



APPENDIX E

SCHEDULE OF PRESCRIBED BODIES

**APPLICATION BY COOLPOWRA FLEXGEN LIMITED FOR PLANNING PERMISSION FOR A PROPOSED RESERVE
GAS-FIRED GENERATOR IN THE TOWNLANDS OF COOLPOWRA, COOLDORRAGHA, COOLNAGEERAGH
BALLYNAHESKERAGH, GORTLUSKY, AND SHEEAUNRUSH, CO GALWAY**

DETAILS OF COMMUNICATION WITH PRESCRIBED BODIES

Prescribed Body	Details of Follow Up Communications by Applicant /Response from Prescribed Body Email and Tel Communications undertaken 05/06/2024 – 10/06/2024
Minister for Housing, Local Government and Heritage	'referrals@housing.gov.ie' (no response) 'minister@housing.gov.ie' (no response) 'manager.dau@npws.gov.ie' (email address provided by Prescribed Body)
Minister of the Environment, Climate and Communications	'planningnotifications@decc.gov.ie' email address provided by Prescribed Body
Gas Networks Ireland	'networksinfo@gasnetworks.ie' email address provided by Prescribed Body
Galway County Council	'planning@galwaycoco.ie' Other email addresses provided by Prescribed Body -application link to be provided
Transport Infrastructure Ireland	'landuseplanning@tii.ie'(no response) 'information@tii.ie' (no response)
Commission for Regulation of Utilities	'planning@cru.ie' (no response)
Uisce Eireann	'planning@water.ie' (email address provided by Prescribed Body)
Inland Fisheries Ireland	'info@fisheriesireland.ie' (email address provided by Prescribed Body)
Irish Aviation Authority	'planning@iaa.ie' (email address provided by Prescribed Body)
Health Service Executive	'consumeraffairs.west@hse.ie' (no response)

Prescribed Body	Details of Follow Up Communications by Applicant /Response from Prescribed Body Email and Tel Communications undertaken 05/06/2024 – 10/06/2024
Health and Safety Authority	'landuseplanning@hsa.ie' (no response)
Eirgrid	'info@eirgrid.com' (no response)
ESB	'esbnetworks@esb.ie' (email response confirming receipt of email)
Environmental Protection Agency	'eiaplanning@epa.ie' (email address provided by Prescribed Body)
An Taisce	'info@antaisce.org' (no response)
Heritage Council	'planning@heritagecouncil.ie' (no response)
Office of Public Works	'info@opw.ie' (email address provided by Prescribed Body)

Copy of Email issued to Prescribed Bodies is provided below.

Strategic Infrastructure Developments - CPFL Reserve Gas-Fired Generator and GIS Substation (Galway)



Colm Staunton <colmstaunton@halston.ie>

To

Cc

● projects email

Bcc ● 'corporatesupport.unit@decc.gov.ie'; ● 'planningnotifications@decc.gov.ie'; ● 'landuseplanning@tii.ie'; ● 'information@tii.ie'; ● 'planning@water.ie'; ● 'info@iaa.ie'; ● 'planning@cru.ie'; ● 'planning@galwaycoco.ie'; ● 'minister@housing.gov.ie'; ● 'referrals@housing.gov.ie'; ● 'manager.dau@housing.gov.ie'; ● 'superintendent.park@opw.ie'; ● 'planning@heritagecouncil.ie'; ● 'info@eirgrid.com'; ● 'networkinfo@gasnetworks.ie'; ● 'info@antaisce.org'; ● 'eiaplanning@epa.ie'; ● 'landuseplanning@hsa.ie'; ● 'esbnetworks@esb.ie'; ● 'info@fisheriesireland.ie'; ● 'consumeraffairs.west@hse.ie'

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APPENDIX 1.2 ABP PREAPP SID LTRs.pdf

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To Whom it May Concern,

We write to you on behalf of our client Coolpowra Flexgen Limited who intend to apply to An Bord Pleanála for planning permission for the development of grid-connected energy support projects on lands with an area (redline boundary) of 42.3 hectares (ha) (105 acres) in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaurunsh, County Galway. The proposed development comprises three individual projects. These are:

- Project 1: Reserve Gas-Fired Generator,
- Project 2: Energy Storage System (ESS), and
- Project 3: Gas Insulated Switchgear (GIS) Electricity Substation.

A summary description of the proposed development and each project is provided below.

Project 1: Reserve Gas-Fired Generator

The Reserve Gas Fired Generator comprises three open cycle gas-fired generator (OCGT) units (each with a nominal capacity of 385MW) positioned within a building (OCGT Hall) along with auxiliary equipment. An OCGT unit consists of a turbine connected to an electric power generator and the three turbines are designed to operate independently of each other. The OCGT units will receive natural gas from the gas network via an underground pipeline to an Above Ground Installation (AGI) compound within the development lands. Gas Networks Ireland (GNI), as the designated competent authority, will separately manage the process of delivering the underground gas transmission pipeline to the proposed AGI.

The proposed OCGT units are dual fuel units as required by system requirements required by the Grid Code published by Eirgrid. Natural gas will be the primary and combustion fuel to each of the OCGT units when operating. Secondary fuel (gas oil) will be stored in a banded structure outside the OCGT building along with ancillary items of electrical plant and machinery such as coolers and transformers. The Reserve Gas-Fired Generator is designed to operate intermittently and provide generation capacity during periods of high demand or when renewable energy generators cannot meet system demand. OCGT units are advantageous due to their operational flexibility and can be turned on quickly to match system demand.

Project 2: Energy Storage System (ESS)

The Energy Storage System (ESS) facility comprises (a) a Long Duration Energy Storage (LDES) static battery positioned within a secure outdoor compound, and (b) a Synchronous Condenser which will operate within a building in a separately secured compound. The LDES will provide peaking, active power and back start capability services to the electricity grid. The project is designed to complement and support the reserve gas fired generator by providing zero carbon, instantaneous and balancing power to the grid.

Long Duration Energy Storage (LDES)

Battery storage is a technology that enables power system operators and utilities to store energy for later use. A battery energy storage system (BESS) is an electrochemical device that charges (or collects energy) from the grid or a power plant and then discharges that energy at a later time to provide electricity or other grid services when needed. A BESS facility is made up of batteries, a battery management system, a power conditioning system, and an energy management system. The plant will absorb and inject energy as demanded by the power system. BESS plants are designed to economically and rapidly provide arbitrage and system support services when needed, allowing immediate system recovery.

Synchronous Condenser

The Synchronous Condenser comprises a rotating generator positioned within a building and electrically connected to the transmission system. The synchronous condenser is started up and stopped by a frequency controlled electric motor (pony motor). An inverter (static start device / startup frequency converter) is used to drive the generator to reach the operating speed and synchronises it with the system frequency. Once synchronised it acts as a motor providing reactive and short circuit power to the electricity network. There is no combustion or emissions from a synchronous condenser. The synchronous condenser will provide short-circuit power, inertia, and reactive power for dynamic loads and stabilise the network through voltage recovery during faults.

Project 3: Gas Insulated Switchgear (GIS) Electricity Substation

The CPFL Gas Insulated Switchgear (GIS) 400kV Electricity Substation comprises a two-storey building positioned and secured within a palisade fenced compound. This component of the overall development will enhance and upgrade the existing Oldstreet AIS 400kV substation and will provide for the connection of Project 1 and Project 2 to the electricity transmission network. The High Voltage (HV) lines and electric plant associated with Reserve Gas Fired Generator and ESS facility, and which will connect the projects to the 400kV GIS substation, are included with the planning application for Project 3.

Each of the three projects proposed as part of development at the subject site require separate planning applications. The Reserve Gas-Fired Generator (Project 1) falls within the remit of Section 37A of the Act. Following consultations with An Bord Pleanála ("the Board" or "ABP") under Section 37B of the Act, the Board determined that the project falls with the scope of paragraphs 37(A)(2)(a) and (b) of the Act. Accordingly, the Board decided that the proposed development would be strategic infrastructure within the meaning of Section 37A of the Act and any application for permission for the project must be made directly to the Board under Section 37E of the Act.

Preapplication SID consultation was undertaken with ABP regarding the GIS Electricity Substation (Project 3) proposal. The Board decided that Project 3 falls within the remit of Section 182A of the Act and would be strategic infrastructure within the meaning of Section 182A of the Act and any application for permission for the project must be made directly to the Board under Section 37E of the Act. The HV lines and electric plant associated with Reserve Gas Fired Generator and ESS facility, and which will connect these projects to the GIS substation, are included with the planning application for Project 3.

The applicant was advised that the Energy Storage System (ESS) facility (Project 2) does not fall within the scope of Section 37A of the Act and that planning consent be sought from Galway County Council under Section 34 of the Planning and Development Act 2000, as amended. A preplanning meeting was also held with Galway County Council and the proposed approach was also discussed and agreed (Galway County Council Ref. 24PP51).

In confirming that Project 1 and Project 3 are Strategic Infrastructure Developments, the Board has identified a number of prescribed bodies that have to be notified in relation this planning application. Accordingly, we are notifying you that the applications will be lodged with An Bord Pleanála in the coming days. Please note that all three projects will be sited on lands adjacent to the existing Oldstreet 400kV AIS substation in Co. Galway.

The application will be made available for public inspection at the offices of the local authority (as well as the offices of the Board) and on standalone websites.

As you been identified as a prescribed body by An Bord Pleanála, a copy of the planning application will be sent to you.

I would be grateful if you could confirm whether you require a hard copy, electronic copy or if you are satisfied with the application being available via the dedicated standalone websites for the applications. If an electronic copy is required, please specify your preference (softcopy on a USB device sent by post or by a file sharing platform).

Regards,

Colm Staunton
Director**HALSTON**

JHub Building, Westport Road, Castlebar, Co. Mayo, Ireland F23 K162

Mobile: +353 (0)87 626 8554**Castlebar:** +353 (0)94 9010111**Web:** www.halston.ie**HALSTON**

Date: 12 June 2024

Our Ref. SEP-0398

The Heritage Council,
Áras na hOidhreachta
Church Lane
Kilkenny
R95 X254

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely



Mr Colm Staunton

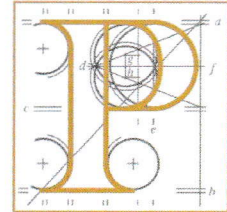
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Éireann

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
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64 Marlborough Street
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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

Teil	Tel	(01) 858 8100
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Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

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

adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

PC09A

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

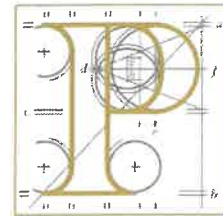
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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
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Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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Facs	Fax	(01) 872 2684
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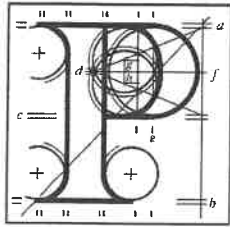
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64 Marlborough Street
Dublin 1
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An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Health and Safety Authority
Metropolitan Building
James Joyce Street
Dublin 1
D01 KOY8

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

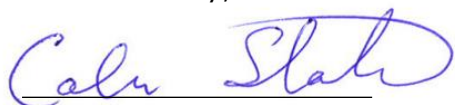
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely,



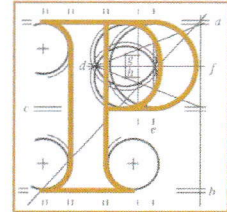
Mr Colm Staunton
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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Baile Átha Cliath 1	Dublin 1
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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

PC09A

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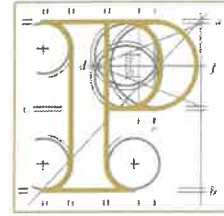
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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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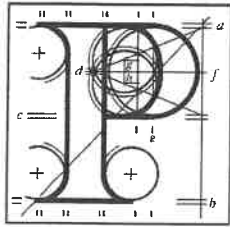
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An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Health Service Executive
Consumer Affairs
HSE West
Merlin Park University Hospital,
Galway

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
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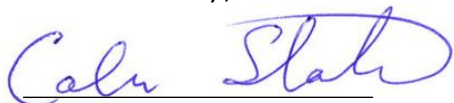
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely,



Mr Colm Staunton

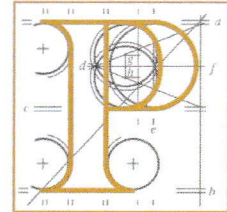
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
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Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
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- Galway County Council,
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- Health Service Executive,
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- An Taisce
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- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

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Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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Ríomhphost	Email	bord@pleanala.ie

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

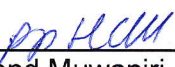
Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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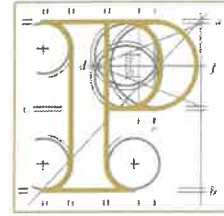
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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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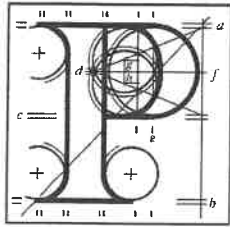
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An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Irish Aviation Authority
The Times Building
11-12 D'Olier Street
Dublin 2

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

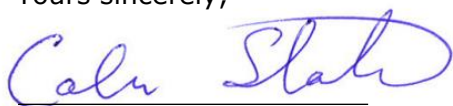
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely,



Mr Colm Staunton

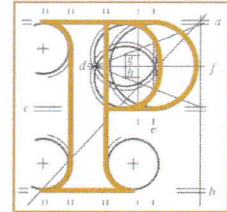
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

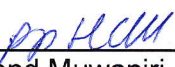
Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
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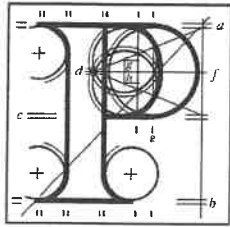
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D01 V902



An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Inland Fisheries Ireland
3044 Lake Drive
Citywest Business Campus
Dublin, D24 CK66

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusk and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusk and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

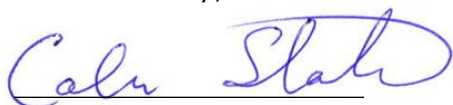
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely,



Mr Colm Staunton

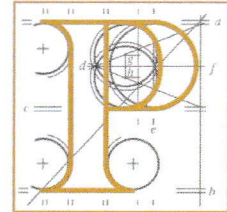
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

PC09A

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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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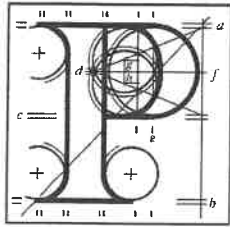
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An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Office of Public Works
Jonathan Swift Street,
Trim,
Co Meath,
C15 NX36

Dear Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

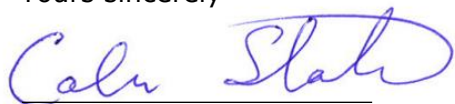
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely



Mr Colm Staunton

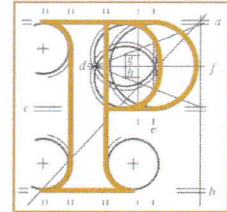
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
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Halston Environmental and Planning
IHub Building
Westport Road
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Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
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Further notifications should also be made where deemed appropriate.

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The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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64 Marlborough Street
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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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Ríomhphost	Email	bord@pleanala.ie

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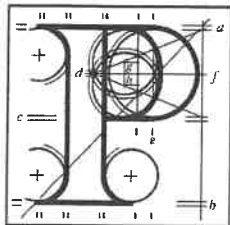
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64 Marlborough Street
Dublin 1
D01 V902



An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

An Taisce
Tailor's Lane
Back Lane
Dublin
D08 X2A3

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

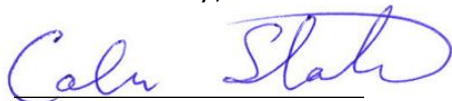
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely,



Mr Colm Staunton

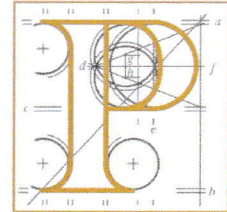
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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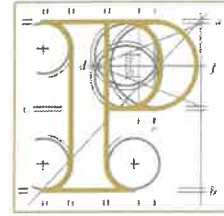
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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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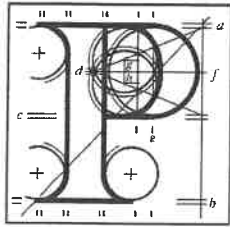
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D01 V902



An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Transport Infrastructure Ireland,
Parkgate Business Centre,
Parkgate Street,
Dublin 8,
D08 DK10

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

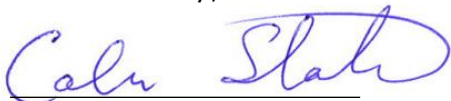
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely,



Mr Colm Staunton

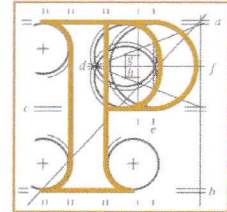
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

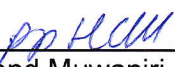
Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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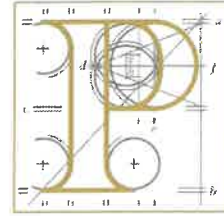
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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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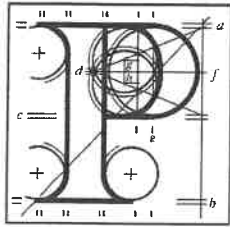
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An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Uisce Éireann
Colvill House
24-26 Talbot Street
Dublin 1

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely,



Mr Colm Staunton

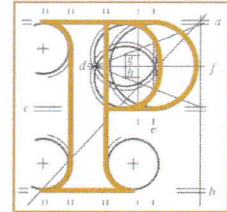
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

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- An Taisce
- The Heritage Council,
- Health and Safety Authority,
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Further notifications should also be made where deemed appropriate.

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Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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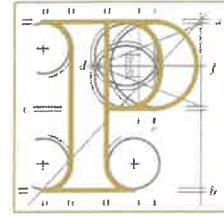
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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



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Halston Environmental and Planning
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Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

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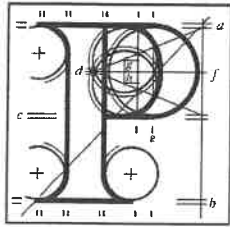
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D01 V902



An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Commission for Regulation of Utilities
The Grain House
The Exchange
Belgard Square North
Dublin 24
D24 PXW0

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusk and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusk and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

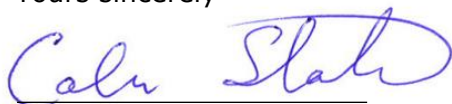
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely



Mr Colm Staunton

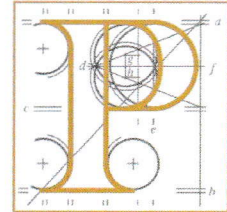
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Éireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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Ríomhphost	Email	bord@pleanala.ie

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

PC09A

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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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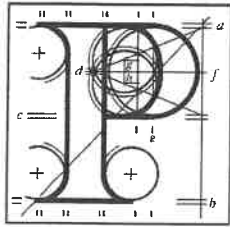
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An
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Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Commission for Regulation of Utilities,
CRU Customer Care Team,
P.O. Box 11934,
Dublin 2

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

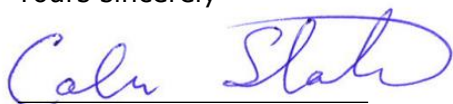
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely



Mr Colm Staunton

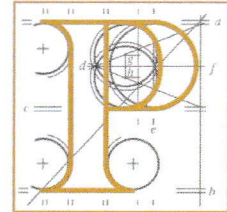
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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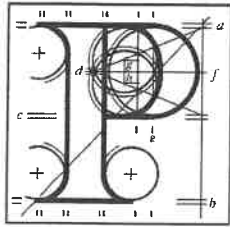
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An
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Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Minister for Environment Climate and Communications
Department of Environment Climate and Communications
Elm House,
Earlsvale Road,
Cavan,
H12 A8H7

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

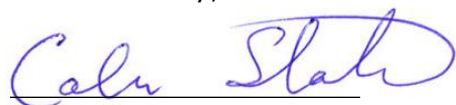
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely,



Mr Colm Staunton

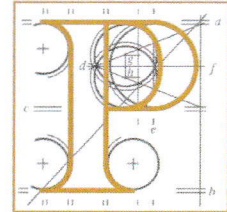
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
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Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
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- Inland Fisheries Ireland
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- An Taisce
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Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

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The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

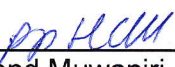
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Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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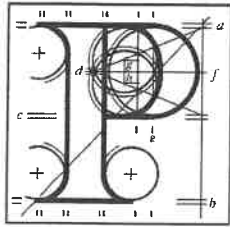
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Board Direction
BD-016249-24
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The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Minister for the Environment, Climate and Communications,
29-31 Adelaide Road,
Dublin 2,
D02 X285

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

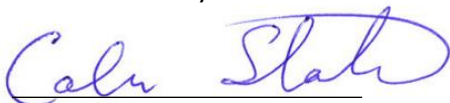
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely



Mr Colm Staunton

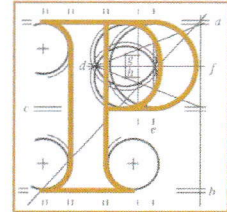
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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Ríomhphost	Email	bord@pleanala.ie

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D01 V902	D01 V902

adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

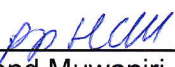
Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

PC09A

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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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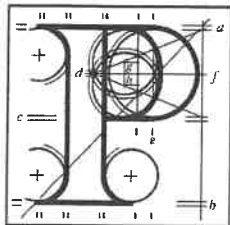
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Dublin 1
D01 V902



An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Department of Housing, Local Government and Heritage,
Custom House,
Dublin D01
W6X0

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

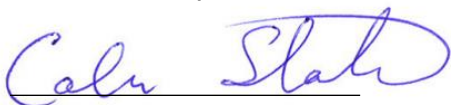
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely,



Mr Colm Staunton

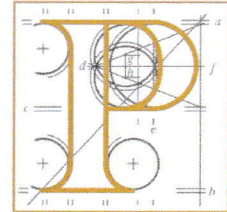
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
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Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
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- Uisce Éireann

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The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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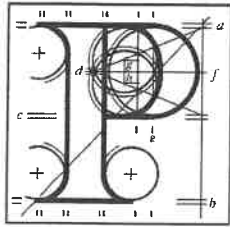
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D01 V902



An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

EirGrid,
The Oval,
160 Shelbourne Road,
Ballsbridge,
Dublin,
D04 FW28

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely



Mr Colm Staunton

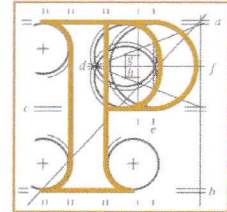
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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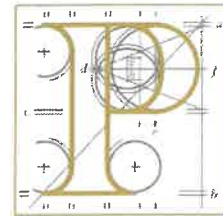
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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
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Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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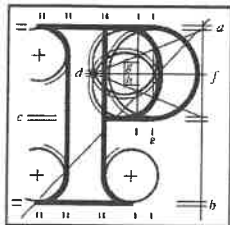
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An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Ms Philomena Kelly
EIA Planning
Environmental Licensing Programme
Environmental Protection Agency, PO Box 3000
Johnstown Castle Estate
County Wexford, Y35 W821

Dear Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),


and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely



Mr Colm Staunton

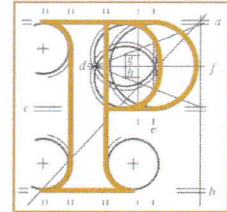
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

PC09A

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Láithreán Gréasáin
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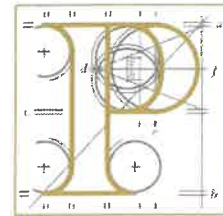
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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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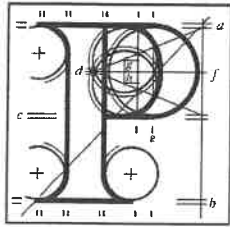
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An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

ESB Networks
Three Gateway
East Wall Road
Dublin 3
D03R583

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

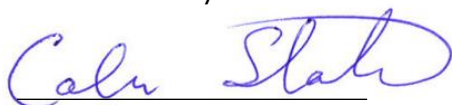
and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely



Mr Colm Staunton

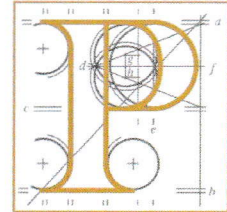
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
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Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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64 Marlborough Street
Dublin 1
D01 V902

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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Ríomhphost	Email	bord@pleanala.ie

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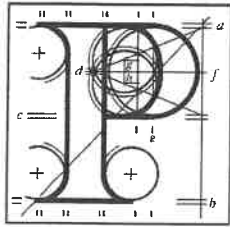
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64 Marlborough Street
Dublin 1
D01 V902



An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398/Project_1

Planning Department
Galway County Council
Áras an Chontae
Prospect Hill
Galway

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusky and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended.

The application may also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

One hard copy and one electronic copy of the complete planning application including EIAR and NIS are submitted herewith to Galway County Council as requested.

In accordance with the SID application process, Galway County Council are required to make these application documents available to the public so that they may be inspected free of charge, or purchased on payment of a specified fee (which fee shall not exceed the cost of making a copy) during the public opening house of Galway County Council offices, for a period of seven weeks commencing on 20 June 2024.

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

The Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely



Mr Colm Staunton

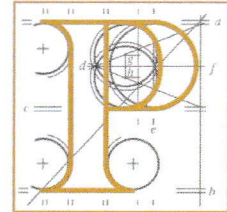
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

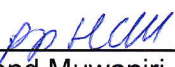
Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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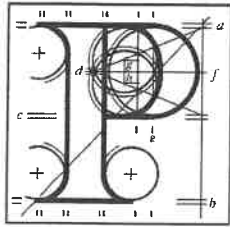
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64 Marlborough Street
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An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.

Date: 12 June 2024

Our Ref. SEP-0398

Gas Networks Ireland
Gasworks Road
Cork
T12 RX96

Dear Sir /Madam,

Re. Strategic infrastructure Development (SID): Application by Coolpowra Flexgen Limited for Planning Permission for a Proposed Reserve Gas-Fired Generator at Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusk and Sheeaunrush, County Galway.

On behalf of the applicant, Coolpowra Flexgen Limited, we hereby submit a planning application for a Strategic Infrastructure Development (SID) for a Reserve Gas-Fire Generator on c. 42.3 hectare (ha) site located in the townlands of Coolpowra, Cooldorragha, Coolnageeragh, Ballynaheskeragh, Gortlusk and Sheeaunrush, County Galway.

This planning application is further to a determination received from An Bord Pleanála (Appendix A) confirming that the Proposed Development constitutes SID within the meaning of Section 37A of the Planning and Development Act 2000, as amended.

The Proposed Development for which permission is being sought constitutes a Reserve Gas-Fired Generator comprising three Open Cycle Gas Turbine (OCGT) units positioned within a building. It is designed to provide flexible, dispatchable electricity generation capacity, which will help to maintain security of electricity supply, while supporting Ireland in its transition to a low carbon economy in line with National Development Plan 2021-2030 and Climate Action Plan 2024 objectives. It will assist with replacement of generation capacity that will be lost through the planned retirement of older, more carbon-intensive power stations in the coming years.

The location of the development is adjacent to a proposed Gas Insulated Switchgear (GIS) electricity substation and proposed Energy Storage System (ESS) Project which are subject to separate concurrent planning applications with An Bord Pleanála and Galway County Council respectively. The Reserve Gas-Fired Generator will electrically connect to the adjoining 400kV High Voltage (HV) electricity network at the Oldstreet node in Co. Galway.

The Proposed Development will include: (i) demolition of an existing farmhouse, outbuildings and agricultural sheds; (ii) construction of a Reserve Gas-Fired Generator building which will house 3no. 385MW OCGT units, 3no. 45m high stacks with Continuous Emissions Monitoring System (CEMS), 3no. recessed and roof mounted air intake filter houses and ducts, fire suppression skid and distribution system, power control centre and balance of plant (BoP), administration control /building containing a control room, offices administration and welfare facilities; (iii) secondary fuel storage tanks and unloading area (3no. fuel storage tanks, fuel pumping plant, fuel polishing plant, air compressor and fuel forwarding building);(iv) 3no. banded HV transformers and auxiliary transformers; (v) Air insulated switchgear (AIS) compound containing HV electrical lines /cables, circuit breakers and associated electrical plant; (vi) fin fan coolers with a 7m high noise barrier;(vii) 3no. containerised emergency diesel generators with integrated stacks; (viii) Above Ground Installation (AGI) compound containing above ground pipework, a regulator house enclosure, instrument kiosk, boiler house enclosure and analyser kiosk; gas heater compound; (ix) firewater pump building and firewater storage tank; (x) workshop and stores; (xi) security building;(xii) temporary construction compound); (xiii) a main entrance connecting to the L8763 public road; (xiv) improvement works to the junction of the N65/L8763 public roads; and (xv) all ancillary development including new internal roads, fencing and gates, car parking, lighting, utilities, lightning protection masts, underground services, landscaping and associated engineering works to provide for the connection of site services and foul and surface water management and drainage.

This application is seeking a ten-year permission and an unlimited operational period. The application relates to development for the purpose of an activity requiring an Industrial Emissions Licence from the Environmental Protection Agency (EPA) under the Industrial Emissions Directive. It also relates to a Lower Tier COMAH establishment and therefore falls under the requirements of the Control of Major Accident Hazard (COMAH) Regulations, 2015. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and accompanies this planning application.

The planning application is being made directly to An Bord Pleanála under the provision of Section 37E of the Planning and Development Act 2000, as amended. An Bord Pleanála has required that we notify you, as a prescribed body, of the submission of the application

The planning application, EIAR and NIS may be inspected free of charge or purchased on payment of a specified fee (which fee shall not exceed the reasonable cost of making such a copy) during public opening hours for a period of seven weeks commencing on 20 June 2024 at the following locations:

- The offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1.
- The offices of Galway County Council, Planning Department, Áras an Chontae, Prospect Hill, Galway, H91 H6KX.

The application can also be viewed/downloaded on the following stand-alone website: www.coolpowraflexgen.com

Submissions or observations may be made only to An Bord Pleanála ('the Board'), 64 Marlborough Street, Dublin 1 during the above-mentioned period of seven weeks relating to:

- (i) the implications of the proposed development for proper planning and sustainable development,
- (ii) the likely effects on the environment of the proposed development, and
- (iii) the likely significant effects of the proposed development on a European site, if carried out.

Any submissions or observations must be accompanied by a fee of €50 (except for certain prescribed bodies) and must be received by the Board not later than 5.30 p.m. on the 09 August 2024. Such submissions or observations must also include the following information:

- The name of the person making the submission or observation, the name of the person acting on his or her behalf, if any, and the address to which any correspondence relating to the application should be sent,
- The subject matter of the submission or observation, and
- The reasons, considerations and arguments on which the submission or observation is based in full. (Article 217 of the Planning & Development Regulations 2001, as amended, refers).

Any submissions or observations which do not comply with the above requirements cannot be considered by the Board.

The Board may at its absolute discretion hold an oral hearing on the application. (For further details see 'A Guide to Public Participation in Strategic Infrastructure Development' on the Board's website www.pleanala.ie).

You are advised that the Board may in respect of an application for permission decide to:

- (a) (i) grant the permission, or
- (ii) make such modifications to the proposed development as it specifies in its decision and grant permission in respect of the proposed development as so modified, or
- (iv) grant permission in respect of part of the proposed development (with or without specified modifications of it of the foregoing kind),

and any of the above decisions may be subject to or without conditions, or

- (b) refuse to grant the permission.

Any enquiries relating to the application process should be directed to the Strategic Infrastructure Development Section of a Bord Pleanála (Tel. 01- 8588100). A person may question the validity of any such decision by the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No.15 of 1986, as amended), in accordance with section 50 of the Planning and Development Act, 2000, as amended. Practical information on the review mechanism can be accessed under the heading Information on cases / Weekly lists - Judicial review of planning decisions on the Board's website www.pleanala.ie or on the Citizens Information Service website www.citizensinformation.ie.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely



Mr Colm Staunton

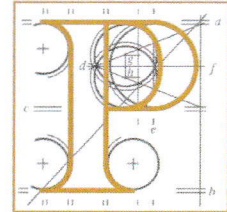
Director
Halston Environmental & Planning Limited

APPENDIX A

AN BORD PLEANÁLA SID PREAPPLICATION DECISION

Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 10 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

Please be advised that following consultations under section 37B of the Planning and Development Act 2000, as amended, the Board hereby serves notice under section 37B(4)(a) that it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act 2000, as amended. Any application for permission for the proposed development must, therefore, be made directly to An Bord Pleanála under section 37E of the Act.

Please also be informed that the Board considers that the pre-application consultation process in respect of this proposed development is now closed.

Attached is a list of prescribed bodies to be notified of the application for the proposed development.

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann

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- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,
- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made where deemed appropriate.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

In accordance with the fees payable to the Board and where not more than one pre-application meeting is held in the determination of a case, a refund of €3,500 is payable to the person who submitted the pre-application consultation fee. As a meeting was not required / only one meeting was required in this case, a refund of 3,500 will be sent to you in due course.

The following information relates to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act 2000, as amended.

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Acts (as amended).

A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(7) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not

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adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

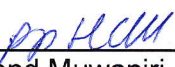
Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website, www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,


Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

PC09A

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Our Case Number: ABP-319073-24

Your Reference: Coolpowra Flexgen Limited



An
Bord
Pleanála

Halston Environmental and Planning
IHub Building
Westport Road
Castlebar
Co. Mayo

Date: 23 May 2024

Re: Reserve Gas-Fired Power Generator, GIS Electrical Substation, Energy Storage System (ESS) and associated site development works.
Coolpowra, Ballynaheskeragh, Coolnageeragh and Gortlusky, Co. Galway.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned proposed development and in particular to its letter to you dated 10th May, 2024.

Please note that the Board inadvertently omitted from this letter its decision in relation to the GIS substation Energy Storage System, Synchronous Condenser and their associated works.

The Board decided, in accordance with section 37B(4)(b) of the Planning and Development Act, 2000, as amended, that the proposed GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended. Attached is a copy of the Board Direction.

If you have any queries in the meantime, please contact the undersigned officer of the Board or email sids@pleanala.ie quoting the above mentioned An Bord Pleanála reference number in any correspondence with the Board.

Yours faithfully,

Raymond Muwaniri
Executive Officer
Direct Line: 01-8737125

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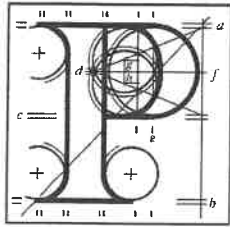
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An
Bord
Pleanála

Board Direction
BD-016249-24
ABP-319073-24

The submissions on file and the inspector's report were considered at a Board Meeting held on 08/05/2024.

The Board decided that the proposed development consisting of a Reserve Gas Fired Generator and its associated works as set out and delineated in the revised plans and particulars received by An Bord Pleanála in correspondence received 6th April 2024, falls within the scope of Section 37A of the Planning and Development Act 2000, as amended, and that a planning application should be therefore be made in the first instance to An Bord Pleanála. The proposed development is also considered to be of strategic importance by reference to the requirements of Section 37A(2)(a) and 37A(2)(b) of the Planning and Development Act 2000, as amended. An application for permission for the proposed development must therefore be made directly to An Bord Pleanála under Section 37E of the Act.

The Board recommended the application documents should be forwarded the list of Prescribed Bodies below for their consultation and consideration for the purposes of Section 37E (3) (c) of the Act:

- Minister of Housing, Local Government and Heritage,
- Minister of the Environment, Climate and Communications,
- Galway County Council,
- Transport Infrastructure Ireland,
- Commission for Regulation of Utilities,
- Uisce Eireann
- Inland Fisheries Ireland
- Health Service Executive,
- Eirgrid,

- ESB,
- Environmental Protection Agency,
- An Taisce
- The Heritage Council,
- Health and Safety Authority,
- Office of Public Works.

Further notifications should also be made, where deemed appropriate.

Board Member



Date: 08/05/2024

Peter Mullan

Note:

For clarity I recommend that the applicant be informed that the GIS substation, Energy Storage System, Synchronous Condenser and their associated works set out in the initial submission received by the Board on the 16th of February 2024, and shown on revised plans received 6th April 2024 do not fall within the scope of Section 37A of the Planning and Development Act, 2000 as amended.