

RECEIVED: 01/03/2024

Appendix 1

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APPENDIX 1-1



RECEIVED: 01/03/2024

Date: 13 September 2023

Re: Pre-Planning Consultation Ref. G Pre001892023_KK-CON-A230815-0003_Proposed gypsum plant, Gorteens, Co Kilkenny

To: Malone O'Regan Environmental

Dear Mr Egan,

The National Monuments Service of the Department of Housing, Local Government and Heritage has reviewed the **'Consultation Document Proposed Gypsum Manufacturing Plant on behalf of GABM Ltd. Gorteens, Co. Kilkenny'**.

It is noted that a Cultural Heritage Assessment is scoped into the proposed EIA process; to be carried out by a competent and professionally accredited archaeologist. The supplied methodology indicates that this will include an assessment of interactions with other environmental topics and consideration of the following:

- Kilkenny County Development Plan 2022-2027
- Fairview and Belview Port, Local Area Plan, 2017
- The Record of Monuments and Places (RMP) for County Kilkenny
- The National Inventory of Architectural Heritage
- Cartographic Sources
- Documentary sources

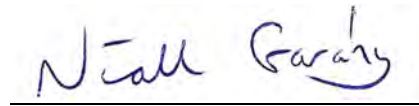
The National Monuments Services advises that the following are carried out as part of the Archaeological Impact Assessment:

- Site Inspection
- Archaeological Impact Assessment (to include Archaeological Geophysical Survey and / or Archaeological Testing)

The results of these investigations should form part of the EIA process and be incorporated within the EIA Report. NMS is happy to provide further advice and clarification as and if required in relation to the preparation of suitably comprehensive assessments as outlined above, with particular regard to the scope and locations for any advance non-intrusive prospection, advance test excavation, or built heritage surveys that would be appropriate to inform the assessment of this proposed scheme.

Notwithstanding the above, the National Monuments Service awaits the submission of this assessment before commenting further.

Is mise le meas,



Níall Garahy
Archaeologist
National Monuments Service
Department of Housing, Local Government and Heritage

RECEIVED: 01/03/2024



RECEIVED: 01/03/2024

Your Ref: Proposed Gypsum Plant

Our Ref: G Pre00189/2023

(Please quote in all related correspondence)

21 September 2023

Malone O'Regan
Office 315
Cork 1 Horgan's Quay,
Waterfront Square,
Cork, T23 PPT8

Via email: degan@mores.ie

Re: Proposed gypsum plant development at Gorteens, Co. Kilkeny.

A chara

I refer to correspondence received in connection with the above.

Outlined below are heritage-related observations/recommendations of the Department under the stated heading(s).

Archaeology

The Department has reviewed the 'Consultation Document Proposed Gypsum Manufacturing Plant on behalf of GABM Ltd. Gorteens, Co. Kilkeny'.

It is noted that a Cultural Heritage Assessment is scoped into the proposed Environmental Impact Assessment (EIA) Report process; to be carried out by a competent and professionally accredited archaeologist. The supplied methodology indicates that this will include an assessment of interactions with other environmental topics and consideration of the following:

- Kilkeny County Development Plan 2022-2027
- Fairview and Belview Port, Local Area Plan, 2017
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The results of these investigations should form part of the EIA process and be incorporated within the EIA Report. The Department is happy to provide further advice and clarification as and if required in relation to the preparation of suitably comprehensive assessments as outlined above, with particular regard to the scope and locations for any advance non-intrusive prospection, advance test excavation, or built heritage surveys that would be appropriate to inform the assessment of this proposed scheme.

Notwithstanding the above, the Department awaits the submission of this assessment before commenting further.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at manager.dau@npws.gov.ie.

Is mise, le meas

Edel Griffin
Development Applications Unit
Administration

From: [Transport GCU](#)
To: [Declan Egan](#)
Cc: [Transport GCU](#)
Subject: Proposed Gypsum Plant, Gorteens, Co. Kilkenny
Date: Wednesday 6 September 2023 10:31:25
Attachments: [230808 - E2077 - Consultation Document - Final Rev01.pdf](#)

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Dear Declan,

Just getting in touch to confirm that the Department of Transport has no observations to make on the proposed development at this time.

Best wishes,
Liam

Liam Hawkes
Central Policy, Coordination & Reform Division

From: Declan Egan <degan@mores.ie>
Sent: Wednesday 9 August 2023 15:11
To: Transport Department of Transport <info@transport.gov.ie>
Subject: Proposed development at Gorteen, Co. Kilkenny

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Dear Sir/Madam,

Please find attached a Consultation Document for your comments, for a proposed gypsum plant development at Gorteen, Co. Kilkenny. Please submit your comments by the 8th September, if possible.

Regards and Thanks,

Declan

Declan Egan
Associate Director

for and on behalf of
Malone O'Regan Environmental
Office 315
Cork 1 Horgan's Quay,
Waterfront Square,
Cork, T23 PPT8
Tel: 086 0856168

✉: degan@mores.ie

Web: www.mores.ie

RECEIVED: 01/03/2024

From: [INFO](#)
To: [Declan Egan](#)
Subject: TII Ref: TII23-124053 - Proposed gypsum plant development in Gorteen, Co. Kilkenny
Date: Friday 18 August 2023 10:41:27

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr Egan,

Thank you for your correspondence of 9 August 2023 regarding the above. Transport Infrastructure Ireland's (TII's) position in relation to your enquiry is as follows.

National Strategic Outcome 2 of the National Planning Framework includes the objective to maintain the strategic capacity and safety of the national road network. It is also an investment priority of the National Development Plan, to ensure that the extensive transport networks which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, accessibility and connectivity to transport users.

The issuing of this correspondence is provided as best practice guidance only and does not prejudice TII's statutory right to make any observations, requests for further information, objections or appeals, following the examination of any valid application referred.

The approach to be adopted by TII in making such submissions or comments will seek to uphold official policy and guidance as outlined in the DCLG's 'Spatial Planning and National Roads Guidelines for Planning Authorities' (2012). Regard should also be had to other relevant guidance and circulars available at www.TII.ie.

With respect to EIAR Scoping issues, the recommendations indicated below provide only general guidance for the preparation of EIAR, which may affect the national road network.

The developer should have regard, *inter alia*, to the following:

1. The site the subject of the EIAR is located contiguous to the N29. Consultations should be had with the relevant Local Authority/National Roads Design Office with regard to locations of existing and future national road schemes. Any proposals related to future public transport provision are a matter for the National Transport Authority (NTA).
2. The Environmental Assessment should therefore have regard to Environmental Assessment Statements/Reports and conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area.
3. As established in the Spatial Planning and National Roads Guidelines, it is in the public interest that the national road network continues to serve its intended strategic purpose. The developer should ensure regard to TII Traffic and Transport Assessment Guidelines (2014).
4. Environmental Impact Assessment shall include provision for travel planning / mobility management planning in the interests of protecting national roads capacity in the interests of sustainable travel policy. Transport analysis should also consider:
 - A mobility management plan should accompany the transport assessment.

Modal share targets should be outlined and how any PT modal share is accommodated.

- Measures proposed to reduce car dependency should be outlined.
- Detailed phasing proposals of development with associated transport infrastructure provision is required.
- Consider and address cumulative impacts of other development and impacts on limited national road capacity.
- The traffic and transport assessment should consider all road users.
- Mitigation measures should be aligned with phasing of road infrastructure improvements and required public transport interventions; all clearly outlined.

5. Assessments, design and construction and maintenance standards and guidance are available at [TII Publications](#). In particular, the developer is advised to address the requirements for Road Safety Audit (RSA).

6. The developer, in conducting Environmental Impact Assessment, should have regard to TII Environment Guidelines that deal with assessment and mitigation measures for varied environmental factors and occurrences, in particular:

i. TII's Environmental Assessment and Construction Guidelines, including the *Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes* (National Roads Authority, 2006),

ii. The EIAR should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and how the development will affect future action plans by the relevant competent authority as well as the *Guidelines for the Treatment of Noise and Vibration in National Road Schemes* (1st Rev., National Roads Authority, 2004)).

7. The developer is advised that any additional works/structures/ mitigations required because of the Assessment should be funded by the developer. TII will entertain no future claims in respect of impacts (e.g. noise, dust, visual and air), due to the presence of the existing national road or any road scheme.

Notwithstanding any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practice.

I hope that this information is of assistance to you.

Yours sincerely,

Alban Mills
Senior Regulatory & Administration Executive

From: Declan Egan <degan@mores.ie>
Sent: Wednesday, August 9, 2023 3:30 PM
To: INFO <Information@tii.ie>
Subject: Proposed Development in Co. Kilkenny

You don't often get email from degan@mores.ie. [Learn why this is important](#)

CAUTION: This email originated from outside of TII. Do not click links or open attachments unless you recognise the sender and are sure that the content is safe.

Dear Sir/Madam,

Please find attached for your comments, a Consultation Document for a proposed gypsum plant development in Gorteen, Co. Kilkenny. Please submit your comments by the 8th September, if possible.

Regards and thanks,

Declan

Declan Egan

Associate Director

for and on behalf of

Malone O'Regan Environmental

Office 315

Cork 1 Horgan's Quay,

Waterfront Square,

Cork, T23 PPT8

Tel: 086 0856168

✉: degan@mores.ie

Web: www.mores.ie

In accordance with TII's Right to Disconnect policy, if you are receiving this email outside of normal working hours, I do not expect a response or action outside of your own working hours unless it is clearly noted as requiring urgent attention.

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RECEIVED: 01/03/2024

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Uisce Éireann
Bosca OP 6000
Baile Átha Cliath 1
D01 WA07
Éire

Uisce Éireann
PO Box 6000
Dublin 1
D01 WA07
Ireland

T: +353 1 89 25000
F: +353 1 89 25001
www.water.ie

For the attention of Declan Egan

Malone O'Regan Environmental
Office 315
Cork 1 Horgan's Quay,
Waterfront Square,
Cork
T23 PPT8

Date: 6th September, 2023

By Email: degan@mores.ie

Re: EIA Scoping Request – Proposed Gypsum Plant, Gorteens, Co. Kilkenny.

Dear Declan Egan,

Uisce Éireann has received notification of your Environmental Impact Assessment (EIA) scoping request relating to GABM Limited's forthcoming planning application for a Gypsum Plant in Co. Kilkenny.

Please see attached, Uisce Éireann's scoping opinion in relation to Water Services. On receipt of the planning referral, Uisce Éireann will review the finalised Environmental Impact Assessment Report (EIAR) as part of the planning process.

Queries relating to the terms and observations above should be directed to planning@water.ie

Yours sincerely,

PP *Alí Robinson*

Signed on behalf of Yvonne Harris

Connections and Developer Services

Uisce Éireann's Response to EIA Scoping Requests

At present, Uisce Éireann does not have the capacity to advise on the scoping of individual projects. However, in general the following aspects of Water Services should be considered in the scope of an EIA where relevant;

- a) Where the development proposal has the potential to impact an Uisce Éireann Drinking Water Source(s), the applicant shall provide details of measures to be taken to ensure that there will be no negative impact to Uisce Éireann's Drinking Water Source(s) during the construction and operational phases of the development. Hydrological / hydrogeological pathways between the applicant's site and receiving waters should be identified as part of the report.
- b) Where the development proposes the backfilling of materials, the applicant is required to include a waste sampling strategy to ensure the material is inert.
- c) Mitigations should be proposed for any potential negative impacts on any water source(s) which may be in proximity and included in the environmental management plan and incident response.
- d) Any and all potential impacts on the nearby reservoir as public water supply water source(s) are assessed, including any impact on hydrogeology and any groundwater/ surface water interactions.
- e) Impacts of the development on the capacity of water services (*i.e. do existing water services have the capacity to cater for the new development*). This is confirmed by Uisce Éireann in the form of a Confirmation of Feasibility (COF). If a development requires a connection to either a public water supply or sewage collection system, the developer is advised to submit a Pre-Connection Enquiry (PCE) enquiry to Uisce Éireann to determine the feasibility of connection to the Irish Water network. All pre-connection enquiry forms are available from <https://www.water.ie/connections/connection-steps/>.
- f) The applicant shall identify any upgrading of water services infrastructure that would be required to accommodate the proposed development.
- g) In relation to a development that would discharge trade effluent – any upstream treatment or attenuation of discharges required prior to discharging to an Uisce Éireann collection network.
- h) In relation to the management of surface water; the potential impact of surface water discharges to combined sewer networks and potential measures to minimise and or / stop surface waters from combined sewers.
- i) Any physical impact on Uisce Éireann assets – reservoir, drinking water source, treatment works, pipes, pumping stations, discharges outfalls etc. including any relocation of assets.

- RECEIVED: 21/03/2024
- j) When considering a development proposal, the applicant is advised to determine the location of public water services assets, possible connection points from the applicant's site / lands to the public network and any drinking water abstraction catchments to ensure these are included and fully assessed in any pre-planning proposals. Details, where known, can be obtained by emailing an Ordnance Survey map identifying the proposed location of the applicant's intended development to datarequests@water.ie
 - k) Other indicators or methodologies for identifying infrastructure located within the applicant's lands are the presence of registered wayleave agreements, visible manholes, vent stacks, valve chambers, marker posts etc. within the proposed site.
 - l) Any potential impacts on the assimilative capacity of receiving waters in relation to Uisce Éireann discharge outfalls including changes in dispersion / circulation characterises. Hydrological / hydrogeological pathways between the applicant's site and receiving waters should be identified within the report.
 - m) Any potential impact on the contributing catchment of water sources either in terms of water abstraction for the development (*and resultant potential impact on the capacity of the source*) or the potential of the development to influence / present a risk to the quality of the water abstracted by Uisce Éireann for public supply should be identified within the report.
 - n) Where a development proposes to connect to an Uisce Éireann network and that network either abstracts water from or discharges wastewater to a "protected"/ sensitive area, consideration as to whether the integrity of the site / conservation objectives of the site would be compromised should be identified within the report.
 - o) Mitigation measures in relation to any of the above ensuring a zero risk to any Irish Water drinking water sources (Surface and Ground water).

This is not an exhaustive list.

Please note;

- Where connection(s) to the public network is required as part of the development proposal, applicants are advised to complete the Pre-Connection Enquiry process and have received a Confirmation of Feasibility letter from Uisce Éireann ahead of any planning application.
- Uisce Éireann will not accept new surface water discharges to combined sewer networks.



Comhairle Chontae Chill Chainnigh

Halla an Chontae Sraid Eoin Cill Chainnigh
R95 A39T

Pobail agus Áiteanna Inbhuanaithe a Chruthú

Kilkenny County Council

County Hall John Street Kilkenny
R95 A39T

Creating Sustainable Communities and Places



Sent by email

Declan Egan,
Malone O' Regan,
1 Horgans Quay
Waterfront Square
Cork
degan@mores.ie

Our Ref: IR650

Date: 29/09/2023

RECEIVED: 01/03/2024

Re: Scoping Document as part of EIAR Scoping process for a proposed Gypsum Manufacturing plant Belview Port, Gorteens

A Chara,

In response to your correspondence dated 09th August 2023, the Planning Authority wishes to comment as follows:

The applicant shall formally consult inter-alia the following bodies:

External Bodies

- The Minister for the Environment, Climate and Communications-
- The Minister for Housing, Planning and Local Government, -
- The Environmental Protection Agency -
- The Minister for Communications, Marine and Natural Resources, -
- Waterford County Council Planning -
- Inland Fisheries Ireland -
- Health and Safety Authority -
- An Taisce -
- Irish Water –
- National Monuments Service -
- National Parks and Wildlife Service
- Transport Infrastructure Ireland -see comments below
- Department of Heritage - Architectural Heritage -

With regard to the EIAR Scoping the following should be considered:

Consultation with External Bodies

Kilkenny County Council has contacted the above listed agencies; where responses have been received by the Council the recommendation of these agencies are set out below and shall be taken into consideration by the applicant in the preparation of the EIAR.

TII Transport Infrastructure Ireland

Transport Infrastructure Ireland's (TII's) position in relation to your enquiry is as follows:

National Strategic Outcome 2 of the National Planning Framework includes the objective to maintain the strategic capacity and safety of the national road network. It is also an investment priority of the National Development Plan, to ensure that the extensive transport networks which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, accessibility and connectivity to transport users.

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1. The site the subject of the EIAR is located contiguous to the N29. Consultations should be had with the relevant Local Authority/National Roads Design Office with regard to locations of existing and future national road schemes. Any proposals related to future public transport provision are a matter for the National Transport Authority (NTA).
2. The Environmental Assessment should therefore have regard to Environmental Assessment Statements/Reports and conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area.
3. As established in the Spatial Planning and National Roads Guidelines, it is in the public interest that the national road network continues to serve its intended strategic purpose. The developer should ensure regard to TII Traffic and Transport Assessment Guidelines (2014).
4. Environmental Impact Assessment shall include provision for travel planning / mobility management planning in the interests of protecting national roads capacity in the interests of sustainable travel policy. Transport analysis should also consider:
 - A mobility management plan should accompany the transport assessment.
 - Modal share targets should be outlined and how any PT modal share is accommodated.
 - Measures proposed to reduce car dependency should be outlined.
 - Detailed phasing proposals of development with associated transport infrastructure provision is required.
 - Consider and address cumulative impacts of other development and impacts on limited national road capacity.
 - The traffic and transport assessment should consider all road users.
 - Mitigation measures should be aligned with phasing of road infrastructure improvements and required public transport interventions; all clearly outlined.
5. Assessments, design and construction and maintenance standards and guidance are available at [TII Publications](http://www.TII.ie/Publications). In particular, the developer is advised to address the requirements for Road Safety Audit (RSA).
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- RECEIVED 22/03/2024
- i. TII's Environmental Assessment and Construction Guidelines, including the *Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes* (National Roads Authority, 2006),
 - ii. The EIAR should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and how the development will affect future action plans by the relevant competent authority as well as the *Guidelines for the Treatment of Noise and Vibration in National Road Schemes* (1st Rev., National Roads Authority, 2004)).
7. The developer is advised that any additional works/structures/ mitigations required because of the Assessment should be funded by the developer. TII will entertain no future claims in respect of impacts (e.g. noise, dust, visual and air), due to the presence of the existing national road or any road scheme.

Notwithstanding any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practice.

Kilkenny County Council

Planning Department:

- Having regard to the location and use of the proposed development in the vicinity of an SAC, a professional Scientific Assessment should be carried out to assist the Council as the Competent Authority to carry out screening for Appropriate Assessment to consider whether the project, alone or in combination of others, will have any significant negative impact on the integrity of the nearby river which is within the Lower River Suir and Rivers Nore/Barrow Natura 2000 sites.
- The applicant is advised to fully comply with the requirements of Directive 2014/52/EU on the effects of certain public and private projects on the Environment (EIA Directive) and any resulting amendments to the Planning and Development Act 2000 as amended and the Planning and Development Regulations 2001, as amended. The applicants should also comply with the requirements of the '*Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*' and any updates subsequent to the above Directive.
- From reading submitted documentation, it is not clear how process water is treated and this should be comprehensively addressed.
- There is also reference to use of some mains public water. The applicant will need to confirm with Irish Water that public water is available at this location for port related activities.

Road Design Section:

Agree Traffic Impact Assessment shall be completed

Is Mise le meas,



Una Kealy
Administrative Officer,
Planning Section

RECEIVED: 01/03/2024

APPENDIX 1-2



An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreacht
Department of Housing,
Local Government and Heritage

RECEIVED: 01/03/2024

Date: 13 September 2023

Re: Pre-Planning Consultation Ref. G Pre001892023_KK-CON-A230815-0003_Proposed gypsum plant, Gorteens, Co Kilkenny

To: Malone O'Regan Environmental

Dear Mr Egan,

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It is noted that a Cultural Heritage Assessment is scoped into the proposed EIA process; to be carried out by a competent and professionally accredited archaeologist. The supplied methodology indicates that this will include an assessment of interactions with other environmental topics and consideration of the following:

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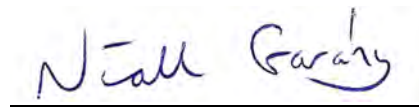
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- Site Inspection
- Archaeological Impact Assessment (to include Archaeological Geophysical Survey and / or Archaeological Testing)

The results of these investigations should form part of the EIA process and be incorporated within the EIA Report. NMS is happy to provide further advice and clarification as and if required in relation to the preparation of suitably comprehensive assessments as outlined above, with particular regard to the scope and locations for any advance non-intrusive prospection, advance test excavation, or built heritage surveys that would be appropriate to inform the assessment of this proposed scheme.

Notwithstanding the above, the National Monuments Service awaits the submission of this assessment before commenting further.

Is mise le meas,



Níall Garahy
Archaeologist
National Monuments Service
Department of Housing, Local Government and Heritage

RECEIVED: 01/03/2024



RECEIVED: 01/03/2024

Your Ref: Proposed Gypsum Plant

Our Ref: G Pre00189/2023

(Please quote in all related correspondence)

21 September 2023

Malone O'Regan
Office 315
Cork 1 Horgan's Quay,
Waterfront Square,
Cork, T23 PPT8

Via email: degan@mores.ie

Re: Proposed gypsum plant development at Gorteens, Co. Kilkeny.

A chara

I refer to correspondence received in connection with the above.

Outlined below are heritage-related observations/recommendations of the Department under the stated heading(s).

Archaeology

The Department has reviewed the 'Consultation Document Proposed Gypsum Manufacturing Plant on behalf of GABM Ltd. Gorteens, Co. Kilkeny'.

It is noted that a Cultural Heritage Assessment is scoped into the proposed Environmental Impact Assessment (EIA) Report process; to be carried out by a competent and professionally accredited archaeologist. The supplied methodology indicates that this will include an assessment of interactions with other environmental topics and consideration of the following:

- Kilkeny County Development Plan 2022-2027
- Fairview and Belview Port, Local Area Plan, 2017
- The Record of Monuments and Places (RMP) for County Kilkeny



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- The National Inventory of Architectural Heritage
- Cartographic Sources
- Documentary sources

The Department advises that the following are carried out as part of the Archaeological Impact Assessment:

- Site inspection
- Archaeological Impact Assessment (to include Archaeological Geophysical Survey and / or Archaeological Testing)

The results of these investigations should form part of the EIA process and be incorporated within the EIA Report. The Department is happy to provide further advice and clarification as and if required in relation to the preparation of suitably comprehensive assessments as outlined above, with particular regard to the scope and locations for any advance non-intrusive prospection, advance test excavation, or built heritage surveys that would be appropriate to inform the assessment of this proposed scheme.

Notwithstanding the above, the Department awaits the submission of this assessment before commenting further.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at manager.dau@npws.gov.ie.

Is mise, le meas

Edel Griffin
Development Applications Unit
Administration

From: [Transport GCU](#)
To: [Declan Egan](#)
Cc: [Transport GCU](#)
Subject: Proposed Gypsum Plant, Gorteens, Co. Kilkenny
Date: Wednesday 6 September 2023 10:31:25
Attachments: [230808 - E2077 - Consultation Document - Final Rev01.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Declan,

Just getting in touch to confirm that the Department of Transport has no observations to make on the proposed development at this time.

Best wishes,
Liam

Liam Hawkes
Central Policy, Coordination & Reform Division

From: Declan Egan <degan@mores.ie>
Sent: Wednesday 9 August 2023 15:11
To: Transport Department of Transport <info@transport.gov.ie>
Subject: Proposed development at Gorteen, Co. Kilkenny

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Dear Sir/Madam,

Please find attached a Consultation Document for your comments, for a proposed gypsum plant development at Gorteen, Co. Kilkenny. Please submit your comments by the 8th September, if possible.

Regards and Thanks,

Declan

Declan Egan
Associate Director

for and on behalf of
Malone O'Regan Environmental
Office 315
Cork 1 Horgan's Quay,
Waterfront Square,
Cork, T23 PPT8
Tel: 086 0856168

✉: degan@mores.ie

Web: www.mores.ie

RECEIVED: 01/03/2024

From: [INFO](#)
To: [Declan Egan](#)
Subject: TII Ref: TII23-124053 - Proposed gypsum plant development in Gorteen, Co. Kilkenny
Date: Friday 18 August 2023 10:41:27

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr Egan,

Thank you for your correspondence of 9 August 2023 regarding the above. Transport Infrastructure Ireland's (TII's) position in relation to your enquiry is as follows.

National Strategic Outcome 2 of the National Planning Framework includes the objective to maintain the strategic capacity and safety of the national road network. It is also an investment priority of the National Development Plan, to ensure that the extensive transport networks which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, accessibility and connectivity to transport users.

The issuing of this correspondence is provided as best practice guidance only and does not prejudice TII's statutory right to make any observations, requests for further information, objections or appeals, following the examination of any valid application referred.

The approach to be adopted by TII in making such submissions or comments will seek to uphold official policy and guidance as outlined in the DCLG's 'Spatial Planning and National Roads Guidelines for Planning Authorities' (2012). Regard should also be had to other relevant guidance and circulars available at www.TII.ie.

With respect to EIAR Scoping issues, the recommendations indicated below provide only general guidance for the preparation of EIAR, which may affect the national road network.

The developer should have regard, *inter alia*, to the following:

1. The site the subject of the EIAR is located contiguous to the N29. Consultations should be had with the relevant Local Authority/National Roads Design Office with regard to locations of existing and future national road schemes. Any proposals related to future public transport provision are a matter for the National Transport Authority (NTA).
2. The Environmental Assessment should therefore have regard to Environmental Assessment Statements/Reports and conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area.
3. As established in the Spatial Planning and National Roads Guidelines, it is in the public interest that the national road network continues to serve its intended strategic purpose. The developer should ensure regard to TII Traffic and Transport Assessment Guidelines (2014).
4. Environmental Impact Assessment shall include provision for travel planning / mobility management planning in the interests of protecting national roads capacity in the interests of sustainable travel policy. Transport analysis should also consider:
 - A mobility management plan should accompany the transport assessment.

Modal share targets should be outlined and how any PT modal share is accommodated.

- Measures proposed to reduce car dependency should be outlined.
- Detailed phasing proposals of development with associated transport infrastructure provision is required.
- Consider and address cumulative impacts of other development and impacts on limited national road capacity.
- The traffic and transport assessment should consider all road users.
- Mitigation measures should be aligned with phasing of road infrastructure improvements and required public transport interventions; all clearly outlined.

5. Assessments, design and construction and maintenance standards and guidance are available at [TII Publications](#). In particular, the developer is advised to address the requirements for Road Safety Audit (RSA).

6. The developer, in conducting Environmental Impact Assessment, should have regard to TII Environment Guidelines that deal with assessment and mitigation measures for varied environmental factors and occurrences, in particular:

i. TII's Environmental Assessment and Construction Guidelines, including the *Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes* (National Roads Authority, 2006),

ii. The EIAR should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and how the development will affect future action plans by the relevant competent authority as well as the *Guidelines for the Treatment of Noise and Vibration in National Road Schemes* (1st Rev., National Roads Authority, 2004)).

7. The developer is advised that any additional works/structures/ mitigations required because of the Assessment should be funded by the developer. TII will entertain no future claims in respect of impacts (e.g. noise, dust, visual and air), due to the presence of the existing national road or any road scheme.

Notwithstanding any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practice.

I hope that this information is of assistance to you.

Yours sincerely,

Alban Mills
Senior Regulatory & Administration Executive

From: Declan Egan <degan@mores.ie>
Sent: Wednesday, August 9, 2023 3:30 PM
To: INFO <Information@tii.ie>
Subject: Proposed Development in Co. Kilkenny

You don't often get email from degan@mores.ie. [Learn why this is important](#)

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Dear Sir/Madam,

Please find attached for your comments, a Consultation Document for a proposed gypsum plant development in Gorteen, Co. Kilkenny. Please submit your comments by the 8th September, if possible.

Regards and thanks,

Declan

Declan Egan

Associate Director

for and on behalf of

Malone O'Regan Environmental

Office 315

Cork 1 Horgan's Quay,

Waterfront Square,

Cork, T23 PPT8

Tel: 086 0856168

✉: degan@mores.ie

Web: www.mores.ie

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agus beartaithe lena n-úsáid ag an duine aonair nó ag an eintiteas a bhfuil siad dírithe chuige/chuici amháin. Más rud é go bhfuair tú an ríomhphost seo trí bhotún, cuir sin in iúil do postmaster@tii.ie, le do thoil, agus scrios an ríomhphost bunaidh agus aon cheangaltáin.

RECEIVED: 01/03/2024

RECEIVED: 01/09/2023

Uisce Éireann
Bosca OP 6000
Baile Átha Cliath 1
D01 WA07
Éire

Uisce Éireann
PO Box 6000
Dublin 1
D01 WA07
Ireland

T: +353 1 89 25000
F: +353 1 89 25001
www.water.ie

For the attention of Declan Egan

Malone O'Regan Environmental
Office 315
Cork 1 Horgan's Quay,
Waterfront Square,
Cork
T23 PPT8

Date: 6th September, 2023

By Email: degan@mores.ie

Re: EIA Scoping Request – Proposed Gypsum Plant, Gorteens, Co. Kilkenny.

Dear Declan Egan,

Uisce Éireann has received notification of your Environmental Impact Assessment (EIA) scoping request relating to GABM Limited's forthcoming planning application for a Gypsum Plant in Co. Kilkenny.

Please see attached, Uisce Éireann's scoping opinion in relation to Water Services. On receipt of the planning referral, Uisce Éireann will review the finalised Environmental Impact Assessment Report (EIAR) as part of the planning process.

Queries relating to the terms and observations above should be directed to planning@water.ie

Yours sincerely,

PP *Alí Robinson*

Signed on behalf of Yvonne Harris

Connections and Developer Services

Uisce Éireann's Response to EIA Scoping Requests

At present, Uisce Éireann does not have the capacity to advise on the scoping of individual projects. However, in general the following aspects of Water Services should be considered in the scope of an EIA where relevant;

- a) Where the development proposal has the potential to impact an Uisce Éireann Drinking Water Source(s), the applicant shall provide details of measures to be taken to ensure that there will be no negative impact to Uisce Éireann's Drinking Water Source(s) during the construction and operational phases of the development. Hydrological / hydrogeological pathways between the applicant's site and receiving waters should be identified as part of the report.
- b) Where the development proposes the backfilling of materials, the applicant is required to include a waste sampling strategy to ensure the material is inert.
- c) Mitigations should be proposed for any potential negative impacts on any water source(s) which may be in proximity and included in the environmental management plan and incident response.
- d) Any and all potential impacts on the nearby reservoir as public water supply water source(s) are assessed, including any impact on hydrogeology and any groundwater/ surface water interactions.
- e) Impacts of the development on the capacity of water services (*i.e. do existing water services have the capacity to cater for the new development*). This is confirmed by Uisce Éireann in the form of a Confirmation of Feasibility (COF). If a development requires a connection to either a public water supply or sewage collection system, the developer is advised to submit a Pre-Connection Enquiry (PCE) enquiry to Uisce Éireann to determine the feasibility of connection to the Irish Water network. All pre-connection enquiry forms are available from <https://www.water.ie/connections/connection-steps/>.
- f) The applicant shall identify any upgrading of water services infrastructure that would be required to accommodate the proposed development.
- g) In relation to a development that would discharge trade effluent – any upstream treatment or attenuation of discharges required prior to discharging to an Uisce Éireann collection network.
- h) In relation to the management of surface water; the potential impact of surface water discharges to combined sewer networks and potential measures to minimise and or / stop surface waters from combined sewers.
- i) Any physical impact on Uisce Éireann assets – reservoir, drinking water source, treatment works, pipes, pumping stations, discharges outfalls etc. including any relocation of assets.

- RECEIVED: 21/03/2024
- j) When considering a development proposal, the applicant is advised to determine the location of public water services assets, possible connection points from the applicant's site / lands to the public network and any drinking water abstraction catchments to ensure these are included and fully assessed in any pre-planning proposals. Details, where known, can be obtained by emailing an Ordnance Survey map identifying the proposed location of the applicant's intended development to datarequests@water.ie
 - k) Other indicators or methodologies for identifying infrastructure located within the applicant's lands are the presence of registered wayleave agreements, visible manholes, vent stacks, valve chambers, marker posts etc. within the proposed site.
 - l) Any potential impacts on the assimilative capacity of receiving waters in relation to Uisce Éireann discharge outfalls including changes in dispersion / circulation characterises. Hydrological / hydrogeological pathways between the applicant's site and receiving waters should be identified within the report.
 - m) Any potential impact on the contributing catchment of water sources either in terms of water abstraction for the development (*and resultant potential impact on the capacity of the source*) or the potential of the development to influence / present a risk to the quality of the water abstracted by Uisce Éireann for public supply should be identified within the report.
 - n) Where a development proposes to connect to an Uisce Éireann network and that network either abstracts water from or discharges wastewater to a "protected"/ sensitive area, consideration as to whether the integrity of the site / conservation objectives of the site would be compromised should be identified within the report.
 - o) Mitigation measures in relation to any of the above ensuring a zero risk to any Irish Water drinking water sources (Surface and Ground water).

This is not an exhaustive list.

Please note;

- Where connection(s) to the public network is required as part of the development proposal, applicants are advised to complete the Pre-Connection Enquiry process and have received a Confirmation of Feasibility letter from Uisce Éireann ahead of any planning application.
- Uisce Éireann will not accept new surface water discharges to combined sewer networks.



Comhairle Chontae Chill Chainnigh

Halla an Chontae Sraid Eoin Cill Chainnigh
R95 A39T

Pobail agus Áiteanna Inbhuanaithe a Chruthú

Kilkenny County Council

County Hall John Street Kilkenny
R95 A39T

Creating Sustainable Communities and Places



Sent by email

Declan Egan,
Malone O' Regan,
1 Horgans Quay
Waterfront Square
Cork
degan@mores.ie

Our Ref: IR650

Date: 29/09/2023

RECEIVED: 01/03/2024

Re: Scoping Document as part of EIAR Scoping process for a proposed Gypsum Manufacturing plant Belview Port, Gorteens

A Chara,

In response to your correspondence dated 09th August 2023, the Planning Authority wishes to comment as follows:

The applicant shall formally consult inter-alia the following bodies:

External Bodies

- The Minister for the Environment, Climate and Communications-
- The Minister for Housing, Planning and Local Government, -
- The Environmental Protection Agency -
- The Minister for Communications, Marine and Natural Resources, -
- Waterford County Council Planning -
- Inland Fisheries Ireland -
- Health and Safety Authority -
- An Taisce -
- Irish Water –
- National Monuments Service -
- National Parks and Wildlife Service
- Transport Infrastructure Ireland -see comments below
- Department of Heritage - Architectural Heritage -

With regard to the EIAR Scoping the following should be considered:

Consultation with External Bodies

Kilkenny County Council has contacted the above listed agencies; where responses have been received by the Council the recommendation of these agencies are set out below and shall be taken into consideration by the applicant in the preparation of the EIAR.

TII Transport Infrastructure Ireland

Transport Infrastructure Ireland's (TII's) position in relation to your enquiry is as follows:

National Strategic Outcome 2 of the National Planning Framework includes the objective to maintain the strategic capacity and safety of the national road network. It is also an investment priority of the National Development Plan, to ensure that the extensive transport networks which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, accessibility and connectivity to transport users.

The issuing of this correspondence is provided as best practice guidance only and does not prejudice TII's statutory right to make any observations, requests for further information, objections or appeals, following the examination of any valid application referred.

The approach to be adopted by TII in making such submissions or comments will seek to uphold official policy and guidance as outlined in the DCLG's 'Spatial Planning and National Roads Guidelines for Planning Authorities' (2012). Regard should also be had to other relevant guidance and circulars available at www.TII.ie.

With respect to EIAR Scoping issues, the recommendations indicated below provide only general guidance for the preparation of EIAR, which may affect the national road network.

The developer should have regard, *inter alia*, to the following:

1. The site the subject of the EIAR is located contiguous to the N29. Consultations should be had with the relevant Local Authority/National Roads Design Office with regard to locations of existing and future national road schemes. Any proposals related to future public transport provision are a matter for the National Transport Authority (NTA).
2. The Environmental Assessment should therefore have regard to Environmental Assessment Statements/Reports and conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area.
3. As established in the Spatial Planning and National Roads Guidelines, it is in the public interest that the national road network continues to serve its intended strategic purpose. The developer should ensure regard to TII Traffic and Transport Assessment Guidelines (2014).
4. Environmental Impact Assessment shall include provision for travel planning / mobility management planning in the interests of protecting national roads capacity in the interests of sustainable travel policy. Transport analysis should also consider:
 - A mobility management plan should accompany the transport assessment.
 - Modal share targets should be outlined and how any PT modal share is accommodated.
 - Measures proposed to reduce car dependency should be outlined.
 - Detailed phasing proposals of development with associated transport infrastructure provision is required.
 - Consider and address cumulative impacts of other development and impacts on limited national road capacity.
 - The traffic and transport assessment should consider all road users.
 - Mitigation measures should be aligned with phasing of road infrastructure improvements and required public transport interventions; all clearly outlined.
5. Assessments, design and construction and maintenance standards and guidance are available at [TII Publications](http://www.TII.ie/Publications). In particular, the developer is advised to address the requirements for Road Safety Audit (RSA).
6. The developer, in conducting Environmental Impact Assessment, should have regard to TII Environment Guidelines that deal with assessment and mitigation measures for varied environmental factors and occurrences, in particular:

- RECEIVED 22/03/2024
- i. TII's Environmental Assessment and Construction Guidelines, including the *Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes* (National Roads Authority, 2006),
 - ii. The EIAR should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and how the development will affect future action plans by the relevant competent authority as well as the *Guidelines for the Treatment of Noise and Vibration in National Road Schemes* (1st Rev., National Roads Authority, 2004)).
7. The developer is advised that any additional works/structures/ mitigations required because of the Assessment should be funded by the developer. TII will entertain no future claims in respect of impacts (e.g. noise, dust, visual and air), due to the presence of the existing national road or any road scheme.

Notwithstanding any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practice.

Kilkenny County Council

Planning Department:

- Having regard to the location and use of the proposed development in the vicinity of an SAC, a professional Scientific Assessment should be carried out to assist the Council as the Competent Authority to carry out screening for Appropriate Assessment to consider whether the project, alone or in combination of others, will have any significant negative impact on the integrity of the nearby river which is within the Lower River Suir and Rivers Nore/Barrow Natura 2000 sites.
- The applicant is advised to fully comply with the requirements of Directive 2014/52/EU on the effects of certain public and private projects on the Environment (EIA Directive) and any resulting amendments to the Planning and Development Act 2000 as amended and the Planning and Development Regulations 2001, as amended. The applicants should also comply with the requirements of the '*Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*' and any updates subsequent to the above Directive.
- From reading submitted documentation, it is not clear how process water is treated and this should be comprehensively addressed.
- There is also reference to use of some mains public water. The applicant will need to confirm with Irish Water that public water is available at this location for port related activities.

Road Design Section:

Agree Traffic Impact Assessment shall be completed

Is Mise le meas,



Una Kealy
Administrative Officer,
Planning Section