previous parts of the process. This local knowledge gained through the public consultation process has been taken into consideration with regards to the development and assessments of the preferred solutions.

### 1.4.1 Initial Consultation

The initial consultation period lasted ten weeks from Tuesday 12th November 2019 to Tuesday 21st January 2020. To support the public consultation, a dedicated information service was established. These services went live on 12th November 2019 at the launch of the public consultation and included the following;

- Email: [CLLC@irishrail.ie](mailto:CLLC@irishrail.ie).
- Post: Cork Line Level Crossings Project, c/o Jacobs, Mahon Industrial Estate, Blackrock, Cork, T12 HY54.
- Website: [www.irishrail.ie/CorkLineLevelCrossings](http://www.irishrail.ie/CorkLineLevelCrossings).

These services were used to respond to any stakeholder queries, to accept public consultation feedback forms and to arrange meetings with local communities, landowners, local elected representatives or interested groups as required. To simplify the process and convey both the stage of the proposed Project and highlight opportunities to engage with the Project Team in the process, the Cork Line Level Crossings Road Map was developed as set out below and presented to the public and stakeholders.

Figure 1.2: Cork Line Level Crossings Road Map



Since the publication of this road map, the programme has changed, and the application is being submitted in Q1 2021. The delay is as a result of an additional consultation following a proposed change in alignment at XC211 Newtown, unforeseen archaeological finds and COVID 19 restrictions on surveys and ground investigations.

#### 1.4.2 Public Information Events

The public consultation included both the Preliminary Design Report and the EIA Screening & Scoping Report. The Preliminary Design Report outlined the following:

- Need for the scheme;
- Scheme delivery;
- Detailed information in regard to the seven level crossings;
- Route Options Report; and
- Public Consultation Drawings.

The EIA Screening & Scoping Report included the following:

- Description of the proposed Project;
- A screening determination on the need for Environmental Impact Assessment (EIA);
- A description of the potential significant impacts which may arise during construction and operation of the proposed Project; and
- An outline of the proposed methods for assessment of the potential impacts.

All relevant information regarding the proposed Project was stored online and made available to members of the public at the local events which took place, as set out in Table 1.2 below.

Table 1.2: Public Information Events

Date	Venue	Attendees
Tuesday 19 November 2019	Charleville Park Hotel, Cork	77 recorded attendees
Wednesday 20 November 2019	Deebert Hotel, Limerick	11 recorded attendees

The public information events were staffed by Jacobs and CIÉ/IÉ project team members. Display boards were used to present the emerging preliminary designs for each of the seven level crossings to provide information to attendees. Project consultation roadmap display boards were also produced. Feedback forms and information on how to make a submission was made available. A submission box was included at each event, submissions were also accepted by post or by email before or after the public consultation events.

#### 1.4.3 Further Consultation (XC211 Newtown 'Blue Route')

Further non-statutory public consultation took place over a four-week period from Monday 10th February to Friday 6th March 2020. This consultation was organised immediately following the closure of the Cork Line Level Crossings consultation in response to significant stakeholder feedback regarding XC211 Newtown.

In the first Cork Line Level Crossings consultation that ran from 12th November 2019 until 21st January 2020, a large number of submissions was received expressing a preference for the Blue Route over the chosen Green Route in the case of the elimination of level crossing at XC211 Newtown. The Project Team decided to hold a second period of consultation for XC211 Newtown. This consultation has taken local resident and stakeholder concerns into account and sought feedback on the elimination of XC211 Newtown in relation to the Blue Route, feedback on the Preliminary Design Report and Environmental Impact Assessment (EIA) Screening & Scoping Report.

#### 1.4.4 Key Stakeholder Consultation

Consultation has taken place with a number of key stakeholders which includes, but is not limited to, the following:

- An Bord Pleanála (ABP); and
- Cork County Council and Limerick City and County Council Planning and Roads Departments.

#### **An Bord Pleanála**

The first pre application meeting with ABP took place on the 17th October 2019. The second meeting with ABP took place on 9th July 2020 and the final meeting took place on the 4th February 2021.

A detailed response to the issues raised by ABP, Cork and Limerick Councils is set out within the Planning Compliance Report which forms part of the suite of documents submitted as part of the Railway Order application. A brief summary of the key issues raised is outlined below.

Table 1.3: An Bord Pleanála Consultation 17<sup>th</sup> October 2019

An Bord Pleanála	
Issues Raised	Response/Where this is addressed
The Board's representatives enquired as to why a Railway Order application is being pursued in this particular instance.	The Project Team replied that it was of the opinion that a Railway Order application under the Transport (Railway Infrastructure) Act 2001, as amended, would be the most appropriate legislative

An Bord Pleanála	
The Board requested a further rationale for pursuing a Railway Order application to be submitted in due course.	mechanism to pursue as the proposed Project comprises of ancillary works necessary for a railway line.
The Board advised that the prospective applicant give careful consideration as to whether the proposed works could be considered to fall within the meaning 'railways works' which could be the subject of a railway order under the Transport (Railway Infrastructure) Act 2001. Any legal advice or submission in this regard could be submitted to aid the Board's consideration of this matter.	A legal opinion prepared by Conleth Bradley (Senior Counsel) on behalf of CIÉ was issued to the Board on the 11th February 2020. The opinion of Senior Counsel is that <i>"I am of the view that the works required in the replacement of seven numbered manned level crossings come within the ambit of the 2001 Act and accordingly CIÉ should make an application for a Railway Order to carry out these works."</i>
The Board enquired as to whether consideration had been given to applying for a separate consent for each individual site as opposed to applying for a Railway Order application for all seven sites. It also remarked that it considered an EIAR for all seven sites as the best approach in terms of efficiency and with respect to the assessment of cumulative effects.	As detailed in the legal advice prepared by Senior Counsel Paragraph 44 sets out that <i>"A perusal of a Railway Order applied for in recent years illustrates in detail the nature of the varied works in different locations. It would be contrary to the scheme of the legislation and the Railway Order process to apply for a series of separate railway orders. Rather, these are all works in one proposed Railway Order to facilitate one railway line, from Dublin to Cork."</i> Furthermore, seven separate Railway Order applications in such close proximity with seven separate Environmental Impact Assessments and applications could be viewed as 'project splitting'. In combining all seven proposals into one application it allows a more comprehensive assessment and public/stakeholder engagement process.
Consultation letters have issued to statutory consultees (including the two relevant local authorities). No consultations have taken place with representatives from the National Parks and Wildlife Service (NPWS) to date. Particular attention was drawn to the benefit of discussions with the NPWS and TII in relation to this project.	NPWS and TII responded to the consultation; NPWS consultation information is provided in Volume 3, Chapter Biodiversity. TII advised that the proposed Project should comply with all TII Standards for design and safety, consultation with county roads engineers was required and that the Project Team should engage with the M20 Project Team.
The Board advised that public consultations need to be as robust as possible and should be commenced at an early stage so as to ensure thorough and meaningful engagement.	A robust public consultation exercise has been undertaken. This is summarised in Volume 5, Appendix 1E. The Consultation Report detailing the responses is included within the suite of Railway Order application documents.
The Board's representatives commented that there is a need for a proportionate balance between the optimum engineering design and solutions which take account of planning and environmental matters. In particular, the possible solution (overbridges and roads) at Ballycoskery/Newtown needs very careful consideration in terms of the scale and extent of the works proposed and the impact on pedestrian/cycle movements and community connectivity. The relationship of the Shinanagh works to the preferred N20/M20-corridor should also be resolved in full in advance of any application.	Volume 2, Chapter 3: Project Description includes a specific section on the proportionality of the proposed Project. The Project Team has engaged with the M20 Project Office. No significant concerns/issues were raised in regard to the proposed Project at Shinanagh.
Given the scale of the works, a further meeting/meeting would be required to examine the planning and environmental considerations if the project is to be advanced as a Railway Order application. More detailed issues relating to EIA and AA would also need to be discussed.	A further meeting took place with An Bord Pleanála on 9th July 2020 and is detailed at Table 1.4.

A further and final pre application meeting was held with ABP on the 9th July 2020. A summary of the salient points raised is set out in Table 1.4 below.

Table 1.4: Second Pre-Application Consultation Meeting 9th July 2020

An Bord Pleanála	
Issues Raised	Response/Where this is addressed
<p>CCTV Controlled Level Crossing – the Boards representatives stressed the importance of showing alternative options for the seven manned level crossings as part of the EIAR. In particular, the Board enquired if due consideration was given to CCTV at all the level crossings such as proposed for Ballyhay.</p> <p>The Boards representatives stressed the importance of setting out full justification of the preferred options and justification of the proportionality of the engineering works arising in the context of planning and environmental impacts.</p>	<p>Volume 2, Chapter 2: Project Need and Alternatives sets out the alternative options considered to eliminate/upgrade the subject existing level crossings. CCTV was considered as a potential solution for each site as part of the Feasibility Study (Volume 5, Appendix 1K)</p> <p>Proportionality is addressed at Volume 2, Chapter 3: Project Description. It sets out what the Project Team considers is 'Proportionality' in both legal and planning terms and applies a 'proportionality test' to the proposed Project. Furthermore, it reviews the principles of design for Bridges and Alignments and provides a review of traffic volumes associated with each level crossing.</p>
<p>Newtown and Ballycoskery – the Boards representatives referred to the change of design for the proposed development at Newtown and Ballycoskery and requested the prospective applicant to expand on the design and in particular, the headroom of the bridge, retaining walls, access to the housing estate and school in proximity to the proposed development</p> <p>The Board enquired if there was any feedback from local residents at Newtown and Ballycoskery in relation to pedestrian connectivity to the school.</p>	<p>The headroom for the bridge is approximately 5.1m and the maximum height of the retaining wall is approximately 11m.</p> <p>As discussed at the meeting with ABP, the current situation is that traffic using the existing level crossing passes directly in front of Ballyhea National School. The proposed Project will move traffic not associated specifically with the school further to the south which will improve amenity as well as safety. Furthermore, a dedicated car park and turning area is proposed as betterment for the school.</p> <p>Concerns have been expressed by local residents regarding connectivity to the school. Volume 5, Appendix 1E sets out specific responses to the key concerns raised.</p>
<p>Ballyhay – the Boards representatives queried the extent of the public consultation with Ballyhay local groups.</p>	<p>For the avoidance of doubt, note that 'Ballyhay' Village is spelt Ballyhea Village.</p> <p>As discussed with ABP a number of options were put before the local groups but there was no consensus. The key concerns were largely based on connectivity and potential impacts upon amenity. This is addressed in further detail at Volume 5, Appendix 1E.</p>
<p>Thomastown – the Board noted that at Thomastown, following public consultation, the proposed road-over-rail bridge will now be a wider two-way bridge. The Board suggested there needs to be justification for increasing the size of the bridge relative to the landtake required.</p>	<p>As set out above, proportionality is addressed at Volume 2, Chapter 3: Project Description. The two proposed lanes are limited to the bridge itself and are not on the proposed approaches. This has been agreed with Limerick County Council (see Volume 5, Appendix 1B).</p>
<p>Buttevant – the Board requested more detail in relation to watercourses at Buttevant.</p>	<p>Further information regarding the watercourses at Buttevant is provided at Volume 3, Chapter 9: Water as well as within the Natura Impact Statement (NIS) that accompanies this EIAR (Volume 5, Appendix 7H).</p>
<p>Shinanagh – the prospective applicant mentioned potential archaeology sites at Shinanagh and have undertaken geo-physical surveys of the land. There is a church with an old graveyard and marked depressions in the field adjacent. The prospective applicant is consulting with the National Monuments service to undertake archaeological test trenching and intends to have finished testing prior to submitting the application.</p>	<p>See section 1.4.6 and Table 1.8 further below. The Project Team has closely engaged with NMS resulting in further geophysical surveys and test trenching. NMS has prepared a Mitigation Strategy which has been incorporated into Volume 3, Chapter 12: Cultural Heritage.</p>

An Bord Pleanála	
Other Archaeological Sites – the Board enquired if there are other sites of archaeological interest. The prospective applicant said in Newtown there is an old ring fort and an old wall designated in that area. The National Monuments Service have provided direction and the prospective applicant has undertaken geo-physics surveys.	As above regarding engagement with NMS.
Other matters – the prospective applicant mentioned difficulty accessing lands near the proposed development site at Ballycoskery. The Boards representatives advised the prospective applicant to carry out as much survey work as possible.	ACSU were able to carry out carried out a geophysical survey within the proposed alignment at XC212 Ballycoskery in November/December 2020. This has been set out in Volume 3, Chapter 12: Cultural Heritage.

Table 1. 5: Final Pre-Application Consultation Meeting 4th February 2021

An Bord Pleanála	
Issues Raised	Response/Where this is addressed
The Applicant made the Board aware that this was the final pre application meeting and would follow up with a letter to the Board formally ending the consultation process.	The Applicant issued a letter to the Board on the 9 <sup>th</sup> February 2021 closing the pre application consultation process. The Board subsequently confirmed in a letter dated 2 <sup>nd</sup> March 2021 that it considered the pre application process in respect of this case to be concluded and that it is now open to the Applicant to now lodge an application for a railway order.
The Applicant made the Board aware that the proposed bridge/road alignment at Ballyhea Village (XC212 Ballycoskery) is generally in line with the reservation made for a possible new road alignment as set out in the Fermoy Municipal District Local Area Plan 2017.	The Planning Compliance Report (PCR) that forms part of the suite of Railway Order application documents includes an excerpt from the Local Area Plan.
The Board requested that a separate chapter be included within the EIAR to set out mitigation and monitoring measures for ease of reference.	It was clarified in the 9 <sup>th</sup> February 2021 letter to the Board that the EIAR does not include a standalone mitigation and monitoring measures chapter but does include a Schedule of Mitigation Measures Appendix. The Board confirmed this approach was acceptable as long as they are included somewhere in the EIAR.
The Board requested that all plans submitted are to an appropriate scale and suggested that visual be provided with respect to key locations for the proposed development.	The plans/elevations accompanying the application include appropriate scales and are included at Volume 4, Figures. Furthermore, Volume 3, Chapter 13 Landscape & Visual includes photomontages for key locations.

The pre application consultation process with ABP has been completed. The engagement has helped to inform the Project Team with regards to the key issues that will be taken into consideration during the processing of the Railway Order application. It is considered that all of the salient points raised by ABP have been addressed and to summarise:

- 1) ABP has accepted that the proposed Project falls within the remit of a Railway Order and CIÉ can make an application for same;
- 2) One Railway Order application can be made for all seven sites;
- 3) Consultations have taken place with key consultees, including the NPWS and TII;
- 4) A meaningful and extensive public engagement exercise has taken place and has helped to shape the proposed Project; and
- 5) CIÉ has applied the principle of proportionality in the design and application of the proposed project. This is addressed at Volume 2, Chapter 3: Project Description.

## Cork County Council Consultation

Volume 5, Appendix 1A includes all consultation that has taken place with Cork County Council and where this has been addressed within the EIAR. Table B.1 includes those consultations which took place during both the initial consultation exercise undertaken between 12th November 2019 and 21st January 2020, and the further consultation exercise undertaken between 10th February, and 6th March, 2020. Furthermore, Volume 5, Appendix 1A includes a minute of the meeting held between the Project Team and Cork County Council on the 22nd January 2020. It should be noted that a final consultation teleconference meeting was held on the 3<sup>rd</sup> December 2020 and is summarised further below.

The Planning and Roads Departments of Cork County Council have helped to shape the proposed Project and the key points raised by Cork County Council are summarised in Table 1. 6 below.

Table 1. 6: Cork County Council Consultation Summary

Cork County Council Consultation Summary		
Department	Issues Raised	Response/Where this is addressed
Roads	Noted that the proposals will improve road safety and provide accessibility for motorists on a permanent basis on those gates which were closed at night. General queries regarding the Railway Order process, the road design, river bridge design, gradient, footpaths and speeds.	See Volume 5, Appendix 1A for responses to the queries raised by the Roads Department. The Cork County Council Transportation Department confirmed by Email on 2 <sup>nd</sup> December that it will take the new roads in charge.
Heritage	States that if the level crossings XC211 Newtown and XC212 Ballycoskery are like the other level crossings (modern) <i>"there is no heritage issue with replacement."</i>	Volume 3, Chapter 12: Cultural Heritage assesses the likely impact and significance of effect on Cultural Heritage as a result of the construction and operation of the proposed Project.
Environment	<i>"Crossings located at Ballyhea, Newtown, Ballycoskery, Shinanagh and Buttevant are all located within the catchment of the Blackwater River (Cork/Waterford) Special Area of Conservation (Site Code:2170). It is recommended that a mammal survey for otter should be carried out in respect of each of these sites and consultation should take place with NPWS and IFI in relation to each of these sites as there is potential for direct and indirect impacts on the SAC and fisheries."</i>	Volume 3, Chapter 7: Biodiversity includes consideration of mammal habitats. A Natura Impact Statement (NIS) has been included in the application package (Volume 5, Appendix 7H) and the Project Team have been in contact with both the NPWS and IFI as set out at Table 1.9
Planning	Considered the principle of the proposed Project to be sound and commented that if the Dublin-Cork Rail line is to be electrified and if the County seeks to encourage more sustainable forms of transport this type of project is necessary. The health and safety concerns associated with level crossings and the need to replace/upgrade was also acknowledged.	Noted. The points raised by the Planning Department have been considered at Volume 2, Chapter 2: Project Need and Alternatives.

The meeting held with Cork County Council on the 3<sup>rd</sup> December 2020 further discussed the proposed CCTV upgrade at XC209 Ballyhay. In general, the Council also asked for clarification on the public consultation process undertaken and whether there would be further opportunity for stakeholders and members of the public to make submissions. The Council advised that the Cork National Road Office should also be contacted. There was some discussion regarding the design at Ballycoskery and the landscaping of the scheme.

The consultation and engagement with Cork County Council has been very positive, the Project Team have taken into consideration all of the issues raised and these have been addressed both within the design of the proposed Project and within the EIAR.

### Limerick City and County Council Consultation

Volume 5, Appendix 1B includes at B.1 Table 1.7 all consultation that has taken place with Limerick City and County Council and where this has been addressed within the EIAR. Table C.1 includes those consultations which took place during both the initial consultation exercise undertaken between 12th November 2019 and 21st January 2020, and the further consultation exercise undertaken between 10th February, and 6th March 2020. Furthermore, Volume 5, Appendix 1B includes a minute of the meeting held between the Project Team and Limerick County and City Council on the 8th January 2020. Limerick City and County Council Planning Department confirmed by email on the 18<sup>th</sup> December 2020 that they had no further comments and copied the Operations Section and Kilmallock Area Office into the email should they have further comments. No further comments were received.

The Planning and Roads Departments of Limerick City and County Council have helped to shape the proposed Project and the key points raised by the Council are summarised in Table 1.7 below.

Table 1.7: Limerick City and county Council Consultation Summary

Limerick City and County Council (LCC) Consultation Summary		
Department	Issues Raised	Response/Where this is addressed
Roads	General queries regarding road design, width, gradient and extinguishment of roads. Requested widening of the road-over-rail bridge at XC201 Thomastown to 'future proof' the design.	See Volume 5, Appendix 1B for full responses to the queries raised by the Roads Department. The final communication from the Roads Department was received on 7 <sup>th</sup> July 2020 and states the Council will take the proposed roads in charge.
Heritage/Environment	Comments received in regard to the EIA Screening and Scoping Report, including: further guidelines and plans to reference within the EIAR, AA Screening and the potential for a Natura Impact Statement (NIS), the importance of public consultation, the need to stress the increased safety of the rail network following the works and citing accident figures, detail measures to prevent run off and preparation of a construction environmental management plan (CEMP), potential fragmentation of badger habitats, archaeology and landscape should be addressed within the EIAR and comments on the eventual electrification of the railway line and how that will help in regard to climate issues. In addition, further comments were received requiring the removal of any trees/hedges to be addressed in the EIAR, the need for replanting, wildlife surveys, consideration of archaeology and potential run off to the local watercourse.	See Volume 5, Appendix 1B for full responses to the queries raised by the Heritage/Environment Department. In summary, an NIS has been included in the application package (Volume 5, Appendix 7H). A robust public consultation exercise has been undertaken. This is summarised in Section 1.4 and 1.4 of this report and detailed in Volume 5, Appendix 1B. Furthermore, a Stakeholder Communications Plan and Consultation Report has been prepared and are included within the suite of Railway Order application documents (Volume 5, Appendix 1H). Increased safety and the need for the proposed Project has been set out at Volume 2, Chapter 2: Project Need and Alternatives. An outline CEMP is included at Volume 5, Appendix 1I. Volume 3, Chapter 7: Biodiversity includes consideration of mammal habitats. Climate is considered at Volume 3, Chapter 16: Cross Cutting Themes. Volume 3, Chapter 13: Landscape & Visual considers landscape visual impacts, including removal of trees/hedges. Volume 3, Chapter 12: Cultural Heritage includes an assessment of archaeology. Run off is considered at Volume 3, Chapter 9: Water.
Planning	General queries in regard to the Railway Order process and what would be required of the Planning Department going forward.	Volume 2, Chapter 5: Plans, Policy and Guidance sets out the planning context for the proposed Project. The Railway Order Application also includes a Planning Compliance Report.

The consultation and engagement with Limerick City and County Council has helped to inform the process; the Project Team has taken into consideration all of the issues raised and these have been addressed both within the design of the proposed Project and within the EIAR.

In particular, the initial design for the proposed road-over-rail bridge at XC201 Thomastown was widened as a direct result of the consultation with Limerick City and County Council, as well as through engagement with the public.

#### **Cappamore-Kilmallock Municipal District Council (MDC) 16th January 2020**

Members of the Project Team met with the Cappamore-Kilmallock MDC on the 16th January 2020 and gave a presentation on the proposed Project. The key points discussed, and responses are provided at Volume 5, Appendix 1C, Table B.1. The minute of the meeting is at Volume 5, Appendix 1C.

#### **Ballyhea Village Community Group Meeting 3rd December 2019**

Members of the Project Team met with the Ballyhea Village Community Group on the 3rd December 2019. As a direct consequence of this engagement, a further consultation exercise was undertaken from 10th February – 6th March 2020. Details are provided in Volume 5, Appendix 1D). The outcome of the further consultation was broad support for the 'Blue Route' as is now proposed.

The key points raised by the Community Group and responses are provided in further detail at Volume 5, Appendix 1D Table D.1. The minute of the meeting is at Volume 5, Appendix 1D.

#### **Ballyhea Landowner/Stakeholder Meetings 4th/7th December 2020**

Members of the Project Team met with key landowners and stakeholders for each of the proposed Project sites. The Project Team provided a further update on the status of the proposed Project and talked through the latest plans for each site. A range of issues were highlighted from suggested further design changes, to concerns regarding potential impacts upon amenity, noise, visual impact and traffic.

Volume 5, Appendix 1D provides an overview of the key points raised during this final round of consultation with the local community.

#### **1.4.5 Consultation with Prescribed Bodies and other Consultees**

In accordance with statutory requirements Prescribed Bodies and other consultees listed in Table 1.8, were issued letters in July 2019 advising of the proposed Project and seeking initial views. The consultees identified below were issued with the Screening and Scoping Report as well as the Preliminary Design Report for consultation.

Table 1.8: Prescribed Bodies and other Consultees

Consultees	
Architectural Heritage Advisory Unit (AHAU)	Fáilte Ireland
An Taisce	Teagasc
Transport Infrastructure Ireland (TII)	The Arts Council (An Chomhairle Ealaíon)
National Transport Authority (NTA)	Gas Networks Ireland
National Museum of Ireland	Geological Survey Ireland
Bat Conservation Ireland	Health Service Executive
Birdwatch Ireland	Irish Water
Coillte Teoranta	Inland Fisheries Ireland
Department of Communications, Energy and Natural Resources	National Parks and Wildlife Service
Department of Culture, Heritage and the Gaeltacht	Office of Public Works (OPW)
Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs	Irish Aviation Authority
Department of Agriculture, Fisheries & Food	The M20 Cork to Limerick Project
National Parks and Wildlife unit- Development Applications Unit	Commission for Railway Regulation
Environmental Protection Agency ESB Networks	Waterways Ireland

Since the initial consultation and EIA Scoping consultation, there has been continued dialogue with some of these prescribed bodies.

#### 1.4.6 National Monuments Service

The National Monuments Service has been consulted on the potential archaeology throughout the proposed Project and in particular at XC215 Shinanagh and XC211 Newtown. The outcome of the pre application engagement with NMS was an Archaeological Mitigation Strategy dated 2<sup>nd</sup> February 2021, the recommendations/mitigation set out in that Strategy have been incorporated into Volume 3, Chapter 12: Cultural Heritage where further details on this consultation and advice, and the results of the testing are presented.. A summary of the engagement with NMS is provided in Table 1.8 below and further information presented in Volume 5, Appendix 1F.

#### 1.4.7 M20 Project Team

The M20 Project team has been further consulted on the proposed Project design and tie-ins to regional and local roads in close proximity to the N20/proposed M20 and the potential for the proposed Project and the M20 project to have cumulative impacts on the local community. A teleconference meeting was held on the 10th March 2020. It was noted that in terms of sequencing the Cork Line Level Crossings Project was more likely to be submitted first and the M20 Project Team requested to be kept informed of any major changes to the programme. No significant issues were raised by either project team and it was agreed to keep communications open between the projects. A second telephone conference was held on 5th November 2020. At this meeting, it was noted that the M20 is around 1-2 years away from submission; the design is not fixed and is still at options selection stage. After reviews, there did not appear to be any significant interactions between the two schemes however, Buttevant and Shinanagh are the closest to potential route corridors. The M20 team considered that Cork Line improvements to the N20 at Shinanagh are potentially beneficial to any proposed N20 upgrade (see Table 1.8 below and Volume 5, Appendix 1G).

### 1.5 EIA Scoping Consultation

CIÉ and IÉ recognise the importance of consultation and engagement with stakeholders. Consultees were invited to make submissions in regard to the following:

- Is the scope of the proposed assessment for the EIAR adequate?
- Is there any additional information that should be considered in the development of the proposed Project?
- Are there any additional environmental issues that should be taken into consideration in preparing the EIAR?

The key issues raised during consultation with prescribed bodies and other consultees are addressed, where applicable, in each discipline chapter (Volume 3) and are broadly summarised below in Table 1.9 below.

Table 1.9: Prescribed Bodies and Other Consultee Responses

Consultee Comments and Date of Response	Response/Where this is addressed
<b>Architectural Heritage Advisory Unit (AHAU)</b>	No response received.
<b>An Taisce (19th November 2019)</b> Acknowledgment of Receipt.	N/A
<b>Transport Infrastructure Ireland (TII) (14th August 2019)</b> Request for a revised site location plan with townland and map co-ordinates. TII provided an updated Consultee response (17th September 2019) and sets out the following (inter alia):	1) See Volume 3, Chapter 11: Traffic and Transport. This chapter considers the traffic and access implications of the proposed Project with reference to the impacts of construction and operational traffic. The chapter has also considered the comments made by TII in regard to safeguarding the capacity, safety and operational efficiency of the network and concludes that when

Consultee Comments and Date of Response	Response/Where this is addressed
<p>1) The EIAR should identify the methods/techniques proposed for any works traversing/in proximity to the national road network in order to demonstrate that the development can proceed complementary to safeguarding the capacity, safety and operational efficiency of that network;</p> <p>2) Consultations were advised with Cork County Council Transportation Department, Cork National Roads Office and the M20 Project Office;</p> <p>3) A Traffic and Transport Assessment (TTA) should be carried out. TII's TTA Guidelines (2014) should be referred to. It also specifies that regard is had to Section 2.2 of the TII TTA Guidelines;</p> <p>4) TII Standards should be consulted to determine the requirement for Road Safety Audit (RSA) and Road Safety Impact Assessment (RSIA);</p> <p>5) Assessments and design and construction and maintenance standards are available at TII Publications;</p> <p>6) The EIA shall include provision for travel planning/mobility management planning;</p> <p>7) The EIA should have regard to TII Environment Guidelines that deal with assessment and mitigation measures. It goes on to specify that evidence assessment of the protection of the strategic function of the national road in relation to the following matters is required:</p> <p>8) TII's environmental Assessment and Construction Guidelines, including the Guidelines for the Treatment of Air Quality During the Planning and Construction of national Road Schemes (National Roads Authority, 2006);</p> <p>9) The EIAR should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and, in particular, how the development may need to consider the incorporation of noise barriers to reduce noise impacts (see guidelines for the Treatment of Noise and Vibration in National Road Schemes (1st Rev, National Roads Authority, 2004).</p> <p>The response ends by stating that any additional works/structures required as a result of the assessment should be funded by Irish Rail.</p>	<p>considering actual volumes of traffic, the predicted flows are well within the practical operating capacity of these roads. Notwithstanding this, appropriate mitigation measures have been identified, including the provision of a Construction Traffic Management Plan (CTMP) which will ensure that any potential significant effects are mitigated.</p> <p>2) Consultations have been undertaken with Cork County Council Transportation Department and the M20 Project Office (See Volume 5, Appendix 1A Table A.1 and Appendix 1F). Cork County Council Transportation Department confirmed that it would be sufficient to consult with TII and themselves and that they do not see the need for duplication in consulting with the Cork National Roads Office.</p> <p>3) Volume 3, Chapter 11: Traffic and Transport includes a Traffic and Transport Assessment (TTA) and refers to the TTA Guidelines 2014 and in particular Section 2.2;</p> <p>4) A Stage 1 Road Safety Audit (RSA) and Road Safety Impact Assessment (RSIA) have been prepared and are included in Volume 5, Appendix 1A. All problems highlighted by the Road Safety Auditor have been resolved or eliminated;</p> <p>5) TII Publications have been considered in Volume 3, Chapter 11: Traffic &amp; Transport as well as the RSA and RSIA;</p> <p>6) Volume 3, Chapter 11: Traffic and Transport includes the requirement for a Construction Traffic Management Plan (CTMP);</p> <p>7) TII Environment Guidelines have been considered in the preparation of the EIAR;</p> <p>8) Volume 3, Chapter 15: Air Quality presents the potential air quality effects resulting from the construction and operation of the proposed Project on nearby sensitive receptors and locations. The assessment has concluded that during construction changes to pollutant concentrations at receptor locations close to the local and wider road network would be negligible and the combined air quality effects would be insignificant. Good practice mitigation has been proposed during the construction period. During operation the assessment found that the proposed Project would not materially alter the road traffic flows on a wider scale and therefore any combined effects would be negligible, and insignificant.</p> <p>9) Volume 3, Chapter 10: Noise and Vibration includes consideration of TII Guidance, the National Roads Authority Guidance and the Environmental Noise Regulations 2006. The assessment has concluded that there is potential for significant adverse noise effects during the construction phase and has proposed a series of mitigation measures. No significant noise effects were predicted during the operational phase therefore no mitigation is required.</p> <p>Noted.</p>
<p><b>National Transport Authority (NTA) (19th November 2019)</b></p> <p>States that the NTA aim to respond to all enquiries within 15 working days. The consultation was given case reference CAS-84359-R8W8K1.</p> <p><b>22nd November 2019</b></p> <p>Response from Mick MacAree stating that the EIAR will be reviewed by the planning team.</p>	<p>Noted.</p>
<p><b>National Museum of Ireland (19th November 2019)</b></p>	<p>Noted.</p>

Consultee Comments and Date of Response	Response/Where this is addressed
<p>Advised that "We will be in touch within the next 10 working days to assist with your query."</p>	
<p><b>Bat Conservation Ireland (25th November 2019)</b></p> <p>This sets out the following:</p> <p><i>"We note that bat surveys for the level crossings are proposed and we would endorse this requirement. We would generally only respond to a scoping report where we saw a clear absence of bat surveys where we felt there should be one. We would suggest you refer to your company's ecologist, who should be involved in the preparation of this document."</i></p>	<p>Bat Surveys were undertaken by Jacobs Ecologists in July and August 2019. See Volume 3, Chapter 7: Biodiversity and Volume 5 Appendix 7E.</p>
<p><b>Birdwatch Ireland (5th December 2019)</b></p> <p>This acknowledged receipt and states that it will be raised with a relevant member of the organisation.</p>	<p>Noted.</p>
<p><b>Coillte Teoranta (19th November 2019)</b></p> <p>This acknowledged receipt and states that it will be raised with a relevant member of staff.</p>	<p>Noted.</p>
<p><b>Department of Communications, Energy and Natural Resources (19th November 2019)</b></p> <p>This acknowledged receipt and states that it will be raised with the relevant Division for reply.</p>	<p>Noted.</p>
<p><b>Department of Culture, Heritage and the Gaeltacht (30th September 2019)</b></p> <p><b>(Note that the National Monuments Service (NMS) is now under the Department of Housing, Local Government and Heritage)</b></p> <p>This commented that <i>"The information provided was not sufficiently detailed to allow for a full assessment of the archaeological implications of this proposal, however the Department wishes to advise that as part of the compilation of an Environmental Impact Statement (EIS) it is recommended that you retain the services of a suitably qualified Consultant Archaeologist to carry out a Cultural Heritage and Archaeological Impact Assessment (CHAIA) of the proposed development. In this regard the Department awaits the results of the CHAIA before commenting further."</i></p> <p>The Project Team issued a further email to the Department on the 30th April 2020 asking for confirmation that the Department and, in particular, National Parks and Wildlife Service (NPWS) and National Monuments Service (NMS) have no further comments to make on the updated EIA Screening and Scoping Report or the Preliminary Design Report as consulted upon during 10th February 2020 to 6th March 2020.</p>	<p>Volume 3, Chapter 12: Cultural Heritage assesses the likely impact and significance of effect on cultural heritage as a result of the construction and operation of the proposed Project. Volume 3, Chapter 12 was compiled by Archaeological Management Solutions (AMS) who are qualified consultant archaeologists.</p> <p>Geophysical Survey Reports were prepared by AMS for XC211 Newtown and XC215 Shinanagh. Further test trenching and geophysical surveys were undertaken by ACSU Ltd.</p> <p>Geophysical survey reports were issued to NMS on the 19th March 2020.</p> <p>18<sup>th</sup> June 2020 a teleconference was held with NMS and a summary is set out below:</p> <ul style="list-style-type: none"> <li>▪ Access to XC212 Ballycoskery to be resolved to facilitate geophysics – access had not previously been possible;</li> <li>▪ Targeted test trenching is required;</li> <li>▪ Discussion around extensive archaeological features identified in the geophysical survey of XC215 Shinanagh and need for test trenching;</li> <li>▪ Noted previous option to west of XC215 Shinanagh and requested geophysical survey of same;</li> <li>▪ Requested geophysical surveys of Thomastown and Buttevant;</li> <li>▪ NMS advised that geophysical and advance testing are now standard to inform road schemes; and</li> <li>▪ Next Steps included NMS to prepare an archaeological advice note.</li> </ul> <p>NMS issued an advice note on 6<sup>th</sup> July 2020. This advice note formed the basis of the archaeological test trenching and further geophysical surveys undertaken for the proposed Project.</p> <p>On 31st July 2020 a teleconference meeting was held, following which NMS provided advice on the surveys and test trenching required to determine the extent of the archaeological potential. In addition further teleconference meetings were held with NMS on</p>

Consultee Comments and Date of Response	Response/Where this is addressed
	the 6th January 2021. The outcome of the pre application engagement with NMS was an Archaeological Mitigation Strategy dated 2nd February 2021, the recommendations/mitigation set out in that Strategy have been incorporated into Volume 3, Chapter 12: Cultural Heritage.
<p><b>Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs (19th November 2019)</b></p> <p>This acknowledged receipt, advised of an alternate email address to use in correspondence and commented that the turnaround for pre-planning responses is six weeks.</p>	Noted.
<p><b>Department of Agriculture, Fisheries &amp; Food (6h August 2019)</b></p> <p>This acknowledged the consultation and set out that correspondence on the proposed Project will be brought to the Minister's attention. It also stated that the consultation was forwarded to relevant Department officials.</p>	Noted.
<p><b>Environmental Protection Agency (19th November 2019)</b></p> <p>This acknowledged receipt and states that it will be forwarded for reply to the appropriate person.</p>	Noted.
<p><b>ESB Networks (8th August 2019)</b></p> <p>This provided the location of the ESB electrical network in the area of the proposed Project. It included PDF map attachments and various guidance on safe construction when working near electricity.</p> <p><b>28th November 2019</b></p> <p>This sets out that the consultation has reached ESB Networks and that they will reply as soon as possible.</p>	The proposed Project will include the relocation of the overhead electricity lines at XC201 Thomastown, XC212 Ballycoskery and the decommissioning of overhead ESB lines serving the level crossing equipment at XC215 Shinanagh and XC219 Buttevant, as detailed at Volume 4, Figures 7C,D,E,F and 8B(i) and 8C(ii).
<p><b>Fáilte Ireland (26th August 2019)</b></p> <p>This provided an attachment with Fáilte Ireland EIAR Guidelines.</p> <p><b>22nd November 2019</b></p> <p>This sets out that the consultation has been forwarded to the Fáilte Ireland Planning Application Team.</p>	<p>The Fáilte Ireland EIAR Guidelines have been considered. Volume 3, Chapter 6: Population and Human Health includes an assessment on the impact of the proposed Project on tourism.</p> <p>The assessment has concluded that within the wider study area, re-routing of the road network is not predicted to have a material impact on the operation of the local road network and therefore is unlikely to result in any impact on those accessing tourist facilities in the wider study area.</p>
<p><b>Teagasc</b></p>	No response received.
<p><b>The Arts Council (An Chomhairle Ealaíon) (5th December 2019)</b></p> <p>States that the consultation has been passed onto the relevant department.</p>	Noted.
<p><b>Gas Networks Ireland (9th August 2019)</b></p> <p>This included details of the Gas Transmission Pipeline in the area of the proposed Project. It provided contact details and also states that "I can't see your proposals as having any impact on the GNI Infrastructure, but it is as well you know where same is as not."</p>	The proposed Project will not interfere with any gas transmission pipelines.
<p><b>Geological Survey Ireland (13th August 2019)</b></p> <p>This provided a list of information sources and guidance in regard to Geoheritage, Groundwater, Geohazard, Geothermal Energy and Natural Resources (Minerals/Aggregates). However, it did state that "Though the audits for counties Cork and Limerick have not yet been completed, our records show that there are no current County Geological Sites located within the vicinity of the proposed railway crossing."</p>	<p>Volume 3, Chapter 8: Soils, Geology &amp; Hydrogeology presents the assessment of the proposed Project in relation to geology, soils, groundwater and contaminated land. This includes impacts to bedrock and superficial geology, mineral extraction, soils, contaminated land, groundwater and associated receptors including private water supplies (PWS).</p> <p>The assessment has concluded that no mitigation measure is required for geology and soils. Residual impacts on geology and</p>

Consultee Comments and Date of Response	Response/Where this is addressed
	soil are therefore expected to stay the same at Negligible to Slight. After implementation of proposed mitigation measures, all residual significance of impact on contaminated land are reduced to Very Low to Low. After implementation of proposed mitigation measures, all residual significance of impact on groundwater and associated receptors are assessed as Negligible to Slight.
<p><b>Health Service Executive (19th November 2019)</b> Acknowledged receipt and considered the consultation wasn't an issue for HSE. Stated it might be relevant for the Health and Safety Authority.</p>	Noted.
<p><b>Irish Water</b></p>	No response received.
<p><b>Inland Fisheries Ireland (3rd December 2019)</b> Email from IFI to Jacobs agreeing with the description of the watercourse regarding Peppermill River, Buttevant. Its sets out that <i>"While there may be small pockets of salmonid spawning well upstream of the photographed area. I would suspect they are minimal given the degree of agricultural drainage prevalent in the area. I would therefore consider that a box culvert crossing of sufficient dimension would be appropriate at the location. I am sure that given the general topography of the location and its proximity to the main Awbeg floodplain your calculations on culvert dimension will be very much "flood" driven and that the relevant culvert size will adequately allow for fish passage.</i> <i>Incidentally I travel the road between Lisgriffin and Buttevant fairly often and note regular flooding, at this time of year, in fields broadly southwest of your aerial photograph which I note to be part of the same sub catchment. I previously assumed this might be due to poor field drainage but perhaps the existing road culvert "level" is involved or its simply the Awbeg in flood backing up?"</i></p>	<p>Jacobs sent photographs of the Peppermill River at Buttevant in July and October 2019 to IFI and discussed the potential for the watercourse to sustain populations of fish of conservation importance. A Culvert is the preferred solution at the Peppermill River and this has been included within the proposed Project. See Volume 3, Chapter 7: Biodiversity and the Natura Impact Statement (NIS) at Volume 5, Appendix 7H. A Flood Risk Assessment (FRA) has been prepared at Volume 5, Appendix 9A. 12<sup>th</sup> November 2020 Jacobs issued an email to IFI setting out that the biodiversity assessment had been completed and provided a summary of proposed measures. IFI responded on 24<sup>th</sup> November 2020 setting out no objections but specifying periods within which in stream works should be limited to.</p>
<p><b>National Parks and Wildlife Service</b> <b>27th November 2019</b> Jacobs engagement with Mary Sheehan (Conservation Ranger) seeking discussions with the District Officer and Local Conservation Ranger for the North Cork Area in regard to the proposed Project and in particular XC219 Buttevant and XC215 Shinanagh. <b>(17th December 2019)</b> Jacobs engagement with Danny O'Keefe (District Conservation Office) regarding Whooper Swan, Kilcolman bog SPA and historic records of Whooper Swan and winter bird surveys.</p>	<p>See Volume 3, Chapter 7: Biodiversity which includes Whooper Swam and winter bird surveys. The Natura Impact Statement (NIS) and Volume 5, Appendix 7H. 12<sup>th</sup> November 2020 Jacobs made contact with NPWS and issued an email setting out proposed mitigation plans for the proposed Project. NPWS responded on the 27<sup>th</sup> November 2020 stating no objections to the proposed mitigation.</p>
<p><b>Office of Public Works (OPW) (19th November 2019)</b> States that the consultation has been forwarded to the relevant section within the OPW for a direct reply.</p>	Noted.
<p><b>Irish Aviation Authority (11th December 2019)</b> This outlines that <i>"I wish to advise that we have no observations on this application."</i></p>	Noted
<p><b>The M20 Cork to Limerick Project (21st January 2020)</b> The sets out that <i>"We have reviewed your proposals outlines in the Environmental Impact Assessment Screening &amp; Scoping Report and has identified possible interactions between the existing level crossings and the replacement crossings proposed in the Cork Line Level Crossings Project and the N/M20 Cork to Limerick Road Improvement Scheme. The N/M20 Project Team have no objections</i></p>	The Cork Line Level Crossings Project is at a more advanced stage than the M20 Cork to Limerick Project and this has been acknowledged by both Project Teams. Given the proximity of the schemes it has been agreed that any significant changes to programme or proposed infrastructure would require mutual notification and further consideration. At the time of writing the

Consultee Comments and Date of Response	Response/Where this is addressed
<p><i>to the proposals but as the two projects are developing simultaneously, the N/M20 Project Team will require updates with the progress of the Level Crossings Scheme as it develops."</i></p> <p>It continues to outline that five of the crossings, Ballyhay, Newtown, Ballycoskery, Shinanagh and Buttevant are in close proximity to the existing N20 and states that there may be constraints in the study area for Scenario D. It continues to set out that the crossings at Fantstown and Thomaston may be constraints for Scenario C.</p>	<p>M20 Cork to Limerick Project is at Route Options Appraisal Stage and has closed its November 2020 consultation.</p> <p>Volume 3, Chapter 17: Interactions and Cumulative Impacts includes consideration of the M20 Cork to Limerick Project.</p> <p>A teleconference meeting was held between the M20 Cork to Limerick Project and the Cork Line Level Crossings Project Team on the 10th March 2020. Volume 5, Appendix 1G includes a minute of the meeting. It was noted that in terms of sequencing the Cork Line Level Crossings Project was more likely to be submitted first and the M20 Project Team requested to be kept informed of any major changes to the programme. No significant issues were raised by either project team and it was agreed to keep communications open between the projects.</p> <p>5<sup>th</sup> November 2020 a further teleconference meeting took place between the M20 Project Team and the Cork Line Project Team. During the meeting both schemes were discussed. The key points are as follows:</p> <ul style="list-style-type: none"> <li>• M20 to undertake public consultation in November 2020;</li> <li>• M20 is around 1-2 years away from submission;</li> <li>• M20 design is not fixed and still at options selection stage;</li> <li>• Potential upgrades to a junction adjoining the N20 at XC215 Shinanagh could be beneficial to the M20 project; and</li> <li>• There does not appear to be any significant interaction between the two schemes.</li> </ul>
<p><b>Commission for Railway Regulation (24th January 2020)</b></p> <p>This sets out that: <i>"We received the EIAR for the replacement of seven manned level crossings on the Dublin to Cork Railway line. The CRR have no comments on the EIAR. The proposed new overbridges shall be assessed through the Application for Placing in Service process for new infrastructure."</i></p>	Noted.
<p><b>Waterways Ireland (6th September 2019)</b></p> <p>This confirmed that the proposed Project does <i>"not affect any of Waterways Ireland's navigations."</i></p> <p><b>28th November 2019</b></p> <p>States that a response will be issued as soon as possible.</p>	Noted.

## 1.6 Purchase of Documents

Copies or extracts from the documents which accompany the Railway Order application, including the Environment Impact Assessment Report (EIAR), the Non-Technical Summary (NTS) and the Natura Impact Statement (NIS), may be purchased. The NTS is available free of charge, and a limited number of hard copies of the EIAR are available for €295 per copy. CDs containing PDF copies of the EIAR are available for €15 per CD. The application documents may be obtained from the following locations:

- Cork Line Level Crossings Project, C/O Jacobs, Mahon Industrial Estate, Blackrock, Cork, T12 HY54;
- An Bord Pleanála, 64 Marlborough Street, Dublin, D01 V902;
- Limerick City and County Council, Dooradoyle Road, Dooradoyle, Limerick, V94 WV78; and
- Cork County Council, County Hall, Carrigrohane Road, Cork, T12 R2NC.

The Railway Order application and supporting documentation for the proposed Project, including this EIAR, will be available to view online at: [www.irishrail.ie/CorkLineLevelCrossings](http://www.irishrail.ie/CorkLineLevelCrossings)

In addition to the above, the Railway Order application will be able to view at the following locations during normal opening hours (with the exception of Charleville Station where viewings will be made by appointment via the project email address [cllc@irishrail.ie](mailto:cllc@irishrail.ie) or by calling 01 7034451):

- An Bord Pleanála, 64 Marlborough Street, Dublin, D01 V902;
- Limerick City and County Council, Dooradoyle Road, Dooradoyle, Limerick, V94 WV78;
- Cork County Council Headquarters, County Hall, Carrigrohane Road, Cork, T12 R2NC; and
- Iarnród Éireann, Charleville Railway Station, Railway Road, Charleville, Co. Cork, P56 C654.

## 1.7 Written Submissions

An Bord Pleanála will consider any submissions in relation to the proposed Railway Order or in relation to the likely effects on the environment and the likely significant effects in the area concerned on European Sites, if any, of the proposed railway works which are submitted in writing to it by any person and accompanied by a fee of €50 (This fee is not payable by certain prescribed bodies or by persons whose lands may be acquired under the order). Submissions must be lodged in line with the dates specified on the Notice and must be addressed to An Bord Pleanála, 64 Marlborough Street, Dublin 1 and marked "Dublin to Cork Railway Line (Elimination and Upgrade) of Level Crossings between Limerick Junction and Mallow Order 2021"

## **1.8 References**

European Union (2001). Directive (2001/42/EC) of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (EIA SEA Directive)

European Union (2014). Directive (2014/52/EU) of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (EIA Directive)

European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No.296/2018)

Transport (Railway Infrastructure) Act, 2001 (as amended)

Planning and Development Act 2000 to 2018 (as amended)

Planning and Development Regulations 2001 to 2018 (as amended)

Water Framework Directive (WFD) (2000/60/EC)