

Preface

Context

Indaver proposes to develop a resource recovery centre (including waste-to-energy facility) in Ringaskiddy in County Cork.

The proposed development will consist principally of a waste-to-energy facility (waste incinerator) for the treatment of up to 240,000 tonnes per annum of residual, household, commercial and industrial non-hazardous and hazardous waste. Up to 24,000 tonnes per annum of suitable hazardous waste will be treated at the facility.

An application for permission under Section 37E of the Planning and Development Act 2000, as amended, was submitted by Indaver to An Bord Pleanála (ABP) in January 2016. An Environmental Impact Statement (EIS) and Natura Impact Statement (NIS) accompanied the planning application to An Bord Pleanála in 2016.

Permission was granted by An Bord Pleanála for the proposed development under Section 37G of the Planning and Development Act 2000, as amended in May 2018 (reference number 04.PA0045). This decision was subsequently the subject of a legal case.

By order of the High Court, the aforementioned decision was quashed and remitted back to An Bord Pleanála to determine the planning application concerned in accordance with the Court Judgement.

In June 2024, An Bord Pleanála, in accordance with section 37(F)(1) of the Planning and Development Act 2000, as amended, required Indaver Ireland Limited to furnish further information.

To note, An Bord Pleanála, in 2025 has been renamed An Coimisiún Pleanála. Part 17, Section 495(3) of the Planning and Development Act 2024 provides that references in any enactment, legal proceedings or document to An Bord Pleanála shall, on and after the commencement of this section, be construed as references to An Coimisiún Pleanála.

Summary of Planning Process since 2016 and updates to the 2016 EIS

Introduction

This section describes the main stages of the planning process after Indaver applied for permission to An Bord Pleanála in January 2016. It also summarises the changes to the legislative context and the main changes to the environmental baseline since January 2016.

The design of the proposed development which was submitted as part of the planning application to An Bord Pleanála in 2016 has remained the same, with the exception of:

- Minor alterations to the design of the interface with the public road, to integrate the proposed development with the recently-completed public realm/ active travel improvements on the L2545 local road.
- Minor alterations to the proposed design at the interface of the proposed development with the coastal zone, to reflect the passing of time and updated information in relation to coastal erosion.
- An additional electrical power connection option to the site.
- The gas transmission main located within the site has been decommissioned and as such there is no requirement to divert this gas transmission main. However, due to the nature of the works, sections of the in-situ grouted gas main will require removal.

The updated EIS has been updated to take account of these design changes and the following drawings have also been updated.

Updated Drawings Included with 2025 Planning Documentation

Drawing List	Drawing Number
Cover Sheet	C-000-000
Record Place Map	1434-100
Site Location Map	1434-101
Existing Site Layout Plan	1434-102
Topographical Survey	1434-103
Proposed Site Layout Plan	1434-104
Proposed Site Layout Plan	1434-105
Proposed Site Layout Plan	1434-106
Site Entrance Details	1434-107
Overall Road Layout	C-000-001
Proposed Road Layout Sheet 1 of 2	C-000-002
Proposed Road Layout Sheet 2 of 2	C-000-003
Raised Section of L2545 Road Plan & Longitudinal Profile	C-000-004
Proposed Sections Sheet 1 of 2	C-000-005
Proposed Sections Sheet 2 of 2	C-000-006
Proposed L2545 Road Raising Typical Sections	C-000-007
Overall Surface Water Drainage Layout	C-000-010
Proposed Surface Water Drainage Layout Sheet 1 of 2	C-000-011
Proposed Surface Water Drainage Layout Sheet 2 of 2	C-000-012
Proposed Surface Water Road Drainage Layout Sheet 1 of 2	C-000-013
Proposed Surface Water Road Drainage Layout Sheet 2 of 2	C-000-014
Surface Water Drainage Catchments	C-000-015
Overall Foul Drainage Layout	C-000-020
Proposed Foul Drainage Layout Sheet 1 of 2	C-000-021
Proposed Foul Drainage Layout Sheet 2 of 2	C-000-022
Overall Potable & Fire Main Layout	C-000-030
Potable & Fire Main Layout	C-000-031
Overall Proposed External Lighting Layout	C-000-040
Proposed External Lighting Layout	C-000-041
Overall Proposed Fencing Layout	C-000-050

Drawing List	Drawing Number
Proposed Fencing Layout Sheet 1 of 2	C-000-051
Proposed Fencing Layout Sheet 2 of 2	C-000-052
Estimated Cliff retreat lines	C-000-060
Beach Nourishment Solution Plan	C-000-061
Beach Nourishment Solution Sections	C-000-062
Cliff Evolution Plan	C-000-063
Cliff Evolution Sections	C-000-064
Existing Services Layout	C-000-070
Diversion of Existing Services	C-000-071
Typical Drainage Details Sheet 1 of 2	C-000-080
Typical Drainage Details Sheet 2 of 2	C-000-081
Typical Water & Ducting Details	C-000-082
Overall Landscape Masterplan	300
Landscape Masterplan Eastern Site	301
Landscape Cross Sections	302
Landscape Sections	303

Overview of Planning Process between 2016 - 2025

Planning Application 2016

The provisions of section 37A of the Planning and Development Act 2000, as amended (“the 2000 Act”), required the application for permission in respect of the proposed Ringaskiddy Resource Recovery Centre to be made directly to An Bord Pleanála (ABP) under Section 37E, in circumstances where ABP has determined that the proposed development is of a class specified in the Seventh Schedule to the Act and that the condition set out in section 37A (2) of the Act was satisfied.

On 23rd December 2015, ABP notified Indaver and Cork County Council that the proposed Ringaskiddy Resource Recovery Centre was of a class specified in the Seventh Schedule to the Act and falls within one of the paragraphs of section 37A (2). Accordingly, the application for permission was made to ABP and not to the planning authority.

The 2000 Act, as amended, details that pre-application consultations with ABP shall form part of the process leading to ABP’s determination that an application for permission should be made directly to ABP. In compliance with this, and in preparation for submitting the planning application and 2016 EIS, Indaver engaged in 6 pre-application consultation meetings with ABP, between the 12th November 2012 and the 23rd November 2015. Indaver also consulted with the planning authority, statutory bodies, interested parties, and the local community regarding its plans for the proposed development.

An application for permission under section 37E of the 2000 Act, as amended, was submitted by Indaver to ABP in January 2016. An EIS and NIS accompanied the planning application to ABP. (For reference, the EIS and NIS are referred to as “2016 EIS” and “2016 NIS”).

Indaver created a stand-alone website: <http://ringaskiddyrrc.ie> which includes all of the 2016 planning application documentation, the 2016 EIS, the 2016 NIS and the 2016 planning drawings. A full copy of the

2016 planning application is available to view and download from that website. In addition to the application documents, other information leading up to and including the planning decision are also available to view and download on the same website.

Planning Oral Hearing 2016

ABP held an oral hearing in April and May of 2016. Evidence and information was submitted to ABP over the course of the oral hearing which then formed part of the material in respect of which ABP carried out its assessments.

Further Information Request 2017

ABP requested further information from Indaver on 20th March 2017.

Indaver provided the information as requested by ABP on 15th May 2017.

Submissions on the further information documentation were made by observers to ABP up until July 2017. Indaver also made a submission to ABP on 2nd October 2017 in response to these submissions and observations received by ABP.

Grant of Permission 2018

Permission was granted by ABP for the proposed development under section 37G of the 2000 Act, as amended, in May 2018. A 10-year planning permission and a 30-year operational life from the completion of the construction of the proposed development was granted. This decision was subsequently the subject of a legal case.

EPA Licence Application 2019

Following the grant of planning permission in 2018, Indaver applied to the EPA for an Industrial Emissions Licence (IE Licence) in 2019. This IE licence application was accompanied by an Environmental Impact Assessment Report (EIAR).

This remains a live application.

2018 Decision Quashed

By order of the High Court in June 2022, the permission was quashed and remitted back to ABP to determine the planning application concerned in accordance with the Court Judgement.

In June 2024 ABP, in accordance with section 37(F)(1) of the Planning and Development Act 2000, as amended, required Indaver to “*furnish the following further information in relation to the effects on the environment of the proposed development –*

1. *Due to the passage of time since the initial submission of the application, please submit any updated or further information of relevance on the application.*
2. *An updated Environmental Impact Statement.*
3. *An updated Natura Impact Statement.”*

Changes to EIS Legislation

The 2016 EIS accompanied the 2016 planning application to ABP. The 2016 EIS was prepared in compliance with the requirements of the EIA Directive 2011/92/EU and Planning and Development Regulations 2001, as amended at that time. Although the requirements of Directive 2014/52/EU had not yet been transposed in 2016, the 2016 EIS had regard to the provisions of Directive 2014/52/EU. However, ABP were required to carry out the environmental impact assessment in accordance with the legal requirements of the EIA Directive 2011/92/EU and Planning and Development Regulations 2001, as amended at that time.

Directive 2011/92/EU has now been amended in 2014 by Directive 2014/52/EU. The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) transpose the requirements of the 2014 EIA Directive into existing planning consent procedures.

The definition of EIA provides for a clear distinction between the process of environmental impact assessment to be carried out by the competent authority and the preparation by the developer of an EIAR. The environmental impact assessment must identify, describe and assess the direct and indirect significant effects of the project on specified environmental factors. These factors include changes from the 2011 Directive, the most notable being the replacement of 'Human Beings' by 'Population and Human Health', the addition of 'Land' and the replacement of 'Flora and Fauna' by 'Biodiversity' with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC (the Habitats and Birds Directives). The significant effects on these environmental factors must include the expected significant effects arising from the vulnerability of the project to the risks of major accidents and/or disasters which are relevant to the project.

Key amendments introduced by the 2014 Directive relating to the preparation of an EIAR include the following:

- The refinement of environmental factors to be considered in the assessment process – resource efficiency, climate change, population and human health, biodiversity and disaster risk prevention and management.
- Strengthening of the procedures for screening, particularly through the introduction of new information requirements to be provided by the developer (Annex IIA) and revised selection criteria to be used by the competent authority in making a determination (Annex III of Directive).
- Expansion of the information to be included in the EIAR (formerly known in Ireland as EIS) (Annex III of Directive).
- Requirement that the EIAR must be prepared by competent experts and for the competent authority to have, or have access to, sufficient expertise to examine the EIAR.

The 2016 EIS which accompanied the 2016 planning application has now been updated to reflect the above changes in the EIA legislation. Noting that ABP requested an '*updated Environmental Impact Statement*', this report is referred to as an EIS but is in compliance with the amended EIA Directive, the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 and up to date EIA guidance.

The overall conclusions of the 2016 EIS have not changed, and the same conclusions are documented in this EIS.

Changes to Environmental Baseline

Due to the passage of time since the compilation of the 2016 EIS and the potential for changes in the baseline environment, Indaver commissioned several new environmental baseline studies for this updated EIS, building on the additional baseline information obtained during the preparation of the 2019 IE Licence Application EIAR. The rationale was based on the areas with the greatest potential for change since the previous baseline data was gathered, and the updated data is outlined in the relevant topic chapters of the EIS.