# Appendix 7

# Introduction

## **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 23<sup>rd</sup> 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 12<sup>th</sup> November 2012 and the 23<sup>rd</sup> 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: <a href="http://ringaskiddyrrc.ie">http://ringaskiddyrrc.ie</a> 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 20<sup>th</sup> March 2017.

Indaver provided the information as requested by ABP on 15<sup>th</sup> 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 2<sup>nd</sup> 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 changed 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.

# 1. Introduction

## 1.1 Project Overview

#### 1.1.1 Introduction

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 which is currently landfilled or exported. Of the 240,000 tonnes of waste, up to 24,000 tonnes per annum of suitable hazardous waste will be treated at the facility.

In line with European Union and national policy, this residual waste will be diverted away from landfill and exports, moving the management of waste up the waste hierarchy, allowing Ireland to become more self-sufficient in the treatment of waste and reducing the environmental impact of residual waste management. The proposed development will maximise the extraction and recovery of valuable material (in the form of ferrous and non-ferrous metals) and energy (in the form of 21 megawatts of electricity) resources from residual waste.

This chapter outlines the background to the project and summarises the required planning procedure. This chapter also describes the methodology used to prepare this Environmental Impact Statement (EIS) and the consultation process that has been carried out to date. For ease of reference, the Ringaskiddy Resource Recovery Centre (including waste-to-energy facility) is referred to as "proposed development" or "Ringaskiddy Resource Recovery Centre" in this chapter and throughout the EIS.

## 1.1.2 Project Location

The site for the Ringaskiddy Resource Recovery Centre is located approximately 15km to the south-east of Cork City, in the townland of Ringaskiddy on the Ringaskiddy Peninsula in the lower part of Cork Harbour. The site occupies an area of approximately 13.55 hectares and is located approximately 800m east of the village of Ringaskiddy.

The L2545, the main road from Ringaskiddy village to Haulbowline Island, forms the northern boundary of the site. The eastern boundary of the site extends to the foreshore of Cork Harbour along Gobby Beach. The site surrounds the Hammond Lane Metal Recycling Co Ltd facility. Refer to **Figure 1.1** which shows the site location.

#### 1.1.3 Main Elements of the Proposed Development

The main element of the proposed Ringaskiddy Resource Recovery Centre project is a waste-to-energy facility (waste incinerator).

Other elements include an upgrade of a section of the L2545 road, coastal protection measures on Gobby beach, a connection to the national electrical grid, and raising the ground levels in part of the site. Refer to **Figure 1.3** for the overall site layout. A full description of the proposed development is provided in **Chapter 4** *Description of the Proposed Development* of this EIS.

The design of the proposed development which was submitted as part of the planning application to ABP 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 grid 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.

Table 1.1 Updated Drawings Included with 2025 Planning Documentation

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Landscape Cross Sections	302
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The overall conclusions of the 2016 EIS and the 2016 Natura impact statement (NIS) have not changed, and the same conclusions are documented in this updated EIS and the updated NIS.

## 1.2 Background

## 1.2.1 The Positive Effects of Ireland's First Large Scale Waste-to-Energy Facility

Indaver has successfully operated Ireland's first large scale waste-to-energy facility in Duleek, Co Meath, since 2011. The facility treats more than 200,000 tonnes per annum of household, commercial and industrial non-hazardous waste and, since 2015, hazardous waste. The facility in Meath has a similar capacity to the proposed development.

Since its commissioning in 2011, the Meath Waste-to-Energy facility has consistently diverted over 200,000 tonnes of municipal waste annually from landfill and export. The facility recovers valuable materials, including ferrous metals, and generates 18 MW of electricity each year. This amount of energy is sufficient to power approximately 42,000 homes<sup>1</sup>, contributing significantly to Ireland's renewable energy goals and waste management infrastructure.

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<sup>&</sup>lt;sup>1</sup> Based off average household usage of 3.5MWh per family/year

Like any large-scale industrial facility, the facility in Meath is subject to an extremely rigorous environmental and compliance regime. Its highly-designed systems are tuned to monitor 14 different individual aspects of the Meath facility continuously. Since 2011, hundreds of thousands of measurements of its operations have been taken, evaluated and reported in accordance with its IE licence and permissions.

Not only is the Meath facility compliant and well-run, but it is also successfully integrated in the local area. In order to provide an effective and transparent means of communication and as part of a planning condition, Indaver and the local community in Meath set up a Community Liaison Committee in 2008, whose members include representatives from the Carranstown Residents Association, local Council members, Meath County Council, and Indaver. The Community Liaison Committee has proved invaluable. It ensures that any issues that arise are quickly identified and speedily resolved.

## 1.2.2 A Plan-Led Development

Indaver's proposed thermal treatment facility for residual non-hazardous and hazardous waste streams supports and reflects the recommendations and policies of the National Hazardous Waste Management Plan 2021-2027 and the National Waste Management Plan for a Circular Economy 2024-2030 (NWMP). Consistent with the Cork County Development Plan 2022-2028, the proposed development will be located in an industrial area that is also designated as a Strategic Employment Area. It will address a local need for treatment facilities while contributing to a diversity in renewable energy generation and reaffirming Ringaskiddy's strategic industrial role.

The principle of proximity underpins Indaver's choice of the site in Ringaskiddy. Cork is a hub for Ireland's pharmaceutical industry, the producers of the hazardous and non-hazardous industrial waste streams the proposed waste-to-energy facility would treat. Within the southern region, the largest population centre is Cork City, which means this is the area where the largest concentration of household and commercial residual waste is produced.

The NWMP supports the provision of 200,000 to 300,000 tonnes of additional dedicated thermal recovery capacity for the treatment of non-hazardous residual wastes nationally, to ensure there is adequate active thermal treatment capacity.

The Eastern-Midlands Region is currently the only waste region with thermal recovery capacity, indicating a regional imbalance. The proposed development, with its location in the southern region, will help to address this imbalance.

## 1.2.3 Project History and Current Proposal

The project design has changed since an application for permission was submitted to An Bord Pleanála in 2008, as Indaver responded to the concerns raised by both An Bord Pleanála and the local community. In the 2016 planning application (and accompanying EIS) to ABP (and repeated in this updated EIS), Indaver addressed concerns about overdevelopment, localised flooding of the road, preservation of the Martello Tower as an amenity, and coastal erosion.

The proposed development will include an upgrade of the local road (L2545) adjacent to the Indaver site to alleviate local flooding issues along the road. This upgrade will be a significant planning gain for the benefit of existing and future users of the immediate area. The proposed development will include landscaping along the southern boundary of the L2545, thus enhancing the aesthetics of the approach to Haulbowline and any future amenities there.

The ground levels of the Indaver site will be raised to alleviate localised flooding issues. It is worth noting that the Indaver site is classified as Flood Zone C<sup>2</sup> according to the OPW Planning Guidelines (2009) which means that the probability of flooding from rivers and the sea is low.

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<sup>&</sup>lt;sup>2</sup> Flood Zones are geographical areas within which the likelihood of flooding is in a particular range. There are three types of flood zones defined in the OPW Planning Guidelines (2009): A, B & C. The Indaver site is located in *Flood Zone C* which is defined as "Probability of flooding from rivers and the sea is low (less than 0.1% or 1 in 1000 for both river and coastal flooding)"

The facility has been angled on the site so as to keep a clear sightline (or inter-visibility) between the top of the nearby Martello Tower and Fort Mitchell on Spike Island.

An amenity walkway, incorporating a viewing platform is proposed as part of the proposed development. This walkway will commence at the existing car park at Gobby Beach and will be located close to the eastern and southern boundaries of the proposed development site. The walkway will provide a connection from Gobby Beach towards the Ringaskiddy Martello Tower. This walkway will be a significant planning gain for the benefit of existing and future users of the immediate area.

A full description of the proposed development is provided in **Chapter 4** *Description of the Proposed Development* of this EIS.

Finally, issues in relation to coastal erosion were raised by An Bord Pleanála during the course of the 2008 planning application process. The coastline along the eastern boundary of the Indaver site consists of a glacial till face adjoining Gobby Beach. In response to the issues raised by the Board at that time, coastal studies were carried out by Arup in order to better understand the coastal processes in the vicinity of the site, the rate of erosion of the glacial till face and the specific coastal protection measures required. Coastal protection measures in the form of shingle above the foreshore on Gobby Beach are proposed along the eastern boundary of the Indaver site.

Further details on these mitigation measures are provided in Chapter 13 Soils, Geology, Hydrogeology, Hydrology and Coastal Recession of this EIS.

## 1.3 Structure of Environmental Impact Statement

This EIS has been prepared to provide information on the likely significant effects of the proposed development on the environment, as per Schedule 6 of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 218, S.I. No. 296 of 2018:

- 1. A description of the proposed development comprising information on the site, design, size and other relevant features of the proposed development
- 2. A description of the likely significant effects on the environment of the proposed development
- 3. A description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment of the proposed development
- 4. A description of the reasonable alternatives studied by the person or persons who prepared the EIS, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the proposed development on the environment
- 5. A Non-technical summary of the information referred to in the above four points

The EIS has been prepared on behalf of Indaver by environmental specialists under the supervision of Arup.

The format used in the EIS is the grouped format, in which each topic is addressed in a separate section. This is designed to allow readers to access the issues of interest to them as easily as possible. However, there is overlap of some topics. For example, effects on human beings are addressed in a number of chapters including Landscape and Visual Assessment, Air Quality, Climate, Noise and Vibration, as well as Population. Issues not directly addressed in individual chapters and interactions between environmental issues are described in **Chapter 16** *Cumulative Impacts, Other Impacts and Interactions*.

The EIS comprises four volumes of which this is the second. The four are as follows:

- Volume 1 Non-Technical Summary
- Volume 2 Environmental Impact Statement (Main Text)
- Volume 3 Figures
- Volume 4 Appendices

In addition, a updated Natura Impact Statement has been prepared and will be submitted in response to the request for further information issued by An Bord Pleanála in June 2024, in response to the High Court decision. This updated NIS will enable An Bord Pleanála (now An Coimisiún Pleanála) to carry out the Stage One and Stage Two assessments required pursuant to Article (3) if the Habitats Directive and Part XAB of the Planning and Development Act 2000, as amended.

## 1.4 Duration of Planning Permission

The construction of the proposed development including site development works will take approximately 31 months. However, in view of the complexity of the proposed development, licensing requirements and the need for the advance agreement of all conditions, Indaver is applying for a 10-year planning permission to commence and complete the construction phase.

In addition, permission is sought to operate the proposed development for an initial period of 30 years after commissioning.

## 1.5 Planning Procedure for the Proposed Development

The provisions of section 37A of the Planning and Development Act, as amended ("the 2000 Act"), require that an 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 2000 Act was satisfied.

At the time (of the 2016 application) ABP notified Indaver and Cork County Council that the proposed development is of a class specified in the Seventh Schedule to the 2000 Act and falls within one of the paragraphs of section 37A (2). Accordingly, the application for planning permission was made to ABP and not to the local planning authority (Cork County Council). Refer to **Appendix 1.1** for a copy of the letter from ABP.

The 2000 Act 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 EIS in 2016, Indaver engaged in six pre-application consultation meetings, between the 12<sup>th</sup> November 2012 and the 23<sup>rd</sup> November 2015.

#### 1.5.1 Overview of Planning Process between 2016-2025

- 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")
- ABP held an oral hearing in April and May of 2016
- 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
- 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
- Following the grant of planning permission in 2018, Indaver applied to the EPA for an Industrial Emissions Licence (IE Licence) in 2019. This remains a live application
- 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."

## 1.6 Environmental Impact Statement Methodology

## 1.6.1 Statutory Requirements for the Contents of an EIS

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.

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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
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- 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 changed 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.

#### 1.6.2 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.

## 1.7 Project Team and Details of Competent Experts

This EIS has been prepared by a multi-disciplinary consultancy team of competent experts, led by Arup.

Arup has been awarded an EIA Quality Mark by the Institute of Environmental Management and Assessment in recognition of its excellence in EIA activities.

Further, all technical leads are deemed to be qualified and competent experts in their fields in accordance with Article 5(3) of the EIA Directive, given their academic qualifications, professional affiliations, and professional experience on other EISs for similar projects. Refer to **Table 1.2** for details on the competent experts that have prepared this EIS.

**Table 1.2 Competence and Experience of EIS Authors** 

Role and EIS Chapter	Responsible	Company	No. years of experience	Professional Qualifications and Relevant Experience	Professional Affiliations
EIS Manager Chapter 1 Introduction Chapter 3 Alternatives Chapter 4 Description of the Proposed Development Chapter 5 Construction Activities Chapter 6 Population and Human Health Chapter 15 Material Assets Chapter 16 Cumulative Impacts and Other Impacts and Interactions Chapter 17 Summary of Impacts and Mitigation Measures	Dan Garvey	Arup	20+ years	MSc Environmental Protection, Institute of Technology Sligo, 2008.  BA (Hons) Geography and Public Policy Studies, University College Cork, 1999.  Diploma in Construction Studies (Architectural Technology), Cork Institute of Technology, 1994.  Dan has over 20 years' experience in environmental impact assessment, industrial licensing, waste and GMM licensing, and planning. He has prepared more than 35 environmental impact statements / assessment reports.	Chartered Member of the Institution of Environmental Sciences Chartered Geographer, Fellow of the Royal Geographical Society Member of Earth Science Ireland
EIS Coordinator Chapter 1 Introduction Chapter 3 Alternatives Chapter 4 Description of the Proposed Development Chapter 5 Construction Activities Chapter 6 Population and Human Health Chapter 15 Material Assets Chapter 16 Cumulative Impacts and Other Impacts and Interactions	Debbie Flynn	Arup	8 years	BSc Environmental Science  Debbie has over eight years' experience as an Environmental Consultant, based in the Arup Cork Office. She holds a BSc in Environmental Science from the University of Limerick. Debbie primarily works on the preparation of Environmental Impact Assessment Reports (EIAR), EIA Screening Reports, Reports for Screening for Appropriate Assessment and technical due diligence reports. Debbie has coordinated and contributed to the preparation of a number of large-scale EIA developments including NISA Offshore Wind Farm, Wilton Town Centre, Horgan's Quay, Arklow Wastewater Treatment Plant, Custom House Quay Development and Greenlink Interconnector.	

Role and EIS Chapter	Responsible	Company	No. years of experience	Professional Qualifications and Relevant Experience	Professional Affiliations
Chapter 17 Summary of Impacts and Mitigation Measures					
Chapter 2 Policy and Planning Framework and Need for the Scheme	Aiden O'Neill	Coakley O'Neill Town Planning Ltd.	29 years	BSc(Hons) Environmental Planning, Queen's University Belfast, 1993 Postgraduate Diploma Town and County Planning, Queen's University Belfast, 1994 Aiden is a Director of Coakley O'Neill Town Planning Ltd, established in Cork in February 2010, and has over 29 years' experience in the public and private sectors in UK and Ireland. Aiden has advised on a number of complex commercial, infrastructural, industrial and urban development projects, including metal recycling developments in Cork and Dublin, as well as the Ringaskiddy Resource Recovery Centre.	
	Conor Jones	Indaver	26 years	BE (Chem), UCD, 1996	
				Chartered Director, Institute of Directors, IoD	
				Conor is the Regional Engineering Manager of Indaver and has worked on most of Indaver's EIA projects from both a planning and industrial licensing perspective starting with the initial EIA for the Ringaskiddy project in 2001.	
				Conor has been an employee of Indaver since January 1999 and was Plant Manager at Indaver's Duleek Waste to Energy plant from 2014 to 2016.	
	Louise	Indaver	25 years	BSc (Hons) Environmental Biology, UCD, 1997	Chartered Waste Manager
	Connolly			MSc Water Science and Technology, TCD, 1998	MCIWM - Chartered Institution of Wastes
				Louise recently joined Indaver in the role of Policy and Planning Manager which includes oversight of Chapter 2 of this EIS.	Management (CIWM)
				Prior to this she worked for RPS Consulting Engineers for 16 years initially as Materials Manager on the first national circular economy programme called rx3, and as project manager and technical specialist responsible for the delivery of a range of different public and private sector projects in the areas of sustainable urban development, waste management, resource efficiency and circular economy. Her final role was lead of the Sustainability Team working with clients to deliver on their net zero ambitions.	
				Louise has further industry experience from her time as the Recoverable Resources Co-ordinator in Greenstar and wastewater engineer in Biocycle.	
Chapter 3 Alternatives	Conor Jones	As above	'	·	,

Role and EIS Chapter	Responsible	Company	No. years of experience	Professional Qualifications and Relevant Experience	Professional Affiliations
	John Ahern	Indaver	30 years	BE (Chem) UCD, 1980	
				Chartered Director, Institute of Directors, IoD	
				Chartered Engineer, Institute of Engineers Ireland, IEI  John has been a regional Director of Indaver Ireland UK for 24 years and has led all of Indaver's waste developments in Ireland and the UK for that time.	
				Prior to joining Indaver John worked for Flogas for 15 years and developed a number of its LPG plants in Ireland and the UK.	
	Steven	Fichtner	10 years	MEng (Hons) Mechanical Engineering	Member of Institute of
	McAllister			Chartered Engineer (CEng)	Mechanical Engineers (MIMechE)
				Two years at Fichtner working on a wide range of energy projects such as energy from waste plants, anaerobic digestion, green hydrogen plants, biofuels plants, gas turbines and wastewater treatment plants.	()
				Scope of work includes feasibility studies, planning applications, due diligences, and providing technical advice for improvement projects and engineering support.	
				Prior to working at Fichtner, Steven worked in the gas industry as the Engineering team lead for capital projects. He has also managed an upper tier COMAH site.	
	Aiden O'Neill	As Above			
Chapter 4 Description of the Proposed Development	Conor Jones	As above			
Chapter 5 Construction Strategy	Conor Jones	As above			
Chapter 6 Population and	Martin Hogan	Corporate	38 years	MB BAO BCh 1987 UCC	Accredited Specialist Irish
Human Health		Health Ireland	Health Ireland	MICGP 1991	Medical Council 1997
				MRCGP 1991	
				FFOM RCPI 2000	

Role and EIS Chapter	Responsible	Company	No. years of experience	Professional Qualifications and Relevant Experience	Professional Affiliations
				FRCPI 2010  Martin is a Consultant Occupational & Environmental Physicial for over 30 years. He is Managing Director of CHI (Cork) and has been involved in Environmental Impact Assessments for over 25 years.	
	Tom Leonard	Byrne O' Cleirigh	29 years	BE (Chem) UCD 1992 MEngSc UCD 1995 Chartered Engineer Thomas (Tom) Leonard is a Partner at Byrne Ó' Cléirigh with 23 years' experience of assisting industries in the area of risk assessment and environmental protection. He has a long track record of providing consultancy support and conducting risk assessments for companies across a wide range of sectors including oil & gas, pharmaceutical, waste management, food & drink and logistics companies	Chartered Engineer  Member of Engineers Ireland (MIEI)  Member of the Fire & Safety Committee at Engineers Ireland.
	Fergal Callaghan	AWN Consulting Ltd	34 years	Dr Fergal Callaghan is Director with responsibility for Environmental Risk Assessment, with AWN Consulting. He undertakes consultancy in environmental risk assessment and management. He also undertakes assessments with respect to water quality input to EIS and EIA and has extensive experience of the impact of water risk assessment and EPA licence compliance. He has a B.Sc. (Industrial Chemistry) and Ph.D. Chemical Engineering (Waste and Wastewater Treatment). He has 34 years engineering and consultancy experience in the Irish, UK and European environmental industry.	Member of the Royal Society of Chemistry Associate Member of The Institution of Chemical Engineers (AMIChemE) Member of the Environmental Protection Subject Group, IChemE and IChemE Water Group
Chapter 7 Roads and Traffic	Simon Van Jaarsveld	Arup	29 years	BSc Town and Regional Planning  BSc Transportation Planning  Simon is a transport planner who has almost 30 years experience as a consultant.  For the majority of this time Simon was employed at Arup. Simon lead and delivered a wide range of transport planning and traffic engineering projects for both the public and the private sector. He has built up a thorough knowledge on transport master planning, traffic impact assessment, traffic design and engineering, pedestrian and cycle design, mobility management planning, transportation modelling, public engagement and preparing EIAR traffic chapters. Simon has vast experience working with design teams on projects to bring integrated solutions to the fore which adds real value to the preferred solution selected.	Chartered Institute of Logistics and Transport Chartered Institution of Highways & Transportation

Role and EIS Chapter	Responsible	Company	No. years of experience	Professional Qualifications and Relevant Experience	Professional Affiliations
	Shane McCarthy	Arup	5 years	BA (2018), MA (2020)  Shane is a Project Engineer as part of the Arup Transport Planning team with 5 years' experience. He has a background in Urban, Spatial and Transport Planning having completed a Master's in Planning and Sustainable Development at University College Cork (2020). Shane has gathered diverse experience of transport projects in the planning and design stages for both public and private Clients since joining Arup in 2020. Shane has developed knowledge in transport engineering projects through experience with traffic impact assessments, traffic modelling, mobility management planning, public engagment and various other transportation projects.	Royal Town Planning Institute Licentiate Member
Chapter 8 Air Quality	Ed Porter	AWN	28 years	Dr. Edward Porter is a Director with responsibility for Air Quality & Climate within AWN. He holds a BSc(Hons) from the University of Sussex (Department of Chemistry), has completed a PhD in Environmental Chemistry (Air Quality) in UCD and is a Full Member of the Royal Society of Chemistry (C Chem MRSC). He specialises in the fields of air quality, EIA and air dispersion modelling.	C Chem MRSC MIAQM
Chapter 9 Climate	Ed Porter	AWN	28 years	As above	As above
Chapter 10 Noise and Vibration	Jennifer Harmon	AWN	22 years	BSc (Hons) Environmental Science, Ulster University, 1999 Diploma Acoustics and Noise Control, Institute of Acoustics, 2002  Jennifer is a Director (Acoustics) with AWN Consulting. She has extensive experience in the preparation of noise and vibration impact assessments for a wide range of infrastructural, industrial, commercial and residential developments across Ireland and has provided expert witness at over 20 planning hearings relating to noise impact assessment.	MIOA
Chapter 11 Landscape and Visual	David Bosonett	Brady Shipman Martin	29 years	Bachelor of Agricultural Science (Landscape Horticulture)  Diploma Information Systems  David has over 29 years' experience in preparing landscape and visual assessments and has prepared over 150no. LVIA reports for inclusion in EIA documents for a wide range of project types, including wind energy. David has extensive experience in landscape design/mitigation and implementation. He is co-author of TII's 'Standards and Technical Guidance for Landscape Character Assessment and Landscape and Visual Assessment of Transport Infrastructure'.	Member of Irish Landscape Institute – MILI Chartered Member of the Landscape Institute (UK) – CMLI

Role and EIS Chapter	Responsible	Company	No. years of experience	Professional Qualifications and Relevant Experience	Professional Affiliations
Chapter 12 Biodiversity	Carl Dixon	DixonBrosnan	20+ years	BSc Applied Ecology, University College Cork	
		Environmental Consultants		MSc Ecology, University College Cork.	
				Carl Dixon MSc (Ecology) is a senior ecologist who has over 25 years' experience in ecological and water quality assessments. Carl Dixon holds an Honours Degree (BSc) in Ecology and a Masters (MSc) in Ecological Monitoring from UCC. He is a senior ecologist who has over 25 years' experience in ecological assessment. Prior to setting up DixonBrosnan Environmental Consultants in 2000, Carl set up and ran Core Environmental Services which included Rural Environmental Protection Scheme (REPS) planning for landowners and ecological assessments. Carl has particular experience in freshwater ecology including electrofishing fish stock assessments and water quality assessments. He also has considerable experience in habitat mapping and mammal ecology including survey work and reporting in relation to Badgers and bats. Other competencies include surveys for invasive species and bird surveys. Carl has extensive experience with regards to EIAR and NIS mitigation and impact assessment. He has particular experience in large-scale industrial developments with extensive experience in complex assessments as part of multi-disciplinary teams. Such projects include gas pipelines, incinerators, electrical cable routes, oil refineries and quarries.	
	Sorcha	DixonBrosnan	15 years	BSc University College Cork (UCC)	
	Sheehy	Environental Consultants		PhD (Ecology/Ornithology)	
	Consumants			Dr. Sorcha Sheehy PhD (ecology/ornithology) is an experienced ecological consultant specialising in bird behaviour. Sorcha received a BSc in Applied Ecology from UCC and subsequently went on to receive a PhD in behavioural ornithology at UCC.	
				During her PhD research, Sorcha studied bird-aircraft collision with a particular focus on bird behaviour, included field-based behavioural observations at airports, bird cadaver examination and collision classification and the use of radar tracking to model collision risk. Sorcha has worked for over 12 years in a professional ecology role and specialises in the coordination of ecology projects and assessments. She has coordinated and contributed to Habitats Directive Assessments (AA screenings and NIS) and Environmental Impact Assessment Reports (EIAR) for a range of small and large-scale projects with particular expertise in assessing impacts on birds. Notable projects include Arklow Bank Wind Park, Shannon Technology and Energy Park and Waste to Energy Facility Ringaskiddy.	

Role and EIS Chapter	Responsible	Company	No. years of experience	Professional Qualifications and Relevant Experience	Professional Affiliations
Chapter 13 Soils, Geology, Hydrogeology, Hydrology and Coastal Recession	Maeve McElligott	Arup	20 years	Maeve McElligott is a chartered Engineering Geologist who has twenty years'experience working with Arup' geotechnical team in Cork, Dublin, Ireland and the UK. Her experience includes geotechnical desk studies, geological mapping and analysis, geomorphology, geophysics, site investigation supervision and interpretation, slope stability in soil and rock, retaining wall and pile foundation design. Resident engineer roles include earthworks, piling works and slope remediation supervision. Maeve is the Lands & Soils lead on large linear infrastructure projects providing expert advice on the environmental constraints and opportunities for these projects associated with soils, geology. This coincides with strong team management skills and experience in commercial and project management. She has prepared geotechnical interpretative reports and Lands and Soils chapters for EIAR's. Maeve currently sits on the board of the Institute of Geologists of Ireland (IGI).	EurGeol (Chartered European Geologist) FGS (Fellow of the Geological Society) PGeo (Professional Geologist)
	Les Brown	Arup	27 years	BSc (Hons) Geology (1994)  MSc Engineering Geology (1995)  PhD Karst Hydrogeology (2004)  Dr Les Brown is a chartered geologist who has over 27 years' hydrogeology experience in Ireland, the United Kingdom, the Middle East and Australia  He is a specialist in aquifer management, recharge assessments and hydrogeological aspects of infrastructure design.	EurGeol (Chartered European Geologist) PGeo (Professional Geologist)
	Brian Sexton	Arup	21 years	Brian Sexton is an Associate Director in Arup. He is also a Chartered Engineer specialising in flooding, hydrology, and flood mitigation design, and has over 21 years of international experience. He has dual chartership and membership with both Engineers Ireland and Engineers Australia. He has broad experience working in flood related design across a range of sectors.	Member of Engineers Ireland (EI) Chartered Engineer (EI) Member of Engineers Australia (EA) Chartered Engineer (EA)
	Susana Lizondo	Arup	16 years	Ingeniero de Caminos, Canales y Puertos (Eq. to MEng, Civil Engineering) (2009) Polytechnic University of Valencia.  Postgraduate Diploma in Law (2018) Law Society of Ireland  Susana Lizondo is a Chartered Engineer working as a Senior Coastal Engineer with the Climate Change and Sustainability Group in Spain. Susana is experienced in the management, consenting and design of international projects	MIEI (Member of Institution of Engineers Ireland) CEng SpICE (Chartered Engineer Spanish ICE)

Role and EIS Chapter	Responsible	Company	No. years of experience	Professional Qualifications and Relevant Experience	Professional Affiliations
				dealing with coastal evolution and morphodynamics, coastal erosion, coastal protection, flooding, resilience and climate change adaptation, numerical wave modelling and MetOcean studies.	CEEQUAL Version 6 Projects Assessor (BREEAM Infrastructure)
				Susana worked in the Arup's maritime team in Dublin from 2012 to 2021 where she led a large number of Irish coastal projects involving coastal recession.	Member of PIANC working group on Port
				Susana is a coauthor of PIANC guidance on climate change adaptation for maritime and inland port and navigation infrastructure.	Resilience
	Louise Lodenkemper	Arup	12 years	MSc Water Science (2015); BSc Honours Environmental Science (2011); BSc (Zoology and Ecology, Environment and Conservation Sciences ) (2007)	
				Louise has over two years' experience working as a water resource scientist assessing the risk to freshwater ecosystems for environmental impact and water framework directive assessments for small to large scale infrastructure projects in Ireland, Serbia and Armenia, . She has more than 12 years' experience managing and providing input to complex, multi-disciplinary large-scale water resource protection, catchment management and basin planning projects in South Africa, Kenya, Rwanda, Uganda, Malawi, Madagascar, Namibia and South Sudan.	
	Clon Ulrick	Arup (as a consultant)	40 years	BSc Engineering (Civil)	Chartered Engineer
				Clon Ulrick is a chartered engineer with over 40 years' of experience in maritime and civil engineering.	Member, Institution of Civil Engineers (UK)
				Clon has been Arup's maritime team leader in London and global maritime skills leader for 6 years. He has had various roles as engineer in over 20 coastal engineering projects in 6 countries, including Ireland.	Member, Institution of Structural Engineers (UK)
				Clon was Expert Witness at the Oral Hearing for the Greystones Harbour development, for which coastal recession was a major consideration.	Member, The World Association for Waterborne Transport Infrastructure (PIANC)
Chapter 14 Archaeological, Architectural and Cultural Heritage	Avril Purcell	Lane Purcell Archaeology	30 years	MA Archaeology, NUI Cork, 1994	
				BA Archaeology and History, NUI Cork, 1992.	
				Licence eligible by National Monuments Service since 1997	
				Avril Purcell is the director of LPA and is a licensed archaeologist with 30 years' experience in research, consultancy, surveying and excavation. Avril has been involved in a large number of diverse EIAR projects throughout the country. In some cases, her involvement has been from the initial constraint study stage	

Role and EIS Chapter	Responsible	Company	No. years of experience	Professional Qualifications and Relevant Experience	Professional Affiliations
				through pre-development investigations, resolution and construction. Avril has presented expert witness evidence at An Bord Pleanála oral hearings.	
	Musetta O'Leary  Lane Purcell Archaeology  20 years	20 years	MA Archaeology, NUI Cork, 2000  BA Archaeology and Geography, NUI Cork, 1998  Musetta O'Leary has experience in all aspects of archaeological consultancy. She specialises in managing the archaeological and cultural heritage components of developments at the pre-planning stage. She has coordinated and authored the Cultural Heritage chapters of EIAR projects for a broad range of development types, including residential, infrastructure (roads and utilities), industrial, energy, and extractive industries. Musetta has presented expert witness evidence at An Bord Pleanála oral hearings.		

## 1.8 Guidance and Legislation

This EIS has been prepared with due regard to the guidelines on the preparation of environmental impact assessment reports including:

- European Commission (2017) Environmental Impact Assessment of Projects: Guidance on the preparation of the Environmental Impact Assessment Report
- Government of Ireland (2018) Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (August 2018)
- Department of Housing, Planning, Community and Local Government (2017) Key Issues Consultation Paper on the Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems
- Department of Housing, Planning, Community and Local Government (2017) Circular PL 1/2017 Implementation of Directive 2014/52/EU on the effects of certain public and private projects on the environment (EIA Directive): Advice on the Administrative Provisions in Advance of Transposition
- Department of Housing, Planning and Local Government (2018) Circular PL 05/2018 -Transposition into Planning Law of Directive 2014/52/EU amending Directive 2011/92/EU on the effects of certain public and private projects on the environment (the EIA Directive) And Revised Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment
- Environmental Protection Agency (2022) Guidelines on the Information to be contained in Environmental Impact Assessment Reports
- European Union (2013) Guidance on Integrating Climate Change and Biodiversity into Environmental Impact Assessment
- European Commission (2012) Interpretation suggested by the Commission as regards the application of the EIA Directive to ancillary/associated works
- European Commission (1999) Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions

#### 1.9 Consultation Undertaken

Indaver has engaged in statutory pre-application consultations with An Bord Pleanála and has also consulted with the planning authority, statutory bodies, interested parties, and the local community regarding its plans for the proposed development. For a representative list of these stakeholders, please see **Appendix 1.2** *Consultation*.

## 1.9.1 Community Stakeholder Engagement

In addition to the consultations referred to above, Indaver has consulted the public and interested parties regarding its plans for the proposed development.

Following initial discussions with representatives of the community and other individuals, Indaver proceeded to hold public engagement days in the area for all interested members of the local community.

The first information day was held between 10am and 2pm and between 4pm and 8pm on the 31st of July 2015 at the Carrigaline Court Hotel. The second information day was held in the Ringaskiddy Community Centre on the 8th of September between 4pm and 8pm. The third information day was held at Shanbally National School on the 15th of September between 6pm and 9pm.

Indaver advertised each information day in advance on the Indaver website and in a number of local papers such as The Carrigdhoun, The Southern Star, The Evening Echo and The Examiner. The Ringaskiddy Community Centre and Shanbally National School information days were also advertised on each venue's noticeboards. Indaver sent letters advertising the information days to members of the local community in July and in September. Over 300 letters were sent out on each occasion to individuals who had previously expressed interest in the project, and whose details Indaver had recorded in a communications register.

A letter was sent to the same group of people in November 2015 to inform them of the closing stages of the planning preparation and possible submission in January 2016.

Members of the project team, including the project manager, the managing director, and the manager of Indaver's Meath facility attended each day.

The project team used a series of posters and other visual aids to give an overview of the project, the planning history, and the legislative and policy context; to demonstrate how the project is complementary to other industry in the area; and to show how it is compatible with plans for the harbour more widely.

Anyone who attended the information days was invited to come to the Meath facility in order to see the day-to-day operation of a facility similar to the one proposed in Ringaskiddy. The project team also used a video of the waste treatment process in the Meath facility. The video of the waste treatment process in the Meath facility is on the Indaver website www.indaver.ie.

In addition to inviting people to the information days, Indaver has also been in contact with over 140 groups and individuals to discuss the project. These stakeholders consist mostly of business and community groups. Contact was through briefing letters and emails, over the phone, and through meetings.

Indaver engaged with community stakeholders for over six months, in 2015. Indaver created a stand-alone website: www.ringaskiddyrrc.ie which includes all of the planning application documentation including this EIS, the Natura Impact Statement (NIS), and planning drawings etc.

Copies of an advertisement, letters to the local community, and an information leaflet giving an overview of the project are provided in **Appendix 1.2.** 

## 1.10 Difficulties Encountered During the Assessment

No difficulties were encountered during the preparation of this Environmental Impact Statement.



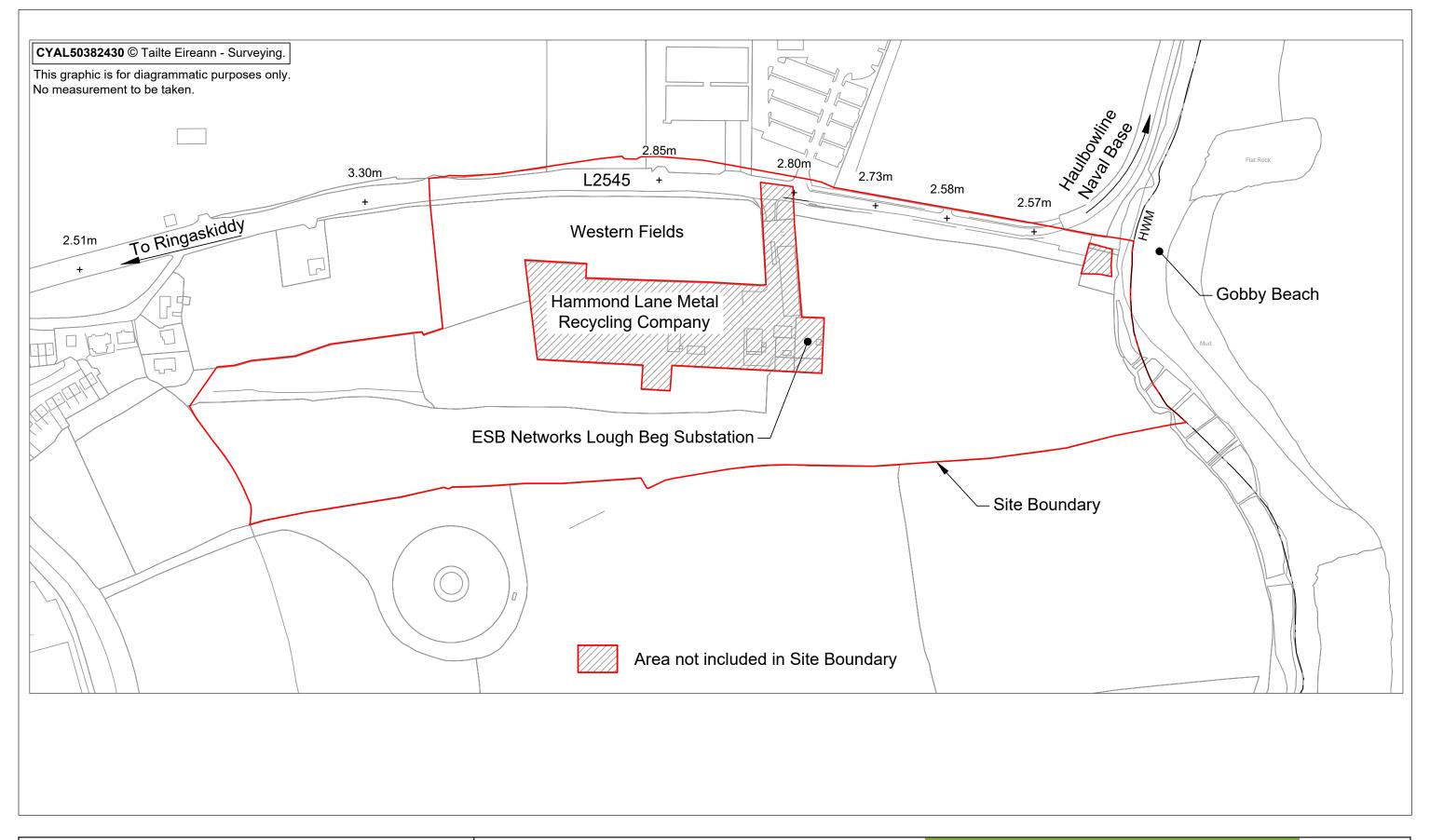




**ARUP** 

Figure Title: Figure No.

Site Location











**ARUP** 

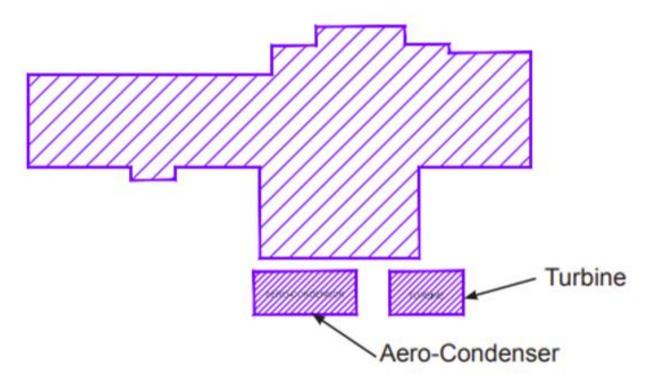
Figure Title:

Figure No.

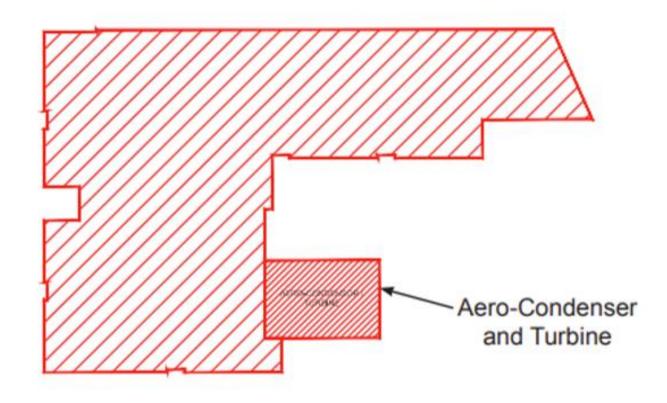
**Proposed Site Layout** 

1.3

2016 FOOTPRINT 9,201m<sup>2</sup>



2008 FOOTPRINT 14,166m<sup>2</sup>



Ringaskiddy
Resource
Recovery
Centre



**ARUP** 

Figure Title:

Process Building, Aero-Condenser and Turbine-Footprint comparison Figure No.

1.4

# Appendix 1.1

Letter from An Bord Pleanála

Our Ref: 04.PC0151 P.A.Reg.Ref:

Your Ref:



Tour Rei

Jane Hennessy Indaver Ireland 4th Floor, Block 1 West Pier Business Campus Old Dunleary Road Dun Laoghaire, Co. Dublin

23rd December 2015

Re: A waste management facility comprising a waste-to-energy plant,
Ringaskiddy, Co. Cork.

Dear Madam,

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

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

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

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

Information in relation to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended, is overleaf.

If you have any queries in relation to the matter please contact the undersigned officer of the Board. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Kieran Doherty Executive Officer

Direct Line:01-8737248

PC09.LTR



Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Act, 2000, as amended

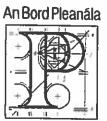
A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections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

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(6) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

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

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

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



# A Waste Management Facility comprising a Waste-to-Energy Plant, Ringaskiddy, Co. Cork.

## Prescribed Bodies:

The following is a schedule of prescribed bodies considered relevant for the purposes of section 37E(3)(c) of the Planning and Development Act 2000, as amended:

- (a) Minister for the Environment, Community and Local Government
- (b) Minister for Arts, Heritage and the Gaeltacht
- (c) Minister for Defence
- (d) Minister for Communications, Energy and Natural Resources
- (e) Cork County Council
- (f) Cork City Council
- (g) Environmental Protection Agency
- (h) Transport Infrastructure Ireland
- (i) Irish Aviation Authority
- (j) An Chomhairle Ealaíon
- (k) An Taisce
- (l) Irish Water
- (m) Fáilte Ireland
- (n) Heritage Council
- (o) Health Service Executive
- (p) Health and Safety Authority
- (q) Minister for Tourism Transport and Sport
- (r) South West Regional Authority,
- (s) Southern Region Waste Management Office

# Appendix 1.2

Consultation

#### 1.1 Introduction

Indaver has engaged in statutory pre-application consultations with An Bord Pleanála and has also consulted with the planning authority, statutory bodies, interested parties, and the local community regarding its plans for this development. Details are provided below.

## 1.2 Pre-Application Consultation

The provisions of section 37A of the Planning and Development Act 2000, as amended ("the 2000 Act"), require an application for permission in respect of the proposed Ringaskiddy Resource Recovery Centre to be made directly to An Bord Pleanála ('the Board') under Section 37E, in circumstances where the Board 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.

An Bord Pleanála has notified Indaver and Cork County Council that the proposed Ringaskiddy Resource Recovery Centre is 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 is being made to the Board and not to the planning authority. Refer to Appendix 1.1 for a copy of the letter to Indaver from An Bord Pleanála.

The 2000 Act defines that pre-application consultations with the Board shall form part of the process leading to the Board's determination that an application for permission should be made directly to Board. In compliance with this, and in preparation for submitting the planning application and this Environmental Impact Statement, Indaver engaged in six number pre-application consultation meetings, from the 12th November 2012 to 23rd November 2015.

#### 1.3 List of Prescribed Bodies

An Bord Pleanála has provided a list to Indaver of the bodies, prescribed under Article 213 of the Planning and Development Regulations 2000 (as inserted by Article 41 of the Planning and Development Regulations 2005 (S.I. No. 685 of 2006)), which should be notified of the application by Indaver. The list is provided below. A copy of the planning application and the EIS and NIS has been sent to these prescribed bodies.

- Minister for the Environment, Community and Local Government
- Minister for Arts, Heritage and the Gaeltacht
- Minister for Defence
- Minister for Communications, Energy and Natural Resources
- Cork County Council
- Cork City Council
- Environmental Protection Agency
- Transport Infrastructure Ireland
- Irish Aviation Authority
- An Chomhairle Ealaíon
- An Taisce
- Irish Water
- Fáilte Ireland
- Heritage Council
- Health Service Executive

- Health and Safety Authority
- Minister for Tourism, Transport and Sport
- Southern & Eastern Regional Assembly (formerly South West Regional Authority), and
- Southern Region Waste Management Office

### 1.4 Consultation with Planning Authority (Cork County Council)

Indaver has engaged with Cork County Council regarding its plans for the Ringaskiddy Resource Recovery Centre. Consultation has been carried out with the following departments:

- Planning Department meetings, Meath site visit and ongoing consultations since April 2015
- Roads Department meetings and ongoing consultation since September 2014
- Traffic Department meetings and ongoing consultation since October 2014
- Architects Department meetings and ongoing consultation since May 2015
- Coastal Management and Flood Projects Department Ringaskiddy site visit with project design team in August 2015 ongoing
- Flood Projects Department Consultation since January 2015
- Biodiversity Department meeting and ongoing consultation since May 2015
- Heritage and Archaeology Department meeting and ongoing consultations since April 2015
- Environment Department meeting in September 2015

Follow-up consultation was held with technical officers of Cork County Council in 2024 and 2025, in the preparation of this revised EIS. Matters addressed included addressing the recently-completed public realm/active travel provision in Ringaskiddy, changes to the coastal erosion baseline, and the scope of archaeological reassessment required for the revised EIS.

# 1.5 Consultation with Utilities Providers in Relation to Proposed Service Diversions

A number of services will require diversion due to the proposed development. Indaver has engaged with all relevant utilities' providers in relation to the proposed diversions. The utilities providers consulted are as follows:

- Gas Networks Ireland
- ESB Networks
- Eir (formerly Eircom)
- Cork County Council (acting on behalf of Irish Water now Uisce Eireann)

#### 1.6 Legal Interest

#### 1.6.1 L2545 Upgrade

The proposed development includes an upgrade to the L2545 which is a public road. The section of road which Indaver proposes to upgrade lies within its ownership (save for a small section adjacent to the entrance to the Hammond Lane facility which is in the ownership of the Hammond Lane Metal Company Ltd and an access road to Port of Cork lands). Indaver has engaged with Cork County Council, Hammond Lane Metal Company Ltd. and Port of Cork in relation to the proposed upgrade. The relevant parties have provided consent to Indaver to make a planning application for the proposed L2545 upgrade.

#### 1.6.2 Cork County Council – Compulsory Purchase Order

An Bord Pleanála approved the M28 Cork to Ringaskiddy Project Motorway Scheme in 2017, the M28 Cork to Ringaskiddy Project Service Area Scheme Compulsory Purchase Order on the 31<sup>st</sup> May 2017 and the scheme (with modifications) became operative on the 28<sup>th</sup> September 2018.

Cork County Council served a Notice to Treat dated 26<sup>th</sup> March 2021 on Indaver to acquire Indaver's interest in the lands.

The lands have been transferred to Cork County Council under a Deed of Transfer dated 14th February 2023.

The planning boundary for the proposed development remains the same as outlined in the 2016 EIS. Cork County Council have confirmed that they have no objection to the lands which were subject to the CPO being included in the planning boundary.

A letter from Cork County Council outlining the particulars and terms of the Compulsory Purchase Order is included in Appendix 1.3, along with the Notice to Treat, Land Parcel Schedule and Map.

#### 1.7 Grid Connection

The proposed development also includes for two potential grid connection options:

- Option 1: Loughbeg Substation Option
- Option 2: 110kV Pylon Option

The lands over which the entire grid connection will be constructed lie within Indaver's ownership (save for a small section comprising associated works on the adjacent substation owned by ESB Networks for Option 1 and 10-15m within the existing wayleave of the 110kV power lines). These works will be carried out by ESB Networks and do not form part of the planning application. Indaver has engaged with ESB Networks in relation to the grid connection.

### 1.8 Statutory Bodies and Other Interested Parties

Indaver has engaged with following bodies regarding its plans for the Ringaskiddy Resource Recovery Centre:

- An Taisce
- Arts Council of Ireland
- Bat Conservation Ireland
- Bird Watch Ireland
- Gas Networks Ireland
- Commission for Energy Regulation
- Commissioner for Irish Lights
- Cork Airport Authority (now DAA)
- Cork County Council (see Section 1.4 above)
- Cork City Council
- Department of Defence
- Department of Agriculture, Food and the Marine
- Department of Arts, Heritage and the Gaeltacht
- Department of Communications, Energy and Natural Resources

- Department of Environment, Community and Local Government
- Department of Transport, Tourism and Sport
- Departments of Communications, Energy and Natural Resources
- Environmental Protection Agency
- ESB Networks
- Open Eir (formerly Eircom)
- EirGrid
- Fáilte Ireland
- Geological Survey of Ireland
- Health and Safety Authority
- Health Service Executive
- Inland Fisheries Ireland
- Irish Aviation Authority
- Irish Raptor Study Group
- Irish Water (now Uisce Eireann)
- Irish Wildlife Trust
- Marine Institute
- National Monuments Service
- National Parks and Wildlife Service
- National Road Design Office
- Office of Public Works
- Port of Cork Company
- The Heritage Council (An Chomhairle Oidhreachta)
- Transport Infrastructure Ireland (formerly National Roads Authority)
- Southern Region Waste Management Office

### 1.9 Community Stakeholder Engagement

In addition to the consultations referred to above, Indaver has consulted the public and the public concerned regarding its plans for the proposed development.

Following initial discussions with representatives of the local Residents Association and other individuals, Indaver proceeded to hold public engagement days in the area for all interested members of the local community.

The first information day was held between 10am and 2pm and between 4pm and 8pm on the 31st of July 2015 at the Carrigaline Court Hotel. The second information day was held in the Ringaskiddy Community Centre on the 8th of September between 4pm and 8pm. The third information day was held at Shanbally National School on the 15th of September between 6pm and 9pm.

Indaver advertised each information day in advance on the Indaver website and in a number of local papers such as The Carrigdhoun, The Southern Star, The Evening Echo and The Examiner. The Ringaskiddy Community Centre and Shanbally National School information days were also advertised on each venue's noticeboards. Indaver sent letters advertising the information days to members of the local community in July and in September. Over 300 letters were sent out on each occasion to individuals who had previously expressed interest in the project, and whose details Indaver had recorded in a communications register.

Members of the project team, including the project manager, the managing director, and the manager of Indaver's Meath facility attended each day.

The project team used a series of posters, and other visual aids to give an overview of the project, the planning history, the legislative and policy context, to demonstrate how the project is complementary to other industry in the area, and how it is compatible with plans for the harbour more widely.

Anyone who attended the information days was invited to come to the Meath facility in order to see what the day-to-day operation of a facility similar to the one proposed in Ringaskiddy. The project team also used a video of the waste treatment process in the Meath facility. The video of the waste treatment process in the Meath facility is on the Indaver website www.indaver.ie

In addition to inviting people to the information days, Indaver has also been in contact with over 140 groups and individuals to discuss the project. These stakeholders consist mostly of business and community groups. Contact was through briefing letters and emails, over the phone, and through meetings.

Indaver has been engaging with community stakeholders for over six months, since May 2015. Indaver has created a stand-alone website: www.ringaskiddyrrc.ie which includes all of the planning application documentation including this EIS, the Natura Impact Statement (NIS), and planning drawings etc.

Copies of an advert, letters to the local community, and an information leaflet giving an overview of the project are provided in **Section 1.11** below.



Figure 1 Indaver Ireland's MD giving an overview of the project

#### 1.10 Other Consultees

- Cork TDs, Members of Seanad, MEPs
- Political parties
- Local and national business groups
- Ringaskiddy corporate neighbours
- National and local environmental groups
- Local and national media
- Local community groups in Ringaskiddy, Monkstown, Shanbally, Crosshaven, Curraghbinny, Carrigaline

#### 1.11 Information Material

Copies of the advert from Irish Examiner (Figure 2), sample letters to the local community (Figure 3 & 4), posters (Figure 5) and an information leaflet (Figure 6) giving an overview of the project are provided below.

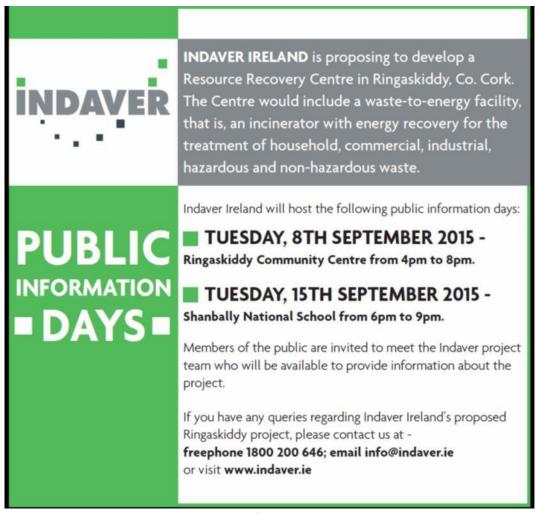


Figure 2 Advert in Irish Examiner September 4th, 2015



XXXXXXXXX Address Line 1 Address Line 2 Address Line 3

3rd September 2015

#### Dear XXXXX

We are preparing a planning application to develop a resource recovery centre in Ringaskiddy. This centre would include a waste-to-energy facility, that is, an incinerator with energy recovery for the treatment of household, commercial, industrial, hazardous and non-hazardous waste.

With this in mind, we are extending an invitation to attend one of our information days over the coming weeks. There will be one at the Ringaskiddy Community Centre on the 8th of September between 4pm and 8pm, and there will be one at Shanbally National School on the 15th of September between 6pm and 9pm.

We would also like to offer an open invitation to visit our waste-to-energy facility in Duleek, Co. Meath.

Please feel free to contact us if there are any queries regarding our proposed centre in Ringaskiddy, or if you would like this name and address to be removed from our register. We can be contacted by email info@indaver.ie, Freephone 1800 200 646, or Freepost Indaver Ireland, 4th Floor, Block 1, West Pier Business Campus, Freepost F5127, Dun Laoghaire, Co. Dublin.

Yours sincerely,

John Ahern

Managing Director, Indaver Ireland

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= Toka Quay Read, Dublin Port, DUBLIN 1. RELAND = tel. + 253 1 280 4557 = fac + 253 1 280 7865
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941 Reg. No. IE96307127 w IBAN IESB 4 BK 9334 0630 5250 49 # ARREIDAD

Directors ), Anera, C. Jones, J. Keaney Belgion Directors: R. Dic Bruychts, M. Diccorte, R. Gosthalis

Figure 3 Sample letter to the local community September 2015







XXXXXXX XXXXX Ringaskiddy Cork

28th July 2015

Dear XXXXX,

We are writing this letter to you as you had previously expressed interest in receiving updates on Indaver Ireland's proposed development in Ringaskiddy, Co. Cork. The purpose of this letter is to provide a project update, and to verify if there is still an interest in remaining on this contact list.

We are preparing a planning application to develop a Resource Recovery Centre. This Centre would include a waste-to-energy facility, that is, an incinerator with energy recovery for the treatment of household, commercial, industrial, hazardous and nonhazardous waste.

With this in mind, we are extending an invitation to attend one of our information sessions at the Carrigaline Hotel on Friday 31<sup>st</sup> July from 10am to 2pm or from 4pm to 8pm. Details of future information sessions will be advertised in local newspapers and on our website www.indaver.ie.

We would also like to offer you an open invitation to visit our waste-to-energy facility in Duleek, Co. Meath.

Please feel free to contact us if you have any queries regarding our proposed centre in Ringaskiddy, or if you would like this name and address to be removed from our register. We can be contacted by email info@indaver.ie, Freephone 1800 200 646, or Freepost Indaver Ireland, 4th Floor, Block 1, West Pier Business Campus, Freepost F5127, Dun Laoghaire, Co. Dublin.

Yours sincerely,

John Ahern

Managing Director, Indaver Ireland

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Directors: J. Amera, C. Jones, J. Keaney Belgion Directors: R. De Bruycker, M. Decorte, R. Societicis



Figure 4 Sample letter to the local community July 2015

# RINGASKIDDY RESOURCE RECOVERY CENTRE



Providing energy from waste via incineration

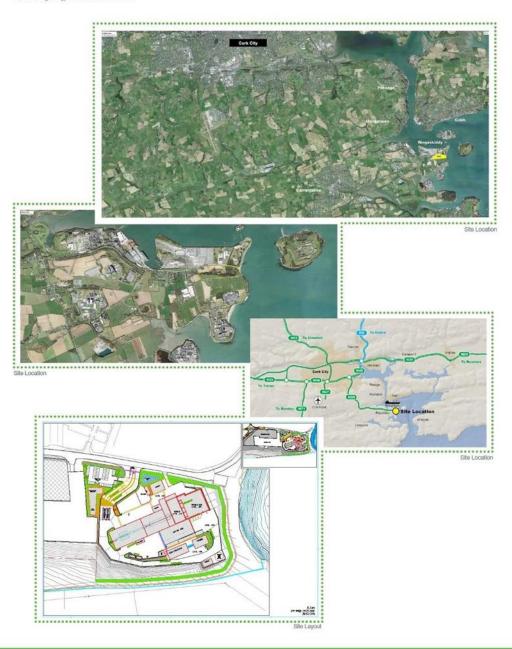


Figure 5 Poster

# **PROPOSALS** FOR RINGASKIDDY RESOURCE RECOVERY CENTRE



Providing energy from waste via incineration

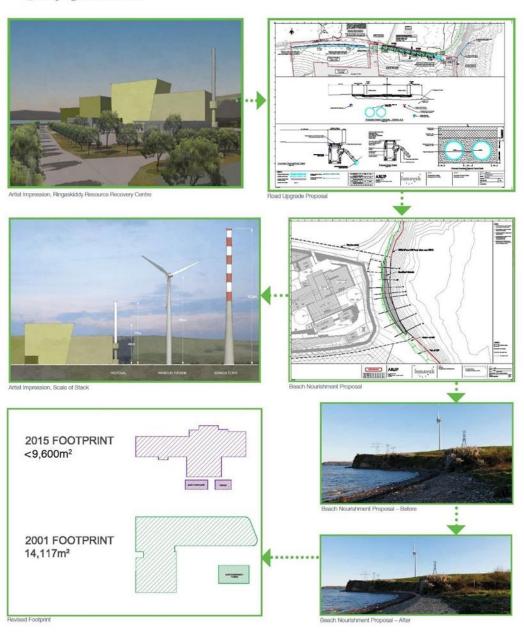


Figure 5b Poster

# INDAVER WASTE TO ENERGY FACILITY



Providing energy from waste via incineration

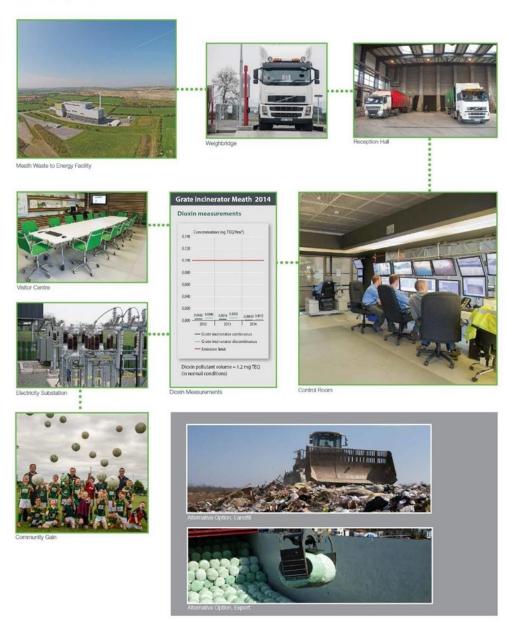


Figure 5c Poster

# What is resource recovery and why is it important?

Indaver proposes to build a resource recovery facility in Ringaskiddy.

Resource recovery plays a vital role in moving towards a circular economy in which waste is recognised as a valuable resource from which materials and energy can be recovered. Where a linear economy is wasteful and unsustainable, a circular economy is sustainable and efficient.

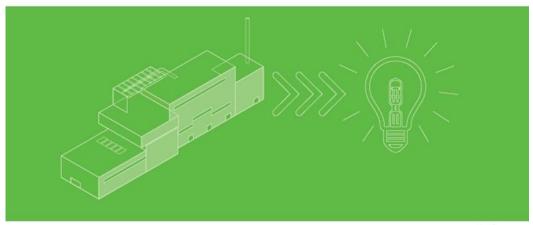
We need to move from a linear economy to a circular economy because we are currently living beyond our environmental means. Policy at European and national levels is creating this transition. The European Parliament and the Council of the European Union describe this vision for 2050 in the 7th Environmental Action Programme:

In 2050, we live well, within the planet's ecological limits. Our prosperity and healthy environment stem from an innovative, circular economy where nothing is wasted and where natural resources are managed sustainably, and biodiversity is protected, valued and restored in ways that enhance our society's resilience. Our low-carbon growth has long been decoupled from resource use, setting the pace for a safe and sustainable global society.

On a national level, Ireland's Regional Waste Plans apply the principles of the circular economy. The strategic vision of the Southern Region Waste Management Plan, published in May 2015, is to rethink the southern region's approach to managing waste. The Plan re-defines waste streams as valuable material resources to be recovered and recirculated, rather than merely disposed of.

This paradigm shift will lead both to a healthier environment and to sustainable commercial opportunities for our economy. Resource recovery plays a vital part in creating a circular economy that is the foundation for prosperity and health

The proposed Ringaskiddy Resource Recovery Centre would support European, national, and regional circular economy objectives by diverting valuable non-recyclable resources from landfill and from export for use by other European member states. The Centre would safely and efficiently recover valuable energy which could be used locally. Thermal recovery also supports high quality recycling by treating polluted and complex waste, thereby keeping harmful substances out of the circular economy. Finally, thermal recovery facilities can contribute to recycling through extraction of ferrous and non-ferrous metals and where possible, a range of aggregates, all from bottom ash.



Page 1

Figure 6a Information Leaflet

# Has Indaver built and managed anything like the Ringaskiddy Resource Recovery Centre in Ireland?

Indaver built, and now operates, Ireland's first waste-to-energy facility for the treatment of household, commercial and industrial, hazardous and nonhazardous waste In Co. Meath. The Meath Waste-to-Energy Facility completed its fourth successful year of operation in August 2015. It treats 235,000 tonnes per year of residual waste and generates more than 18MW electricity from this waste, enough to power the equivalent of more than 22,000 households.



Figure 6b Information Leaflet

# What is the Ringaskiddy Resource Recovery Centre?

Indaver proposes to develop a resource recovery centre in Ringaskiddy in County Cork for the treatment of household, commercial and industrial, hazardous and non-hazardous waste. The proposed development, the Ringaskiddy Resource Recovery Centre, will include a waste-to-energy facility. The facility will use robust and proven technology to process up to 240,000 tonnes per annum of residual waste. Energy and other useful materials will be recovered from this residual waste, which is currently landfilled or exported. The waste-to-energy facility will produce approximately 21 megawatts of electricity.

The site for the Ringaskiddy Resource Recovery Centre is situated at the north-eastern corner of the Ringaskiddy peninsula and occupies an area of approximately 12 hectares.

## Design

The facility has been designed to fit in with the area's corporate campus feel.



## Scale

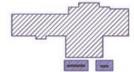
The stack height is relatively low in comparison to other developments in the locality.



# **Footprint**

The footprint for this plan has been reduced in comparison with previous plans.

### 2015 FOOTPRINT <9,600m<sup>2</sup>



#### 2001 FOOTPRINT 14,117m<sup>2</sup>

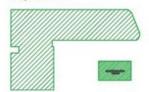


Figure 6c Information Leaflet

# What is Indaver's planning history in Ringaskiddy?

2004 planning	An Bord Pleanala granted planning permission for a waste-to-energy plant for hazardous and non-hazardous industrial and commercial waste, a waste transfer station for industrial waste, and a community recycling park for household recyclable waste.
2005 licencing	The Environmental Protection Agency granted an operating licence for a waste-to-energy plant for hazardous and non-hazardous industrial and commercial waste, a waste transfer station for industrial waste, and a community recycling park for household recyclable waste.
	An Bord Pleanala recommended granting planning permission for a waste-to-energy plant for hazardous and non-hazardous industrial and commercial waste and a transfer station.  However, Indaver had also requested
2008 planning	planning permission for a municipal facility. The Board stated that a municipal facility was not needed at that time as it was not part of waste management planning for the County. Indaver did not amend its proposal, because it would not have been economically viable to do so, therefore the Board refused the entire application.

**Figure 6d Information Leaflet** 

# What is different about this application?

#### Policy

In 2008, a municipal facility was not part of waste management planning for County Cork. Now, In 2015, waste management policy has changed. The Regional Waste Management Plans and the National Hazardous Waste Management Plan Identify a need for 300,000 tonnes of additional municipal thermal capacity and an additional 50,000 tonnes of hazardous thermal capacity in Ireland.

The Southern Waste Region Management Plan notes that the spatial distribution of thermal recovery facilities nationally is potentially unbalanced, with all active and pending facilities located in the Eastern and Midlands Region. As a result, the Plan notes that there is a need to consider the spatial distribution of thermal recovery capacity in the State when authorising future facilities. In order to bring balance to the spatial distribution of facilities, Indaver will seek planning permission for a waste-to-energy facility to treat municipal, commercial and industrial, hazardous and non hazardous waste in Ringaskiddy, Co. Cork.

Three other reasons for objection to the 2008 plan pertained to the zoning of the site, local flooding of the road, and erosion of the local coastline. The 2015 planning application has been prepared with consideration of all of these objections.

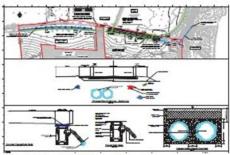
#### Zoning

Indaver's proposed site in Ringaskiddy is now a zoned 'Industrial Area'. As per the Cork County Development Plan, consideration will be given to large soale waste treatment facilities including waste-to-energy recovery facilities in 'Industrial Areas'. This area is also home to a large cluster of pharmaceutical companies, many of whom are existing oustomers of Indaver. Being located in close proximity to our customers reduces the distance that the waste needs to be transported, thus reducing the carbon footprint of waste management. This Centre would provide local solutions for local waste.

This area is also designated as a Strategio Employment Area as outlined in the County Development Plan. The Ringaskiddy Resource Recovery Centre would support the local economy and provide opportunities for both direct and indirect local employment.

#### Road Upgrade

Included in the proposed development is an upgrade of the local road (L2545) adjacent to the Indaver site in order to alleviate local flooding issues along the road. This upgrade would improve access to not only to the Indaver site, but also to the other institutions in the area, and to Haulbowline. The upgrade includes landscaping, and so would improve the appearance of the approach to Haulbowline.

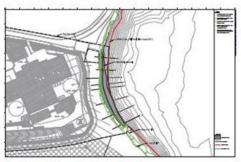


Technical drawing of the road upgrade.

**Figure 6e Information Leaflet** 

#### **Beach Nourishment**

In addition, the proposed development will include beach nourishment along the eastern boundary of the Indaver site. Indaver would deposit shingle on the emerged beach above the foreshore. This form of beach nourishment is preferred, as it mimios natural processes while being un-invasive; a similar strategy has been used on Greystones Beach in Dublin. The shingle discipates wave energy, so it would protect the toe and lower area of the oliffs from direct wave action, thus reducing the rate of erosion. The shingle would protect the Indaver site and those adjoining it, so would benefit the entire coastline. It would also enhance the visual appearance of the beach.



Beach nourishment technical drawing

#### Education and research

As the owner of Ireland's first waste-to-energy facility, Indaver understands and values education. Since the opening of the Meath facility in 2011, we have welcomed more than 2,000 visitors onsite. Visitors, who come from a range of different countries, include third-level students, local authorities, industry groups, energy bodies, and waste-to-energy operators.



Tour of Facility

Page 6

#### **Figure 6f Information Leaflet**

## Leading the Field in Sustainable Waste Management

#### Leading the field in learning & research in Ringaskiddy.

In addition to recovering resources from waste, the Ringaskiddy Resource Recovery Centre would be a centre for learning and research. Like the Meath facility, the Ringaskiddy facility would have a dedicated Vicitor Centre in order to accommodate visitors to the site. The Vicitor Centre would provide a gateway to the site, showcasing best practice in resource recovery management and sustainability.

The Ringaskiddy Resource Recovery Centre would also include a high-tech, multi-media training facility. Using our training centre model, we would provide courses for industrial oustomers in areas such as Dangerous Goods, Transport Safety & Legislation, Waste Legislation and Packaging of Waste. With a high-tech laboratory on site, we could also provide training in the analysis of waste composition. There is a local emphasis on research in Ringaskiddy, which will provide an excellent opportunity for Indaver to develop existing research partnerships with University College Cork and to develop new partnerships with neighbouring institutions. The particular cluster of industries in Ringaskiddy provides the ideal environment to foster research in renewable energies.



Visitor Room

Page 7

Figure 6g Information Leaflet

# What are the next steps?

Before submitting an application, Indaver is required by the Board to give

Physical copies of the application will be available for inspection, and it will also be available to view and download on-line.

While the application is available for public inspection, anyone may lodge a submission to the Board about the proposed project.

The Board may choose to hold an oral hearing regarding the application.

After inspection of the application, and the oral hearing (if one is held), the Board will make and publicise a decision regarding the proposed project.

The validity of the Board's decision may be questioned through an application for a judicial review.

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

The information provided here is taken from the Board's "Guide to Public Participation in Strategic Infrastructure Development". The guide, with extensive information about the application process, can be found at http://www.pleanala.ie/sid/sidpp.htm

#### More information about Indaver.

The Indaver Group is an international player in Europe, with facilities and operations in Belgium, Germany, Ireland, Portugal and the Netherlands. Each year, Indaver manages more than 5 million tonnes of waste, the majority of which is either recovered as energy or recycled. From this waste, Indaver produces enough energy from the thermal treatment of waste to supply power for around 240,000 households per year. Having been in business in Ireland for more than more than thirty years, Indaver's trademark is delivering high quality, oost effective services in the municipal, industrial and specialist waste market

Please feel free to contact us if you have any queries regarding our proposed centre in Ringaskiddy.

Email: info@indaver.ie, Freephone: 1800 200 646

Freepost: Indaver Ireland, 4th Floor, Blook 1, West Pier Business Campus,

Freepost F5127, Dun Laoghaire, Co. Dublin. Website: http://www.indaver.ie

September 2015

# Appendix 1.3

Compulsory Purchase Order Letter, Notice to Treat & Land Parcel Schedule and Map

# Comhairle Contae Chorcaí Cork County Council

National Roads Office,
Richmond,
Glanmire,
Co. Cork.
Tel: (021) 4821046 • Fax: (021) 4866209
Web: www.corkcoco.ie

An Oifig um Bhóithre Náisiúnta, Richmond, Gleann Maghair, Co. Chorcaí.

Fón: (021) 4821046 • Faics: (021) 4866209 Suíomh Gréasáin: www.corkcoco.ie 1899

An Bord Pleanála 64 Marlborough St Rotunda Dublin 1 D01 V902

26th June 2025

Re: Application by Indaver for the development of a Waste to Energy Facility in Ringaskiddy

Dear Colleagues,

Cork County Council understand that an application for the development of a Waste to Energy facility in Ringaskiddy was submitted by Indaver in January 2016.

An Bord Pleanála approved the M28 Cork to Ringaskiddy Project Motorway Scheme 2017, the M28 Cork to Ringaskiddy Protected Road Scheme 2017 and the M28 Cork to Ringaskiddy Project Service Area Scheme Compulsory Purchase Order on the 31<sup>st</sup> of May 2017 and the scheme (with modifications) became operative on the 28<sup>th</sup> of September 2018.

Cork County Council served a Notice to Treat dated the 26<sup>th</sup> of March 2021 on Indaver to acquire Indaver's interest in the lands more particularly specified in the map attached hereto.

These lands have been transferred to Cork County Council under Deed of Transfer dated 14<sup>th</sup> February 2023 and have been registered in the Land Registry in the ownership of Cork County Council under Folio reference CK192956F.

Cork County Council have been made aware that the redline boundary on the application which is being remitted by Indaver includes the lands which have been transferred to Cork County Council under the CPO.

Cork County Council confirms it has no objection to the land which was subject to the CPO being included within the redline boundary for the remitted application. However, in the interest of transparency, Cork County Council wish for An Bord Pleanála to note that these lands are now owned by Cork County Council and will not be available for private

development, with the exception of any utility connections to be made along the public road that are associated with the proposed Indaver development.

Yours Faithfully,

Signed:

Sean Callery Chartered Engineer FIEI Innealtóir Sinsearach | Senior Engineer

National Roads Office Cork County Council



# COMHAIRLE CONTAE CHORCAÍ Cork County Council

M28 Cork to Ringaskiddy Project Motorway Scheme 2017
M28 Cork to Ringaskiddy Project Protected Road Scheme 2017
M28 Cork to Ringaskiddy Project Service Area Scheme 2017

#### **NOTICE TO TREAT**

#### **Pursuant to**

Roads Act, 1993 (as amended) including Section 52 thereof
Planning and Development Act, 2000 (as amended) including Section 217 thereof
Housing Act, 1966 (as amended) including Section 79 thereof
Acquisition of Land (Assessment of Compensation) Act, 1919
(as amended)

Indaver Ireland Ltd.
The Highline
1st Floor, Bakers Point
Pottery Road
Dun Laoghaire
Co. Dublin

File Reference Number: 214

And all other persons claiming any Interest in the premises/lands Specified in the Scheme Approvals.

WHEREAS the above named Motorway Scheme, Protected Road Scheme and Service Area Scheme made on the 31st Day of May, 2017 were approved and confirmed (with modifications) by An Bord Pleanala, and which became operative on the 28th day of September, 2018 in respect of the compulsory acquisition of land to which the Schemes relate.

and

WHEREAS by virtue of the approved, confirmed and operative Motorway Scheme, Protected Road Scheme and Service Area Scheme, Cork County Council (hereinafter referred to as "the Council"), is authorised to acquire compulsorily the premises/land (or any substratum of land) and any rights in land to which the Scheme Approvals relate.

WHEREAS in accordance with Section 217[6A][b] of the Planning and Development Act 2000, as amended, an Order was made by the High Court on the 1st day of December 2020 extending the time for service of Notice to Treat for a period of 90 days after the date on which legal proceedings bearing High Court Record Number 2018 No. 708 JR challenging the Scheme Approvals concluded.

**WHEREAS** the said legal proceedings bearing High Court Record Number 2018 No. 708 JR concluded on 1<sup>st</sup> day of March 2021, when the Supreme Court issued a Determination refusing an application for leave to appeal.

TAKE NOTICE that the Council is willing to treat for the purchase of the several interests in the said premises/land authorised to be compulsorily acquired by the said operative Motorway Scheme, Protected Road Scheme and Service Area Scheme from you and which are more particularly described in the attached extract from the Schedule to the Motorway Scheme, Protected Road Scheme and Service Area Scheme, as the case may be, and delineated and described on the map attached hereto [together with all and any other rights or easements on, in or over the said premises/land except so far as may be otherwise agreed between the Council and the person entitled to the right or easement in question].

The Council **HEREBY REQUESTS** you to furnish to Mr. Richard Keating, Senior Executive Officer, Property Section, Cork County Council, Floor 11, County Hall, Cork, within 2 months of the date of this letter, the following information:-

- 1. (a) The nature of the interest or interests claimed by you.
  - (b) Particulars of any income derived by you from any of the premises/land, identifying the persons from whom such income is derived.
  - (c) Particulars of all rent, interest, rates, taxes, charges and/or outgoings paid by you in respect of any of the premises/land, identifying the persons to whom such payments are made.
  - (d) Particulars of any other persons (other than those mentioned above) who to your knowledge have any interest in or charge on the premises/land.
  - (e) Any other matters which may be relevant or of assistance to the Council in considering any offer which may be made to you by way of compensation for and on the acquisition of the premises/land.
- The original or a copy of such lease, agreement or grant if you hold any of the premises/land under lease or tenancy agreement or under any fee farm grant.
- 3. Particulars of Claim stating the exact nature of the interest in respect of which compensation is claimed, details of the compensation claimed under each heading, the amount claimed under each heading and how each such amount claimed is calculated.

On receipt of the above information the Council will consider and assess your claim and in due course make such offer by way of compensation as considered appropriate. Such an offer will be subject to the production of satisfactory evidence of title.

Should you fail to furnish the required information within the time provided or if agreement cannot be reached between you and the Council, any question of disputed compensation will be referred to arbitration by one of the property arbitrators appointed under the Property Values (Arbitration & Appeals) Act, 1960.

Dated this 26<sup>th</sup> day of March, 2021

**CORPORATE SERVICES** 

## **M28 Cork to Ringaskiddy Project**

**Explanatory Memorandum for Compulsory Acquisition Procedure** – this is issued for guidance purposes only and is not a legal interpretation of the relevant legislation.

#### What is a Notice to Treat?

A Notice to Treat is a formal legal notice served by the County Council on landowners, lessee's and occupiers stating that the Council is willing to enter into negotiations regarding compensation and invites affected parties to submit details of their claim. The Notice to Treat is not considered a binding contract and does not in itself have the effect of passing any interest or estate in land to the acquiring authority. The transfer of legal interest(s) in lands occurs at a later stage.

The Council has specified a period of 2 months from the date of the Notice in which landowners are invited to submit their claim for compensation and to set out their interest in the lands.

It is usual for landowners to engage a professional valuer/agronomist to prepare and submit the claim for compensation on behalf of the landowner.

#### What is Notice of Entry?

On or after service of a Notice to Treat, the Council has the power to enter on and take possession of the lands to be acquired as described in the Compulsory Purchase Order provided a notice in writing or a Notice of Entry is given at least 14 days beforehand to the owner and occupier.

Accordingly, while possession of the land can be taken before compensation is agreed, interest will be payable on the compensation eventually determined. Such interest will be payable from the date of entry onto the lands by Cork County Council and will be calculated at the Local Loans Fund Rate (set by the Department of Finance) which pertains on the date of entry.

#### How is the Compensation Assessed?

Where the entitlement to statutory compensation exists, each case is on its own merits. The assessment of compensation and those items that can be considered in the assessment are governed by legislation and assessed on the basis of the principle of equivalence i.e. the landowner is placed in the same position after the Compulsory Purchase of their lands, in so far as money can do it, to that which they were before the Compulsory Purchase Order. A suitably qualified and experienced professional should be able to advise on the elements to be included.

Typical heads of claims may include:

- The market value of the land / property being acquired;
- Severance or other Injurious Affection which relates to devaluation to retained lands, if any, caused as a direct result of the acquisition;
- Disturbance costs or any other allowable loss sustained, or expenses incurred by owners as result of the compulsory acquisition of land apart from the value of land taken and reduction in value to the retained lands if any.

In addition, Cork County Council will normally contribute towards the cost of professional fees incurred by you, as owner, <u>after the Notice to Treat is issued</u>, in dealing with the conveyancing of the land/property. Details of the fee structure operated by Cork County Council is set out below.

Rules of the assessment of compensation are set out in the various statutes and Court decisions. Furthermore, the introduction of the IFA (Irish Farmer's Association), Transport Infrastructure Ireland and Department of Transport, Tourism and Sport Agreement in February 2016, as amended, may also apply.

It is important to note that compensation is based on market value and is determined by reference to market values at the date of Notice to Treat, even though monies may not be paid until sometime later.

#### What Happens Next?

When the compensation claim has been submitted, it is normal for negotiations to take place between the land valuers appointed to act on behalf of Cork County Council and the owners' valuer. If agreement is reached, the ownership of the land / property will be transferred by your legal advisors to the appropriate local authority and the compensation paid.

#### **Accommodation Works**

Accommodation works will be discussed during the negotiation process. Sometimes a monetary contribution can be agreed in lieu of the provision of various works items. Otherwise the accommodation works will generally be completed prior to or during the main construction contract.

#### If Compensation cannot be agreed

Where it is not possible for the claimant and the local authority to reach agreement on the compensation payable, the law provides for an independent arbitration process whereby an arbitrator, after hearing the evidence from the respective parties determines the amount payable. The decision of an arbitrator is binding on both parties.

Either the owner or the County Council can apply for the appointment of a property arbitrator.

Following issuing of the Notice to Treat, property owners may claim for professional fees (rates as set out below) relating to the following or as appropriate:

- Solicitor's costs for conveyancing;
- Valuer's / Agronomists fees to cover negotiations on compensation;
- Other professional fees but only where previous agreement in writing is received from Cork County Council.

Fees:

## Valuers/ Agronomist/Consultant:

- On settlements up to €1.5m (excluding goodwill & accommodation works)
   -2.5% of the agreed compensation amount;
- 2. On settlements > €1.5 but ≤ €3m (excluding goodwill & accommodation works) -2.5% of the agreed compensation amount on first €1.5m + 1.5% of the agreed compensation on the balance above €1.5m;
- 3. On settlements > €3.0m but ≤ €4.5m (excluding goodwill & accommodation works) 2.5% on first €1.5m + 1.5% of next €1.5m + 1% on the balance;
- 4. On settlements > €4.5m (excluding goodwill & accommodation works) 2.5% on first €1.5m + 1.5% next €1.5m + 1% on the next €1.5m + 0.75% on the balance;
- 5. Minimum fee payable €1,500;
- 6. Half road/roadbed only cases not in excess of €1,000 per claimant;
- 7. Professional fees for negotiations of accommodation works if applicable- €750.

#### Legal Fees:

- 1. Minimum fees of €1,250;
- 2. On settlements up to €1.5m (excluding goodwill & accommodation works) 1% of the agreed compensation amount;
- 3. On settlements > €1.5m (excluding goodwill & accommodation works) 1% of the agreed compensation amount up to €1.5m + 0.5% of the agreed compensation above €1.5m;

#### **Engineer's Fees:**

Where warranted, fees are paid at €100 per hour.

Fees and rates outlined above are exclusive of VAT.

Engaging consultants outside of the Valuer/Agronomist and Solicitors will be done at landowners' own risk. Prior written agreement from Cork County Council is required before additional fees will be paid.

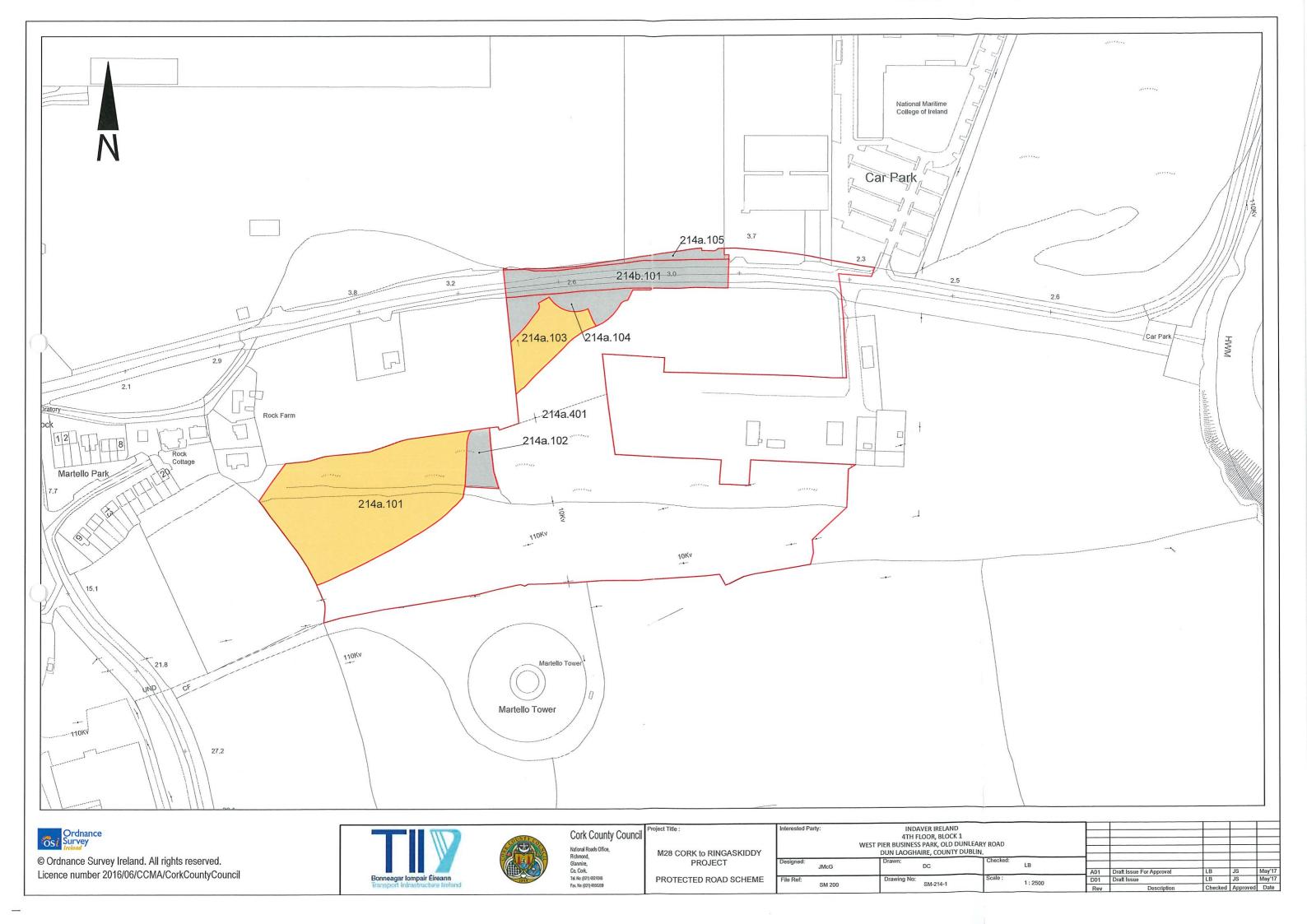
A **Project Liaison Officer** (PLO) will be appointed to liaise between the Design Team and landowners / other parties. The PLO can be contacted at the National Roads Office, Richmond, Glanmire, or on 021-4821 046.

## **Claim for Compensation:**

The claim for compensation should be submitted in the following format and should be provided in addition to the information requested in the formal Notice to Treat:

Road Scheme:	M28 Cork to Ringaskiddy Project
Name of claimant:	
Plot Reference Number: (see CPO drawing)	
Hectares to be Acquired:	
Claimant's interest in land*: (e.g. owner, occupier, leasee)	
Compensation:	
Land Value claimed: (land value includes all buildi	ngs)
Injurious Affection/ Severance Claimed:	
Disturbance Claimed:	
TOTAL COMPENSATION CLA	IMED:
Signed on behalf of Claimant	:
Date:	8 <del>-1</del>

\*Proof of title to be attached to claim.



## M28 Cork to Ringaskiddy Project, [Protected Road] Scheme, 2017 Schedule 1, Part 1, Section I

Land (other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense)

Reference number of land on scheme map		on and Situation of Land	Owner or Reputed Owner	Lessee or Reputed Lessee	Occupier
214a.101	Area (Ha): Description: Townland: DED: County:	1.2525 Land RINGASKIDDY CARRIGALINE CORK	INDAVER IRELAND 4TH FLOOR, BLOCK 1 WEST PIER BUSINESS PARK OLD DUNLEARY ROAD DUN LAOGHAIRE COUNTY DUBLIN.	NONE.	OWNER(S).
214a.103	Area (Ha): Description: Townland: DED: County:	0.2389 Land RINGASKIDDY CARRIGALINE CORK	INDAVER IRELAND 4TH FLOOR, BLOCK 1 WEST PIER BUSINESS PARK OLD DUNLEARY ROAD DUN LAOGHAIRE COUNTY DUBLIN.	NONE.	OWNER(S).

## M28 Cork to Ringaskiddy Project, [Protected Road] Scheme, 2017 Schedule 1, Part 2, Section I

Land (other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense)

Reference number of land on scheme map				Lessee or Reputed Lessee	Occupier	
214a.102	Area (Ha): Description: Townland: DED: County:	0.0988 Land RINGASKIDDY CARRIGALINE CORK	INDAVER IRELAND 4TH FLOOR, BLOCK 1 WEST PIER BUSINESS PARK OLD DUNLEARY ROAD DUN LAOGHAIRE COUNTY DUBLIN.	NONE.	OWNER(S).	
214a.104	Area (Ha): Description: Townland: DED: County:	0.1764 Land RINGASKIDDY CARRIGALINE CORK	INDAVER IRELAND 4TH FLOOR, BLOCK 1 WEST PIER BUSINESS PARK OLD DUNLEARY ROAD DUN LAOGHAIRE COUNTY DUBLIN.	NONE.	OWNER(S).	
214a.105	Area (Ha): Description: Townland: DED: County:	0.0681 Land RINGASKIDDY CARRIGALINE CORK	INDAVER IRELAND 4TH FLOOR, BLOCK 1 WEST PIER BUSINESS PARK OLD DUNLEARY ROAD DUN LAOGHAIRE COUNTY DUBLIN.	NONE.	OWNER(S).	
214b.101	Area (Ha): Description: Townland: DED: County:	0.3811 Road RINGASKIDDY CARRIGALINE CORK	INDAVER IRELAND 4TH FLOOR, BLOCK 1 WEST PIER BUSINESS PARK OLD DUNLEARY ROAD DUN LAOGHAIRE COUNTY DUBLIN.	NONE.	CORK COUNTY COUNCIL COUNTY HALL CARRIGROHANE ROAD CORK.	

## M28 Cork to Ringaskiddy Project [Protected Road] Scheme, 2017 Schedule 4

Land in respect of which it is proposed to Prohibit, Close, Stop Up, Remove, Alter, Divert or Restrict a means of Direct Access to or from the Proposed Protected Road

Reference number of land on scheme map		on and Situation and	Owner or Reputed Owner	Lessee or Reputed Lessee	Occupier	Proposed Course of Action
214a.102	Area (Ha): Description: Townland: DED: County:	0.0988 Land RINGASKIDDY CARRIGALINE CORK	INDAVER IRELAND 4TH FLOOR, BLOCK 1 WEST PIER BUSINESS PARK OLD DUNLEARY ROAD DUN LAOGHAIRE COUNTY DUBLIN.	NONE.	OWNER(S).	PROHIBIT ANY MEANS OF DIRECT ACCESS TO/FROM THE PROTECTED ROAD
214a.104	Area (Ha): Description: Townland: DED: County:	0.1764 Land RINGASKIDDY CARRIGALINE CORK	INDAVER IRELAND 4TH FLOOR, BLOCK 1 WEST PIER BUSINESS PARK OLD DUNLEARY ROAD DUN LAOGHAIRE COUNTY DUBLIN.	NONE.	OWNER(S).	PROHIBIT ANY MEANS OF DIRECT ACCESS TO/FROM THE PROTECTED ROAD
214a.401	Area (Ha): Description: Townland: DED: County:	5.5491 Land RINGASKIDDY CARRIGALINE CORK	INDAVER IRELAND 4TH FLOOR, BLOCK 1 WEST PIER BUSINESS PARK OLD DUNLEARY ROAD DUN LAOGHAIRE COUNTY DUBLIN.	NONE.	OWNER(S).	PROHIBIT ANY MEANS OF DIRECT ACCESS TO/FROM THE PROTECTED ROAD



Licence number 2016/06/CCMA/CorkCountyCouncil





Cork County Council

National Roads Office,
Richmond,
Glarnire,
Co. Cork.
Tal. lie. (87) 422/045

PROJECTED ROAD SCI

NGASKIDDY CT	Desi
AD SCHEME	File

Interested Party: INDAVER IRELAND 4TH FLOOR, BLOCK 1 WEST PIER BUSINESS PARK, OLD DUNLEARY ROAD DUN LAOGHAIRE, COUNTY DUBLIN.							
Designed: JMcG	Drawn:	Checked: LB				-	
			A01	Draft Issue For Approval	LB		May'17
File Ref:	Drawing No: SM-214-2	Scale: 1:2500	D01	Draft Issue	LB	JS	May'17
SM 200	SM-214-2	1.2300	Rev	Description	Checked	Approved	Date