

# 1 Introduction

This Environmental Impact Statement is prepared in respect of a proposed cruise berth facility at Dun Laoghaire Harbour.

## 1.1 Project Description

### 1.1.1 Applicant

Dun Laoghaire Harbour Company (DLHC) act as the applicant for this planning application, being the statutory commercial body charged with developing Dun Laoghaire Harbour and established under the Harbours Act of 1996.

In making this planning application, Dun Laoghaire Harbour Company (DLHC) represent the interests of the wider Dun Laoghaire Cruise Stakeholder Group, of which DLHC is a member. The Dun Laoghaire Cruise Stakeholder Group is not a legal entity for the purposes of making this planning application, hence why Dun Laoghaire Harbour Company (DLHC) act as the applicant in this instance.

The Dun Laoghaire Cruise Stakeholder Group was formed in 2011 to bring together various stakeholders with an interest in developing cruise business for the greater Dun Laoghaire area. The other members include Dun Laoghaire-Rathdown County Council and the Dun Laoghaire Business Improvement District (BID) Company.

### 1.1.2 Proposed Development

The existing berthing facilities at Dun Laoghaire Harbour are not capable of catering for the next generation cruise ships. Dun Laoghaire Harbour Company representing the wider Dun Laoghaire Cruise Stakeholder Group is seeking to enhance the existing cruise berthing facilities at Dun Laoghaire Harbour in order to ensure Dun Laoghaire Harbour is in a position to attract next generation cruise ships.

The proposed development will broadly involve the construction of a new quay, berth and access causeway; the dredging of a navigation channel; and associated landside accommodation works. This development will provide for the berthing of Freedom Class cruise liners which may have a displacement of 71,200 tonnes, a length of 340m, a beam of 48m and a draught of 8.8m, within Dun Laoghaire Harbour. Within the harbour, the approach channel will be positioned so that the centreline of the berth will be located 120m to the west of St Michaels Pier. The channel and berth will be oriented to align with the centre of the existing harbour entrance so that the cruise ship will not have to undertake any turns within the harbour itself. The cruise vessel would either turn outside the harbour and back down the channel onto the berth, or steam onto the berth and back out into the turning circle, depending on conditions.

The development comprising both maritime and landside works can be summarised as follows:

#### Maritime Works

- An approach navigation channel approximately 1,150m long situated beyond the existing Harbour breakwaters
- A vessel turning circle approximately 500m diameter, situated outside the existing Harbour breakwaters
- An inner navigation channel approximately 850m long within the existing Harbour breakwaters
- A new quay approximately 435m long constructed in the west of the harbour water body.

## Landside Works

- A shared use pedestrian and private vehicle access zone located adjacent to the existing Marina together with a new boardwalk parallel to this shared area, complete with new feature lighting
- A new pedestrian footpath with high quality concrete pavement along Harbour Road providing linkage with the existing Terminal Plaza complete with new feature lighting
- A 20 coach drop off/ pick up area within a dedicated section of the existing HSS ferry marshalling area
- A coach overflow holding area placed within Accommodation Walk which straddles the Old Quay Bridge at the west of the Harbour
- Local modifications to an existing retaining wall adjoining the car park located adjacent to the Old Quay area also at the west of the Harbour
- Demolition of certain harbour infrastructure such as an RC boundary wall along the HSS Yard boundary, the motorist's administration building, a section of the Porte cohere canopy structure, plus tree removal and replacement
- Construction of new buried utilities and services, and miscellaneous lighting columns and signage for vehicles and non-motorised users.

Full details of the proposed development, including the rationale behind the proposed development are set out in Section 3 of this EIS (Description of Proposed Development). Plans of the proposed development are also included in Appendix 1.1 of this EIS. In arriving at this final proposal, a detailed review and analysis was undertaken of a variety of locations for a cruise facility within the harbour before this preferred solution was decided upon. The design evolution of the scheme and the alternatives considered are set out in Section 3 of this EIS.

## Removal of Existing Stena Line HSS Infrastructure

There is currently no ferry service in operation from Dun Laoghaire Harbour. Stena Line ceased operating a seasonal service to Holyhead with its HSS catamaran in 2014. The existing Stena Line infrastructure, including the linkspan and dolphins off St Michaels Pier, is shown on the planning drawings as being removed when the cruise berth is in place. Following the departure of Stena Line from Dun Laoghaire Harbour in recent months, discussions have commenced between the Harbour Company and Stena Line to have this infrastructure removed in line with the agreement in place. That process, including all necessary consents, is being undertaken independently of this cruise berth proposal. As a result, the proposal drawings and the EIS have assumed that this infrastructure will have been removed before the cruise berth is operational.

## **1.2 Legislative Context**

### **1.2.1 Strategic Infrastructure**

The Planning & Development (Strategic Infrastructure) Act, 2006 brought in to effect what is now commonly referred to as SID Applications, or Strategic Infrastructure Development Applications. Section 37A of the above Act specifies circumstances where a proposal can be determined to be strategic infrastructure. The proposal must be for a development specified in the Seventh Schedule of the Act. In this particular instance the Seventh Schedule includes under Transport Infrastructure the following development:-

*A harbour or port installation (which may include facilities in the form of loading or unloading areas, vehicle queuing and parking areas, ship repair areas, areas for berthing or dry docking of ships, areas for the weighing, handling or transport of goods or the movement or transport of passengers (including customs or passport control facilities), associated administrative offices or other similar facilities directly related to and forming an integral part of the installation)—*

- (a) where the area or additional area of water enclosed would be 20 hectares or more, or
- (b) which would involve the reclamation of 5 hectares or more of land, or
- (c) which would involve the construction of one or more quays which or each of which would exceed 100 metres in length, or
- (d) which would enable a vessel of over 1350 tonnes to enter within it.

The proposal in this instance comprises, inter alia, a project within the confines of a harbour, Dun Laoghaire Harbour, that involves the construction of a quay exceeding 100 metres in length.

Having regard to the requirements set out under Sections 37A & 37B of the Planning & Development Act 2000 as amended, the applicant has been consulting with An Bord Pleanála since the initial inception of this project. Following these consultations, An Bord Pleanála served notice to the applicants under section 37B(4)(a) which stated that they had decided that the proposed development would be 'strategic infrastructure' within the meaning of section 37A of the Act. Any application for strategic infrastructure development must be made directly to the Board under Section 37E of the Act and an Environmental Impact Statement is required to accompany such planning applications.

### 1.2.2 Development of the Foreshore

Part XV of the Planning and Development Act 2000, as amended is concerned with the development of the foreshore. For this part of the Act, the following definitions apply to 'development' and 'foreshore' as set out in Section 224 of the Act:

*"development" includes development consisting of the reclamation of any land on the foreshore;*

*"foreshore" has the meaning assigned to it by the Foreshore Act, 1933, but includes land between the line of high water of ordinary or medium tides and land within the functional area of the planning authority concerned that adjoins the first-mentioned land.*

The Foreshore Act 1933-2014 defines "foreshore" as

*the bed and shore, below the line of high water of ordinary or medium tides, of the sea and of every tidal river and tidal estuary and of every channel, creek, and bay of the sea or of any such river or estuary and the outer limit of the foreshore shall be determined in accordance with section 1A of this Act;*

As referenced in the above definition, Section 1A of Foreshore Act 1933-2014 states that

*1A.— (1) The outer limit of the foreshore is, and shall be deemed always to have been and to be, coterminous with the seaward limit of the territorial seas of the State as provided, from time to time, by Act of the Oireachtas.*

*(2) If immediately before 21 June 2005 any part of the foreshore, being foreshore as determinable before that date without reference to subsection (1) of this section, was not owned by the State by virtue of any grant, charter, purchase or other means, then nothing in subsection (1) of this section shall be construed so as to extend any person's interest in that part of the foreshore beyond the outer limit of that part of the foreshore as determined or determinable at the time of such grant, charter or purchase or the time ownership by other means arose.*

Section 225 of the Planning and Development Act 2000, as amended relates to the obligation to obtain permission in respect of development on foreshore. Specifically, Section 225 states that

*1) Subject to the provisions of this Act, permission shall be required under Part III in respect*

*of development on the foreshore not being exempted development, in circumstances where, were such development carried out, it would adjoin—*

*(a) the functional area of a planning authority, or*

*(b) any reclaimed land adjoining such functional area,*

*and accordingly, that part of the foreshore on which it is proposed to carry out the development shall for the purposes of making an application for permission in respect of such development be deemed to be within the functional area of that planning authority.*

*(2) That part of the foreshore on which a development has been commenced or completed pursuant to permission granted under Part III shall, for the purposes of this Act or any other enactment, whether passed before or after the passing of this Act, be deemed to be within the functional area of the planning authority that granted such permission.*

This application for planning permission is therefore made in respect of the land within the foreshore as defined under the Planning and Development Act 2000 (as amended) and the Foreshore Act 1933-2014.

### **1.2.3 Environmental Impact Assessment**

The content of this EIS has been compiled in accordance with the relevant provisions set out in Directive 2011/92/EU, The Planning and Development Act 2000 – 2012, Article 94 of the Planning and Development Regulations 2001 and Guidelines on the Information to be contained in Environmental Impact Statements.

#### **1.2.3.1 Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2001 on the assessment of the effects of certain public and private projects on the environment**

The following articles included within Directive 2011/92/EU, sets the basis upon which we are preparing the Environmental Impact Assessment.

##### **Article 1**

*1. This Directive shall apply to the assessment of the environmental effects of those public and private projects which are likely to have significant effects on the environment.*

*2. For the purposes of this Directive, the following definitions shall apply:*

*(a) 'project' means:*

*- the execution of construction works or of other installations or schemes,- other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources;*

*(c) 'development consent' means the decision of the competent authority or authorities which entitles the developer to proceed with the project;*

##### **Article 3**

*The environmental impact assessment shall identify, describe and assess in an appropriate manner, in the light of each individual case and in accordance with Articles 4 to 12, the direct and indirect effects of a project on the following factors:*

*(a) human beings, fauna and flora;*

*(b) soil, water, air, climate and the landscape;*

*(c) material assets and the cultural heritage;*

*(d) the interaction between the factors referred to in points (a), (b) and (c).*

#### **Article 4**

1. Subject to Article 2(4), projects listed in Annex I shall be made subject to an assessment in accordance with Articles 5 to 10.
2. Subject to Article 2(4), for projects listed in Annex II, Member States shall determine whether the project shall be made subject to an assessment in accordance with Articles 5 to 10. Member States shall make that determination through:
  - (a) a case-by-case examination;
  - or
  - (b) thresholds or criteria set by the Member State.Member States may decide to apply both procedures referred to in points (a) and (b).

#### **Article 5**

2. Member States shall take the necessary measures to ensure that, if the developer so requests before submitting an application for development consent, the competent authority shall give an opinion on the information to be supplied by the developer in accordance with paragraph 1. The competent authority shall consult the developer and authorities referred to in Article 6(1) before it gives its opinion. The fact that the authority has given an opinion under this paragraph shall not preclude it from subsequently requiring the developer to submit further information.

#### **Annex IV**

##### **Information referred to in Article 5(1)**

1. A description of the project, including in particular:
  - (a) a description of the physical characteristics of the whole project and the land-use requirements during the construction and operational phases;
  - (b) a description of the main characteristics of the production processes, for instance, the nature and quantity of the materials used;
  - (c) an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed project.
2. An outline of the main alternatives studied by the developer and an indication of the main reasons for this choice, taking into account the environmental effects.
3. A description of the aspects of the environment likely to be significantly affected by the proposed project, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
4. A description (1) of the likely significant effects of the proposed project on the environment resulting from:
  - (a) the existence of the project;
  - (b) the use of natural resources;
  - (c) the emission of pollutants, the creation of nuisances and the elimination of waste.
5. The description by the developer of the forecasting methods used to assess the effects on the environment referred to in point 4.
6. A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
7. A non-technical summary of the information provided under headings 1 to 6.
8. An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the developer in compiling the required information.

### **1.2.3.2 Planning and Development Act 2000-2013**

Under Part X, Section 172 (1) of the Planning and Development Act 2000, a requirement is established that certain forms of development would require, in addition to the planning application, an environmental Impact Assessment to be carried out for the proposed development. Section 172 (1) of the act states that:

*"Where a planning application is made in respect of a development or class of development referred to in regulations under section 176, that application shall, in addition to meeting the requirements of the permission regulations, be accompanied by an environmental impact statement".*

### **1.2.3.3 Planning and Development Regulations 2001, as amended**

Article 94 of the Planning and Development Regulations 2001 defines the contexts of an EIS. This Article states that:

94. *An EIS shall contain—*

*(a) the information specified in paragraph 1 of Schedule 6,*

*(b) the information specified in paragraph 2 of Schedule 6 to the extent that –*

*(i) such information is relevant to a given stage of the consent procedure and to the specific characteristics of the development or type of development concerned and of the environmental features likely to be affected, and*

*(ii) the person or persons preparing the EIS may reasonably be required to compile such information having regard, among other things, to current knowledge and methods of assessment, and*

*(c) a summary in non-technical language of the information required under paragraphs (a) and (b).*

In addition to Article 94, Schedule 6 of the Planning and Development Regulations 2001 further expands on the information to be contained in an EIS. Under this Schedule the following must be included within an EIS:

Schedule 6 – *Information to be contained in an EIS*

1. *(a) A description of the proposed development comprising information on the site, design and size of the proposed development.*

*(b) A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects.*

*(c) The data required to identify and assess the main effects which the proposed development is likely to have on the environment.*

*(d) An outline of the main alternatives studied by the developer and an indication of the main reasons for his or her choice, taking into account the effects on the environment.*

2. *Further information, by way of explanation or amplification of the information referred to in paragraph 1, on the following matters:-*

*(a) (i) a description of the physical characteristics of the whole proposed development and the land-use requirements during the construction and operational phases;*

- (ii) a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;*
- (iii) an estimate, by type and quantity, of expected residues and emissions (including water, air and soil pollution, noise, vibration, light, heat and radiation) resulting from the operation of the proposed development;*
- (b) a description of the aspects of the environment likely to be significantly affected by the proposed development, including in particular:*
- human beings, fauna and flora,*
  - soil, water, air, climatic factors and the landscape,*
  - material assets, including the architectural and archaeological heritage, and the cultural heritage,*
  - the inter-relationship between the above factors;*
- (c) a description of the likely significant effects (including direct, indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative) of the proposed development on the environment resulting from:*
- the existence of the proposed development,*
  - the use of natural resources,*
  - the emission of pollutants, the creation of nuisances and the elimination of waste, and a description of the forecasting methods used to assess the effects on the environment;*
- (d) an indication of any difficulties (technical deficiencies or lack of know-how) encountered by the developer in compiling the required information.*

The content of this EIS has been completed in accordance with the relevant provisions set out in Article 94 of the Planning and Development Regulations 2001 as outlined above.

In addition this EIS has been prepared having regard to guidelines on Environmental Impact Statements prepared by the Environmental Protection Agency outlined in "Guidelines on the Information to be contained in Environmental Impact Statements" and also "Advice Notes on Current Practice in the Preparation of Environmental Impact Statements" both of which were published in 2003.

#### **1.2.4 Separate Consents / Licenses**

In addition to this planning application to An Bord Pleanála, applications will also be made to the EPA for a Waste License and a Dumping at Sea Permit. Foreshore consent under the Foreshore and Dumping at Sea (Amendment Act) 2009 will also be sought from the Department of Environment, Community and Local Government.

## 1.3 Consultation

The proposed development put forward for consideration has been informed by extensive consultation with various statutory bodies, non-statutory bodies, stakeholders, harbour users and the general public, as detailed below.

### 1.3.1 An Bord Pleanála

Section 37 of the Planning & Development Act 2000 (as amended) requires applicants to enter into pre-application consultation with An Bord Pleanála in relation to development specified in the seventh schedule of the Planning & Development Act 2000, as amended.

Specifically section 37B (1) of this Act, requires that:-

*"A person who proposes to apply for permission for any development specified in the seventh schedule shall, before making the planning application, enter into discussions with the Board in relation to the proposed development".*

and in particular to the provisions set out in section 37B (7) that: -

*"No application for permission in respect of a development referred to in subsection (1) shall be made to a Planning Authority unless or until notice is served under subsection (4) (B) in relation to the development".*

Having regard to this requirement, 6no. pre-application consultation meetings were held between An Bord Pleanála and the applicant. The dates of these meetings are set out in the table below and a record of each of these meetings is provided at Appendix 1.2 of this EIS.

**Table 1.3.1: - Dates of Pre-Application Meetings held with An Bord Pleanála**

Pre-application Meeting No.	Date
1	10 <sup>th</sup> May 2013
2	12 <sup>th</sup> June 2013
3	11 <sup>th</sup> April 2014
4	12 <sup>th</sup> August 2014
5	7 <sup>th</sup> October 2014
6	26 <sup>th</sup> February 2015
Pre-application consultation process closed	1 <sup>st</sup> April 2015

On foot of the Board's advice, this planning application has taken into consideration the issues raised in other port related SID applications.

### 1.3.2 Dun Laoghaire-Rathdown County Council

Three presentations have been made to Dun Laoghaire-Rathdown County Council in respect of the proposed project in July 2013, January 2015 and March 2015.

The first presentation was made in July 2013 describing the project, the project promoter, the business case behind the proposal, the planning context, pre-planning consultations and the project programme going forward. A copy of this presentation is provided at Appendix 1.3 of this EIS.



The second presentation was made in January 2015 setting out DLHC's overall aspirations for St. Michael's Pier delivered through a number of projects including the cruise berth project that is the subject of this planning application; St. Michael's Plaza (Residential) Project; and the National Diaspora Centre Project. These latter two projects are future projects envisaged for Dun Laoghaire Harbour and are not the subject of this planning application. This presentation 'sets the scene' of how the proposed cruise berth will integrate with the longer-term redevelopment of St. Michael's Pier. The overall re-development of the waterfront will not all happen at once, rather it will be delivered in a phased manner. It will occur over time in accordance with the Dun Laoghaire Harbour Masterplan 2011-2030. The provision of a cruise berth is just one element of the re-development of the harbour. The cumulative impact of these three projects on St. Michael's Pier is illustrated in this presentation, noting that the St. Michael's Plaza Project and the National Diaspora Centre Project are subject to change with respect to deliverable timeframes, funding, detailed design and layout, etc. A copy of this presentation is provided at Appendix 1.4 of this EIS for information purposes.

The third presentation took place in March 2015 and outlined the physical and operational requirements for the berth; the berth location selection process; and the selection process for the preferred location.

Consultations were also undertaken with various departments within Dun Laoghaire-Rathdown County Council in the preparation of this planning application, including:

- Planning Department
- Water Services Department
- Transportation Department
- Heritage Officer
- Conservation Officer
- Parks Department (telephone conversation)

A pre-application meeting was also held between An Bord Pleanála and Dun Laoghaire-Rathdown County Council on 2<sup>nd</sup> September 2013 in respect of this project.

In summary, Dun Laoghaire-Rathdown County Council supports the project in principle. The Authority has queried the location of the proposed cruise berth and the ability to create a strong physical connection between the town and the waterfront as the proposed berth will not be directly aligned with Marine Road.

In response to this, we draw attention to the presentation entitled 'Dun Laoghaire Harbour: St. Michael's Projects' that was made to Dun Laoghaire-Rathdown County Council in January 2015 and provided at Appendix 1.4 of this EIS. Particularly, this presentation sets out the proposed cruise berth's connection to the town via the west side of the pier and the longer-term aspirational connection to the town centre via the east side of the pier, achieved through the delivery of the St. Michael's Plaza Project.

An upgraded pedestrian route to public transport links and to Dun Laoghaire Town Centre is an integral part of the proposed development. The objective is to provide a pleasant pedestrian experience for passengers and to link them as closely as possible to the tourist and commercial attractions in Dun Laoghaire town. The upgraded pedestrian linkages will be available to both cruise passengers and the general public. As detailed on the plans submitted as part of this planning application, these pedestrian linkages will be attractive, part-boardwalk pedestrian routes, located along the waterfront, that will guide cruise visitors to Marine Road and the town centre, thus achieving the desired physical connection between the proposed development and the town centre.

The proposed cruise berth's pedestrian connection to the town via the west side of the pier and the longer-term aspirational pedestrian connection to the town centre via the east side of the pier, achieved through the delivery of the St. Michael's Plaza Project (an entirely separate project), is detailed in the figures below.

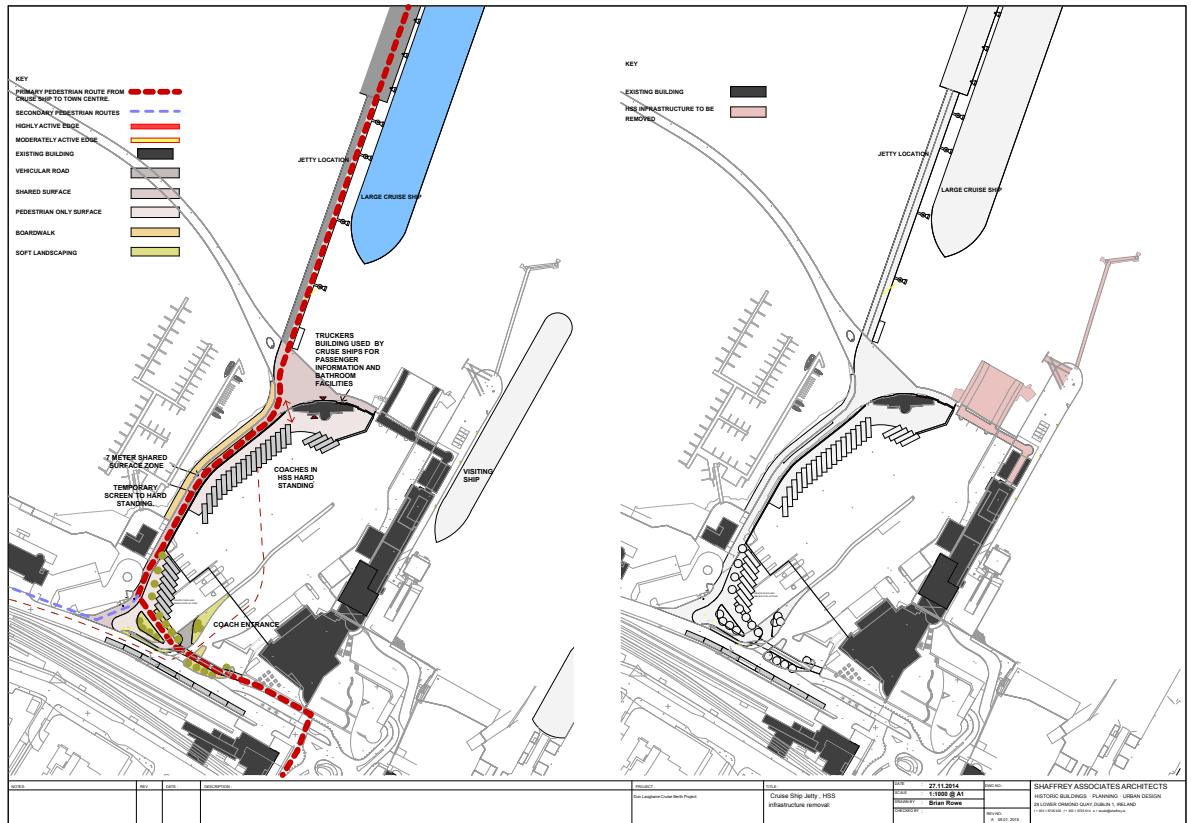
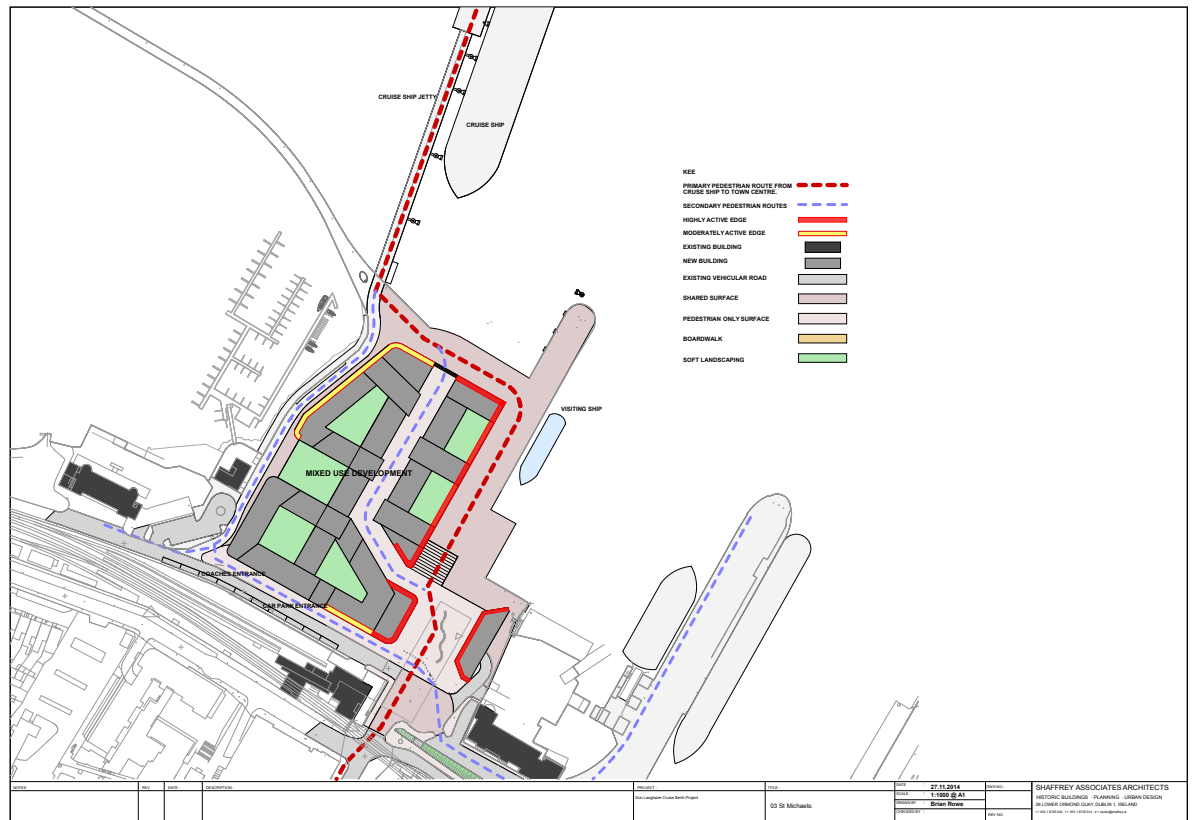


Figure 1.3.1 Pedestrian route from cruise ship to town centre proposed under this planning application.



**Figure 1.3.2 Pedestrian route from cruise ship to town centre, following delivery of St. Michaels Plaza Project.**

The strategy for St. Michaels Pier is discussed in further detail in Section 3 of this EIS.

### 1.3.3 EIS Consultation

In addition to consultations held with An Bord Pleanála and Dun Laoghaire-Rathdown County Council, the following bodies have also been consulted regarding the proposed development and associated Environmental Impact Statement:

- Dun Laoghaire Harbour Company
- National Parks and Wildlife Service:
  - Research Branch
  - Marine Ecology (Galway)
  - Terrestrial Ecology (Dublin)
  - Local Rangers
- BirdWatch Ireland
- Bat Conservation Ireland
- Irish Whale & Dolphin Group
- Botanical Society of Britain and Ireland (BSBI)
- Biodiversity Officer of Fingal County Council
- Environmental Protection Agency
- Marine Institute

- Harbourmaster, Dublin Port
- Heritage Officers of Dublin City Council and Fingal County Council
- Department of Arts, Heritage and the Gaeltacht (Development Applications Unit)
- Department of Arts, Heritage and The Gaeltacht, Underwater Unit, Heritage Division
- Department of Arts Heritage and the Gaeltacht - Architectural Heritage Advisory Unit
- Department of Transport, Tourism and Sport – Marine Survey Office
- Department of Environment, Community and Local Government – Foreshore Section

#### 1.3.4 Pre-Application Public Consultation

In preparing this planning application, the applicant decided to canvass the views of local stakeholders and harbour users prior to making the planning application in order to seek to accommodate or ameliorate any issues that may arise as part of the application. This was referred to as a 'Phase 1 Consultation'.

##### Phase 1 Consultation

A presentation was prepared in order to provide an overview of the project in terms of what it involves (both during construction and operation), the work undertaken to date and an explanation of the application process that would follow. A set of Frequently Asked Questions (FAQ's) and responses was also prepared in anticipation of the typical queries that would arise.

A page on the Dun Laoghaire Harbour Company's (DLHC) website was set up which included the above presentation, together with accompanying maps of the harbour, along with the FAQ's. This information was available for download and is provided at Appendix 1.5 of this EIS for information purposes.

Additionally, the DLHC allocated a further two-week period in which members of the public could make their views known. The DLHC used its database of stakeholders to send a letter inviting participation in this public consultation phase. In addition, posters were erected around the harbour so that harbour users would see the consultation was on-going and could participate.

Prior to commencing this consultation, meetings were arranged with key stakeholders/harbour users. These meetings took place in the last week of March 2015. Overall, the stakeholder/ public consultation process occurred over a three-week period.

The following is a schedule of the meetings held prior to the public consultation process commencing:-

**Table 1.3.2 Schedule of Meetings with Stakeholders / Harbour Users**

Meeting Date	Who We Met
Monday 23 <sup>rd</sup> March 2015	Dun Laoghaire Area Committee, Dun Laoghaire Rathdown County Council
Tuesday 24 <sup>th</sup> March 2015	St Michael's Rowing Club Sea Scouts Irish National Sailing School Dun Laoghaire Motor Yacht Club

	Royal National Lifeboat Institution (RNLI)
Wednesday 25 <sup>th</sup> March 2015	Coal Harbour Users Group Marina Company Dun Laoghaire Business Investment District Company Commissioners of Irish Lights
Thursday 26 <sup>th</sup> March 2015	National Yacht Club Dublin Bay Sailing Club
Friday 27 <sup>th</sup> March 2015	Royal Saint George Yacht Club Royal Irish Yacht Club
Wednesday 1 <sup>st</sup> May 2015	The Water Wags

A total of 139 responses were received during this Phase 1 Consultation phase. Of these, 13 were in favour of the project, 22 made observations or raised queries and the remainder were opposed to the proposal, with a variety of issues raised.

In general only a minority of submissions were supportive, some simply raised questions or made broad comment, but the majority expressed opposition to the proposal; in some cases these were based upon a misunderstanding of what was in fact proposed, or a misunderstanding of the implications for harbour users.

The common issues raised in these submissions can be grouped under particular headings, as follows:-

- Impact on dingy sailing/youth sailing
- Impact on sailing competitions in the harbour
- Impact on ability to attract International sailing competitions
- "Wind shadow" effect of cruise ship in harbour
- Impact on Heritage of the harbour
- Suitability (or otherwise) for a Victorian harbour
- Potential for environmental damage and negative impact on bird and marine life
- Safety/emergency incident plan
- Rocky nature of harbour bed making dredging difficult
- Disturbance to mercury in the harbour bed caused by dredging
- No economic benefit to the town
- Impact on traffic
- Legal advice that project is not Strategic Infrastructure Development
- Too little detail provided about the scheme
- Consultation period too short
- Replacement ferry service for Stena

- Leave cruise business to Dublin Port.
- Continue with existing cruise tendering operation (ships anchoring in Dublin Bay)
- DLHC should not be allowed embark on a new venture like this, while a merger with DLRCoCo is pending

A formal response to the above issues was prepared by the applicant and issued to the various stakeholders / harbour users on 15<sup>th</sup> May 2015. This response was also made available on the DLHC's website. A copy of this document entitled 'Response to the Public Commentary arising from the Stakeholder / Public Consultation Exercise held in March/April 2015' is provided at Appendix 1.6 of this EIS, for information purposes.

### **1.3.5 Formal Planning Application Consultation**

This planning application is subject to a full seven week consultation period, during which time observations to An Bord Pleanála may be made. This allows interested parties a further opportunity to comment on the final scheme put forward for consideration.

At the direction of An Bord Pleanála, the following prescribed bodies have also been formally notified of this planning application:

- Minister for the Environment, Community and Local Government (DAU: NPWS and DAH for natural and built heritage).
- Minister for Communications, Energy and Natural Resources
- National Roads Authority
- Minister for Transport, Tourism and Sport
- Minister for Agriculture, Food and the Marine
- Environmental Protection Agency
- Regional Authority – Greater Dublin Area
- CIE
- Railway Procurement Agency
- National Transport Authority
- Railway Safety Commission
- Iarnrod Eireann
- Dun-Laoghaire Rathdown County Council
- Dublin City Council
- Failte Ireland
- An Taisce
- Heritage Council
- An Chomhairle Ealaíon
- Wicklow County Council
- Irish Water

#### **Non–statutory Consultees:**

- Birdwatch Ireland
- Irish Whale and Dolphin Group

- Harbourmaster, Dublin Port
- Commissioner for Irish Lights

## **1.4 EIS Structure**

The formation of an Environmental Impact Statement necessitates the co-ordination and collation of associated, yet diverse specialised areas of assessment. The grouped format approach has been adopted in the preparation of this EIS. This approach involved the individual examination of each environmental topic, describing the existing environment, the subject proposal, its likely impacts pertaining to that environmental topic and mitigation measures.

The topics examined in this EIS are:

- Human Beings
- Flora and Fauna
- Soils & Geology
- Coastal Processes
- Water
- Air
- Climate
- Landscape and Visual Impact
- Material Assets (Waste & Transportation)
- Archaeological Heritage
- Architectural Heritage

The content of this EIS has been completed in accordance with the relevant provisions set out in Article 94 of the Planning and Development Regulations 2001, as was discussed in Section 1.2.3.3.

This process has been administered by the proposal of a schematic structure in order to provide a coherent documentation of the varied aspects of the environment considered. The Grouped Format structure of the Environmental Impact Statement is outlined below with a brief outline of each specific stage.

The impact of the proposal is considered for both the construction and operational phases of the development. This EIS examines the proposed development under the following headings:

### **1) Receiving Environment (Baseline Situation)**

A dynamic description of the specific environment into which the proposal will fit, taking account of other developments likely to occur. The particular aspects of the environment are discussed in terms of their context, character, significance and sensitivity.

### **2) Characteristics of the Proposal**

This outlines the specific aspects of a proposal paying particular attention to those aspects that would be most relevant to the particular environmental aspect in question.

### 3) Potential Impact of the Proposal

- a) The potential impact of the proposal also comprises a general description of the possible types of impacts which proposals of this kind would be likely to produce.
- b) This includes a "Do-Nothing" impact. The "Do-Nothing" impact describes the environment, as it would be in the future if no development of any kind were carried out.

### 4) Ameliorative, Remedial or Reductive Measures

A description of any specific remedial or reductive measures considered necessary and practicable resulting from the assessment of potential impacts described at 3(a) above.

A description of any post development monitoring of effects on the environment which might be necessary, covering the monitoring methods and the agencies responsible for their implementation.

Where required, a description of reinstatement measures and the agencies responsible for their implementation is included.

### 5) Predicted Impact of the Proposal

- a) An assessment of the specific direct and indirect impact of the proposal arrived at by adding to the receiving environment (as in (1) above), the loading of the proposal (as in (2) above) and the remedial or reductive measures (as in (4) above). The predicted impacts are discussed having regard to their character, magnitude, duration, consequences and significance.
- b) A 'Worst Case' impact is also considered for both the construction and operational phases of the development and as such a range of environmental topics is taken into account. These are outlined in the 'Guidelines on the Information to be contained in Environmental Impact Statements, 2002'.

## 1.5 EIS Study Team

A study team, who were responsible for assessing the various impacts arising from the development at the subject site, prepared the Environmental Impact Statement. The expert personnel involved are set out below in relation to their particular area(s) of study.

**Table 1.5.1: - EIS Study Team**

Consultant	Specialism	Relevant EIS Section
Stephen Little & Associates	Chartered Town Planners	Non-Technical Summary
Stephen Little & Associates/ Waterman Moylan	Chartered Town Planners / Consulting Engineers	Description of Proposed Development (including a consideration of alternatives)
Stephen Little & Associates	Chartered Town Planners	Planning & Development Context
Stephen Little & Associates	Chartered Town Planners	Human Beings
Scott Cawley	Environmental Consultants	Flora and Fauna
Waterman Moylan	Consulting Engineers	Soils & Geology
Waterman Moylan	Consulting Engineers	Coastal Processes
Waterman Moylan / AWN Consulting	Consulting Engineers / Environmental Consultants	Water, Flood Risk and Water Quality
AWN Consulting	Environmental Consultants	Air (Noise and Vibration)
AWN Consulting	Environmental Consultants	Climate (including Air Quality)



Mitchell & Associates / Modelworks	Visual Impact Consultants / CGI Consultants	Landscape and Visual Impact
Waterman Moylan	Consulting Engineers	Material Assets - Transportation
AWN Consulting	Environmental Consultants	Material Assets - Waste
Irish Archaeology Consultancy	Archaeological Consultants	Archaeological Heritage
Shaffrey Associates Architects	Conservation Architects	Architectural Heritage
Stephen Little & Associates	Chartered Town Planners	Effects resulting from the existence of the proposed development
Stephen Little & Associates	Chartered Town Planners	Effects resulting from use of natural resources
Stephen Little & Associates	Chartered Town Planners	Direct and indirect effects resulting from the emission of pollutants, creation of nuisances and elimination of waste
Stephen Little & Associates	Chartered Town Planners	Forecasting methods used to assess the effects on the environment
Stephen Little & Associates	Chartered Town Planners	Inter-relationships
Stephen Little & Associates	Chartered Town Planners	Difficulties Encountered
Stephen Little & Associates	Chartered Town Planners	Overall Co-ordination and Management of the EIS
Stephen Little & Associates	Chartered Town Planners	Editorial Responsibility for EIS

Source: SLA

## 1.6 A Note on Quotations

Environmental Impact Statements by their nature contain statements about the proposed development, some of which are positive and some less than positive. Selective quotation or quotations out of context can give a very misleading impression of the findings of the study.

Therefore, the study team urge that quotations should, where reasonably possible, be taken from the conclusions of specialists' sections or from the non-technical summary and not selectively.

The EIA Regulations require that difficulties such as technical deficiencies, lack of information or knowledge encountered in compiling any specified information for the EIS be described. There were no such difficulties encountered in the production of this EIS.