

Response to Submissions



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GLOSSARY

AA	Appropriate Assessment
AADT	Average Annual Daily Traffic
ABP	An Bord Pleanála
ABR	Alexandra Basin Redevelopment
AEP	Annual Exceedance Probability
AER	Annual Environmental Reports
BS	British Standard
BWI	Birdwatch Ireland
CAP	Climate Action Plan
CBC	Core Bus Corridor (National Transport Authority BusConnects)
CCR	Climate Change Risk
CD	Chart Datum, depths in the Port vary with tidal conditions and all depths (and heights) are referenced to an appropriate datum point called “chart datum”.
CEMP	Construction Environmental Management Plan
CIEEM	Chartered Institute of Ecology and Environmental Management
CIWEM	Chartered Institute of Water and Environmental Management
CL	Conservation Limit
CLVIA	Cumulative Landscape and Visual Impact Assessment
CMP	Conservation Management Plan
CO₂eq	Total estimated greenhouse gas emissions
COMAH	Control of Major Accident Hazards
COSHH	Control of Substances Hazardous to Health
CRTN	Calculation of Road Traffic Noise
CWMP	Construction Waste Management Plan
CWP	Codling Wind Park
CWPL	Codling Wind Park Limited
DAS	Dumping at Sea
DAU	Development Applications Unit
dB	Decibel (Sound)
dB(A)	Decibel, expression of sound level. The (A) denotes that levels are “A”- weighted.
DBF	Docklands Business Forum
DCC	Dublin City Council
DCDP	Dublin City Development Plan
DEB	Dublin Eastern Bypass
DECC	Department of the Environment, Climate and Communications
DHLGH	Department of Housing, Local Government and Heritage
DMP	Dust Management Plan
DoT	Department of Transport
DPC	Dublin Port Company
DSL	Dublin Stevedores Ltd.
Dublin Port Estate	DPC owned lands in the north port area bounded by the River Liffey to the south and East Wall Road to the west.
EA	Environment Agency
EC	European Commission

EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
ELV	Emission limit values
EMS	Environmental Management System
EPA	Environmental Protection Agency
EQS	Environmental Quality Standards
ESB	Electricity Supply Board, also refers to a mooring structure on the south side of the River Liffey, near the Poolbeg power station owned by the Electricity Supply Board
EU	European Union
FRA	Flood Risk Assessment
GA	General Arrangement
GDA	Greater Dublin Area
GHG	Green House Gases
GI	Ground Investigation
GLVIA	Guidelines for Landscape and Visual Impact Assessment
GPP	Guidance for Pollution Prevention
GQRA	Generic Quantitative Risk Assessment
GSI	Geological Survey of Ireland
GSW	Great South Wall
HGV	Heavy Goods Vehicle
HIA	Health Impact Assessment
HML	High Mast Lighting
HSA	Health and Safety Authority
IAQM	Institute of Air Quality Management
ICWWS	Irish Coastal Wave and Water Level Modelling Study
IE	Industrial Emissions
IED	Industrial Emissions Directive
IEL	Industrial Emission Licence
IEMA	Institute of Environmental Management and Assessment
IFI	Inland Fisheries Ireland
IGB	Irish Glass Bottle
ISPS	International Ship and Port Security code, originally introduced by the IMO (International Maritime Organisation) and later incorporated into EU legislation.
ITM	Irish Transverse Mercator
IW	Irish Water
IWDG	Irish Whale and Dolphin Group
IWeBS	Irish Wetland Estuarine Bird Survey)
kg/m³	Specific density (weight per volume)
kHz	Kilohertz (Frequency)
kJ	Kilojoule (Energy)
km	Kilometre (Distance)
km²	Kilometre squared (Area)
LCA	Landscape Character Assessment
LCA	Life Cycle Assessment
LGV	Light Goods Vehicle
Linkspan	Structure to level the height difference between the quay and the cargo deck of a ship in order to provide safe and fast access for loading and unloading.

Lo-Lo	Lift-on Lift-off , cargo mode which involves shipping containers lifted on and off ships with quayside cranes
LUP	Land Use Planning
LVIA	Landscape and Visual Impact Assessment
m	Metre
MAC	Maritime Area Consent
MARA	Marine Area Regulatory Authority
MI	Marine Institute
mm	Millimetre
MMO	Marine Mammal Observer, a qualified marine mammal observer is a visual observer who has undergone formal marine mammal observation training.
MRFS	Mid Range Future Scenario
ms	Millisecond (10-3 seconds) (Time)
ms-1 or m/s	Metres per second (Velocity)
MSFD	Marine Strategy Framework Directive
MSP	Marine Spatial Planning
MSPD	Marine Spatial Planning Directive
MW	Megawatts
NBDC	National Biodiversity Data Centre
NHA	Natural Heritage Areas
NIAH	National Inventory of Architectural Heritage
NIS	Natura Impact Statement
NMPF	National Marine Planning Framework
NMS	National Monument Service
NNG	Night Noise Guideline
NNR	National Nature Reserves
NPWS	National Parks and Wildlife Service
NRA	National Road Authority (now TII)
NTA	National Transport Authority
OD	Ordnance Datum
OECD	Organisation for Economic Co-operation and Development
OEE	Operation and Maintenance Facility
OPW	Office of Public Works
PAM	Passive Acoustic Monitoring
PCMP	Project Carbon Management Plan
PDA	Planning and Development Act
PE	Population Equivalent
PM	Particulate Matter
POM	Programme of Measures
PPC	Pollution Prevention Control
PPE	Personal Protection Equipment
PPS	Planning Policy Statement
PRA	Preliminary Risk Assessment
PSA	Particle Size Analyses
PTS	Permanent Threshold Shift, a permanent elevation of the hearing threshold due to noise exposure
RBMP	River Basin Management Plan

RMP	Register of Monuments and Places
Ro-Ro	Roll-on Roll-off, cargo mode which includes freight trailers, tourist vehicles and trade car imports all of which are driven on or off ferries / specialised ships.
RPS	Rural Planning Services
RTG	Rubber Tyred Gantry
RWMP	Resource Waste Management Plan
SAC	Special Area of Conservation
SAM	Static Acoustic Monitoring
SAMRA	Sandymount & Merrion Residents Association
SCI	Special Conservation Interest
SDZ	Strategic Development Zone
SEA	Strategic Environmental Assessment
SEL	Sound Exposure Level, the constant sound level in one second, which has the same amount of acoustic energy as the original time-varying sound i.e., the total energy of a sound pulse
SFRA	Strategic Flood Risk Assessment
SI	Site Investigation
SIA	Planning and Development (Strategic Infrastructure) Act 2006
SID	Strategic Infrastructure Development
SMR	Sites and Monuments Record
SOP	Standard Operating Procedures
Sound Exposure Level (SEL)	The accumulated acoustics energy over a specified duration. For a one-second duration it is equal to SPL. A simplified explanation could be that SEL is the SPL of a given amount of acoustic energy if squeezed into 1 second, however it's better to think of SEL as the integrated acoustic energy over as specified duration.
SPA	Special Protection Area
SPAR	South Port Access Route
SS	Suspended Sediment
SSG	Ship to Shore Gantry
SSSI	Site of Special Scientific Interest
TIA	Traffic Impact Assessment
TII	Transport Infrastructure Ireland
TSHD	Trailing Suction Hopper Dredger
TSS	Total Suspended Solids
TTA	Traffic and Transportation Assessment
TTS	Temporary Threshold Shift, a temporal elevation of the hearing threshold due to noise exposure
TTTCC	Through-the-tide-cycle Counts
UFT	Unified Ferry Terminal
UK	United Kingdom
WFD	Water Framework Directive
WHO	World Health Organisation
WWTP	Wastewater Treatment Plant
ZTV	Zone of Theoretical Visibility

1 INTRODUCTION

RPS, on behalf of Dublin Port Company (DPC), has prepared this document following an invitation from An Bord Pleanála (ABP / the Board) to make a submission on those submissions and observations received by the Board following receipt of the planning application for the 3FM Project (the Proposed Development) on 23rd July 2024 (Case Ref **PA29N.320250**).

This submission is being made to the Board within the timeframe stipulated in its letter dated 25th January 2025, i.e., not later than 5.30 pm on the 7th March, 2025.

This submission sets out a response to items raised in the submissions and observations circulated by the Board.

1.1 Background

A planning application for the 3FM Project was submitted to ABP on 23rd July 2024 under Section 37E of the Planning and Development Act 2000, as amended (the Planning Act), seeking approval for a strategic infrastructure development. The application was accompanied by all statutory documentation, including *inter alia* a Planning Report, an Environmental Impact Assessment Report (EIAR), and a Natura Impact Statement (NIS), along with a full suite of architectural, landscape, and engineering drawings.

All documentation was made publicly available for viewing and download via the dedicated project website: <https://www.dublinport3fm.ie/>, which remains active. Additionally, physical copies were accessible at the offices of the Board, Dublin City Council (DCC) and Port Centre.

The public consultation period ran from 31st July 2024 to 25th September 2024.

In a letter dated 25th October 2024 the Board confirmed that 51 valid submissions and observations had been received, in addition to the Chief Executive's Report submitted by DCC. Subsequently, in a letter dated 27th January 2025, the Board informed DPC that an additional submission had been received from the Environmental Protection Agency (EPA). In this letter the Board considered it appropriate to invite DPC to make a submission on the submissions and observations circulated to DPC in October 2024 and January 2025.

Accordingly, this document has been prepared to systematically address all matters raised in the submissions and observations circulated to DPC in relation to the proposed development of the 3FM Project, and which are contained in 53 submissions and observations (including the Environmental Protection Agency (EPA) submission and the items raised in the Chief Executive's Report).

1.2 Overview of Submissions and Observations Received

A total of 53 valid submissions and observations were received by the Board. These were categorised into the source groups listed below. The number of parties within each source group is denoted by the number in brackets.

- Local Authority (Chief Executive's Report) (1)
- Prescribed bodies (11)
- Commercial organisations (8)
- Councillors (2)
- Specialist interest groups (3)
- Residents Groups
 - Residents of Pigeon House Road (14)
 - Residents Associations (1)
 - Residents of Sandymount (7)
- Other members of the public (6)

Key findings from a review of these submissions were as follows:

- Submissions and observations from Prescribed Bodies and Government Agencies:
 - These submissions focused primarily on compliance with statutory processes, with some observers making requests or recommendations for planning conditions.
 - In some cases, clarification was sought, or assessment updates were requested due to new information becoming available post-application.
 - Where necessary, explanatory notes have been included in this document to respond directly to such requests.
- Submissions and observations from Local Residents and Elected Representatives:
 - There were 21 submissions and observations from residents of Pigeon House Road and Sandymount, two from local councillors, and six from other members of the public.
 - These submissions focused on potential local impacts of the 3FM Project during both the construction and operational phases.
- Submissions and observations from Commercial Organisations and Special Interest Groups:
 - These submissions and observations varied, with some expressing support for the project while others raised concerns about its impact on future plans or ongoing operations and other requesting appropriate conditions to be attached to any approval.
- Support for the Project:
 - Several submissions expressed support for the 3FM Project, highlighting its alignment with national and regional planning objectives. In this regard, the following is noted:
 - DCC generally supports the 3FM Project, noting its compliance with the Dublin City Development Plan and Poolbeg West Planning Scheme.
 - The National Transport Authority (NTA) considers the 3FM Project to be consistent with the Transport Strategy for the Greater Dublin Area.
 - The Department of Housing, Local Government and Heritage (DHLGH)—National Monuments Service broadly agrees with the 3FM Project’s findings regarding cultural heritage.
 - Uisce Éireann (Irish Water) acknowledges the ongoing liaison process regarding future water and wastewater connections.
 - The ESB recognises the significance of the 3FM Project, particularly in relation to the SPAR route, and emphasises the importance of continued cooperation.

1.3 Methodology

DPC has completed a systematic review and response process to ensure that all submissions and observations were examined and items raised thoroughly addressed. The process involved:

- **Assignment of References:** Each of the submissions and observations were assigned a unique reference number (1–52) by the Board. Note that submission 11 was deemed invalid. DCC and the EPA were not allocated an index number. Refer to **Table 1.1**.
- **Initial Review and Thematic Categorisation:** A preliminary review revealed that the submissions and observations were multi-thematic; however, 19 overarching themes were identified.
- **Detailed Review and Thematic Allocation:** Each submission was further analysed to assign it to the relevant theme(s). Within each theme, individual matters (hereafter ‘items’) raised by observers were identified, all of which DPC has responded. A matrix table (See **Table 1.2**) was prepared to represent the thematic distribution of submissions and observations visually. This matrix lists the 19 themes along the primary horizontal axis, while the 53 submissions (categorised into source groups) are listed along the vertical axis, showing the number of themes featured in each observation. This structured approach has ensured a transparent, consistent, and methodical response to the submissions while also facilitating clear navigation through the document.

1.4 Structure of this Response

The document is organised into four main chapters and series of appendices, as outlined below:

- **Chapter 1: Introduction, Background, Methodology, and Structure**

This chapter introduces the purpose of the document of response, provides a background on the planning application and consultation process, outlines the methodology used to review and categorise the submissions and observations received, and explains the document's structure.

- **Chapter 2: Register of Submissions & Observations**

This chapter provides a complete register of the 53 submissions received, listing the themes featured within each observation and referencing the corresponding section of this document where a response is provided.

- **Chapter 3: Thematic Responses**

This chapter contains 19 sections (Sections 3.1 to 3.19), each corresponding to a distinct theme identified in the review process. Each section begins with a summary of the matters raised by observers under that theme, followed by the DPC's response which refers to documentation submitted with the original planning application and, in some cases in order to fully address items, appendices attached to this report which contain necessary explanatory and technical notes to fully address items raised in submissions. These notes should be read in conjunction with the relevant response.

- **Chapter 4: Conclusions**

The final chapter reiterates how this document comprehensively addresses all matters raised in the submissions and observations in accordance with the Board's requirements.

- **Appendices**

As noted above, this response is supported by a number of appendices which provide information to fully address specific items raised by observers. These are:

- Appendix 3.5.1 Review of Pre-connection Enquiries Received from UE & UE Build Near Applications
- Appendix 3.6.1 Location of Imperial Dock SPA for Common Tern & New Tern Rafts in Leith Docks
- Appendix 3.6.2 Long-term Trend in Breeding Tern Data at Leith Docks
- Appendix 3.6.3 Imperial Dock SPA Tern Colony in Leith Docks
- Appendix 3.6.4 Overshadowing Study
- Appendix 3.6.5 Visualisations from Tern Nesting Sites
- Appendix 3.6.6 Percentage of Qualifying Species per Site, per Month
- Appendix 3.6.7 Construction Phase Airborne Noise Contour Maps
- Appendix 3.6.8 Operational Phase Airborne Noise Predictions
- Appendix 3.6.9 Turning Circle – Summary of Vessel Manoeuvres

- **TECHNICAL NOTES**

As noted above, this response is supported by a number of technical and explanatory notes which provide information to fully address specific items raised by observers. These are:

- Technical Note 1 Ecological Survey for Otter & Badger (2025) and associated Appendix
- Technical 2 Byrne Ó Cléirigh COMAH Land Use Planning Assessment (2025)

- **DRAWING**

As noted above, this response is supported by a drawing which provides information to fully address specific items raised by observers. This is:

- Drawing Ref: CP1901-3FM-RPS-S45-07-DR-C-0709

With regard to the above, it is considered that the structured approach of this document of response ensures clarity, transparency, and ease of reference, facilitating a comprehensive review of DPC's response by the Board and the relevant stakeholders.

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT

Table 1.1: Submission/Observation Name by Index Number

Index no.	Submission/Observation Name	Index no.	Submission/Observation Name
	Dublin City Council	26	Kevin Enright
	EPA	27	Bremore Ireland Port
1	Rushfleet	28	Ceanna Walsh
2	Peter Morrogh	29	Alexander Garvey
3	Inland Fisheries Ireland	30	Greg Kavanagh
4	Health & Safety Authority	31	Phyllis Clarke
5	Ruth Morgan & Gary Costello	32	Brigid Purcell
6	National Transport Authority	33	Robert Nealon
7	Margaret & Gerard Byrne	34	Amphitheatre Ireland Ltd.
8	Councillor Claire Byrne	35	William Kelly
9	Grainne Hughes	36	Michael Curry
10	Birdwatch Ireland	37	Joe & Christina Whelan
11	(Invalid)	38	Pete Hogan
12	Councillor Hazel Chu	39	Jason McDonnell
13	ESB	40	Drs. Philip Murphy & Ann O'Doherty
14	Dublin Stevedores Ltd	41	Graham McDonnell
15	Sandymount & Merrion Residents Association	42	Michela Anoffo
16	IBEC	43	Ning Rodgers
17	Deirdre Tracey	44	Sandra Wayne & Marion Ryan
18	Dr. Kristin Hadfield	45	Patrick Smith
19	David Turner	46	DECC Geological Survey Ireland
20	Peter & Mary Carvill	47	Transport Infrastructure Ireland
21	Seán Ó Gríofa	48	Uisce Éireann
22	Rachel Lopez Ringsend & District Historical Society	49	Department of Transport
23	Development Applications Unit – NPWS and NMS/Built Heritage	50	Maritime Area Regulatory Authority
24	Docklands Business Forum	51	William Kelly & Others
25	Dublin Chambers	52	Pembroke Beach DAC

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT

Table 1.2: Matrix of submissions per theme

Source Group	Index number	Identification		Themes																		
			Capacity & Need	Planning Policy & Land Use	Consultation	Assessment of Alternatives	Engineering Design & Site Management	Terrestrial Ecology & Ornithology (including Natura Impact statement)	Marine Ecology (Benthic Biodiversity & Fisheries, Marine Mammals)	Land, Soils, Geology & Hydrogeology	Water Quality & Flooding	Air Quality	Climate	Noise & Vibration	Coastal Processes	Traffic & Transport	Cultural Heritage	Landscape & Visual	Population & Human Health	Risk of Major Accidents & Disasters	Cumulative Effects & Environmental Interactions	
Local Authority		Dublin City Council		✓												✓	✓	✓			✓	
Prescribed Bodies		EPA								✓												
	3	Inland Fisheries Ireland							✓		✓				✓							
	23	Development Applications Unit – NPWS and NMS/Built Heritage							✓								✓					
	6	National Transport Authority														✓						
	47	Transport Infrastructure Ireland														✓						
	49	Department of Transport						✓					✓			✓						
	4	Health & Safety Authority																		✓		
	48	Uisce Éireann						✓														
	13	ESB						✓								✓	✓					
	50	Maritime Area Regulatory Authority			✓																	
46	DECC Geological Survey Ireland									✓												
Commercial Organisations	16	IBEC	✓																	✓		
	25	Dublin Chambers	✓																	✓		
	1	Rushfleet		✓	✓	✓														✓		
	14	Dublin Stevedores Ltd	✓		✓	✓											✓			✓		
	27	Bremore Ireland Port				✓																
	24	Docklands Business Forum		✓		✓																
	34	Amphitheatre Ireland Ltd						✓							✓		✓					✓
	52	Pembroke Beach DAC		✓													✓					
Councillors	8	Councillor Claire Byrne	✓	✓		✓			✓			✓	✓	✓	✓	✓	✓	✓	✓			
	12	Councillor Hazel Chu	✓	✓												✓						
Specialist Interest Groups	10	Birdwatch Ireland						✓	✓													✓
	20	Peter & Mary Carvill						✓	✓							✓						✓
	22	Rachel Lopez Ringsend & District Historical Society				✓												✓				
Pigeon House Road Residents	5	Ruth Morgan & Gary Costello						✓					✓		✓		✓			✓		
	7	Margaret & Gerard Byrne						✓					✓		✓		✓	✓		✓		
	9	Grainne Hughes				✓	✓	✓	✓	✓			✓		✓		✓	✓		✓		

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT

Source Group	Index number	Identification	Themes																		
			Capacity & Need	Planning Policy & Land Use	Consultation	Assessment of Alternatives	Engineering Design & Site Management	Terrestrial Ecology & Ornithology (including Natura Impact statement)	Marine Ecology (Benthic Biodiversity & Fisheries, Marine Mammals)	Land, Soils, Geology & Hydrogeology	Water Quality & Flooding	Air Quality	Climate	Noise & Vibration	Coastal Processes	Traffic & Transport	Cultural Heritage	Landscape & Visual	Population & Human Health	Risk of Major Accidents & Disasters	Cumulative Effects & Environmental Interactions
	31	Phyllis Clarke					✓					✓		✓			✓	✓	✓		
	32	Brigid Purcell			✓	✓	✓	✓	✓			✓		✓		✓	✓	✓	✓		
	33	Robert Nealon					✓					✓		✓			✓	✓	✓		
	36	Michael Curry			✓			✓	✓			✓		✓		✓			✓		
	37	Joe & Christina Whelan					✓					✓		✓		✓	✓	✓	✓		
	39	Jason McDonnell			✓	✓	✓	✓	✓			✓		✓		✓	✓	✓	✓		
	41	Graham McDonnell			✓							✓				✓			✓		
	42	Michela Anoffo					✓					✓		✓			✓	✓	✓		
	43	Ning Rodgers					✓					✓		✓		✓	✓	✓	✓		
	44	Sandra Wayne & Marion Ryan					✓					✓		✓		✓	✓	✓	✓		
	45	Patrick Smith				✓						✓		✓		✓			✓		
Sandymount and Merrion Residents Association	15	Sandymount & Merrion Residents Association		✓		✓	✓	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓		
Sandymount Residents	2	Peter Morrogh	✓			✓					✓					✓					
	17	Deirdre Tracey						✓		✓		✓		✓				✓			
	18	Dr. Kristin Hadfield	✓	✓										✓				✓			
	19	David Turner		✓		✓										✓					
	28	Ceanna Walsh		✓				✓		✓		✓		✓				✓			
	38	Pete Hogan		✓												✓					
	40	Drs. Philip Murphy & Ann O'Doherty						✓		✓		✓		✓				✓	✓		
Other members of the public	35	William Kelly			✓																
	51	William Kelly & Others														✓					
	21	Seán Ó Gríofa				✓															
	26	Kevin Enright														✓					
	29	Alexander Garvey														✓					
	30	Greg Kavanagh														✓					
Invalid Submissions	11	n/a																			

2 REGISTER OF SUBMISSIONS & OBSERVATIONS

This chapter provides a complete register of the 53 submissions and observations received, listing the themes featured within each of them and referencing the corresponding subsections of this document where a response is provided by DPC.

Local Authority

Dublin City Council

Dublin City Council's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Planning	3.2.1.1	Item 1 – Compliance with Planning Context
Traffic	3.14.1.1	Item 1 – SPAR Points 2- 4
Traffic	3.14.1.1	Item 2 – East Wall/Alexandra Proposed Works
Traffic	3.14.1.1	Item 3 – South Bank Road
Traffic	3.14.1.1	Item 4 – Architectural Design of SPAR
Heritage	3.15.1.1	Item 1 – Conservation
Heritage	3.15.1.1	Item 2 – Archaeology
Visual	3.16.1.1	Item 1 – Views of South Wall
Visual	3.16.1.1	Item 2 – Visual Impact of SPAR bridge
Cumulative Impacts	3.19.1.1	Item 1 – Visual Impact Assessment
Cumulative Impacts	3.19.1.1	Item 2 – Poolbeg West SDZ/Pembroke South Development

Prescribed Bodies

EPA

The EPA's submission raised one item under the themed response identified below, which is responded to in the referenced section and item within Chapter 3:

Theme	Reference	Item
Soils	3.8.1.4	Item 1 – IE Licence Process

Index No. 3 - Inland Fisheries Ireland

Inland Fisheries Ireland's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Marine Ecology	3.7.1.1	Item 1 – Importance of Fisheries in the Lower Liffey/Dublin Harbour
Marine Ecology	3.7.1.1	Item 2 – Mitigation Requirements
Marine Ecology	3.7.1.1	Item 3 – Surface Water Management
Marine Ecology	3.7.1.1	Item 4 – Continued Consultation with IFI
Marine Ecology	3.7.1.1	Item 5 – Preservation of Access for Anglers
Water Quality	3.9.1.2	Item 1 – Mitigation Requirements
Water Quality	3.9.1.2	Item 2 – Surface Water Management
Water Quality	3.9.1.2	Item 3 – Continued Consultation with IFI
Water Quality	3.9.1.2	Item 4 – Preservation of Access for Anglers
Coastal	3.13.1.1	Item 1 – Quantifying disturbance Effect of Dredging
Coastal	3.13.1.1	Item 2 – Mitigation Requirements

Index No. 23a - Department of Housing, Local Government and Heritage, National Parks & Wildlife Service (NPWS)

The Department of Housing, Local Government and Heritage, National Parks & Wildlife Service's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Ecology	3.6.1.1	Item 1 – Natura Impact Statement
Ecology	3.6.1.1	Item 2 – Otter and Badger Surveys

Index No. 23b - Department of Housing, Local Government and Heritage, Development Applications Unit, National Monuments Service (NMS)

The Department of Housing, Local Government and Heritage, Development Applications Unit, National Monuments Service's submission raised one item under the themed response identified below, which is responded to in the referenced section and item within Chapter 3:

Theme	Reference	Item
Heritage	3.15.1.2	Item 1 – Conditions of Any Grant of Permission

Index No. 6 - National Transport Authority

The National Transport Authority's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Traffic	3.14.1.2	Item 1 – Luas
Traffic	3.14.1.2	Item 2 – Active Travel

Index No. 47 - Transport Infrastructure Ireland

The Transport Infrastructure Ireland's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Traffic	3.14.1.3	Item 1 – National Road Network:
Traffic	3.14.1.3	Item 2 – CEMP
Traffic	3.14.1.3	Item 3 – CTMP

Index No. 49 - Department of Transport

The Department of Transport's submission raised one item under the themed response identified below, which is responded to in the referenced section and item within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.8	Item 1 – Maritime Navigation Safety
Climate	3.11.1.1	Item 1 – Climate Policy
Traffic	3.14.1.4	Item 1 – Accessible Public Transport for All & Climate Change

Index No. 4 - Health & Safety Authority

The Health & Safety Authority's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Health & Safety	3.18.1.1	Item 1 – HSA has Insufficient Information to Provide Technical Advice on the 3FM Project Application

Index No. 48 - Uisce Éireann

Uisce Éireann's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.7	Item 1 – Connection(s) to Public Water and Wastewater
Engineering	3.5.1.7	Item 2 – Protection of Existing Uisce Éireann's Assets

Index No. 13 - Electricity Supply Board (ESB)

The Electricity Supply Board's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.2	Item 1 – Ongoing Cooperation
Coastal	3.13.1.3	Item 1 – Development of Poolbeg Peninsula (Area K & N)
Traffic	3.14.1.5	Item 1 – ESB Request to Continue as a Key Stakeholder
Traffic	3.14.1.5	Item 2 – ESB Continued Commitment to Constructive Collaboration with DPC

Index No. 50 - Maritime Area Regulatory Authority (MARA)

The Maritime Area Regulatory Authority's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Planning	3.2.1.7	Item 1 – Requirement for a Maritime Area Consent (MAC)
Planning	3.2.1.7	Item 2 – Compliance and Enforcement
Planning	3.2.1.7	Item 3 – An Bord Pleanála - MARA handover
Planning	3.2.1.7	Item 4 – Monitoring and Operation
Planning	3.2.1.7	Item 5 – Decommissioning and Rehabilitation

Index No. 46 - DECC Geological Survey Ireland

The Geological Survey Ireland's submission raised one item under the themed responses identified below, which is responded to in the referenced section and item within Chapter 3:

Theme	Reference	Item
Soils	3.8.1.3	Item 1 – Use of GSI Datasets

Commercial Organisations

Index No. 16 - IBEC

IBEC's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Capacity	3.1.1.1	Item 1 – Consideration of Need and Capacity
Human Health	3.17.1.3	Item 1 – In favour of the 3FM Project

Index No. 25 - Dublin Chambers

Dublin Chambers' submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

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Theme	Reference	Item
Capacity	3.1.1.2	Item 1 – Consideration of Need & Capacity
Human Health	3.17.1.4	Item 1 – Economic Benefits of the 3FM Project

Index No. 1 - Rushfleet

Rushfleet's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Planning	3.2.1.2	Item 1 – No specific consultation to date with Rushfleet and No Letter of Consent
Planning	3.2.1.2	Item 2 – 3FM Project may not be compatible with Poolbeg West SDZ Planning Scheme
Consultation	3.3.1.1	Item 1 – Absence of Consultation
Alternatives	3.4.1.1	Item 1 – Consideration of Alternatives
Human Health	3.17.1.2	Item 1 – Employment and Socio-Economic Factors of Stakeholders

Index No. 14 - Dublin Stevedores Ltd

Dublin Stevedores Ltd's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Capacity	3.1.1.3	Item 1 – Consideration of Need & Capacity
Consultation	3.3.1.2	Item 1 – Absence of Consultation; Insufficient Time Afforded to Public Consultation Process
Alternatives	3.4.1.2	Item 1 – Consideration of Alternatives
Heritage	3.15.1.3	Item 1 – Wider Context of Cultural Heritage Element
Human Health	3.17.1.1	Item 1 – Employment and Socio-Economic Factors of Stakeholders

Index No. 27 - Bremore Ireland Port

Bremore Ireland Port's submission raised one item under the themed responses identified below, which is responded to in the referenced section and item within Chapter 3:

Theme	Reference	Item
Alternatives	3.4.1.4	Item 1 – Consideration of Alternatives

Index No. 24 - Docklands Business Forum

Docklands Business Forum's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Planning	3.2.1.8	Item 1 - Inefficiency of Land Use and Request for Housing
Alternatives	3.4.1.3	Item 1 – Consideration of Alternatives

Index No. 34 - Amphitheatre Ireland Ltd.

Amphitheatre Ireland Ltd's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.6	Item 1 – Noise and Vibration from Construction Works
Noise	3.12.1.5	Item 1 – Construction Phase Noise & Vibration
Traffic	3.14.1.6	Item 1 – Access During the Construction Phase
Traffic	3.14.1.6	Item 2 – Working Hours

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Theme	Reference	Item
Traffic	3.14.1.6	Item 3 – CEMP and Communications Plan
Traffic	3.14.1.6	Item 4 – CTMP, Contractor Input and Continued Access
Traffic	3.14.1.6	Item 5 – Neighbouring Schemes
Cumulative Impacts	3.19.1.4	Item 1 – Ringsend to City Centre BusConnects Corridor and the Point Bridge and Tom Clarke Bridge Widening Project

Index No. 52 - Pembroke Beach DAC

Pembroke Beach DAC's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Planning	3.2.1.9	Item 1 - Support for the 3FM Project
Traffic	3.14.1.7	Item 1 – Support for the 3FM Project
Traffic	3.14.1.7	Item 2 – Luas Future-Proofing on the SPAR

Councillors

Index No. 8 - Councillor Claire Byrne

Councillor Claire Byrne's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Capacity	3.1.1.4	Item 1 – Consideration of Need & Capacity
Planning	3.2.1.3	Item 1 – Inefficient Use of Land
Alternatives	3.4.1.5	Item 1 – Consideration of Alternatives
Marine Ecology	3.7.1.2	Item 1 – Environmental and Biodiversity Impact
Air Quality	3.10.1.2	Item 1 – Increase in Operational Phase Air Pollution
Climate	3.11.1.2	Item 1 – Climate Policy
Noise	3.12.1.2	Item 1 – Increase in Operational Phase Noise
Noise	3.12.1.2	Item 2 – Concerns Related to Structural Damage from Construction Phase Vibration
Noise	3.12.1.2	Item 3 – Noise Impact on New Residents at Poolbeg West
Coastal	3.13.1.2	Item 1 – Dredging Impacts
Traffic	3.14.1.8	Item 1 – SPAR
Traffic	3.14.1.8	Item 2 – Rail Freight
Heritage	3.15.1.4	Item 1 – Heritage and the Sea Wall
Visual	3.16.1.3	Item 1 – Area O Visual Impact
Human Health	3.17.1.5	Item 1 – Community Gain: Proposed Maritime Village

Index No. 12 - Councillor Hazel Chu

Councillor Hazel Chu's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Capacity	3.1.1.5	Item 1 – Consideration of Need & Capacity
Planning	3.2.1.4	Item 1 – Land Uses Proposed Under 3FM Project are Not Aligned with the Poolbeg West Strategic Development Zone
Traffic	3.14.1.9	Item 1 – HGV Access from South of the City
Traffic	3.14.1.9	Item 2 – Routing of the SPAR within the SDZ
Traffic	3.14.1.9	Item 3 – Rail Freight

Specialist Interest Groups

Index No. 10 - Birdwatch Ireland

Birdwatch Ireland's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.1	Item 1 – Timing of Works
Ecology	3.6.1.5	Item 1 – Potential Piling Noise Impact on the Tern Colony
Ecology	3.6.1.5	Item 2 – Potential Risk of Abandonment of the Tern Colony
Cumulative Impacts	3.19.1.2	Item 1 – Codling Wind Park and the SPA Platform

Index No. 20 - Peter & Mary Carvill

Peter & Mary Carvill's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.5	Item 1 – Potential Impact of Deep Dredging on the Stability/Level of the Tidal Mudflat
Engineering	3.5.1.5	Item 2 – Potential Liquefaction of Sediments
Ecology	3.6.1.6	Item 1 – Potential Impact on Birds of Conservation Interest in Dublin Bay
Coastal	3.13.1.4	Item 1 – Impact of Dredging and Ship Wash on Tidal Mudflat Areas
Cumulative Impacts	3.19.1.3	Item 1 – Cumulative impact assessment - MP2 Project and Proposals by ESB

Index No. 22 - Ringsend & District Historical Society

Ringsend & District Historical Society's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Consultation	3.3.1.3	Item 1 – Inadequate Consultation
Heritage	3.15.1.5	Item 1 – Any Remaining Historical Structures along York Road, Pigeon House Road and up to and Within Pigeon House Harbour will be Preserved, Fixed and Maintained

Residents of Pigeon House Road

Index No. 5 - Ruth Morgan & Gary Costello

Ruth Morgan & Gary Costello's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.4	Item 1 – Concerns Related to Structural Damage from Construction Phase Vibration
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Noise	3.12.1.1	Item 1 – Increase in Operational Phase Noise
Traffic	3.14.1.10	Item 1 – SPAR will Increase HGV Traffic
Human Health	3.17.1.8	Item 1 – Concerns Related to Property Value

Index No. 7 - Margaret & Gerard Byrne

Margaret & Gerard Byrne's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

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Theme	Reference	Item
Engineering	3.5.1.4	Item 1 – Concerns Related to Structural Damage from Construction Phase Vibration
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Noise	3.12.1.1	Noise Item 2 – Increase in Construction Phase Noise
Noise	3.12.1.1	Noise Item 3 – Concerns Related to Structural Damage from Construction Phase Vibration
Traffic	3.14.1.10	Item 1 – SPAR will Increase HGV Traffic
Heritage	3.15.1.6	Item 1 – Concern with Proposed Piling in Proximity to Historic Houses
Visual	3.16.1.2	Item 1 – Loss of River/Sea View
Human Health	3.17.1.8	Item 1 – Concerns Related to Property Value

Index No. 9 - Grainne Hughes

Grainne Hughes' submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Consultation	3.3.1.4	Item 1 – Absence of Consultation
Alternatives	3.4.1.6	Item 1 – Consideration of Alternatives
Engineering	3.5.1.4	Item 1 – Concerns Related to Structural Damage from Construction Phase Vibration
Engineering	3.5.1.4	Item 2 – Concerns Related to Rat Infestation
Ecology	3.6.1.2	Item 1 – Birds and Mammals
Marine Ecology	3.7.1.3	Item 1 – Biodiversity, Environmental Concerns and Sustainability
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Air Quality	3.10.1.1	Item 2 – Increase in Construction Phase Air Pollution
Noise	3.12.1.1	Item 1 – Increase in Operational Phase Noise
Noise	3.12.1.1	Item 2 – Increase in Construction Phase Noise
Noise	3.12.1.1	Item 3 – Concerns Related to Structural Damage from Construction Phase Vibration
Noise	3.12.1.1	Item 4 – Noise from New Lo-Lo & Ro-Ro Terminals
Traffic	3.14.1.10	Item 1 – SPAR will increase HGV Traffic
Traffic	3.14.1.10	Item 2 – Incinerator Traffic
Traffic	3.14.1.10	Item 3 – Eastern Bypass Project
Traffic	3.14.1.10	Item 4 – Green Buffer Area
Traffic	3.14.1.10	Item 5 – Rail freight
Heritage	3.15.1.6	Item 1 – Concern with Proposed Piling in Proximity to Historic Houses
Heritage	3.15.1.6	Item 2 – Concern with Diminution of the Historic Sea Wall
Heritage	3.15.1.6	Item 3 – Protected Structures/Conservation
Visual	3.16.1.2	Item 1 – Loss of River/Sea View
Visual	3.16.1.2	Item 2 – Areas O and K Lack Visual Screening
Human Health	3.17.1.8	Item 3 – Health Risk from Traffic Pollution (Air and Noise)
Human Health	3.17.1.8	Item 4 – Concerns Related to Property Value

DPC notes Ms Hughes' observation regarding the allocation of future moorings and her request to prioritise local residents. As shown in the application documentation, the 3FM Project will feature a new 258-berth marina, substantially increasing the number of available moorings. This increase in berths will positively impact the local community by providing a more significant number of berths.

DPC wishes to highlight that the design of the Maritime Village has been developed through extensive consultation with relevant stakeholders. Between 2021 and 2023, DPC engaged with clubs, groups, and organisations associated with leisure and training facilities on the peninsula to ensure that the new Maritime Village meets the needs of the community. The details of this engagement process are documented in Chapter 3, Volume 2 of the EIAR, which is enclosed with the application.

In addition, as outlined in Sections 5.1.6 and 7.7 of the Planning Report, the 3FM Project is designed to deliver significant community gain and amenity enhancements. A key feature of the community gain and amenity strategy is the replacement of the existing Poolbeg Yacht & Boat Club and Stella Maris Rowing Club facilities

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with a new sailing, rowing, and maritime campus, referred to as the Maritime Village. In addition the proposal also involves the development of a public slipway which will be of additional benefit to all water users, including those not affiliated to local Clubs or marine organisations.

Furthermore, as detailed in the Community Gain Proposal (see Appendix C of the Planning Report), a significant portion of the hinterland of Dublin Port is already benefiting from major community gain initiatives. In addition to a range of physical community infrastructure being proposed (i.e., Port Park, Active Travel Route, etc.), DPC will establish a targeted Community Benefit Fund, with an initial allocation of €2 million dedicated to education, heritage, and maritime skills projects. This fund exemplifies DPC's dedication to supporting and prioritising local residents and fostering community development.

Having regard to the above, and as demonstrated in the application documentation, it is evident that DPC is committed to delivering substantial community gain through the 3FM Project. Regarding Mr McDonnell's request to prioritise local residents' access to the berths at the Maritime Village, this is a matter outside the scope of the current planning assessment. DPC will address the allocation of berths with all relevant stakeholders including the Yacht, Boat and Rowing Clubs, as well as other maritime organisations and residents before they become operational and once future operator's details are finalised. These will form part of the enhancement of local community facilities and the broader community gain arising from the 3FM Project.

Index No. 31 - Phyllis Clarke

Phyllis Clarke's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.4	Item 1 – Concerns Related to Structural Damage from Construction Phase Vibration
Engineering	3.5.1.6	Item 2 – Concerns Related to Rat Infestation
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Noise	3.12.1.1	Item 1 – Increase in Operational Phase Noise
Noise	3.12.1.1	Item 3 – Concerns Related to Structural Damage from Construction Phase Vibration
Heritage	3.15.1.6	Item 1 – Concern with Proposed Piling in Proximity to Historic Houses
Visual	3.16.1.2	Item 1 – Loss of River/Sea View
Human Health	3.17.1.8	Item 4 – Concerns Related to Property Value

Index No. 32 - Brigid Purcell

Brigid Purcell's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Consultation	3.3.1.4	Item 1 – Absence of Consultation
Alternatives	3.4.1.6	Item 1 – Consideration of Alternatives
Engineering	3.5.1.4	Item 1 – Concerns Related to Structural Damage from Construction Phase Vibration
Engineering	3.5.1.4	Item 2 – Concerns Related to Rat Infestation
Ecology	3.6.1.2	Item 1 – Birds and Mammals
Marine Ecology	3.7.1.3	Ecology Item 1 – Biodiversity, Environmental Concerns and Sustainability
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Air Quality	3.10.1.1	Item 2 – Increase in Construction Phase Air Pollution
Noise	3.12.1.1	Item 1 – Increase in Operational Phase Noise
Traffic	3.14.1.10	Item 1 – SPAR will Increase HGV Traffic
Traffic	3.14.1.10	Item 2 – Incinerator Traffic
Traffic	3.14.1.10	Item 3 – Eastern Bypass Project
Traffic	3.14.1.10	Item 4 – Green Buffer Area
Traffic	3.14.1.10	Item 5 – Rail Freight
Heritage	3.15.1.6	Item 1 – Concern with Proposed Piling in Proximity to Historic Houses
Heritage	3.15.1.6	Item 2 – Concern with Diminution of the Historic Sea Wall
Heritage	3.15.1.6	Item 3 – Protected Structures/Conservation

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Theme	Reference	Item
Visual	3.16.1.2	Item 1 – Loss of River/Sea View
Visual	3.16.1.2	Item 2 – Areas O and K Lack Visual Screening
Human Health	3.17.1.8	Item 3 - Health Risk from Traffic Pollution (Air and Noise)
Human Health	3.17.1.8	Item 4 – Concerns Related to Property Value

DPC notes Ms Purcells' observation regarding the allocation of future moorings and her request to prioritise local residents. As shown in the application documentation, the 3FM Project will feature a new 258-berth marina, substantially increasing the number of available moorings. This increase in berths will positively impact the local community by providing a more significant number of berths.

DPC wishes to highlight that the design of the Maritime Village has been developed through extensive consultation with relevant stakeholders. Between 2021 and 2023, DPC engaged with clubs, groups, and organisations associated with leisure and training facilities on the peninsula to ensure that the new Maritime Village meets the needs of the community. The details of this engagement process are documented in Chapter 3, Volume 2 of the EIAR, which is enclosed with the application.

In addition, as outlined in Sections 5.1.6 and 7.7 of the Planning Report, the 3FM Project is designed to deliver significant community gain and amenity enhancements. A key feature of the community gain and amenity strategy is the replacement of the existing Poolbeg Yacht & Boat Club and Stella Maris Rowing Club facilities with a new sailing, rowing, and maritime campus, referred to as the Maritime Village. In addition the proposal also involves the development of a public slipway which will be of additional benefit to all water users, including those not affiliated to local Clubs or marine organisations.

Furthermore, as detailed in the Community Gain Proposal (see Appendix C of the Planning Report), a significant portion of the hinterland of Dublin Port is already benefiting from major community gain initiatives. In addition to a range of physical community infrastructure being proposed (i.e., Port Park, Active Travel Route, etc.), DPC will establish a targeted Community Benefit Fund, with an initial allocation of €2 million dedicated to education, heritage, and maritime skills projects. This fund exemplifies DPC's dedication to supporting and prioritising local residents and fostering community development.

Having regard to the above, and as demonstrated in the application documentation, it is evident that DPC is committed to delivering substantial community gain through the 3FM Project. Regarding Mr McDonnell's request to prioritise local residents' access to the berths at the Maritime Village, this is a matter outside the scope of the current planning assessment. DPC will address the allocation of berths with all relevant stakeholders including the Yacht, Boat and Rowing Clubs, as well as other maritime organisations and residents before they become operational and once future operator's details are finalised. These will form part of the enhancement of local community facilities and the broader community gain arising from the 3FM Project.

Index No. 33 - Robert Nealon

Robert Nealon's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.4	Item 1 – Concerns Related to Structural Damage from Construction Phase Vibration
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Air Quality	3.10.1.1	Item 2 – Increase in Construction Phase Air Pollution
Noise	3.12.1.1	Item 1 – Increase in Operational Phase Noise
Noise	3.12.1.1	Item 2 – Increase in Construction Phase Noise
Noise	3.12.1.1	Item 3 – Concerns Related to Structural Damage from Construction Phase Vibration
Heritage	3.15.1.6	Item 1 – Concern with Proposed Piling in Proximity to Historic Houses
Visual	3.16.1.2	Item 1 – Loss of River/Sea View
Human Health	3.17.1.8	Item 4 – Concerns Related to Property Value

Index No. 36 - Michael Curry

Michael Curry's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT

Theme	Reference	Item
Consultation	3.3.1.4	Item 1 – Absence of Consultation
Ecology	3.6.1.2	Item 2 – Drainage Concerns
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Air Quality	3.10.1.1	Item 2 – Increase in Construction Phase Air Pollution
Noise	3.12.1.1	Item 1 – Increase in Operational Phase Noise
Noise	3.12.1.1	Item 2 – Increase in Construction Phase Noise
Traffic	3.14.1.10	Item 1 – SPAR will Increase HGV Traffic
Traffic	3.14.1.10	Item 2 – Incinerator Traffic
Human Health	3.17.1.8	Item 1 – Operational Air Quality Impacts on Health
Human Health	3.17.1.8	Item 2 – Cumulative effects on Health and Wellbeing of Residents
Human Health	3.17.1.8	Item 4 – Concerns Related to Property Value

Index No. 37 - Joe & Christina Whelan

Joe & Christina Whelan's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.4	Item 1 – Concerns Related to Structural Damage from Construction Phase Vibration
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Air Quality	3.10.1.1	Item 2 – Increase in Construction Phase Air Pollution
Noise	3.12.1.1	Item 1 – Increase in Operational Phase Noise
Noise	3.12.1.1	Item 2 – Increase in Construction Phase Noise
Noise	3.12.1.1	Item 3 – Concerns Related to Structural Damage from Construction Phase Vibration
Traffic	3.14.1.10	Item 1 – SPAR will Increase HGV Traffic
Traffic	3.14.1.10	Item 2 – Incinerator Traffic
Heritage	3.15.1.6	Item 1 – Concern with Proposed Piling in Proximity to Historic Houses
Visual	3.16.1.2	Item 1 – Loss of River/Sea View
Human Health	3.17.1.8	Item 4 – Concerns Related to Property Value

Index No. 39 - Jason McDonnell

Jason McDonnell's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Consultation	3.3.1.4	Item 1 – Absence of Consultation
Alternatives	3.4.1.6	Item 1 – Consideration of Alternatives
Engineering	3.5.1.4	Item 1 – Concerns Related to Structural Damage from Construction Phase Vibration
Engineering	3.5.1.4	Item 2 – Concerns Related to Rat Infestation
Ecology	3.6.1.2	Item 1 – Birds and Mammals
Marine Ecology	3.7.1.3	Item 1 – Biodiversity, Environmental Concerns and Sustainability
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Air Quality	3.10.1.1	Item 2 – Increase in Construction Phase Air Pollution
Noise	3.12.1.1	Item 1 – Increase in Operational Phase Noise
Noise	3.12.1.1	Item 2 – Increase in Construction Phase Noise
Noise	3.12.1.1	Item 3 – Concerns Related to Structural Damage from Construction Phase Vibration
Traffic	3.14.1.10	Item 1 – SPAR will Increase HGV Traffic
Heritage	3.15.1.6	Item 1 – Concern with Proposed Piling in Proximity to Historic Houses
Heritage	3.15.1.6	Item 3 - Protected Structures/Conservation
Visual	3.16.1.2	Item 1 – Loss of River/Sea View
Human Health	3.17.1.8	Item 3 – Health Risk from Traffic Pollution (Air and Noise)
Human Health	3.17.1.8	Item 4 – Concerns Related to Property Value

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT

DPC notes Mr McDonnell's observation regarding the allocation of future moorings and his request to prioritise local residents. As shown in the application documentation, the 3FM Project will feature a new 258-berth marina, substantially increasing the number of available moorings. This increase in berths will positively impact the local community by providing a more significant number of berths.

DPC wishes to highlight that the design of the Maritime Village has been developed through extensive consultation with relevant stakeholders. Between 2021 and 2023, DPC engaged with clubs, groups, and organisations associated with leisure and training facilities on the peninsula to ensure that the new Maritime Village meets the needs of the community. The details of this engagement process are documented in Chapter 3, Volume 2 of the EIAR, which is enclosed with the application.

In addition, as outlined in Sections 5.1.6 and 7.7 of the Planning Report, the 3FM Project is designed to deliver significant community gain and amenity enhancements. A key feature of the community gain and amenity strategy is the replacement of the existing Poolbeg Yacht & Boat Club and Stella Maris Rowing Club facilities with a new sailing, rowing, and maritime campus, referred to as the Maritime Village. In addition the proposal also involves the development of a public slipway which will be of additional benefit to all water users, including those not affiliated to local Clubs or marine organisations.

Furthermore, as detailed in the Community Gain Proposal (see Appendix C of the Planning Report), a significant portion of the hinterland of Dublin Port is already benefiting from major community gain initiatives. In addition to a range of physical community infrastructure being proposed (i.e., Port Park, Active Travel Route, etc.), DPC will establish a targeted Community Benefit Fund, with an initial allocation of €2 million dedicated to education, heritage, and maritime skills projects. This fund exemplifies DPC's dedication to supporting and prioritising local residents and fostering community development.

Having regard to the above, and as demonstrated in the application documentation, it is evident that DPC is committed to delivering substantial community gain through the 3FM Project. Regarding Mr McDonnell's request to prioritise local residents' access to the berths at the Maritime Village, this is a matter outside the scope of the current planning assessment. DPC will address the allocation of berths with all relevant stakeholders including the Yacht, Boat and Rowing Clubs, as well as other maritime organisations and residents before they become operational and once future operator's details are finalised. These will form part of the enhancement of local community facilities and the broader community gain arising from the 3FM Project.

Index No. 41 - Graham McDonnell

Graham McDonnell's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Consultation	3.3.1.4	Item 1 – Absence of Consultation
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Air Quality	3.10.1.1	Item 2 – Increase in Construction Phase Air Pollution
Traffic	3.14.1.10	Item 1 – SPAR will Increase HGV Traffic
Traffic	3.14.1.10	Item 2 – Incinerator Traffic
Human Health	3.17.1.8	Item 4 – Concerns Related to Property Value

Index No. 42 - Michela Anoffo

Michela Anoffo's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.4	Item 1 – Concerns Related to Structural Damage from Construction Phase Vibration
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Air Quality	3.10.1.1	Item 2 – Increase in Construction Phase Air Pollution
Noise	3.12.1.1	Item 1 – Increase in Operational Phase Noise
Noise	3.12.1.1	Item 2 – Increase in Construction Phase Noise
Noise	3.12.1.1	Item 3 – Concerns Related to Structural Damage from Construction Phase Vibration
Heritage	3.15.1.6	Item 1 – Concern with Proposed Piling in Proximity to Historic Houses

Theme	Reference	Item
Human Health	3.17.1.8	Item 4 – Concerns Related to Property Value

Index No. 43 - Ning Rodgers

Ning Rodgers' submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.4	Item 1 – Concerns Related to Structural Damage from Construction Phase Vibration
Engineering	3.5.1.4	Item 2 – Concerns Related to Rat Infestation
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Air Quality	3.10.1.1	Item 2 – Increase in Construction Phase Air Pollution
Noise	3.12.1.1	Item 1 – Increase in Operational Phase Noise
Noise	3.12.1.1	Item 2 – Increase in Construction Phase Noise
Noise	3.12.1.1	Item 3 – Concerns Related to Structural Damage from Construction Phase Vibration
Traffic	3.14.1.10	Item 1 – SPAR will Increase HGV Traffic
Heritage	3.15.1.6	Item 1 – Concern with Proposed Piling in Proximity to Historic Houses
Visual	3.16.1.2	Item 1 – Loss of River/Sea View
Human Health	3.17.1.8	Item 3 – Health Risk from Traffic Pollution (Air and Noise)
Human Health	3.17.1.8	Item 4 – Concerns Related to Property Value

Index No. 44 - Sandra Wayne & Marion Ryan

Sandra Wayne & Marion Ryan's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Engineering	3.5.1.4	Item 1 – Concerns Related to Structural Damage from Construction Phase Vibration
Engineering	3.5.1.4	Item 2 – Concerns Related to Rat Infestation
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Air Quality	3.10.1.1	Item 2 – Increase in Construction Phase Air Pollution
Noise	3.12.1.1	Item 1 – Increase in Operational Phase Noise
Noise	3.12.1.1	Item 2 – Increase in Construction Phase Noise
Noise	3.12.1.1	Item 3 – Concerns Related to Structural Damage from Construction Phase Vibration
Traffic	3.14.1.10	Item 1 – SPAR will Increase HGV Traffic
Heritage	3.15.1.6	Item 1 – Concern with Proposed Piling in Proximity to Historic Houses
Heritage	3.15.1.6	Item 2 – Concern with Diminution of the Historic Sea Wall
Human Health	3.17.1.8	Item 3 – Health Risk from Traffic Pollution (Air and Noise)
Human Health	3.17.1.8	Item 4 – Concerns Related to Property Value

Index No. 45 - Patrick Smith

Patrick Smith's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Alternatives	3.4.1.6	Item 1 – Consideration of Alternatives
Air Quality	3.10.1.1	Item 1 – Increase in Operational Phase Air Pollution
Air Quality	3.10.1.1	Item 2 – Increase in Construction Phase Air Pollution
Noise	3.12.1.1	Item 1 – Increase in Operational Phase Noise
Noise	3.12.1.1	Item 2 – Increase in Construction Phase Noise
Traffic	3.14.1.10	Item 1 – SPAR will Increase HGV Traffic
Visual	3.16.1.2	Item 1 – Loss of River/Sea View

Theme	Reference	Item
Human Health	3.17.1.8	Item 4 – Concerns Related to Property Value

Residents Associations

Index No. 15 - Sandymount & Merrion Residents Association

Sandymount & Merrion Residents Association's (SAMRA) submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Planning	3.2.1.5	Item 1 – Concerns with the Submitted Drawings and Documents
Planning	3.2.1.5	Item 2 – The proposed Ro-Ro Terminal Yard (Area O) is Not Supported
Planning	3.2.1.5	Item 3 – Observations Regarding the Treatment of the South Coastal Area of the Site
Planning	3.2.1.5	Item 4 – Failure to Deliver 'Joined Up' Luas Proposals
Planning	3.2.1.5	Item 5 – Land Use & Compatibility
Alternatives	3.4.1.7	Item 1 – Consideration of Alternatives
Engineering	3.5.1.3	Item 1 – Cross Sections
Engineering	3.5.1.3	Item 2 – Southern Elevations
Engineering	3.5.1.3	Item 3 – Settlement and Methane Gas Release
Engineering	3.5.1.3	Item 4 – Retaining Wall and Construction Methods
Engineering	3.5.1.3	Item 5 – Proposed Earthworks & Retaining Wall for the Ro-Ro Terminal Yard
Engineering	3.5.1.3	Item 6 – Surface Water Area O
Engineering	3.5.1.3	Item 7 – Surface Water Other Areas
Engineering	3.5.1.3	Item 8 – Foul Drainage Concerns
Ecology	3.6.1.3	Item 1 – Natura Impact Statement – Concerns & Lacunae
Soils	3.8.1.2	Item 1 – Asbestos and Dust
Soils	3.8.1.2	Item 2 – Heavy Metals in Groundwater
Water Quality	3.9.1.3	Item 1 – Drainage Concerns
Air Quality	3.10.1.3	Item 1 – Air Quality Concerns on Residents Related to Proposed Ro-Ro Terminal Yard – Area O
Air Quality	3.10.1.3	Item 2 – Air Pollution Concerns Relating to Excessive Reliance on Roads and an Increase in HGVs up to 24/7 During the Construction Phase
Air Quality	3.10.1.3	Item 3 – Air Pollution Concerns Relating to Excessive Reliance on Roads and an Increase in HGVs up to 24/7 During the Operational Phase
Air Quality	3.10.1.3	Item 4 – Air quality Concerns Relating to Asbestos and Dust
Climate	3.11.1.3	Item 1 – Cycling Infrastructure
Climate	3.11.1.3	Item 2 – Climate Policy
Noise	3.12.1.4	Item 1 – Noise Impact from New Ro-Ro Terminal (Area O) on Sandymount Residents
Noise	3.12.1.4	Item 2 – Baseline Noise Monitoring
Noise	3.12.1.4	Item 3 – Operational Phase Noise Monitoring
Noise	3.12.1.4	Item 4 – Draft CEMP
Traffic	3.14.1.11	Item 1 – Drainage Concerns
Traffic	3.14.1.11	Item 2 – Observations Regarding Cycle Infrastructure Proposals
Heritage	3.15.1.7	Item 1 – Positive Community Gains from the Maritime Village Proposal
Visual	3.16.1.4	Item 1 – Cumulative Adverse Visual Impact Within the Peninsula
Visual	3.16.1.4	Item 2 – Finished Levels at Ro-Ro Terminal Yard – Area K
Visual	3.16.1.4	Item 3 – Viewpoints 9 & 10 and Visibility of Area O
Visual	3.16.1.4	Item 4 – Impact on Shoreline Coastal Path
Visual	3.16.1.4	Item 5 – Consideration of UNESCO Dublin Bay Biosphere Reserve
Visual	3.16.1.4	Item 6 – Landscape Mitigation
Visual	3.16.1.4	Item 7 – Impact of Ro-Ro Terminal Yard boundary
Human Health	3.17.1.6	Item 1 – Construction Traffic Volume
Human Health	3.17.1.6	Item 2 – Construction and Operational Traffic Noise
Human Health	3.17.1.6	Item 3 – Dust Concerns and Exposure to Asbestos During Construction and Operation

Residents of Sandymount

Index No. 2 - Peter Morrogh

Peter Morrogh's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Capacity	3.1.1.6	Item 1 – Consideration of Need and Capacity
Alternatives	3.4.1.8	Item 1 – Consideration of Alternatives
Water Quality	3.9.1.1	Item 1 – Flood Defences
Traffic	3.14.1.12	Item 1 – HGV Traffic
Traffic	3.14.1.12	Item 2 – LUAS
Traffic	3.14.1.12	Item 3 – Sandymount Traffic
Traffic	3.14.1.12	Item 4 – Independent Traffic Study
Traffic	3.14.1.12	Item 5 – Bicycle Lane

Index No. 17 - Deirdre Tracey

Deirdre Tracey's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Ecology	3.6.1.4	Item 1 - Potential Impact on Bats and Brent Geese
Soils	3.8.1.1	Item 1 – Asbestos and Dust
Air Quality	3.10.1.4	Item 1 – Concerns about Asbestos & Air Pollution during Construction
Noise	3.12.1.3	Item 1 – Noise Impact from New Trailer Park (Area O) on Sandymount Residents
Visual	3.16.1.5	Item 1 – Fencing and Lighting

Index No. 18 - Dr. Kristin Hadfield

Dr. Kristin Hadfield's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Capacity	3.1.1.7	Item 1 – Consideration of Need and Capacity
Planning	3.2.1.10	Planning Item 5 – Land Use & Compatibility
Noise	3.12.1.3	Item 1 – Noise Impact from New Trailer Park (Area O) on Sandymount Residents
Visual	3.16.1.5	Item 1 – Fencing and Lighting

Index No. 19 - David Turner

David Turner's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Planning	3.2.1.11	Item 1 - Land Uses – Overdevelopment & Land Utilisation
Alternatives	3.4.1.9	Item 1 – Consideration of Alternatives
Traffic	3.14.1.12	Item 1 – HGV Traffic
Traffic	3.14.1.12	Item 2 – LUAS
Traffic	3.14.1.12	Item 3 – Sandymount Traffic
Traffic	3.14.1.12	Item 4 – Independent Traffic Study

Index No. 28 - Ceanna Walsh

Ceanna Walsh's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Planning	3.2.1.6	Item 1 – Incompatibility of Use & Various Concerns
Ecology	3.6.1.4	Item 1 - Potential Impact on Bats and Brent Geese
Soils	3.8.1.1	Item 1 – Human Health Impacts
Air Quality	3.10.1.4	Item 1 – Concerns about Asbestos & Air Pollution during Construction
Noise	3.12.1.3	Item 1 – Noise Impact from New Trailer Park (Area O) on Sandymount Residents
Visual	3.16.1.5	Item 1 – Fencing and Lighting

Index No. 38 - Pete Hogan

Pete Hogan's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Planning	3.2.1.12	Item 1 - Land Uses – Overdevelopment & Land Utilisation
Traffic	3.14.1.12	Item 1 – HGV Traffic
Traffic	3.14.1.12	Item 2 – LUAS
Traffic	3.14.1.12	Item 3 – Sandymount Traffic
Traffic	3.14.1.12	Item 4 – Independent Traffic Study
Traffic	3.14.1.12	Item 5 – Bicycle Lane

Index No. 40 - Drs. Philip Murphy & Ann O'Doherty

Pete Hogan's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Ecology	3.6.1.4	Item 1 - Potential Impact on Bats and Brent Geese
Soils	3.8.1.1	Item 1 – Human health impacts
Air Quality	3.10.1.4	Item 1 – Concerns about Asbestos & Air Pollution during Construction
Noise	3.12.1.3	Item 1 – Noise Impact from New Trailer Park (Area O) on Sandymount Residents
Visual	3.16.1.5	Item 1 – Fencing and Lighting
Human Health	3.17.1.7	Item 1 – Noise and Air Pollution from Trucks in Area O
Human Health	3.17.1.7	Item 2 – Exposure to Asbestos and Heavy Metals

Other Members of the Public

Index No. 35 - William Kelly

William Kelly's submission raised one item under the themed responses identified below, which is responded to in the referenced section and item within Chapter 3:

Theme	Reference	Item
Consultation	3.3.1.5	Item 1 – Inadequate Northside Public Consultation

Index No. 51 - William Kelly & Others

William Kelly & Others' submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Traffic	3.14.1.13	Item 1 – HGVs Abnormal Loads in Tunnel
Traffic	3.14.1.13	Item 2 – Hazardous Cargo through the Tunnel

Index No. 21 - Seán Ó Gríofa

Seán Ó Gríofa's submission raised one item under the themed responses identified below, which is responded to in the referenced section and item within Chapter 3:

Theme	Reference	Item
Alternatives	3.4.1.10	Item 1 – Consideration of Alternatives

Index No. 26 - Kevin Enright

Kevin Enright's submission raised several items under the themed responses identified below, which are responded to in the referenced sections and items within Chapter 3:

Theme	Reference	Item
Traffic	3.14.1.14	Item 1 – Rail Freight Bridge Across the Liffey
Traffic	3.14.1.14	Item 2 – TEN-T Policy
Traffic	3.14.1.14	Item 3 – Rail Freight Comparisons with Other Ports/HGVs

Index No. 29 - Alexander Garvey

Alexander Garvey's submission raised one item under the themed responses identified below, which is responded to in the referenced section and item within Chapter 3:

Theme	Reference	Item
Traffic	3.14.1.15	Item 1 – Rail Connectivity

Index No. 30 - Greg Kavanagh

Greg Kavanagh's submission raised one item under the themed responses identified below, which is responded to in the referenced section and item within Chapter 3:

Theme	Reference	Item
Traffic	3.14.1.16	Item 1 – Suggested Outer Ring Road N2 Dublin Airport to M4 Leixlip

3 RESPONSE TO SUBMISSIONS & OBSERVATIONS

This Chapter contains 19 sections (Sections 3.1 to 3.19), each corresponding to a distinct identified theme (**Table 3.1**). Each item begins with a summary of the matters raised by observers, followed by DPC's response which refers to documentation submitted with the planning application and, in some cases in order to fully address items, appendices which contain necessary explanatory and technical notes to fully address items raised in submissions. These notes should be read in conjunction with the relevant response.

Table 3.1: Chapter 3 Structure – Thematic Responses & Sections References

Key Theme	DPC Response
Capacity & Need	See Section 3.1
Planning Policy & Land Use	See Section 3.2
Consultation	See Section 3.3
Assessment of Alternatives	See Section 3.4
Engineering Design & Site Management	See Section 3.5
Terrestrial Ecology & Ornithology (including Natura Impact statement)	See Section 3.6
Marine Ecology (Benthic Biodiversity & Fisheries, Marine Mammals)	See Section 3.7
Land, Soils, Geology & Hydrogeology	See Section 3.8
Water Quality & Flooding	See Section 3.9
Air Quality	See Section 3.10
Climate	See Section 3.11
Noise & Vibration	See Section 3.12
Coastal Processes	See Section 3.13
Traffic & Transport	See Section 3.14
Cultural Heritage	See Section 3.15
Landscape & Visual	See Section 3.16
Population & Human Health	See Section 3.17
Risk of Major Accidents & Disasters	See Section 3.18
Cumulative Effects & Environmental Interactions	See Section 3.19

3.1 Capacity & Need

3.1.1 Observations Relevant to Capacity and Need

The following observations refer to Capacity and Need and are addressed below.

Number in Index	Party Name
No. 16	IBEC
No. 25	Dublin Chamber
No. 14	Dublin Stevedores Ltd
No. 8	Councillor Claire Byrne
No. 12	Councillor Hazel Chu
No. 2	Peter Morrogh, 5 St. John's Road
No. 18	Dr. Kristin Hadfield, 81A Strand Road

3.1.1.1 IBEC

Item 1 – Consideration of Need and Capacity

Submission

Regarding capacity, the IBEC submission considers the critical need for the 3FM Project to address capacity constraints and meet future demand effectively. IBEC states that its members perceive “a clear need for a

resilient and future proofed Dublin Port. The trade flows managed by Dublin Port are the backbone of the region's economic and social development."

The IBEC submission also contends that the delivery of new port infrastructure will enable greater capacity, climate resilience and diversification of revenue streams. IBEC also states that it is becoming clearer that Irish maritime infrastructure has not kept pace with Ireland's projected economic or demographic growth. IBEC highlights that emerging capacity constraints would restrict future trade opportunities and that it is imperative that the capacity of the Port for different cargo modes should remain ahead of demand. IBEC also quotes from the IMDO Irish Ports Capacity Study which noted that, to meet forecasted demand in the highest growth scenario by 2040, all planned port developments need to be delivered on time, and IBEC concludes that: *"The 3FM Project is integral to growing our national capacity alongside corresponding investments at other Tier 1 & 2 Ports."*

DPC Response

DPC welcomes IBEC's observation, which clearly supports the principle of the development of the 3FM Project.

In relation to the "need" for the development which is addressed in the IBEC submission, Chapter 2 of Volume 2, Part 1, of the EIAR submitted with the 3FM Project planning application contains a very detailed review of the Need for the Project addressing items concerning capacity and demand.

In this regard, DPC concurs with the IBEC assessment that port capacity must remain ahead of demand and, in paragraph 2.2.1.1 of Chapter 2 of the EIAR, the application documentation quotes from the Issues Paper on the Review of National Ports Policy 2013 (Department of Transport, October 2023) which states as follows *"Failure to proceed with investment in capacity, infrastructure, equipment and hinterland connectivity poses serious risks to the future success of Ireland's ports and national economy" (page 18).*

DPC also notes the conclusion of the IMDO Port Capacity Study, referenced by IBEC in the submission, which suggests that any failure to maintain sufficient port capacity could have a major negative impact on the national economy, starving it of the materials needed to continue strong growth. The IMDO Study expressly notes that Ireland should have sufficient port capacity for all cargo modes if planned developments are put in place on time (see paragraph 2.2.1.2 of Chapter 2 op cit).

DPC recognises that the IBEC submission is supportive of the 3FM Project in the context of the timely provision of national economic infrastructure, in particular.

3.1.1.2 Dublin Chamber

Item 1 – Consideration of Need & Capacity

Submission

The submission by Dublin Chamber expressly records that the organisation believes that the 3FM Project *"is crucial in light of the rising population in Dublin, the port's capacity constraints, and its undeniable importance in supporting Ireland's trade economy"*.

DPC Response

DPC concurs with the Dublin Chamber's submission as to the critical strategic nature of the 3FM Project. Further in this regard, the EIAR, sets out fully the strategic importance of the 3FM Project in the context of ensuring that port capacity remains ahead of demand. The EIAR also addresses the factors that inform future assessments of port capacity, based on differing models for determining the demand on port facilities within different cargo modes. Indeed, as set out in Chapter 2 of the EIAR, there are significant economic consequences for the potential under-provision of port capacity and the future projections upon which the 3FM Project is based have been calculated using a range of different assessments, including the Dublin Port Masterplan 2040, IMDO Estimates (2023), and Indecon Economic Consultants Estimates (2023). These assessments demonstrate that, in order to prevent wider constraints in the National Economy, the capacity of Dublin Port must remain ahead of demand.

DPC recognises that the Dublin Chamber submission is supportive of the 3FM Project in the context of the timely provision of national economic infrastructure.

3.1.1.3 Dublin Stevedores Ltd.

Item 1 – Consideration of Need & Capacity

Submission

A submission by Thomas Barry & Co Solicitors, on behalf of Dublin Stevedores Ltd (DSL), contends that there are apparent deficiencies in DPC's growth in trade projections, specifically as regards the bulk market. The submission suggests that the DPC forecast – that there is a low growth potential for the bulk market – is neither reliable nor well grounded. The submission further claims that the 3FM proposal fails to adequately consider opportunities from a variety of bulk products (para 5.3 of DSL submission). The DSL submission cites data from DPC's Annual Report from 2022, which it is claimed, highlights potential growth trends in bulk liquid, bulk solid and break bulk. The DSL submission further asserts that DPC is favouring container business to the detriment of other operators within Dublin Port and that DPC's failure to invest in bulk facilities and advertise bulk business in Dublin Port "has severely impacted the growth opportunities in this area." The DSL submission also asserts (para 5.11) that the 3FM development "does not provide for the anticipated growth in the bulk market globally. In fact the proposed development will impede bulk operators within the port from taking advantage of the opportunities from the increasing demand for raw materials".

DPC Response

As set out above, the planning application documentation, which makes clear that, *inter alia*, the genesis of the 3FM Project derives directly from the Dublin Port Masterplan 2012 (reviewed in 2018) and is strongly supported by EU, National, Regional and local transport and planning policies, as set out in the Planning Report accompanying the application and in some detail in Chapter 2.3 of the EIAR (op cit).

The Masterplan clearly sets out DPC's main function to facilitate the movement of goods and people in an efficient and cost effective manner, which required an assessment of current transport methods and developing trends in merchandise trade.

The Masterplan specifically addresses DPC's long term strategic approach to Bulk cargo and noted that DPC does not expect an increase in the volume of liquid bulk to 2040 and consequently "Will actively seek to reduce the land area currently occupied" for such purposes and will use the land for unitised cargo. (Masterplan 2040, page 34).

The Masterplan also noted that Break Bulk is in decline and has largely disappeared from Dublin Port due to the pressure from the growth of unitised trade and the use of smaller east coast ports.

The Masterplan contended that it was anticipated that over the period to 2040, break bulk trade would be reduced to negligible levels. On Bulk Solid, the Masterplan noted that over the period of the Masterplan there is likely to be some increase in Bulk Solids and this will be accommodated by consolidation of existing areas for handling these materials, with some additional facilities being required for specific commodities. This position is noted in Chapter 2 of the EIAR where it is specifically stated that the 3FM Project is specifically focused on providing capacity for unitised modes given the growth projections identified for both Ro-Ro and Lo-Lo in the period to 2040 and as set out in Table 2.3 reproduced on in 2.2.2 of Chapter 2 (op cit)

Any variations in the bulk trends in 2022 were symptomatic of temporary shifts in trade patterns associated with Brexit and Covid -19. In the following year, 2023, all categories of bulk volumes declined, with break bulk declining by 29.7% (Dublin Port Company Annual Report 2023, page, 23)

Over a considerable period DPC has set out very clear strategic objectives concerning the proposed future development focus of the Port and set out a rationale and justification for this approach, taking account of international and national policy, efficient use of scarce land, quay side access and market demand. The 3FM Project gives practical vent to the strategic objectives set out in the Masterplan considering the functional and statutory remit and objectives of DPC. DPC must have regard to broader considerations rather than the preferred model of a particular economic operator in the Port.

Accordingly, and notwithstanding certain assertions made in the DSL submission, DPC remains firmly of the opinion that:

- there are no deficiencies apparent in DPC's growth in trade projections, whether as regards the bulk market, or otherwise;
- there is a low growth potential for the bulk market;
- the 3FM Project has adequately considered opportunities from a variety of bulk products;
- the pattern of decline in bulk volumes continues notwithstanding a temporary increase in 2022 associated with changes in trade volumes post Brexit and post Covid 19.

- there are sound, strategic reasons for DPC prioritising investment in areas of port development other than in bulk facilities and DPC is aware that, as set out in the National Ports Policy 2013, there are number of ports in the East and South East which principally handle bulk products (see Section 2.6 of the National Ports Policy on Ports of National Significance and Section 2.7 on Ports of Regional Significance (National Ports Policy 2013, Department of Transport).

3.1.1.4 Councillor Claire Byrne

Item 1 – Consideration of Need & Capacity

Submission

In her submission, Councillor Byrne makes a number of observations on need and capacity, relevant excerpts include;

- the proposal to “double port capacity to 77m tonnes to build ‘the largest container facility in the Country’ is “highly questionable”;
- while there is a need to cater for economic and population growth, the 3FM Project is almost twice the expansion projections outlined in the draft Ports Capacity Study which estimated a growth closer to 57m tonnes;
- the demand for the import of fossil fuels will reduce dramatically in the coming years and it is hard to understand how consumption levels in Ireland will require a doubling of imports and exports in the next 15 years; and
- the scale of expansion proposed in the 3FM Project should be reviewed and reduced.

DPC Response

DPC responds to Councillor Byrne’s observations as follows;

- The 3FM Project proposal does not seek to double port capacity to 77m tonnes as stated in the submission. Rather, the planning application is presented on the basis of a possible port capacity at 2040 of 73.8m gross tonnes (see EIAR, Volume 2, Part 1, Chapter 2, paragraph 2.2.2). The lower capacity estimate is based on the loss of port lands to State Services as a consequence of Brexit, which has reduced anticipated Ro-Ro capacity to an extent which necessitates additional Ro-Ro facilities being provided as part of the 3FM Project.
- As is also set out in Chapter 2 of the EIAR, the projections advanced for capacity in the 3FM Project application are based on a number of different assumptions;
 - long-term port demand forecasting is an imperfect science and is based on a range of different considerations, including past trading performance, national economic performance and population growth;
 - however, fundamental to future forecasting is the absolute need to ensure that the capacity of Dublin Port remains ahead of demand to prevent constraints in the national economy;
 - the potential consequences of an overly-conservative approach to demand projection could be a national port capacity shortage with resultant significant economic ramifications, which could not be remedied quickly. At worst, even if the 3FM projections of demand were seen to be overly ambitious (which they are not), this would merely extend the time in which projects would be needed or delivered (subject to relevant consents);
 - there is no such thing as “just in time” provision of additional port capacity – the provision of port capacity can take up to 20 years to deliver. Hence, of necessity, DPC must plan cautiously when making sustainable port demand and capacity projections;
 - the IMDO Port Capacity Study published in June 2023 reiterates the points outlined above and states that “any failure to maintain sufficient port capacity could have a major negative impact on the economy, starving it of the materials it needs to continue strong growth;
 - the same factor is true for exports, as failure to export would lead to reductions in foreign earnings, and loss of trading opportunities for Irish exporters” (Port Capacity Study, Arup, June 2023, Chapter 8-5). Consequently the 3FM proposals are entirely consistent with the Ports Capacity Study conclusions and not at variance with them as suggested by Councillor Byrne;

- the imperative to maintain and develop sufficient port capacity is recognised in the Issues Paper for the National Ports Policy Review which expressly comments that a failure to proceed with “currently proposed port infrastructure projects” will pose serious risks to Ireland’s national economy;
- DPC must remain agile in responding to the trading needs of the Irish economy, which means planning for a sustainable growth scenario so that capacity is available before demand must be met. A report by Indecon Economic Consultants in 2023 identified constraints in both Ro–Ro and Lo–Lo capacity in Dublin Port in the period to 2040 highlighting the need for enhancements;
- the Dublin Port Masterplan 2040 sets out future capacity requirements based on a range of different assumptions, including historical growth rates, projected growth rates in the national economy and population growth estimates;
- as is set out in the Chapter 2.2.4 of the EIAR, when making the demand and capacity forecasts, DPC has applied measures to maximise land utilization, landside access and facilitate use of Inland Port facilities;
- Trade volumes at Dublin Port are a factor of three core elements;
 - the Port’s location at the heart of the Dublin Metropolitan area – this is where both the bulk of the population and economic activity are based,
 - connectivity with national transport networks – being at a key point in national distribution hubs for road and rail - as is illustrated by a 2023 Origin and Destination Study which highlighted that 73% of HGVs at Dublin Port have an origin or destination within 90 km of Dublin Port, while 61% have an origin or destination within 40km of Dublin Port, and
 - Channel depth and navigational considerations – Dublin Port is a naturally occurring deep sea harbour uniquely positioned at the heart of the centre for economic activity in Ireland.
- DPC notes Councillor Byrne’s comments in relation to the decline in fossil fuel imports and confirms that this trend has been factored into the land use objectives for the 3FM Project, and is expressly referenced in the Dublin Port Masterplan 2040 (see, for example Masterplan 2040, page 34;
- DPC also notes Councillor Byrne’s observation that the scale of expansion in the 3FM Project should be reviewed and reduced. In response, the documents submitted with the 3FM application, including the Planning Report and the EIAR, set out the need, justification, rationale and policy context for the Project, which all highlight the detailed review and assessments that have been core to the development of the project proposals. For the reasons set out in detail in the application documentation, DPC is firmly of the view that the 3FM Project, as the final project within the Masterplan, represents the appropriate and sustainable scale of development;
- indeed, flexibility to bring forward elements of development options in the Masterplan, such as the 3FM Project, is inherent in additional control and review mechanisms associated with the delivery of the projects aligned to DPC’s ability to finance those projects, which is a core element of the approach outlined in the Masterplan (see Points 9 & 10 on page 8 of the Masterplan 2040 - Reviewed 2018);
- accordingly, if future growth rates are less than those currently projected, then aspects of the 3FM Project can be deferred or even cancelled (subject to obtaining any relevant consents, if required);
- however, it remains a key objective that DPC can bring projects through the requisite consent processes based on reasonable and sustainable projected assumptions of demand and capacity, to ensure that projects can proceed in time to meet future demand (see Point 13 on page 9 of Masterplan 2040- reviewed 2018).

3.1.1.5 Councillor Hazel Chu

Item 1 – Consideration of Need & Capacity

Submission

The submission from Councillor Chu asserts that the growth projections for Dublin Port are “over- optimistic and outdated” and cannot be justified when considered in the broader national policy context.

Councillor Chu’s submission makes a number other points, including;

- the expansion of Dublin Port in 3FM is based on growth projections set out in the 2018 Masterplan;
- the 3FM Project is based on a growth projection of 3.3% per year to 2040 to a total of 77m gross tonnes;
- the growth rates evident in recent years do not support the projections in the Masterplan on which the 3FM Project is based;
- there is a correlation between population growth and growth in throughput in the port. However the growth in population is just 65% per annum which would produce an increase to 39m gross tonnes by 2040;

Councillor Chu also claims that the EIAR states that the 3FM Project will provide close to 20% of the capacity that will be needed by 2040 and extrapolates that this means over 80% of the predicted 77m tonne capacity can be accommodated within the current port operations, suggesting a current capacity of 61.6m gross tonnes.

The submission suggests that the Irish Ports Capacity Study claims that there is enough capacity in Irish ports, when viewed as a network to handle demand until 2040 and there is no need for Dublin Port's expansion to meet national needs.

Councillor Chu also raises a range of other items relating to capacity and growth, including;

- a decrease in fossil fuels and a decline in liquid bulk
- a need for increased rail freight
- concerns regarding the Climate Action Plan & the Whole of Government Circular Economy Strategy
- the need for more balanced regional development
- an assessment of sustainable growth in the context of national policies on climate action, regional planning and the circular economy.

DPC Response

The expansion of Dublin Port proposed in the 3FM Project is based, in part, on the growth projections set out in the Masterplan, but is also supported by a range of other considerations including the IMDO Port Capacity Study, analysis by Indecon Consultants (Analysis of Relationships between Projected Volumes and Capacity at Dublin Port, Indecon Consultants, August 2023) and the Port Policy Issues Paper 2023. The Project is also supported by a host of other policy documents, as set out in Section 2.3 of Chapter 2 of the EIAR.

The 3FM Project is not based on a growth projection of 3.3% per annum to 2040 to a total of 77m gross tonnes. Rather, the correct projection is set out in Chapter 2 of the EIAR (section 2.2.2.op cit) at 73.78m gross tonnes, to take account of the permanent loss of DPC lands on the north port estate to the State Services for Brexit purposes.

Indecon suggest that an assessment of port demand and capacity should be soundly based on a range of different approaches and should prudently and sustainably take account of the highest growth scenario which has been reasonably assessed. By reviewing historical growth trajectories and future population growth, it is possible to provide an indicative growth rate which has been reasonably assessed. Chapter 2 of the EIAR makes it very clear (2.2.1.1) that long term port demand forecasting is not an absolute science and there is a need to take account of the highest growth scenario to avoid a national port capacity shortage.

The main driver for past growth in Dublin Port's cargo volumes has been a population increase and economic growth. The increase in Dublin Port's cargo volumes has not been at the annual level of national population growth, but the correlation can be viewed over each 20 year period from 1980 to 2020 and estimated out to 2040. The basis for this assessment is set out in Table 2.1 and Table 2.20 of Chapter 2 (op cit).

It is incorrect to state that, by 2040, over 80% of the predicted capacity can be accommodated within the current port operations. The assessment of the contribution of the 3FM Project by 2040 also takes account of growth rates across the port, which will not stay constant at current levels.

The Irish Ports Capacity Study stated a failure to proceed with currently proposed port infrastructure projects (which includes 3FM) will pose serious risks to Ireland's national economy. The Study also noted utilised modes in Dublin Port and recognised that demand for both Ro-Ro and Lo-Lo would increase over time, with a requirement to increase Lo-Lo capacity by 2027. The IMDO Ports Capacity Study did not indicate that there is no need for Dublin Port's expansion to meet national needs – in fact the opposite is the case.

The 3FM Project has been designed to take account of the decrease in fossil fuels and a decline in liquid bulk.

- The 3FM Project directly addresses the opportunities for increased rail freight as part of the development proposal, with the key infrastructure on the development site being rail connected – further details are set out fully in Chapter 14 of the EIAR(14.5.11) and addressed in the response to submissions on that Chapter.
- The 3FM application directly addresses items concerning the Climate Action Plan and the Whole of Government Circular Economy in Chapter 11 of the EIAR and the specific aspects made by Councillor Chu on that aspect are fully addressed in the response to the submissions on that Chapter.
- The 3FM application directly addresses items concerning regional development and sustainable growth in the Planning Report submitted with the application and the specific aspects raised by Councillor Chu are addressed in the response to submissions on that Chapter.

3.1.1.6 Peter Morrogh

Item 1 – Consideration of Need and Capacity

Submission

Mr Morrogh contends that DPC's proposals do not consider port capacity requirements beyond 2040 and asserts that the fact that further expansion may be required by 2040 should be cause to reject the 3FM Proposals in their entirety. Mr Morrogh also makes reference to the possibility of Dublin Port expanding into the Tolka Estuary.

DPC Response

The 3FM Project is the final of three Strategic Infrastructure Development (SID) Projects set out in the Dublin Port Masterplan 2012 -2040. The timeline to 2040 is consistent with the timeline for the National Planning Framework and reflects a reasonable period within which to propose a project of this scale and nature.

In any event, DPC has issued and publicly consulted on a suite of discussion papers on strategic planning and development considerations for Dublin Port Post 2040 to examine the potential for the provision of additional port capacity on the East coast.

DPC has indicated that the 3FM Project is the last SID Project under the Masterplan.

DPC has also indicated that the Port will not be expanding further by way of infill into the Tolka Estuary and will not proceeding by way of eastern expansion of the Port into Dublin Bay.

3.1.1.7 Dr Kristin Hadfield

Item 1 – Consideration of Need and Capacity

Submission

Dr Kristin Hadfield has asserted in her submission that the proposed expansion of DPC appears disproportionate with plans to double the ports capacity by 2040. Dr Hadfield also states that it is not clear why Dublin Port believes that it needs to double capacity by 2040.

DPC Response

The basis on which the Need for the Project is required is set out in detail in Chapter 2 of Volume 2 of the EIAR, with a detailed project rationale outlining;

- the core principles underpinning the project
- the imperative of keeping port capacity ahead of demand
- the basis on which capacity has been assessed
- sustainability and the 3FM Project
- developing a working port
- the maximisation of port infrastructure and landside access connections
- National Port Capacity considerations, and
- delivery timelines

Indeed, as such Chapter 2 of the EIAR sets out a detailed consideration of the basis on which the proposed expansion of Dublin Port as envisaged by the 3FM Project is both proportionate, necessary and justified, which includes the following factors:

- The 3FM Project will deliver the final tranche of capacity envisaged under the Masterplan 2040 for the volumes of Ro-Ro and Lo-Lo to provide the cargo handling capacity required in Dublin Port by 2040.
- The 3FM Project will assist with the integration of Dublin Port with Dublin City
- The Project will provide certainty on the port capacity needed in Dublin Port within the shared timeframes of the Dublin Port Masterplan and the National Planning Framework
- The need for the project has been identified by both DPC and also in a range of assessments and reports commissioned to review national port capacity.
- A failure to proceed with the 3FM Project will frustrate a range of different objectives set out in EU, National, Regional and Local policies

In all the circumstances, which are set out in considerable detail in the application documentation, the 3FM Project is proportionate with the Masterplan's strategic objectives to expand Dublin Ports' capacity by 2040.

3.1.2 Conclusions Relevant to Capacity & Need

DPC notes that there are a total of seven observations which make reference to items associated with Need and Capacity in the context of the 3FM Project.

Where there are items raised relevant to Need and Capacity and the 3FM Project these have been fully addressed directly and through reference to Volume 2, Chapter 2 of the EIAR, the Planning Report, the Dublin Port Masterplan and the Dublin Port Post 2040 Dialogue Papers. Where the observations also make reference to other areas or aspects of the EIAR, the specific responses to address these subject matter areas fully addresses additional points made, within the overall context of that EIAR subject matter.

DPC accepts that long term port demand forecasting is not a precise science as it is linked to medium to long term forecasting on national economic performance and population growth. There are also challenges in projecting demands for unutilised cargo in light of changing needs and requirements of shipping operators and the broader logistics chain.

However, when addressing project need and capacity, it is clear that DPC needs to plan both cautiously and sustainably, particularly given the long timescale it takes to deliver large port infrastructure projects. If DPC's demand forecasts turn out to be optimistic, it is likely that the proposed infrastructure will still be required, albeit over a slightly longer timescale than presently proposed. Conversely if DPC underestimates port demand forecasts, the consequences could result in a national port capacity shortage at Ireland's main commercial port, with serious economic consequences. It is evident that a port capacity shortage cannot be remedied quickly given the long lead time to commissioning new facilities. It is clear that the DPC position on meeting future capacity is consistent with that advanced in a range of national policies and reviews, including the Review of Ports Policy, the Irish Ports Capacity Study and the Indecon Review.

However, it is also important to note that the Masterplan has recognised that the delivery of the different elements to the 3FM Project is dependent on a number of factors, including DPC's ability to finance the works – such finance will not be forthcoming unless a robust business case can be presented to justify a debt profile required for the capital investment required. DPC is confident that the assessment of demand and capacity advanced in this application has a sustainable basis but the management of the implementation of aspects of the development will involve an assessment of a number of factors, including financial risk, before individual elements of the project are commenced.

The 3FM Project as presented to An Bord Pleanála is firmly rooted in the Dublin Port Masterplan and informed by the Dublin Port Post 2040 Dialogue Papers, as well as the consultation processes undertaken as part of the project.

The 3FM Project is advanced to meet a core national strategic need in the provision of a key part of Ireland's mercantile trading infrastructure, consistent with EU, National, Regional and Local Policies.

The 3FM Project is a critical transport infrastructure project and, as presented, represents the best environmental option to attain the strategic transportation planning objectives consistent with proper planning and sustainable development.

3.2 Planning Policy & Land Use

3.2.1 Observations Relevant to Planning Policy and Land Use

The following observations refer to Planning Policy and Land Use and are addressed below.

Number in Index	Party Name
	Dublin City Council
No. 1	Rushfleet
No. 8	Councillor Claire Byrne
No. 12	Councillor Hazel Chu
No. 15	Sandymount & Merrion Residents Association (SAMRA)
No. 28	Ceanna Walsh, 121 Strand Road
No. 50	Maritime Area Regulatory Authority (MARA)
No. 24	Docklands Business Forum
No. 52	Pembroke Beach DAC
No. 18	Dr. Kristin Hadfield, 81A Strand Road
No. 19	David Turner, 155 Strand Road
No. 38	Pete Hogan, 153 Strand Road

3.2.1.1 Dublin City Council

Item 1 - Compliance with Planning Context

Submission

In its submission on the planning application, DCC acknowledges the significance of the 3FM Project for Dublin Port and the wider city, emphasising its general compliance with the policies outlined in the Dublin City Development Plan and the Poolbeg West Planning Scheme. Relevant excerpts include: *"DCC recognises the importance of the 3FM Project for Dublin Port and the wider city, and has outlined general compliance of the proposal with the policies of the City Development Plan and Poolbeg West Planning Scheme."*

"Dublin Port is a crucial part of the City with changing demands and operational requirements which necessitate revisions to land uses and infrastructure over time."

Furthermore, the DCC submission outlines a number of requests and recommendations from DCC's Departments regarding conservation, archaeology, environment, transportation, and architecture. In connection with planning policy, this observation states that *"A Surface Water Management Plan is required to demonstrate adherence to DCC surface water management policies."*

DPC Response

DPC acknowledges the positive comments made by DCC regarding the alignment of the 3FM Project with the relevant policies and objectives Dublin City Development Plan and Poolbeg West Planning Scheme. The Planning Report enclosed with the application demonstrates the compliance of the 3FM Project with relevant planning policy, including the Dublin City Development Plan and the Poolbeg West Planning Scheme.

Furthermore, DPC acknowledge the importance of DCC's additional requests and recommendations in its submission. In this regard, please refer to DPC's relevant responses which provide a detailed reply to the various matters raised by DCC, as recommended by the various Departments regarding conservation Section 2.15, archaeology Section 2.15, environment Section 2.19, transportation Section 2.14, and architecture Section 2.16.

Notwithstanding the above, DPC wishes to confirm that it would accept a planning condition requiring DPC to adhere to *DCC's surface water management policies* and requiring a Surface Water Management Plan, setting out the manner such adherence to those surface water management policies will be implemented, to be submitted and agreed with the planning authority prior to the commencement of development.

3.2.1.2 Rushfleet

Item 1 - No specific consultation to date with Rushfleet and No Letter of Consent

Submission

Rushfleet submits that there has been no consultation between DPC and Rushfleet regarding the 3FM Project, which it states has significant implications for its business. The submission also states that no letter of consent for inclusion of Rushfleet's site as part of the application was provided to DPC. Relevant excerpts from the submission include: *"Despite the 3FM Project proposals containing significant implications for Rushfleet Ltd., our client asks ABP to consider why Dublin Port Company has not sought to discuss the project and its various components with them. ...Rushfleet Ltd has not been asked to, nor has our client provided a letter of consent for this project to take place on lands over which they hold a lease until 2031 [sic]."*

DPC Response

DPC has undertaken a detailed planning assessment of the 3FM Project, as set out in the Planning Report, supported by an EIAR and a suite of engineering, architectural and environmental documents and drawings. The EIAR submitted with the development application fully considers the impact of the proposed development on all stakeholders, including leaseholders, such as Rushfleet. DPC is committed to engaging with all leaseholders and will continue this engagement throughout the lifetime of the 3FM Project.

As described in the project documentation, the 3FM Project involves developing DPC-owned lands. While the lands currently accommodate a small number of tenants operating under leaseholds such as Rushfleet, DPC remains the landowner.

As part of the 3FM Project, DPC will take possession of these sites currently being operated as leaseholds prior to the commencement of the construction phase. DPC is committed to negotiating with each tenant and will provide as much notice as possible to reach a settlement for vacating the sites. It is noteworthy that the lease for this Tenant will expire in 6 years.

In 2014 DPC published its franchise policy, following public consultation including publishing newspaper notices on 13th July 2012. The first action in the Policy is to displace all non-core port uses in the Port to make way for transit storage of cargo. Action 2 was to end the use of Port lands for empty container storage depots. Accordingly, over a considerable period, DPC has set out very clear strategic objectives concerning the proposed future development focus of the Port and set out a rationale and justification for this approach, taking account of international and national policy, efficient use of scarce land, quayside access and market demand.

In order to assist with the displacement of certain occupiers from the Port, the company purchased and commissioned the development of an Inland Port. In 2020 and again in 2022, when DPC marketed 2 new empty container depots at the Inland Port, Rushfleet was approached to determine if they had any interest in relocating to a purpose-built inland depot, which they did not.

It is also worth noting that DPC can initiate compulsory acquisition procedures in the event that a voluntary acquisition of leasehold interests cannot be agreed; however, DPC is committed to using these compulsory acquisition procedures only as a last resort.

Regarding the issue of leaseholder consent to the making of the planning application, DPC confirms that evidence of such consent is not required as a matter of law as DPC is the owner of the lands from which Rushfleet operates its business and clearly has interest sufficient to make the planning application in respect of the 3FM Project including those lands. In this instance, as legal owner, DPC, is entitled to submit the planning application for the 3FM Project, irrespective of any leasehold interests held by other parties. As a landowner, DPC is not required to seek consent from leaseholders, such as Rushfleet, when making an application. Any disputes regarding land ownership and leasehold arrangements are extraneous to the planning system.

Item 2 - 3FM Project may not be compatible with Poolbeg West SDZ Planning Scheme

Submission

Rushfleet submits that the 3FM Project may not be compatible with the Poolbeg West Strategic Development Zone (SDZ) Planning Scheme (hereafter, the Planning Scheme). Rushfleet argues that the project undermines the designation of its site as existing port land, which it interprets as protected under the SDZ. Relevant excerpts from the Rushfleet submission include: *"these proposals do not appear to respond to the Poolbeg West SDZ Planning Scheme's designation of the Rushfleet Ltd. site as an existing port land use that should be protected. ... The SDZ scheme allows port-related activity on our client's site and their business remains a wholly conforming use. ... The applicant proposals appear to represent an attempt to draw the remaining port lands in a different direction."*

DPC Response

In response to Rushfleet's claims, DPC firmly contends that the proposal to develop the 3FM Project is in full accordance with the Planning Scheme. The Planning Report submitted with the application, particularly in Sections 6.4.3 and 7.4.2.1, demonstrates that the 3FM Project aligns with the Planning Scheme, Section 6.4.3 of the Planning Report outlines the vision of the Planning Scheme, along with relevant objectives and development principles pertinent to Dublin Port and the lands associated with the 3FM Project.

The Poolbeg West SDZ was established under the Planning and Development Act 2000, as amended (Designation of Strategic Development Zone: Poolbeg West, Dublin City) Order 2016. This designation explicitly identifies the SDZ for mixed uses, comprising residential, commercial, and port-related activities alongside essential community infrastructure and states:

"Mixed-use development which may principally include residential development, commercial and employment activities including office, hotel, leisure and retail facilities, port-related activities, and the provision of educational facilities, transport infrastructure, emergency services, and community facilities as referred to in Part III of the First Schedule to the Act, including health and childcare services, as appropriate."

Section 5.4.3 of the Planning Scheme explicitly acknowledges Dublin Port's national and regional importance, stating:

"Dublin City Council fully supports and recognises the important national and regional role of Dublin Port in the economic life of the region and the consequent need in economic competitiveness and employment terms to facilitate port activities. Dublin Port will have a significant role to play in the future development and growth of the Poolbeg West area as well as the wider city. With this in mind, this planning scheme recognises the importance of retaining port uses and port-related activities on site." (emphasis added)

The Planning Scheme is centred on key "Themes", one of which is to "Protect":

"Key principle: Ensure that the development of Poolbeg West and the ongoing operations of Dublin Port, municipal facilities and future transport schemes are mutually taken into account and integrated into the urban structure of the city. The peninsula will have an ongoing industrial function related to port activities, wastewater treatment, and energy generation. To ensure that these essential regional services continue, the SDZ Planning Scheme includes lands for 'Port/Industrial Compatible Uses' to facilitate growth, consolidate activities, and promote alternatives for underutilised lands, together with 'soft edges' and 'buffer zones.'" (emphasis added)

Objective EC3 of the Planning Scheme states: *"To protect the role of Dublin Port as a nationally important strategic asset of the State, and to provide for future sustainable growth of the port within the SDZ in line with economic recovery, and in tandem with investment in transport infrastructure as needed."*

In light of the above, it is concluded that the Planning Scheme envisions that Dublin Port operations will continue to be integral to the future of the Poolbeg peninsula, seeking to protect its role and provide for its growth within the SDZ area. As demonstrated in the application documentation, the 3FM Project will actively deliver on this vision, including the construction of facilities and infrastructure to support Dublin Port operations within the SDZ area. Therefore, Rushfleet's submission that the 3FM Project represents an attempt to redirect the remaining port lands toward incompatible uses, contrary to the SDZ Planning Scheme's designation of their site, is misconceived.

Regarding the alleged incompatibility of uses, it is important to note that the Planning Scheme divides the overall SDZ lands into five land-use areas: (i) port and industrial; (ii) housing with some mixed-use, with ratios varied within each block; (iii) commercial; (iv) community/education uses; and (v) park and recreational lands. The layout and arrangement of these areas are set out in Figure 9.1 of the Planning Scheme. As evidenced in the application documentation, all proposals which form part of the 3FM Project are in accordance with the relevant land use designations under the Planning Scheme. DPC also refers to Section 7.4.2.1 of the Planning Report, which further supports that all proposals under the 3FM Project respond to and align with the land use and the delivery of port-related uses.

Rushfleet claims that its site should be protected as existing port land use and as the Planning Scheme allows port-related activity on their site, which remains a wholly conforming use. DPC considers these claims to be completely unfounded for the following reasons.

It is correct that the Planning Scheme designates the site for industrial and port zone land use, it also envisions that the Poolbeg peninsula will maintain an ongoing industrial function related to port uses and port-related activities. The Planning Scheme seeks to balance these activities and uses with the area's broader development objectives for the delivery of a mixed-use scheme. However, the recognition of port uses and port-related activities as integral to the future of the SDZ area does not guarantee the indefinite preservation

of specific operations or operators. Rather, it assists in establishing a framework for development in which the importance of Dublin Port, port uses, and port-related and industrial activities is recognised alongside other uses.

Thus, Rushfleet's assertion that the Planning Scheme aims to protect existing port operations cannot be interpreted as guaranteeing the indefinite preservation of their specific operations on the site within the SDZ area. Neither the Planning Scheme nor the land use designations within it mandate the preservation of specific port or port-related activities, including those conducted by Rushfleet.

As the landowner of the lands on which Rushfleet operates, DPC retains not only the ownership but also the right to propose plans for alternative development and uses, which align with the Planning Scheme and land use designations. As stated above, the 3FM Project fully accords with the Planning Scheme and the proposed uses for the site where Rushfleet operates also accord with land use designations under the Planning Scheme.

In this regard, as previously stated (see response under Item 1 of this document of response), Rushfleet operates under a leasehold agreement. Discussions regarding this agreement will occur before the project's construction. The leasehold status does not grant Rushfleet an automatic right to operate indefinitely, nor does it override DPC's right to submit an application for new and different development on the site or its entitlement to develop its lands in compliance with the Planning Scheme.

In summary, the 3FM Project has been designed to align with the Planning Scheme, as substantiated by the documentation submitted with the application. Rushfleet's submission misinterprets the principles and vision of the Planning Scheme, particularly under the "Protect" theme, which emphasises the integration of port functions within a mixed-use urban framework rather than guaranteeing specific operations.

The Planning Scheme seeks to balance Dublin Port's functions and strategic importance with the need for residential, commercial, and community development. The 3FM Project exemplifies this balance by addressing Dublin Port facilities and infrastructure requirements while contributing to the area's sustainable evolution.

Rushfleet's interpretation that the land use designations on its site (i.e., industrial and port zone) guarantee the retention of its operations is untenable. The 3FM Project, fully aligns with the vision set out in the Planning Scheme for lands under DPC control in the SDZ area and land use designations.

3.2.1.3 Councillor Claire Byrne

Item 1 - Inefficient Use of Land

Submission

Cllr. Byrne's submission expresses concerns regarding the proposed 3FM Project, particularly the Ro-Ro Terminals, asserting that the project represents an inefficient use of land, especially given the pressing need for more housing near high-density employment areas. Relevant excerpts include: *"The proposal to use this prime piece of land located next to the city centre and a UNESCO Biosphere for container storage remains unreasonable. ... Every available piece of state land that is suitable for housing should be used to build new homes. ... "I understand that in the short term Area O will be required to be used as a compound for the Dublin Port Masterplan developments and to support other projects such as Dublin District Heating. Codling Wind Farm and the 1GB site development. (...) The environmentally and socially responsible thing to do would be to use this site for an expansion of the nature reserve, along with the proposed playing pitches, as a genuine community gain for the both the existing and new residents of the area."*

DPC Response

In response to Cllr. Byrne's assertions regarding Land Use, it should be noted that the application for the 3FM Project has been prepared in accordance with the Dublin City Development Plan (DCDP) 2022-2028 and the Poolbeg West SDZ Planning Scheme (hereafter referred to as the Planning Scheme). All proposed uses, including the new Lo-Lo Container Terminal (Area N), Lo-Lo Container Yard (Area L), Ro-Ro Terminal (Area K), and Ro-Ro Terminal Yard (Area O), comply with the relevant land use designations and zoning objectives set out in the DCDP 2022-2028 and the Planning Scheme.

In particular, reference is made to Sections 7.4.1.2 (Compliance with the Dublin City Development Plan's Zoning Objectives) and 7.4.2.1 (Land Use and Delivery of Port-related Uses) of the Planning Report, which clearly demonstrate how the 3FM Project aligns with the designated land uses. Therefore, concerns regarding the compatibility or alleged inefficiency of land use proposed under the 3FM Project are unfounded. The

proposed storage container and trailer yards are essential port-related activities that will enhance the capacity of Dublin Port and are consistent with the land use designations for each site.

While DPC acknowledges Cllr. Claire Byrne's preference for housing development and amenities only, it is important to note that the vision set out for the 3FM Project lands under the DCDP 2022-2028 and the Planning Scheme explicitly supports a mixed-use approach, where port-related uses and industrial uses are permitted or permissible.

Development proposals must adhere to the designated land use categories and relevant planning policies. For instance, a significant portion of the lands under the 3FM Project is designated with the land use zoning objective *"Z7 Employment (Heavy): To provide for the protection and creation of industrial uses and facilitate opportunities for employment creation, including Port-Related Activities"* as outlined in the DCDP 2022-2028. Residential use is neither a permitted nor permissible use within Z7 designated lands. Consequently, accommodating suggested residential development in place of the proposed Lo-Lo Container Yard, which falls within Z7 lands, would be inconsistent with the DCDP 2022-2028 and its intended land use vision.

Similarly, in response to the suggestion regarding the development of the site where the proposed Ro-Ro Terminal Yard (Area O) is to be located as an amenity, Figures 9.1 and 4.2 of the Planning Scheme clearly delineate the location and extent of the Port Park, indicating that the area designated for the Ro-Ro Terminal Yard is not intended for parkland or amenity uses. Consequently, to develop this area as an amenity would be inconsistent with the Planning Scheme and its intended land use designations.

In conclusion, DPC emphasises that the 3FM Project is fully compliant with the relevant planning policies and objectives, and represent an efficient use of land. The proposed 3FM Project has been designed to align with the strategic objectives of the Planning Scheme and the DCDP 2022-2028, ensuring that it contributes positively to the area's sustainable development. Therefore, the concerns raised by Cllr. Byrne should not impede the progress of the 3FM Project.

3.2.1.4 Councillor Hazel Chu

Item 1 - Land uses proposed under 3FM Project are not aligned with the Poolbeg West Strategic Development Zone

Submission

Cllr. Chu's submission asserts that the proposed 3FM Project, particularly the Ro-Ro Terminals, represents an inefficient use of land, especially given the pressing need for more housing near high-density employment areas. The submission also claims that the land uses proposed under the 3FM Project are not aligned with the planning objectives set out for the Poolbeg West SDZ area. Relevant excerpts include: *"The proposed land use in the Poolbeg West SDZ area is not aligned with the planning objectives for the area and will have a negative impact on the development of the SDZ. ... The Poolbeg West Planning Scheme (2019) sets out the objectives for the use of this land and identifies these lands as a valuable resource to the city and will provide housing, amenity space and local services. ... It is our view that the use of this land for Ro-Ro Terminals is inefficient, unnecessary, and contrary to both the specific local policy objectives and the broader national policy context. The lands should be reserved for housing, amenity space, and local services in accordance with the Poolbeg West Planning Scheme."*

In addition to the above, Cllr. Chu also raises concerns regarding the Luas's non-inclusion in the 3FM Project and the appropriateness of the proposed SPAR Bridge.

DPC Response

In response to Cllr. Hazel Chu's claims regarding Land Use, it is reiterated that the planning application for the 3FM Project has been prepared in accordance with the DCDP 2022-2028 and the Planning Scheme. DPC refers ABP to Sections 7.4.1.2 (Compliance with the Dublin City Development Plan's Zoning Objectives) and 7.4.2.1 (Land Use and Delivery of Port-related Uses) of the Planning Report, which demonstrates the manner in which the 3FM Project accords with relevant land use designations and zoning objectives set out in the DCDP 2022-2028 and the Planning Scheme for lands included in the 3FM Project. Therefore, any concerns regarding the compatibility or alleged inefficiency of land because of uses proposed under the 3FM Project are unfounded. The proposed storage container and trailer yards, which will continue to increase the capacity of Dublin Port, are activities that accord with the land use designations and land use objectives for each site where they are proposed.

DPC acknowledges Cllr. Hazel Chu's preference for the development of housing within the Poolbeg SDZ area, however, DPC reaffirms that all proposals of the 3FM Project fully accord with the land use designations set out in the adopted DCDP 2022-2028 and the approved Planning Scheme for lands included in the 3FM Project. DPC thus considers claims regarding the misalignment of proposed uses within those indicated under the DCDP 2022-2028 and Planning Scheme are unfounded.

Regarding the inclusion of the Luas, DPC has no responsibility for the design and construction of Luas infrastructure. The Transport Strategy indicates that, while the intention is to extend the Red Line Luas to Poolbeg, detailed design work has not yet been undertaken, and this may only occur in the later years of the strategy, around 2040. DPC has consulted with the NTA and TII to ensure that the proposed Southern Port Access Route (SPAR) and associated bridge are designed to facilitate future public transport facilities, including the potential extension of the Luas.

In response to Cllr. Hazel Chu's concerns regarding the SPAR Bridge, DPC asserts that the provision of the SPAR and SPAR Bridge as part of the 3FM Project is in accordance with the vision and objectives set out in the DCDP 2022-2028 and the Greater Dublin Area Transport Strategy 2022-2042. The 3FM Project will enhance connectivity and reduce congestion, fulfilling national strategic objectives while ensuring that the development of Dublin Port continues to play a significant role in the growth of the city.

In conclusion, the 3FM Project has been designed to comply with relevant planning policies and objectives, as well as land use designations, ensuring that it contributes positively to the sustainable development of the Poolbeg Peninsula. The project acknowledges the potential for future transport infrastructure, including the Luas, while also delivering substantial active travel and public transport enhancements.

3.2.1.5 Sandymount & Merrion Residents Association (SAMRA)

DPC has reviewed SAMRA's observation and provides a response to the submissions regarding the alleged non-compliance of the 3FM Project with planning policy.

Item 1 - Concerns with the submitted drawings and documents

Submission

In Section 5 of its submission, SAMRA asserts that the proposed development fails to comply with the Planning and Development Regulations 2001 (as amended) (PDRs) and/or the Dublin City Development Plan (DCDP) 2022-2028, claiming that the planning application is either invalid or that further information is required.

DPC Response

The planning application has been submitted to ABP under Section 37E of the Planning and Development Act, as amended. It is important to note that the General Guidance Note in the Board's S.I.D. application form specifies that the range and format of application materials should generally adhere to the requirements outlined in articles 22 and 23 of the PDRs. While the PDRs do not impose specific requirements for drawings and materials submitted to the Board in respect of planning applications made under Section 37E, DPC made every effort to comply with the PDRs to ensure clarity and accuracy in the information presented. Some minor departures from standard scales were necessary, affecting only a limited number of drawings, and this approach was agreed upon with the Board prior to the submission of the planning application documentation. Section 1.6 of the Planning Report prepared by RPS further elaborates on the manner in which the application has been prepared in accordance with the PDRs.

Despite the extensive text presented in Section 5.0 of the observation, SAMRA fails to identify specific sections, objectives, policies, or management standards of the DCDP 2022-2028 or articles of the PDRs that are supposedly contravened.

Item 2 - The proposed Ro-Ro Terminal Yard (Area O) is not supported

SAMRA's submission under Section 6.1, and expanded upon under Sections 6.1.1 to 6.1.11, focuses on the proposed Ro-Ro Terminal Yard (Area O) and its incompatibility with the environmental, residential, and planning context of the Sandymount and Merrion areas. In the context of this planning policy response, SAMRA raises particular concerns about compliance of the proposed development with planning policy under the following sections:

- 6.1.1: Excessive reliance on roads and increase HGVs up to 24/7

- 6.1.2: Rising of ground levels to facilitate the Ro-Ro Terminal Yard requires review
- 6.1.3: Boundary treatment concerns – the need to protect views & prospects
- 6.1.8: Drainage concerns
- 6.1.9: Construction & operational phases project timescale

Submission

Section 6.1.1 Excessive reliance on roads and an increase in HGVs up to 24/7

SAMRA expresses significant concerns regarding the proposed 3FM Project's heavy reliance on road transportation, particularly the anticipated volume of HGV traffic during both the construction and operational phases. They argue that this reliance is excessive and poses adverse impacts on local communities, especially those near the Glass Bottle site, which is designated for residential development. SAMRA concludes by requesting the relocation of the proposed Ro-Ro Terminal Yard (Area O). In respect of planning policy, SAMRA asserts that the operational phase HGV traffic generation proposals are incompatible with the residential areas outlined in the Planning Scheme. They specifically cite Section 14.6.3 (Pre-application discussions with TII) of Chapter 14 Traffic and Transport (Volume 2 of the EIAR), which discusses "operational phase HGV traffic generation proposals for the project," asserting that these proposals conflict with the planned residential developments in the area. Key excerpts regarding this concern include: "Section 14.6.3 'Pre-application discussions with TII' of Chapter 14 of the EIAR includes operational phase HGV traffic generation proposals for the project which are incompatible with the residential areas to be fully developed under the Poolbeg West SDZ Planning Scheme and with Sandymount's residential community".

DPC Response

DPC reaffirms that the 3FM Project, including the Ro-Ro Terminal Yard (Area O), has been prepared in full compliance with the Planning Scheme, as is comprehensively evidenced in the application documentation, particularly Section 7 of the Planning Report.

SAMRA's assertion that the Ro-Ro Terminal Yard (Area O) is incompatible with future residential uses outlined in the Planning Scheme, particularly due to its proximity to the Glass Bottle site, is unfounded. The Planning Scheme envisions residential development for the Glass Bottle site and designates specific areas, such as Block 2, for "Mixed Use – Commercial, Creative Industries, Industrial (including Port-Related) Activities." The proposed location of the Ro-Ro Terminal Yard (Area O) falls within Block 2 of the Planning Scheme, aligning fully with the land use designation and, thus, in compliance with the Planning Scheme.

Port-related activities, including the proposed Ro-Ro Terminal Yard (Area O), are integral to the mixed-use vision for this area and essential for delivering the balanced development objectives outlined in the Planning Scheme.

SAMRA's concerns about the alleged incompatibility of the proposed Ro-Ro Terminal Yard (Area O) with the planned residential uses, per the Planning Scheme, seem to stem from concerns about traffic generation and reliance on HGVs. However, no evidence has been submitted to substantiate these claims. Moreover, the Planning Scheme does not include specific provisions or standards regarding acceptable traffic volumes or HGV movements.

Supporting compliance of the 3FM Project with the Planning Scheme, a Traffic and Transport Assessment, included as Chapter 14 Traffic and Transport (Volume 2 of the EIAR), confirms measures to minimise impacts on residential areas. Section 14.12.3.4 (HGV Routing for the Ro-Ro terminal Areas K & O) of Chapter 14 Traffic and Transport states: "Appendix 14.1 contains details of the proposed HGV routing (entry, exit, and between Areas) for Areas K and O (the Ro-Ro terminal). Notably, HGVs are routed away from the Glass Bottle site during the nighttime hours of 23:00-07:00 to minimise any potential inconvenience to residents. The only exception is port shunting vehicles returning unladen from Area O to Area K, which will be electrically powered or similar to provide lower carbon and reduced noise benefits."

The 3FM Project incorporates comprehensive measures, including routing HGVs away from the Glass Bottle site during nighttime hours, to address potential community concerns. Chapter 14 of the EIAR demonstrates that third-party haulier HGVs will not affect the Glass Bottle site during these hours, further evidencing alignment with Planning Scheme objectives. DPC also refers ABP to Appendix 14.1 of Volume 3 of the EIAR, which sets out details of the HGVs routes.

In light of the above, Chapter 14 Traffic and Transport and Appendix 14.1 of the EIAR provides evidence that SAMRA's concerns regarding significant traffic generation impacts are unfounded.

In conclusion, SAMRA's claims and assertions that the proposed use and location of the Ro-Ro Terminal Yard (Area O), along with the HGV traffic generated during its operational phase, render it incompatible with the residential areas specified in the Planning Scheme and thus non-compliant with the Planning Scheme, are inaccurate and unsupported by evidence. The 3FM Project, as detailed in the planning documentation, aligns with the Planning Scheme, its overarching vision and land use designations, and no significant traffic impacts on the residential communities are expected.

Submission

Section 6.1.2 Raising of ground Levels to facilitate the Ro-Ro Terminal Yard requires review

SAMRA raises concerns regarding the proposed raising of ground levels to facilitate the Ro-Ro Terminal Yard (Area O) within the receiving environment. They question the necessity for this, its potential visual impacts, and contamination risks. While SAMRA does not explicitly assert that the proposed raising of ground levels conflicts with planning policies such as those set in the Planning Scheme or the DCDP 2022-2028, their concerns could be interpreted as suggesting potential non-compliance with planning due to the contamination risks and visual impacts associated with this proposal.

DPC Response

The application is supported by a comprehensive EIAR that thoroughly evaluates the environmental effects of the entire 3FM Project, including the proposed raising of ground levels for the Ro-Ro Terminal Yard (Area O).

Chapter 8 Lands, Soils, Geology and Hydrogeology (Volume 2 of the EIAR) provides a detailed appraisal of the existing ground conditions at the project site and evaluates potential effects on land, soils, geology, and hydrogeology. As stated in Section 8.11 Conclusions of Chapter 8 Lands, Soils, Geology and Hydrogeology), the proposed development will not have any substantial negative impacts on the land, soils, geology, and hydrogeology of the area.

Regarding soil contamination and associated risks, DPC refers to Section 8.4 (Receiving Environment) and Section 8.4.7 (Ground Investigation) of Chapter 8 Lands, Soils, Geology and Hydrogeology, and the accompanying Appendix 8-2, which includes the Generic Quantitative Risk Assessment (GQRA) Report. This confirms that a ground investigation was undertaken by Causeway Geotech Ltd between 8th November 2022 and 10th February 2023, with the locations of exploratory holes presented in the GQRA Report. Additional ground investigation works were carried out between March 2024 and June 2024 to provide further information on ground conditions within Area O and to obtain information within Area L, which was not originally included in the scope of works.

As confirmed in Section 8.4.10.3 (Soil Contamination), all soil samples were found to be below the generic assessment criteria for commercial end use. Asbestos-containing material (ACM) was identified in four soil samples, as presented in Table 8.11. Section 8.5 (Construction Impacts) of Chapter 8 Lands, Soils, Geology and Hydrogeology reaffirms that *"the impact of clean imported material used to accommodate raising the ground levels in this area is considered to be beneficial, as there will be an improvement in the quality of upper soils."* Regarding construction works at Area O, it is stated that *"the construction of a new reinforced concrete slab for trailer handling and storage on top of the imported materials noted above will remove any direct contact pathway with elevated contaminant concentrations in soils in this area. The impact of constructing this concrete slab is considered to be beneficial."* Furthermore, Section 8.6 (Operational Impacts) concludes that operational impacts on land, soils, and geology are considered neutral. Remedial and mitigation measures are proposed to address potential risks to construction workers from asbestos and ground gas.

In summary, as demonstrated by the assessment of the potential environmental effects of the 3FM Project on land, soils, geology, and hydrogeology in Chapter 8 Lands, Soils, Geology and Hydrogeology, the proposed raising of ground levels will not result in significant contamination effects on the surrounding environment.

A Landscape and Visual Impact Assessment (LVIA) has been completed and is included in Chapter 17 Landscape and Visual (Volume 2 of the EIAR). The purpose of this LVIA is to determine the likely significant landscape and visual effects of the proposal. As noted in Section 17.4.4 (Construction Phase Impacts) of Chapter 17 Landscape and Visual, the landscape and visual impacts during the construction phase are expected to be short-term in nature, with limited visibility of the 3FM Project from residential properties during this stage. It is further reaffirmed that *"due to distance and the broad scale of the landscape within which the works are located, the change in landscape and visual resource will be negligible, and therefore, the significance of landscape and visual effects during the construction stage will be minor adverse."* There are

limited residential dwellings in close proximity to the construction works, and no significant visual effects are predicted.

The potential visual impact on residential properties has been assessed in Section 17.4.1.4 (Visual Impacts on Residential Properties), with the significance of effects summarised in Tables 17.9 and 17.13. These indicate that the predicted significant effect on properties in Sandymount with a view will be minor to moderate adverse and not significant; without mitigation, this will remain the same with mitigation. Section 17.8 concludes that the broader landscape character area and visual context around the Dublin Port area have the capacity to absorb a development of this scale. In summary, as per the results of the landscape and visual assessment submitted with the application, it can be concluded that the proposed raising of ground levels will not result in significant visual impacts on the surrounding environment, including views from Sandymount.

In conclusion, while SAMRA's concerns under Section 6.1.2 do not explicitly claim non-compliance with relevant planning policy, their comments on contamination risks and visual impacts could imply potential non-compliance. However, as demonstrated in the EIAR enclosed with the application, these concerns are unfounded. The proposed raising of ground levels has been carefully assessed, and the findings confirm that there are no significant contamination or visual effects resulting from the proposal. Consequently, any doubts about non-compliance with planning policy are entirely unfounded and lack validity.

Submission

Section 6.1.3 Boundary Treatment concerns – the need to protect views and prospects

SAMRA raised issues, in Section 6.1.3, in relation to the boundary treatment proposals associated with the proposed Ro-Ro Terminal Yard (Area O), raising issues regarding the adequacy of the proposed treatment and its alignment with DCDP 2022-2028 for protecting views and enhancing the natural landscape, particularly Sections 15.4.2 and 15.6.13.

Relevant excerpts include: *"The now proposed Ro-Ro Terminal Yard's context is poor and its proposals for boundary treatments to the south, east and west are not acceptable. ... It must be borne in mind that views from Sandymount Strand, Beach Road, Sean Moore Park, and the coastal areas towards and/or encompassing the Ro-Ro Terminal Yard area... are some of the most sensitive in all of Ireland. ... "The proposal is contrary to: Section 15.4.2 'Architectural Design Quality' of the DCDP 2022-2028 which requires... that 'The design of new development should respect and enhance Dublin's natural assets.'"*

"Section 15.4.2 'Architectural Design Quality' - "The design of new development should respect and enhance the Dublin's natural assets such as river and canal frontages, the River Liffey and many quality open spaces that contribute positively to the cityscape and urban realm ... " and "The need to protect and enhance natural features of the site, including trees and any landscape setting."

"Section 15.6.13: Boundary Treatments - "Walls, fences, metal railings and gates used to define spaces and their usage all impact on the visual character and the quality of a development. These should be selected so as to be an integrated part of overall design. Details of all existing and proposed boundary treatments, including vehicular entrance details, should be submitted as part of any planning application. These shall include details in relation to proposed materials, finishes, and, in the case of planted boundaries, details in respect of species together with a planting schedule. In all instances, boundary treatments shall be of high quality, durable and attractive."

DPC Response

The proposed Ro-Ro Terminal Yard (Area O), including the proposed boundary treatment, has been designed in accordance with the DCDP 2022-2028, as is comprehensively detailed in the application documentation, specifically in Section 7 of the Planning Report, which addresses the design proposals and their compliance with DCDP 2022-2028. Moreover, the proposed Ro-Ro Terminal Yard (Area O) is fully compliant with the land-use designations set out in the Planning Scheme. The development is illustrated in Figure 5.20 of Chapter 5 Project Description (Volume 2 of the EIAR) and entails the construction of a transit Ro-Ro trailer yard to be operated in conjunction with Area K. The 5.3 hectare site will accommodate 354 trailer ground slots for single-height containers or trailers, a change from the originally proposed multi-storey container yard. As noted in Chapter 5 of the EIAR, the design follows extensive community consultation and analysis of alternative layouts. The proposal incorporates a reinforced concrete retaining wall along the southern boundary, which will help retain the existing perimeter bund. The area behind the retaining wall will be infilled and planted to form part of the Coastal Park. The proposed boundary fencing will stand at 2.9m in height, meeting ISPS (International Ship and Port Facility Security) requirements while providing necessary visual screening and vehicle restraint.

This revised approach significantly reduces the visual intrusion compared to the initial proposal, aligning better with the surrounding environment.

In addition, SAMRA's claim that the boundary treatment is inadequate and does not comply with Section 15.6.13 of the DCDP 2022-2028 is incorrect. The application documentation, including Chapter 5 Project Description of the EIAR, clearly details the proposed boundary treatments for proposed Area O. The suite of 'civil engineering' and 'architectural' drawings shows details of the design of proposed boundary walls and fencing around the site, and further elaboration on boundary treatments are provided in the Port Park: Architectural Design Statement (by Darmody Architects) and Landscape Design Report (by TTT), as well as the Active Travel: Architectural Design Statement (by Darmody Architects) and Active Travel: Landscape Design Report (by TTT). These documents demonstrate how the boundary treatments are integrated into the overall design, ensuring they complement the landscape and visual character of the area.

The proposal includes extensive tree planting along the southern, eastern, and western boundaries, enhancing the visual quality and providing screening in key views, including those from Sandymount. The southern berm, in particular, will feature additional planting as part of the Coastal Park, offering further visual enhancement and mitigating potential impacts on the surrounding landscape. Additional greening is proposed to the west, as part of the Port Park, and to the east, near the Irishtown Nature Park, contributing to visual integration with the surrounding environment.

Further to the above, it is noted that a Landscape and Visual Impact Assessment (LVIA) has been completed and is included in Chapter 17 Landscape and Visual (Volume 2 of the EIAR). The purpose of this LVIA is to transparently determine the likely significant landscape and visual effects of the proposal, during both construction and operational phases. Chapter 17 concludes that the 3FM Project is located within a landscape character area identified as Harbour-Based Industrial Landscape. It is also stated that *"there are large areas of Dublin and the adjacent settled coastline that will not have views of the 3FM Project due to intervening buildings and vegetation and it is only in close proximity to the site and at the coastline that there will be potential direct views from locations that include Ringsend to the southwest, Sandymount to the south and the Clontarf to Howth coast road to the north. The existing port facilities including ships and cranes and traffic are all features of the existing views from such locations, and it will be difficult to discern the new features from existing features"*.

In summary, as per the landscape and visual assessment submitted with the application, the 3FM Project, including proposed boundary treatments, will not have significant visual impacts on the surrounding environment.

Furthermore, SAMRA's reference to Section 15.4.2 of the DCDP 2022-2028, which calls for developments to respect and enhance Dublin's natural assets, including river and canal frontages, is addressed by the design of Area O. The development respects the natural setting of the site, ensuring minimal visual impact using single-height containers and trailers, as well as the proposed amenity building, which is 6.7m in height. The landscape and visual assessment carried out in Chapter 17 Landscape and Visual of the EIAR confirms that these elements will not generate significant adverse visual impacts on the surrounding environment, including key viewpoints from Sandymount and other sensitive locations. The proposed landscaping, including the extensive planting and the integration of the Coastal Park and Port Park, enhances the natural environment and complies with the principles outlined in Section 15.4.2 of the DCDP 2022-2028.

In conclusion, the concerns raised by SAMRA under Section 6.1.3 regarding the boundary treatment and its compliance with the DCDP 2022-2028 are not substantiated. The design and boundary treatment for the proposed Ro-Ro Terminal Yard (Area O) has been carefully considered to ensure compliance with planning policies and to mitigate potential visual impacts. The proposed landscaping and boundary treatment, including tree planting and integration with the Coastal and Port Parks, are fully in line with the DCDP 2022-2028's requirements for quality boundary treatments and respect for the natural environment. Therefore, the application meets the relevant planning standards, and SAMRA's concerns are not supported.

Submission

Section 6.1.8 Drainage Concerns

SAMRA raises concerns about the implications of the proposed Ro-Ro Terminal Yard (Area O) with regard to foul water and surface water management and impacts arising from these on Dublin Bay and Sandymount Strand. SAMRA believes the proposal does not sufficiently address sustainable drainage requirements and advocates for the lands to be used as open space or parkland instead. Relevant excerpts include:

Regarding surface water concerns: "SAMRA is concerned to ensure that all surface water run-off at construction and operational phases of the Ro-Ro Terminal Yard (if permitted) is treated and does not end up untreated in Dublin Bay. ... SAMRA is not convinced that existing storm water outfalls are sufficient and/or are an acceptable way to address surface water run-off from the Ro-Ro Terminal Yard."

Regarding foul water concerns: "Further, the block proposed to serve the facility includes toilets which also raise concerns as to permanent discharge of foul water from the area."

Regarding alleged adverse impacts on Dublin Bay: "Increased drainage discharge from the Poolbeg Peninsula into Dublin Bay which may adversely impact water quality in Dublin Bay and that serving Sandymount Strand."

Regarding land use: "SAMRA supports the use of the lands proposed for the Ro-Ro Terminal Yard as open space and/or parkland".

Further to the above, SAMRA claims that the proposal conflicts with planning policy, particularly the DCDP 2022–2028, citing non-compliance with its climate, sustainable drainage, flood management, and environmental objectives. "The proposal is at odds with Dublin City Development Plan 2022–2028 and its climate, sustainable drainage, flood management, and environmental policies."

DPC Response

SAMRA raises issues about the implications of the proposed Ro-Ro Terminal Yard (Area O) with regard to foul water and surface water management, as well as the potential impacts on Dublin Bay and Sandymount Strand.

In this context:

- DPC acknowledges the importance of effectively managing surface water runoff and the provision of foul water management in the context of the proposed Ro-Ro Terminal Yard (Area O) that complies with relevant regulations. As detailed in Chapter 5 Project Description (Volume 2 of the EIAR). The design of the proposed Ro-Ro Terminal Yard (Area O) incorporates a wastewater network to connect to the existing wastewater system via gravity and a surface water drainage system, including stormwater attenuation, discharging to the existing stormwater network, through oil interceptors. These will be implemented to prevent untreated runoff from entering Dublin Bay and ensure that any foul water generated will be managed effectively.
- The suite of 'utilities' drawings enclosed with the application presents details of the proposed engineering design of the project, i.e., surface water and foul water infrastructure in the context of the proposed Ro-Ro Terminal Yard (Area O).
- DPC is committed to protecting the water quality of Dublin Bay and Sandymount Strand. The proposed Ro-Ro Terminal Yard (Area O) has been designed to minimise any potential discharges that could adversely impact water quality. A comprehensive assessment has been conducted and presented in Chapter 9 Water Quality & Flood Risk Assessment (Volume 2 of the EIAR) to determine the likely significant effects of the project on water quality and propose measures to avoid and prevent these likely significant effects.
- Furthermore, a Water Quality Management Plan will be implemented for the duration of the proposed construction works, presented in Section 3.5.10 of the Draft Construction Environmental Management Plan (CEMP) enclosed in the application documentation. Proposed mitigation includes the adherence to requirements for best practice and adherence to the following relevant Irish guidelines and recognised international guidelines, Suspended Sediment and Sedimentation Measures, Concrete and Cement Pollution Measures, or the implementation of a water quality monitoring programme to provide additional safeguards to the receiving environment and an assessment of the effectiveness of the mitigation measures implemented to address any potential environmental effects on the receiving environment during the construction phase of the works.

While SAMRA advocates for the lands to be used as open space or parkland, DPC maintains that the proposed Ro-Ro Terminal Yard (Area O) is a vital infrastructure project that will enhance the operational capacity of Dublin Port. The project has been carefully planned to integrate with the surrounding environment and contribute to the overall development objectives of the area, which include sustainable transport solutions and economic growth. As demonstrated in the Planning Report (refer to Sections 6 and 7), the proposed Ro-Ro Terminal Yard (Area O) fully accords with the vision and land use designations for this part of the part of the Planning Scheme. As shown in Figures 9.1 and 4.2 of the Planning Scheme, the area where the Ro-Ro Terminal Yard (Area O) has been proposed is not intended for parkland use. Consequently, accommodating

SAMRA's suggestion to develop this area as parkland would be inconsistent and contrary to the Planning Scheme.

In conclusion, SAMRA's assertion regarding the alleged misalignment of the proposed Ro-Ro Terminal Yard (Area O) with DCDP 2022-2028 policies (i.e., climate, sustainable drainage, flood management and environmental policies) is unfounded. The documentation enclosed with the 3FM Project evidence that the proposed Ro-Ro Terminal Yard (Area O) and associated infrastructure will ensure adequate surface water and foul water management, thus protecting the water quality of Dublin, and according to DCDP 2022-2028 climate, sustainable drainage, flood management, and environmental policies.

Submission

Section 6.1.9 Construction and Operational Time-Scale Concerns

SAMRA raised concerns about the 3FM Project's long timescale and the permanent nature of the proposed Ro-Ro Terminal Yard (Area O), which they alleged was in conflict with the SDZ Planning Scheme. SAMRA also questions the appropriateness of using the proposed Ro-Ro Terminal Yard (Area O) at the construction stage of the 3FM Project. Relevant excerpts include:

Regarding extended timescale concerns: *"The EIAR states: 'If granted planning permission and then constructed, the 3FM Project will have taken 20 years from the original commencement of planning and design work to project completion'."*

Regarding inappropriate use at the construction phase: *"SAMRA does not support the proposed use of the proposed Ro-Ro Terminal Yard for 'landside and marine construction logistics for up to the first 10 years of the 3FM project duration'."*

Regarding permanent nature and non-compliance with Planning Scheme: *"SAMRA refers ABP to Section 11.3.5 'Port/Industrial Compatible Uses' of the Poolbeg West SDZ Planning Scheme which states: Areas B1 and B2 shall be used only for temporary port facilities... Areas B1 and B2 shall be used only for temporary port facilities, port-related buildings, existing uses, and container storage until resolution of the Eastern Bypass route corridor. The applicant proposals do not appear to be temporary (...). They cannot be reasonably be, in SAMRA's opinion, a permanent development proposal for these lands."*

DPC Response

The lands described as Block B2 in the Planning Scheme include a portion of the 3FM Project intended for unitised cargo handling, specifically the proposed Ro-Ro Terminal Yard (Area O). The Planning Scheme designates Block B2 with a land use designation of *"Mixed Use – Commercial, Creative Industries, Industrial (including Port Related) Activities."* Therefore, it is evident that the proposed Ro-Ro Terminal Yard (Area O), which will support unitised cargo handling and thus represent a port-related activity, is aligned with the designated land use for these lands in the SDZ area.

With regard to SAMRA's claims referencing Section 11.3.5 of the Planning Scheme, according to the Greater Dublin Area Transport Strategy 2022-2042 (hereafter the GDA Transport Strategy), the Eastern Bypass is no longer required to be developed. The strategy confirms that lands previously reserved for this corridor, including those in the Poolbeg West SDZ, may now be released for alternative development. As per the above extract from the Planning Scheme, it is correct that the scheme anticipates a review following the resolution of the Eastern Bypass route selection, which could release lands for additional development. However, given that the Eastern Bypass is no longer expected to proceed, such a review may not occur. Indeed the Board has recently approved a non-material amendment removing the Eastern Bypass from the Planning Scheme¹ Although no details are available it is assumed that given the amendment's non-material nature, the vision, land use designation, and framework guiding proposals at Block B2 remain unchanged, specifically, the land use designation (i.e., mixed use) that permits port-related activities. The proposed Ro-Ro Terminal Yard (Area O), intended for unitised cargo handling, aligns with this designation and, therefore, complies fully with the current Planning Scheme.

Furthermore, the proposals for the 3FM Project do not obstruct or preclude the potential future review of Block B2 uses as anticipated by the Planning Scheme.

¹ ABP-320190-24

The timeline outlined in the EIAR for the delivery of the 3FM Project reflects the complexity of the works, the need for careful planning, and adherence to environmental and operational requirements. These factors do not imply a failure to comply with the Planning Scheme but rather serve to highlight the project's scale, its significance in supporting long-term port operations and adherence to environmental and operational requirements.

SAMRA also questions the appropriateness of using the proposed Ro-Ro Terminal Yard (Area O) as a temporary logistics zone during the construction phase of the 3FM Project. However, DPC wishes to provide the following clarifications:

- The construction phase of the 3FM Project has been carefully sequenced into discrete elements, as outlined in Section 5.2.10 of Chapter 5 Project Description (Volume 2 of the EIAR), and further detailed in Appendix 5-4 (Volume 3 of the EIAR). A portion of the proposed Ro-Ro Terminal Yard will serve as a temporary logistics area for materials storage, loading, and unloading to facilitate construction activities.
- Construction of Area O is planned to commence in the second half of 2038 and conclude by the end of 2039. Prior to that, from 2029, a portion of the overall site will be designated as a logistics area to support early construction activities.
- The construction activities have been designed to minimise impacts on adjacent sensitive areas. The Draft Construction Environmental Management Plan (CEMP), submitted with the application, sets out minimum requirements for environmental protection during construction, including mitigation measures and monitoring protocols. The Draft CEMP is a live document that will be updated in accordance with any conditions attached to statutory consents.

The comprehensive environmental assessments conducted and mitigation measures proposed demonstrate that the temporary logistics use will not result in adverse environmental effects.

In conclusion, SAMRA's assertions regarding the long timescale, inappropriate use of sensitive lands, and the permanent nature of the proposed Ro-Ro Terminal Yard are unfounded. The documentation submitted with the 3FM Project application demonstrates compliance with the Planning Scheme and supports the development of critical port infrastructure in alignment with the designated land use objectives for the area.

Item 3 - Observations regarding the treatment of the south coastal area of the site

Section 6.2 of SAMRA's observation includes a series of observations that centre on the treatment of the south coastal area of the site. The primary concerns relate to:

- Section 6.2.1 The Proposed Port Park and Extension to Irishtown Nature Park
- Section 6.2.2 The DCC District Heating Scheme site should not be included
- Section 6.2.3 Amend the temporary & permanent party boundary to the Ro-Ro Terminal Yard
- Section 6.2.3 Proposed earthworks and retaining wall for the Ro-Ro Terminal Yard
- Section 6.2.4 The coastal park proposals do not comply with Poolbeg West SDZ requirements.

Submission

Section 6.2.1 The Proposed Port Park and Extension to Irishtown Nature Park

Section 6.2.1 of SAMRA's observations expresses concerns regarding the design, connectivity and functionality of the proposed Port Park and the extension to Irishtown Nature Park. However, SAMRA does not make any explicit claims that the proposal contravenes specific planning policies or guidelines. Instead, SAMRA provides general commentary on the proposed Port Park's design, and focuses on alternative design suggestions, including the use of the Ro-Ro Terminal Yard (Area O) and the site designated for the District Heating Scheme as parkland. SAMRA views this as a missed opportunity, suggesting that these areas should be included to create a buffer that would benefit both existing communities and the surrounding environment. Relevant excerpts include: "SAMRA asks why the entire area of the proposed Ro-Ro Terminal Yard - Area O - would not be included as a new public park thereby connecting the proposed Port Park and Irishtown Nature Park. ... "The proposed piecemeal and fractured nature of the proposed Port Park and Irishtown Nature Park which would adjoin the Ro-Ro Terminal Yard, possibly a DCC District Heating Scheme, the waste to energy plant, etc."

DPC Response

The 3FM Project, including the proposed Port Park, has been developed in full accordance with the Planning Scheme, as outlined in Section 7 of the Planning Report submitted with the application. The proposed Port Park represents a significant investment in public and community amenities, incorporating high-quality spaces designed to enhance the local environment.

In response to SAMRA's suggestion regarding the inclusion of the Ro-Ro Terminal Yard (Area O) and the District Heating Scheme site as parkland, DPC refers to Figures 9.1 and 4.2 of the Planning Scheme. These figures clearly delineate the location and extent of the Port Park, indicating that the area designated for the Ro-Ro Terminal Yard is not intended for parkland use. Consequently, accommodating SAMRA's suggestion to develop this area as parkland would be inconsistent with the Planning Scheme and its intended land use designations.

Furthermore, the design of the proposed Port Park has been carefully considered to ensure connectivity with existing public amenities and natural features. The project aims to create a cohesive space that enhances community access and enjoyment while respecting the environmental context of the area. Further details of the 3FM Project in respect of the Port Park are shown in the architectural and landscape design reports prepared by Darmody Architects and TTT submitted with the application.

In conclusion, DPC emphasises that the 3FM Project is supported by comprehensive documentation, including detailed architectural and landscape design reports prepared by Darmody Architects and TTT, respectively. These reports outline the design principles applied to the proposed Port Park. Additionally, the application includes arboriculture assessments and lighting reports, alongside architectural, landscape, arboriculture, and lighting drawings prepared for the proposed park.

This extensive documentation demonstrates that the proposed Port Park and its associated works will encompass 5.2 hectares, transforming currently underutilised industrial lands in this prominent location on the fringe of Dublin Bay into new amenity and public spaces for communities to enjoy. The design will deliver new greening, planting, a sports pitch, a toilet pavilion, seating areas, lighting, and interpretation and way-finding elements. The design also considers connectivity to the popular leisure walk leading to Irishtown Nature Reserve, with the site boundary extending eastward to facilitate tree planting south of the landscaped berm. This extension aims to enhance environmental opportunities, minimise the visual impact of the 3FM Project, and ensure that the site remains integrated with the surrounding natural environment and leisure amenities.

Submission

6.2.2 The DCC District Heating Scheme site should not be included

Section 6.2.2 of SAMRA's observation outlines concerns regarding the inclusion of a site within the 3FM Project for a district heating scheme and opposes any future development in this area of the Poolbeg Peninsula. They contend that this inclusion perpetuates the utility use of the area rather than enhancing its amenity value. Relevant excerpts include: "SAMRA is opposed to any further development in this area of Poolbeg Peninsula and considers that the current project should not incorporate a site for a District Heating Scheme which would continue the utility use of the area rather than the amenity use."

Regarding the assumption of future approval and utility use: "SAMRA is opposed to any further development in this area of Poolbeg Peninsula and considers that the current project should not incorporate a site for a District Heating Scheme, which would continue the utility use of the area rather than the amenity use. ... "It would not be standard for planning applications to include reference to the future use of lands. The current use should be reasonably stated on the submitted drawings. ... "The inclusion of this preliminary proposal within the 3FM scheme presupposes its final permission in the future, which is not guaranteed."

In addition to the above, SAMRA raises concerns regarding the potential encroachment of the Ro-Ro Terminal Yard (Area O) into coastal areas. They argue that the facility should be set back to maintain public amenity space and protect access to the waterfront, which is vital for community enjoyment and environmental integrity. Relevant excerpts include: "The applicant proposals encroach into the coastal area and need, at least, to be setback."

DPC Response

As indicated in the application documentation, particularly in the Planning Report (6 and 7), the eastern portion of the proposed Ro-Ro Terminal Yard (Area O) remains without specific proposals for the 3FM Project; however, it is anticipated that district heating proposals may emerge at this location in the future. SAMRA's concern that this reference in the application documentation presupposes final permission is unfounded. Any

future proposal for district heating or another project at the preferred site will be subject to separate approval procedures.

In this context, Objective IU10 of the Planning Scheme, which envisions a potential district heating boiler station in the eastern/industrial portion of the SDZ area, specifically within Block B2, where the proposed Ro-Ro Terminal Yard, Area O, is located. In response to this objective, the design of the 3FM Project has been configured to make DPC land available for Dublin City Council (DCC) to develop a district heating facilities connected to the Dublin Waste-to-Energy Plant. Once again, DPC wishes to reiterate that this aspect is not part of the current application. Consequently, it will be addressed through a separate consent process and will undergo consideration by the planning authority once submitted.

Addressing SAMRA's claims regarding the future use of this part of the SDZ area for amenities instead of a district heating facility, it should be emphasised that the use of this space for port-related activities or future district heating facilities, rather than as an amenity area as suggested by SAMRA, aligns with the vision, development form, and land uses outlined in the Planning Scheme, as illustrated in Figure 9.1 and discussed in Section 9.3 of the Planning Scheme. Consequently, SAMRA's assertion that this space should be for enhancing public amenities rather than accommodating utility projects would be contrary to the Planning Scheme.

Finally, regarding the potential encroachment of the Ro-Ro Terminal Yard (Area O) into coastal areas. DPC note that similar concerns are expressed in Section 6.2.4 of the SAMRA observation, noting that the minimum separation distance requirements per the Planning Scheme from the proposed Ro-Ro Terminal Yard (Area O) to the coastline are allegedly not being provided. In this regard, DPC refers to the detailed response provided below (i.e., DPC response to SAMRA's Section 6.2.4), which demonstrates that the proposed separation distances are in accordance with the Planning Scheme.

In conclusion, DPC firmly asserts that the inclusion of the District Heating Scheme site within the 3FM Project is consistent with the objectives outlined in the Planning Scheme and does not imply any assumption of future approval. The issues raised by SAMRA regarding the appropriateness of this inclusion, potential encroachment into coastal areas, and the suitability of land use for amenities have been thoroughly addressed. The 3FM Project is designed to comply with the relevant planning policies, ensuring that the proposed developments align with the vision and land use designations under the Planning Scheme.

Submission

Section 6.2.3 Amend the temporary & permanent party boundary to the Ro-Ro Terminal Yard

In Section 6.2.3, titled '*Amend the temporary & permanent party boundary to the Ro-Ro Terminal Yard*', SAMRA raises issues regarding the proposed boundary of the Ro-Ro Terminal Yard (Area O) and its compliance with planning policies. Their claims focus on the accuracy of the proposed setback, the visual impact of the proposed boundary wall, and the need to protect existing vegetation. Relevant excerpts include: *"The existing setback distances from the water's edge to existing developed areas are currently as much as 56m and 65m. The applicant's 'existing' and 'proposed' drawings include setbacks of as low as 31m and 32m."*

Regarding Visual Impact: "A 5.5m tall unbroken boundary wall in the prison-like appearance shown is excessive at this location and would be visually adverse."

Regarding Vegetation Protection: "Where there is presently considerable vegetation to the southern boundary of the Ro-Ro Terminal Yard - this should be protected and enhanced."

DPC Response

DPC notes that similar concerns regarding alleged inappropriate separation setbacks and potential encroachment have been raised in Sections 6.2.2 and 6.2.4 of SAMRA's observation. In the interest of clarity, DPC has addressed these concerns below (i.e., DPC response to SAMRA's Section 6.2.4), under which it is reaffirmed that the proposed Ro-Ro Terminal Yard (Area O) complies with the Planning Scheme, including guidance on separation distances.

Regarding SAMRA's concerns about the alleged visual impact from the proposed boundary treatment of the Ro-Ro Terminal Yard (Area O), DPC notes that similar concerns are raised in Section 6.1.2 (Raising of Ground Levels to Facilitate the Ro-Ro Terminal Yard) and Section 6.1.3 (Boundary Treatment Concerns – The Need to Protect Views and Prospects) of SAMRA's observation. In this regard, DPC refers to responses provided to SAMRA's Items 6.1.2 and 6.1.3 in this response document, which reaffirm that the 3FM Project has undergone a landscape and visual assessment, and the results confirm that claims and concerns regarding potential

visual impact from the proposed Ro-Ro Terminal Yard (Area O) are unfounded. Further details of the landscape and visual assessment are set out in Chapter 17 Landscape and Visual of the EIAR submitted with the application.

Regarding SAMRA's concerns about the protection and enhancement of existing vegetation along the southern boundary of the Ro-Ro Terminal Yard (Area O), DPC confirms that an arboriculture assessment has been carried out and enclosed with the application documentation. This is supported by Drawing Nos. 463924001-Port-Park-Tree-Survey-Plan-Retention-Removal-Sh.1 and 463924002-Port-Park-Tree-Survey-Plan-Retention-Removal-Sh.2 (by JM McConville + Associates), detailing the tree survey retention plan. These documents demonstrate that all trees existing to the south of the proposed Ro-Ro Terminal Yard (Area O) are to be retained. Furthermore, the 3FM Project includes appropriate boundary treatment and planting at the interface between the proposed Ro-Ro Terminal Yard (Area O) and the Coastal Park's eastern edge, as well as along Southbank Road. Details are set out in the Port Park: Architectural Design Statement (by Darmody Architects), the Port Park: Landscape Design Report (by TTT), Active Travel: Architectural Design Statement (by Darmody Architects), the Active Travel: Landscape Design Report (by TTT), and the associated architectural and landscape drawings.

In conclusion, the concerns raised regarding the boundary setbacks, visual impact, and vegetation protection associated with the Ro-Ro Terminal Yard (Area O) are unfounded. The proposed development adheres to the relevant planning policies and guidelines, ensuring compliance with the Planning Scheme and the DCDP 2022-2028. The design of the Ro-Ro Terminal Yard (Area O) has been carefully considered to maintain appropriate setbacks, minimise landscape and visual impacts, and protect existing vegetation. The comprehensive documentation provided with the application supports these assertions, demonstrating that the 3FM Project will enhance the local environment while meeting the necessary planning requirements.

Submission

Section 6.2.3 Proposed earthworks and retaining wall for the Ro-Ro Terminal Yard

In Section 6.2.3, i.e., 'Proposed earthworks and retaining wall for the Ro-Ro Terminal Yard' of SAMRA's observation, SAMRA expresses concerns about the proposed earthworks and retaining wall for the Ro-Ro Terminal Yard (Area O), asserting that these proposals may encroach on public amenity space and disrupt the natural landscape. Their claims focus on two main areas.

Regarding Encroachment into Public Amenity Space: *"SAMRA is concerned that the applicant is encroaching into lands which do not naturally or historically form part of the brownfield areas of Poolbeg Peninsula but rather have always been part of the public amenity open space to the south."*

Regarding Justification of the Retaining Wall: *"The proposed retaining wall cannot be justified this close to the shoreline when natural contours can achieve the same outcome."*

While SAMRA raises these concerns, their assertions do not reference specific planning policies, objectives, or development standards that the Ro-Ro Terminal Yard (Area O) allegedly fails to comply with.

DPC Response

To the extent that the assertions regarding alleged encroachment and boundary treatment infer that the 3FM Project does not align with the policies of the Planning Scheme, DPC reaffirms the appropriateness of the boundary treatments proposed in connection with the Ro-Ro Terminal Yard (Area O). Regarding SAMRA's claims and concerns about alleged encroachment and inadequate separation distances, DPC notes that similar assertions have been made under Sections 6.2.2 and 6.2.4, as well as Section 5.0 of their observation. In the interest of clarity and conciseness, DPC has addressed these concerns in detail in the response provided in DPC response to SAMRA's Section 6.2.4.

Similarly, DPC refers ABP the response under Item 3.3 to Section 6.2.3 of SAMRA's observation, where DPC addresses SAMRA's concerns regarding the potential impact of the proposed development on existing vegetation. The design of the Ro-Ro Terminal Yard (Area O) has been carefully considered to maintain appropriate setbacks, minimise landscape and visual impacts, and protect existing vegetation.

In conclusion, DPC considers that SAMRA's claims and assertions made in Section 6.2.3 of their observation are unfounded and the 3FM Project, including the proposed Ro-Ro Terminal Yard (Area O), fully aligns with the Planning Scheme. The proposed development has been designed to respect the surrounding environment and existing public amenity spaces, ensuring that it contributes positively to the overall landscape and community amenity.

Submission

Section 6.2.4 The coastal park proposals do not comply with Poolbeg West SDZ requirements

Section 6.2.4 of SAMRA's observation asserts that the proposed development fails to comply with certain requirements of the Planning Scheme and the DCDP 2022-2028. Their claims relate to setback requirements, the adequacy of the Coastal Park as a buffer, sustainable drainage systems (SuDS), and ecological enhancements. Relevant excerpts include: *"A 50m setback to the shoreline is not proposed: The Poolbeg West SDZ establishes the principle of a minimum of 50m setback from the coastal edge to any new building line. The applicant proposals for the Ro-Ro Terminal Yard's boundary wall and fence is under 50m. ... "A 50m setback and careful planting of the coastal park is required to achieve the necessary buffer in all respects (e.g., visual, noise, etc.)."*

Regarding Sustainable Drainage Systems (SuDS): *"The incorporation of SuDS into the path and coastal park developments is incomplete... Attenuation cannot involve surface water passing directly into Dublin Bay. ... The design should be exemplary in terms of integration of SuDS with the public realm proposals as required by Objective GIO37 of the DCDP 2022-2028"*.

DPC Response

DPC reaffirms that the 3FM Project complies with relevant policies, objectives, management standards, and guiding principles set out in the Planning Scheme and the DCDP 2022-2028, as demonstrated in particular in Section 7 of the Planning Report.

Regarding the compliance of the proposed Ro-Ro Terminal Yard (Area O) with the Planning Scheme's requirements, particularly concerning minimum appropriate separation and setback requirements, the following clarifies the requirements regarding the 50m setback and its implementation.

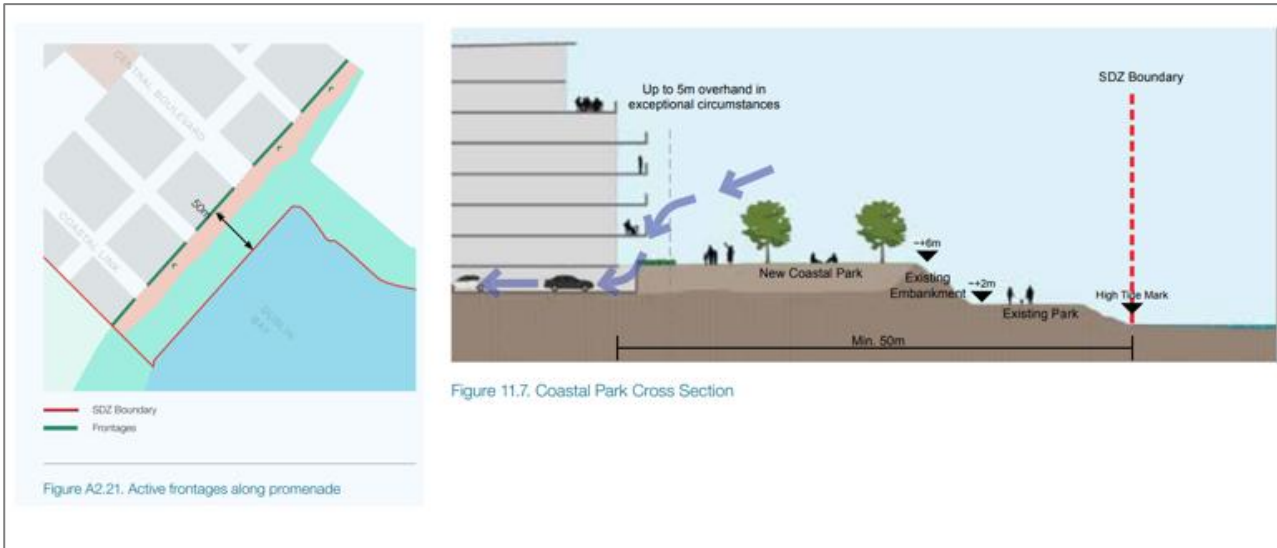
DPC refers to Section 11.4.3 of the Planning Scheme, which establishes the Coastal Park as a buffer between intensive development (within Area A) within the SDZ and the foreshore, with a western edge setback generally fixed at 50m from the shoreline boundary of the SDZ. Section A2.3 also discusses this requirement.

"Section 11.4.3 Coastal Park: The location and form of the park is generally fixed, with a western edge being set back 50m from the shoreline boundary of the SDZ (see also 11.5.2 below)." (Extract from Section 11.4.3 of the Planning Scheme, Page 81).

"b) Design Principles. The Coastal Park will be designed according to the following principles. The overall size and location of the Coastal Park is determined by the building line set back a minimum of 50m from the shoreline boundary of the SDZ." (Extract from Section A2.3 of the Planning Scheme, Page 118).

Regarding the 50m setback requirement, Figure A2.21 of the Planning Scheme provides a visual representation of this requirement and should be considered for understanding its practical implementation. Figure A2.21 of the Planning Scheme is reproduced here for clarity and context.

Figure A2.21 clearly indicates that the 50m setback requirement applies only to the western edge of the Coastal Park, not to the eastern edge where the Ro-Ro Terminal Area (O) is proposed. In this regard, it is evident that SAMRA's claims regarding the non-compliance of the 3FM Project with the Planning Scheme's requirements are unfounded. As evidenced in Figure A2.21, the 50m setback requirement applies to the western edge of the Coastal Park, therefore, it would not be relevant or applicable to the Ro-Ro Terminal Area (O). SAMRA's claims regarding alleged encroachment based on the failure to comply with the 50m setback requirement are also mistaken.



Furthermore, Figure 11.7 of the Planning Scheme, also reproduced above, provides further clarity on the interpretation of the 50m setback requirement. This figure provides a detailed cross-section of the Coastal Park, illustrating that the 50m setback extends from the shoreline boundary of the SDZ, defined by the high tide mark, to the building line in Area A. As shown, the area within the 50m distance accommodates the boundary treatment to the east of the building line.

While the 50m setback requirement does not apply to the eastern edge of the Coastal Park and Area B (Block B2), DPC takes this opportunity to reemphasise that, in any event, the proposed Ro-Ro Terminal Yard (Area O) will provide an appropriate level of separation distance. For the most part, this design meets or exceeds a 50m setback, with minor instances where a slightly lesser distance is provided. In this instance, it is noted that:

- The proposal includes trailer parking situated parallel to the Coastal Park's eastern edge. The closest distance from the proposed trailer parking to the high tide mark is 57m (see Drawing CP1901-3FM-RPS-S45-07-DR-C-0701 enclosed with the application with dimension added in Figure 3.2.1 below).
- The distance from the proposed retaining boundary wall to the high tide mark ranges from 43.5m and 49.8m (see Figure 3.2.1 below). However, it is important to note that this is a retaining boundary wall, not a building, and guidance set in Figure 11.7 of the Planning Scheme should be considered (i.e., the 50m setback should be from the building line to the high tide mark, and the boundary treatment, is to be placed close to the building line but not necessarily at the 50m setback mark). Thus, the proposed retaining wall provides an appropriate distance as per the guidance set in Figure 11.7 of the Planning Scheme (reproduced above).
- Finally, the distance from the single proposed amenity building to the application boundary (indicated by the red line) achieves a setback of 46.6m when measured to the high tide mark (see Drawing CP1901-3FM-RPS-S45-07-DR-C-0701 enclosed with the application) located north and behind of the ISPS fence, retaining wall and planted berm. It is important to highlight that this building is of minor scale (5m in height) and massing (146 sq.m) and is in no way similar to the intensive development and building form envisaged within Area A. While the separation distance is slightly below the 50m setback mark, DPC reiterates that such a requirement is not applicable in this context, as already discussed in this response.

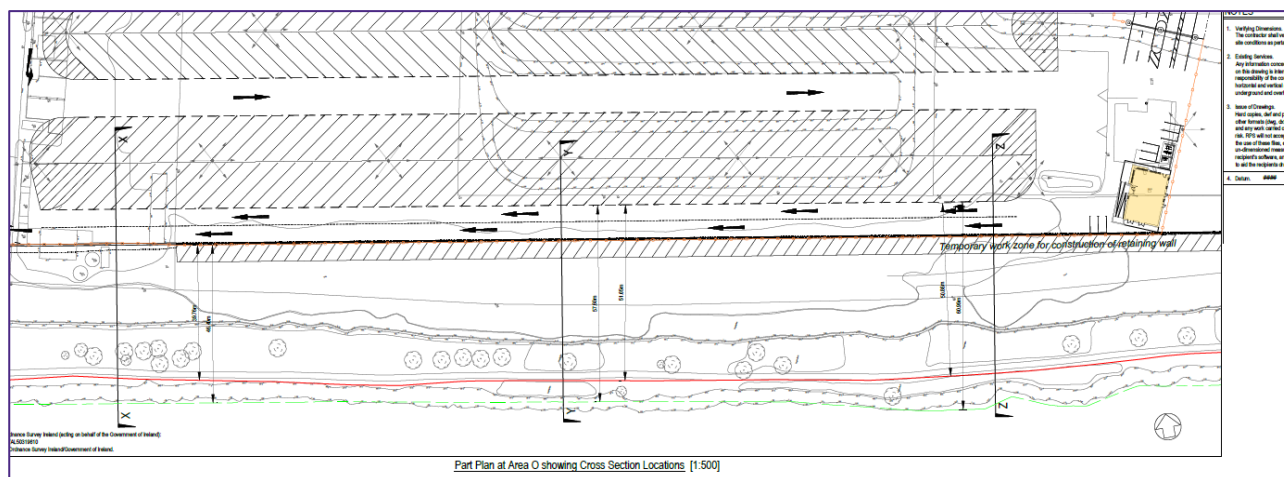


Figure 3.2.1: Extract from Drawing CP1901-3FM-RPS-S45-07-DR-C-0701 (annotated)

While the Planning Scheme does include a 50m setback requirement concerning the Coastal Park, this is not relevant in the context of the 3FM Project and development within Area B2. Even in this instance, the proposed Ro-Ro Terminal Yard (Area O) has been designed in a manner which provides an appropriate separation distance to the shoreline.

Further to the above, the 3FM Project includes appropriate boundary treatment and planting at the interface between the proposed Ro-Ro Terminal Yard (Area O) and the Coastal Park's eastern edge, as well as along Southbank Road. Details are set out in the Port Park: Architectural Design Statement (by Darmody Architects), the Port Park: Landscape Design Report (by TTT), Active Travel: Architectural Design Statement (by Darmody Architects), the Active Travel: Landscape Design Report (by TTT), and the associated architectural and landscape drawings.

Regarding SuDs, surface water captured in Area O will be attenuated using underground storage systems and treated via full retention separators prior to discharge into the sea via an existing drainage outfall. Above ground (or surface based) SuDS was deemed inappropriate due to the limited space available, the industrial nature of the locations, the existing presence of shallow utilities and the potential level of contamination present within the existing ground.

The purpose of the attenuation is to:

- limit the rate of flow discharging from Area O so that there is no nett increase discharging to the estuary via the existing outfall.
- limit the rate of flow requiring treatment via the oil interceptor, therefore reducing the size of the interceptor required.

Control measures will be put in place to ensure that in the event of a spillage the source can be readily identified and that section of the network isolated. The receiving environment will be protected through the installation of petrol/oil interceptors and control valves that prevent contaminated runoff or spills reaching the sea.

The drainage infrastructure will consist of non-perforated drainage pipe on account of the tidal nature of the location and the nature of the ground. The drainage proposals are based on SuDS principles and align with the Dublin City Development Plan 2022-2028. Discharge consents for new outfalls will be sought as detailed design progresses.

Regarding ecological enhancements, the 3FM Project aims to improve the ecological quality of the Coastal Park area. The design includes planting native species and creating habitats that enhance local biodiversity, addressing SAMRA's concerns about the existing vegetation being ecologically poor. The proposed enhancements will contribute to the overall ecological value of the area and align with the objectives outlined in the Planning Scheme.

In conclusion, the proposed Ro-Ro Terminal Yard (Area O) complies fully with the Planning Scheme's requirements. While the Planning Scheme clearly states that the 50m minimum setback requirement applies to the western edge of the Coastal Park, the design of the 3FM Project for Ro-Ro Terminal Yard (Area O) at the eastern edge of the park still respects the 50m setback from the shoreline (as defined by the high tide mark) to the building line, with the exception of the screened single proposed amenity building which is of minor scale and massing and is in no way similar to the intensive development and building form envisaged within Area A. Together with separation distances, the boundary treatments, and planting, as shown in the

documentation enclosed with the application, will ensure that the proposed development within the Ro-Ro Terminal Yard (Area O) protects and accommodates the Coastal Park as intended. The proposal also includes extensive landscaping in the form of planting and greening along the northern side of Southbank Road, which will enhance the overall amenity of the area and provide for a softened transition between future residential uses to the south at the Glass Bottle site and existing port-related activities to the north of the road.

Item 4 - Failure to deliver 'joined up' Luas proposals

Submission

Section 6.4 of SAMRA's observation asserts that they do not support the 3FM Project without the inclusion of the Luas. They outline several sections, policies, and objectives to demonstrate the importance of the Luas in delivering sustainable mobility. The vision for the expansion of the Luas network into the Poolbeg Peninsula is set out in planning policy under the Poolbeg West SDZ Planning Scheme, the DCDP 2022-2028, the GDA Transport Strategy, the National Sustainable Mobility Policy, and the National Planning Framework.

Regarding Luas Inclusion in the Project relevant excerpts include: *"The Luas, a long-awaited and critical piece of infrastructure, long supported by SAMRA, is treated by the applicant primarily as a can which can be kicked down the road. The many reports, where they mention Luas, do so in a manner so as to try to justify proceeding with this project in its absence. ... SAMRA agrees the proposals are premature pending the necessary sustainability benefits to the area which Luas would deliver. ... "If the applicant is serious about facilitating Luas, where are the preliminary drawings demonstrating this facilitation? ... The current project continues to represent the best opportunity to agree the alignment and locations to be served between the existing Red Line and Poolbeg. However, the design and planning work has not been undertaken, and the proposals read as premature."*

Regarding SPAR Bridge: *"Despite how the SPAR bridge, a Dublin Port initiated project idea, does not appear in any national, regional, or local statutory planning or transportation policy document which SAMRA can find (excepting those prepared by the applicant), the submitted planning application repeatedly refers to it as though it is. Various planning policies, especially those in the Dublin City Development Plan 2022-2028, are described as supporting the SPAR bridge, which this document—the city plan—does not even mention a new bridge."*

DPC Response

DPC has no responsibility for the design and construction of Luas infrastructure.

DPC refers to the following extracts from the GDA Transport Strategy regarding Luas expansion into the Poolbeg Peninsula:

"Analysis undertaken on the Transport Strategy indicates that this demand may be catered for by bus, cycling, and walking up to 2042; however, depending on the scale and phasing of development, it may be necessary to consider delivering Luas to this area during the later periods of the Transport Strategy. ... "The alignment and locations to be served between the existing Red Line and Poolbeg have yet to be determined and will be subject to detailed design and planning work. ... Measure LRT6 – Luas Poolbeg: Subject to the assessment of forecast travel demand arising out of development patterns in the SDZ and its environs, it is intended to extend the Red Line to Poolbeg."

As evidenced above, while it is the intention of the NTA to deliver a future expansion of the Red Line Luas to Poolbeg, the detailed design has not yet been developed by all parties, and the NTA anticipates this may only happen in the later years of the strategy, i.e., around 2040. Notwithstanding this, as part of the preparation of the application and design of the SPAR and SPAR Bridge, DPC consulted with the NTA and TII to ensure that the proposed SPAR and associated bridge would be designed in a manner that facilitates public transport facilities and active travel, including a future potential extension of the Luas Red Line. This is evidenced in the South Port Access Road Opening Bridge Preliminary Design Report (by COWI) and the associated engineering drawings. Details of consultation with the NTA and TII are provided in Chapter 3 Consultation and Project Scoping (Volume 2 of the EIAR) submitted with the application,

Moreover, regarding the alleged lack of overall delivery of sustainable mobility and, thus, the alleged failure to align with planning policies set in the Planning Scheme, DCDP, and other national planning policy documents. SAMRA's assertions appear to be sustained solely due to the non-inclusion of the Luas Red Line extension as part of the 3FM Project. However, the 3FM Project design considers the ultimate provision of the Luas Red Line extension, as well as the substantial quantum of active travel infrastructure that the 3FM Project will

deliver, particularly within the Poolbeg Peninsula, including the provision of cycle and pedestrian infrastructure. This is clearly evidenced in the documentation submitted, particularly in the Active Travel: Design (by Darmody Architects), Active Travel: Landscape Design Report (by TTT), and the suite of architectural and landscape supporting drawings. These should also be read in conjunction with the South Port Access Road Opening Bridge Preliminary Design Report (by COWI) and the associated engineering drawings.

Finally, the 3FM Project, including the SPAR and SPAR Bridge, fully accords with the vision, objectives, and policies set out in the Dublin Masterplan 2040, the Planning Scheme, the DCDP 2022-2028, the GDA Transport Strategy, and other national and regional planning policy documents.

As noted in Chapter 2 the Need for the 3FM Project (Volume 2 of the EIAR), together with increased port capacity, the 3FM Project will also complete the development of Dublin Port's overall road network to significantly remove port traffic from roads in the vicinity of Dublin Port, particularly the Tom Clarke Bridge. The project will fulfil a number of national strategic objectives, including connecting the south port area with the Dublin Tunnel and the M50/M1 through the construction of a new bridge across the River Liffey as a core part of the SPAR. Relevant extracts from Chapter 2 Need for the 3FM Project (Volume 2 of the EIAR) include:

"It will aid in the reduction of emissions from commercial port traffic and other traffic by facilitating the free-flowing movement of HGV traffic from the Poolbeg Peninsula away from private roads and residential areas. This will reduce congestion and associated idling time on the R131 and East Wall Road, leading to decreased fuel consumption and emissions. The SPAR bridge has been designed so that it can be modified in the future to facilitate the potential extension of the Luas from The Point to Poolbeg, should the NTA choose such a future routing."

In addition, as stated in Chapter 2 Need for the 3FM Project (Volume 2 of the EIAR), the provision of the SPAR connecting the national road network at the Dublin Port Tunnel to the southern port lands is a policy goal of Dublin City Council in the DCDP:

"SMT30: To protect national road projects as per the NTA Transport Strategy for the Greater Dublin Area 2022–2042 and in consultation with TII, NTA, and other relevant stakeholders including the Dublin Port Authority Company to support the delivery of the Southern Port Access Route to Poolbeg, as a public road. The indicative alignment of this road link is shown on Map J."

Moreover, Chapter 2 Need for the 3FM Project (Volume 2 of the EIAR) also notes the Dublin Port Masterplan 2040 and the important role that Dublin Port will continue to play in the future development and growth of the city. The DCDP 2022-2028 acknowledges the Masterplan and one of its overall objectives to reintegrate the Port with the city and to create a unique fusion between the working port and the living city through the creation of high-quality spaces. This is confirmed by Policy CEE35, which states: *"To recognise that Dublin Port is a key economic resource and to have regard to the policies and objectives of the Dublin Port Masterplan 2040, including the reintegration of the Port with the City."*

Not only does the DCDP 2022-2028 include clear objectives for the SPAR, but also the GDA Transport Strategy. As noted in the Planning Report (by RPS), the strategy notes that one of the key issues relating to the port is the difficulty in accessing the south port estate from the national road network, particularly the connection to the Dublin Tunnel. The strategy proposes to address this by means of the delivery of the Southern Port Access Route, a new public road extending from the national road network at the M50 Tunnel to serve the south port lands and adjoining areas: *"Measure ROAD5 – Southern Port Access Route states: 'A new public road which links from the national road network at the Dublin Tunnel to serve the south port lands and adjoining areas will be delivered. A reservation for such development should be included in the Dublin City Development Plan.'"*

In light of the above, it is evident that the provision of the SPAR and SPAR Bridge as part of the 3FM Project is in accordance with the vision and objectives set out in the DCDP 2022-2028 and the GDA Transport Strategy for providing a new public road linking the national road network at the Dublin Tunnel to serve the south port lands and adjoining areas. Thus, SAMRA's claims and assertions of potential misalignment of the development of the SPAR and SPAR Bridge with planning policy in Section 6.4 of their submission are completely unfounded.

DPC also refers ABP to the South Port Access Road Opening Bridge Preliminary Design Report (by COWI), the Southern Port Access Road Viaduct Preliminary Design Report (by RPS), and the associated engineering drawings (i.e., southern port access route).

The 3FM Project has been designed to comply with relevant planning policies and objectives, ensuring that it contributes positively to the sustainable development of the Poolbeg Peninsula. The project acknowledges the potential for future transport infrastructure, including the Luas, while also delivering substantial active travel

and public transport enhancements. Therefore, the assertions made by SAMRA should not impede the progress of the 3FM Project.

Item 5 - Land Use & Compatibility

Submission

SAMRA's observation primarily focuses on the proposed Ro-Ro Terminal Yard (Area O), questioning the appropriateness of using the site for this purpose and advocating for its designation as open space or parkland. Relevant excerpts include: "SAMRA supports the use of the lands proposed for the Ro-Ro Terminal Yard as open space and/or parkland."

DPC Response

Reference is made to Sections 7.4.1.2 (Compliance with the Dublin City Development Plan's Zoning Objectives) and 7.4.2.1 (Land Use and Delivery of Port-related Uses) of the Planning Report, which demonstrate how the 3FM Project aligns with the designated land uses. Therefore, any concerns regarding potential incompatibility and/or inappropriateness of land uses proposed under the 3FM Project are entirely unfounded.

Regarding the alleged incompatibility of the proposed Ro-Ro Terminal Yard (Area O), the Planning Scheme categorises the overall SDZ lands into five land-use areas: (i) port and industrial; (ii) housing with some mixed-use; (iii) commercial; (iv) community/education uses; and (v) park and recreational lands. The layout and arrangement of these areas are illustrated in Figure 9.1 of the Planning Scheme. As evidenced in the application documentation, the proposed Ro-Ro Terminal Yard (Area O) aligns with the relevant land use designations under the Planning Scheme.

DPC acknowledges SAMRA's preference for the lands to be designated as open space or parkland. However, DPC maintains that the proposed Ro-Ro Terminal Yard (Area O) is a vital infrastructure that will enhance the operational capacity of Dublin Port. The terminal has been carefully planned to integrate with the surrounding environment and contribute to the overall development objectives of the area, which include sustainable transport solutions and economic growth. As demonstrated in the Planning Report (refer to Sections 6 and 7), the proposed Ro-Ro Terminal Yard (Area O) fully aligns with the vision and land use designations for this part of the Planning Scheme. Figures 9.1 and 4.2 of the Planning Scheme indicate that the area designated for the Ro-Ro Terminal Yard (Area O) is not intended for parkland use. Consequently, accommodating SAMRA's suggestion to develop this site as parkland would be inconsistent and contrary to the Planning Scheme.

In conclusion, DPC asserts that SAMRA's concerns regarding the potential incompatibility and/or inappropriateness of the uses proposed under the 3FM Project are unfounded. The 3FM Project has been designed to comply with relevant planning policies and objectives, and land use designations set out in the DCDP 2022-2028 and the Planning Scheme, ensuring that it contributes positively to the sustainable development of the Poolbeg Peninsula. The 3FM Project acknowledges the importance of balancing port-related activities with other uses, such as residential and amenity.

3.2.1.6 Ceanna Walsh

Item 1 - Incompatibility of Use & Various Concerns

Submission

Ceanna Walsh's submission raises concerns regarding the proposed Ro-Ro Terminal Yard (Area O) and alleges potential negative impacts on the local environment and community. The submission concludes by objecting to the proposal for reasons of incompatibility. While Ceanna Walsh does not explicitly claim that the proposed Ro-Ro Terminal Yard (Area O) does not comply with land use designations, assertions regarding "incompatibility" may suggest that the proposal does not align with the intended land uses for the site.

DPC Response

In response to Ceanna Walsh's claims regarding the proposed Ro-Ro Terminal Yard (Area O), DPC acknowledges concerns about potential negative impacts arising from this element of the 3FM Project. Concerns regarding noise and light pollution, aesthetic issues, environmental impacts on wildlife, and health and safety risks associated with the site are addressed under separate sections within this response document.

DPC wishes to reaffirm that the 3FM Project, including the Ro-Ro Terminal Yard (Area O), has been prepared in full compliance with the Planning Scheme and the DCDP 2022-2028. The proposed location of the Ro-Ro Terminal Yard (Area O) falls within Block 2 of the Planning Scheme, which is designated for “Mixed Use – Commercial, Creative Industries, Industrial (including Port-Related) Activities.” This alignment with the land use designation is comprehensively evidenced in the application documentation, particularly in Sections 6 and 7 of the Planning Report.

Regarding noise and light pollution, the 3FM Project has undergone a thorough assessment to address these concerns. The design incorporates measures to mitigate noise impacts, particularly during operational phases, see Chapter 12 Noise and Vibration, Volume 2 of the EIAR and the lighting design has been developed to minimise light spill and ensure that it does not adversely affect the surrounding area. The landscape and visual assessment included in Chapter 17 Landscape and Visual (Volume 2 of the EIAR) also confirms that no significant effects on the receiving environment are expected.

In terms of environmental impacts on wildlife, the application documentation includes a biodiversity assessment in Chapter 7 Biodiversity, Flora and Fauna (Volume 2 of the EIAR) that evaluates potential significant effects on local fauna and flora. As noted in Section 7.5.4 of the mentioned chapter:

“The assessments of potential impact for the 3FM Project Construction Phase (7.5.3.1) and Operational Phase (7.5.3.2 above) concludes that there is a low risk of any significant environmental effects upon breeding and non-breeding avifauna as a result of disturbance and displacement and in the absence of mitigation. Potential impacts are assessed to be slight/temporary to imperceptible without mitigation (Table 7.54). A range of mitigation is proposed where necessary and there is no significant residual environmental impact upon avian features with mitigation in place.”

In light of the above, Ceanna Walsh's concerns regarding the alleged negative impact of the proposed Ro-Ro Terminal Yard (Area O) on the receiving biodiversity (i.e., flora and fauna) are incorrect.

Finally, concerning health and safety risks associated with asbestos and heavy metals, the project has been designed with appropriate remediation measures in place to address any contamination issues. The relevant assessments and mitigation strategies are outlined in Chapter 8 Lands, Soils, Geology and Hydrogeology, (Volume 2 of the EIAR), ensuring that the health and safety of construction workers and the surrounding community are prioritised.

In conclusion, the proposed development has been designed to comply with relevant planning policies and objectives, ensuring that it accords with land use designations while also contributing positively to the sustainable development of the Poolbeg Peninsula. The project acknowledges potential environmental impacts and incorporates measures to mitigate noise, light pollution, and ecological disruption, as set out in the EIAR enclosed with the application.

3.2.1.7 Maritime Area Regulatory Authority (MARA)

Item 1 - Requirement for a Maritime Area Consent (MAC)

Submission

MARA's observation describes MARA's functions extend to the entire maritime area, from high water of ordinary tides to the outer limit of the continental shelf, encompassing the State's territorial seas and Exclusive Economic Zone. MARA clarifies that: *“Our comments relate only to development within the maritime area. Furthermore, our comments should not be interpreted as inferring any aspect of assessment of the planning application.”*

MARA highlights the legislative requirement under Section 75(4)(c) of the Maritime Area Planning Act 2021 (as amended) (the MAP Act) that the applicant must submit a MAC application before the second anniversary of the grant of permission.

DPC Response

As set out in Chapter 1 (Section 1.1) of the EIAR, the 3FM Project does not require a Marine Area Consent under the Maritime Area Planning Act 2021 as it falls within the time-limited exempting provisions of section 75(4) of that 2021 Act, as inserted by section 277 of the Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023.

DPC concurs with MARA's comment that DPC must submit a MAC application before the second anniversary of the grant of permission.

DPC has already undertaken a pre-MAC application with MARA as set out in Chapter 3 of the EIAR (Section 3.4.5.2) to determine the requirements of the future MAC application. DPC recognises the importance of specific drawings to delineate the elements of the project which lie within the Maritime Area and to determine which parts of the Maritime Area fall within DPC ownership and State ownership, DPC also notes that environmental impact assessment does not form part of the MAC application.

DPC undertakes to prepare the MAC application including the required drawings, in the event that permission is granted for the 3FM Project by the Board.

Item 2 - Compliance and Enforcement

Submission

MARA's observation centres on compliance and enforcement. In this regard, MARA's observation does not include explicit requests but clarifies its role and responsibilities concerning development permissions. MARA is not a development consent authority; it is responsible for determining MAC applications and distinguishing its functions from ABP's.

DPC Response

DPC acknowledges the information provided by MARA regarding its responsibilities.

Item 3 - An Bord Pleanála - MARA handover

Submission

MARA requests engagement and collaboration with ABP to establish a standardised information transfer process, enabling MARA to effectively fulfil its compliance and enforcement functions.

DPC Response

DPC notes that this observation pertains to internal processes between MARA and ABP and does not require action from DPC.

Item 4 - Monitoring and Operation

Submission

MARA notes that the application should *"should encompass a programme of monitoring of infrastructure within the maritime area to ensure stability and long term safety for users of infrastructure and maritime area. Where development consent requires monitoring to be undertaken, at both the construction and operational phases of the development, it is important that such monitoring is adaptive in nature to allow for mitigation of issues identified during the course of the monitoring"*.

DPC Response

DPC confirms that the EIAR includes a programme of mitigation and monitoring measures for both the construction and operational phases of the 3FM Project. The mitigation and monitoring measures are set out in Chapter 21 (Summary of Mitigation Measures and Conclusions) of the EIAR demonstrating DPC's commitment to high environmental management standards. The mitigation and monitoring measures are also set out in the Draft CEMP and also within a standalone document titled *"Summary of Mitigation Measures"* at the request of ABP.

Furthermore, DPC has an established liaison group for the ABR Project and MP2 Project which includes representatives of DPC, the Contractor, Dublin City Council (DCC) and MARA. The group meets at quarterly intervals each year with an agenda and minutes taken of the meetings. It is proposed that this liaison group will also provide environmental oversight of the construction phase of the 3FM Project.

DPC will appoint a suitably qualified person to the role of Environmental Facilities Manager (Environmental Clerk of Works) to monitor the 3FM Project construction works. The Environmental Facilities Manager will

provide monthly reports to the members of the liaison group. The Environmental Facilities Manager will work closely with the Contractor's site supervisors to monitor activities and ensure that all relevant environmental legislation is complied with and that the requirements of the CEMP are implemented. The Environmental Facilities Manager will have the authority to review method statements, oversee works and instruct action, as appropriate, including the authority to require the temporary cessation of works, where necessary.

The oversight of the construction works by the Liaison Group enables an adaptive approach to be undertaken with respect to mitigation of issues identified during the course of the monitoring and to learn from the experience gained through the ABR Project and MP2 Project.

Item 5 - Decommissioning and Rehabilitation

MARA's observation includes references to Sections 75(5) and 96 of the MAP Act, as follows: "the application for development permission referred shall have attached to it, a rehabilitation schedule (within the meaning of Section 95) that would otherwise have been required to be attached to the MAC referred to." ,,,, "In accordance with Section 96 of the MAP Act, the holder of a MAC shall, before expiration (if any) of the MAC, rehabilitate that part of the maritime area subject of the MAC, and any other part of the maritime area, adversely affected by the maritime usage the subject of the MAC."

DPC Response

Project change and decommissioning is set out in Chapter 5 Project Description of the EIAR (Section 5.5). Following completion of the construction phase of the works, all temporary works required to facilitate project construction will be removed from site. Temporary works requiring the use of temporary piles have been designed to be incorporated into the permanent works, where possible, negating the need to remove them.

There are no plans proposed for the decommissioning of the permanent marine elements of the 3FM Project given the nature of port development which can be considered as 'permanent works', with a 100-year design life.

The landside elements of the 3FM Project have been designed as far as possible to allow maximum flexibility to ensure sufficient space is provided to run state of the art freight facilities, with automation, electrification, vehicle booking systems etc. To provide this flexibility the proposed landside structures have been kept to a minimum, with building locations guided by existing services, and minimising disruption to the overall flow of the sites.

3.2.1.8 Docklands Business Forum

Item 1 - Inefficiency of Land Use & Request for Housing

Submission

Regarding land use, the DBF expresses concerns regarding the proposed 3FM Project, particularly highlighting that the Dublin Port campus could be better utilised for sustainable housing development rather than port-related activities. Furthermore, the DBF argues that the current proposal represents an inefficient use of land, and would be better to serve the community's needs and address the Dublin housing deficit. Relevant excerpts include: "The Dublin Port campus of approximately 640 acres would be better utilised as; a sustainable, zero carbon housing inner suburb the size of Ranelagh, Harolds Cross and Sandymount..."

DPC Response

DPC acknowledges the observations made by the DBF regarding the potential uses for land at Dublin Port. However, the application documentation clearly demonstrates the need for the proposed development (3FM Project EIAR Volume 2, Chapter 2) and its compliance with the relevant national, regional, and local policy context. As evidenced in the Planning Report included with the application, the 3FM Project has been designed to comply with the Dublin City Development Plan (DCDP) 2022-2028 and the Poolbeg West Planning Scheme, including adherence to the land use zoning objectives set out in both documents.

As illustrated in the Planning Report enclosed with the application, a significant portion of the land under the 3FM Project is designated with the land use zoning objective "Z7 Employment (Heavy)" in the DCDP 2022-2028, which aims to protect and create industrial uses, including port-related activities. Residential use is neither permitted nor permissible within these designated lands. Therefore, accommodating the DBF's suggestion to develop housing in place of the proposed 3FM Project would be inconsistent with current

planning policies and land use objectives, and contrary to the principles of proper planning. While DPC acknowledges the pressing need for housing in Dublin, this is a factor that cannot alter or interfere with the statutory requirement for development proposals to adhere to the designated land use zoning and relevant planning policies.

DPC notes that, alongside the development of port-related infrastructure, which is essential for enhancing the capacity of Dublin Port and supporting economic growth, the 3FM Project will also provide for significant investment in public and community amenities. This includes the incorporation of high-quality spaces designed to enhance the local environment, as detailed in the application documentation, particularly the architectural and landscape design reports prepared by Darmody Architects and TTT.

In conclusion, DPC emphasises that the 3FM Project is fully compliant with the relevant planning policies and objectives. The assertions made by the DBF regarding the inefficiency of land use are incorrect and the request for housing development contradicts the current land use zoning assigned to the 3FM Project lands. The project has been designed to align with the strategic objectives of the Planning Scheme and the DCDP 2022-2028, ensuring that it contributes positively to the sustainable development of the area. Therefore, the concerns raised should not impede the progress of the 3FM Project.

3.2.1.9 Pembroke Beach DAC

Item 1 - Support of the 3FM Project

Submission

In its submission, Pembroke Beach DAC expresses their support, in principle, for the proposed 3FM Project and highlights the positive impact that the proposed infrastructure and amenities will have on the surrounding areas and indicate their preference for the application to receive a grant of permission. Relevant excerpts include: *“In principle, we wish to express our Client's support for DPC's proposed 3FM Project; PBDAC considers that the infrastructure and amenity improvements proposed within the SID Application will - overall - have a significant positive impact on the population within the Sandymount, Irishtown, Ringsend, Poolbeg and Docklands areas and should receive a favourable grant of permission from An Bord Pleanála.”*

Furthermore, the Pembroke Beach DAC's set out a number of recommendations to incorporate amendments to the design of the proposed SPAR.

DPC Response

DPC acknowledges the positive support expressed by Pembroke Beach DAC in their observation, particularly their endorsement of the application for a grant of permission from ABP.

DPC also acknowledge Pembroke Beach DAC's recommendations regarding the design of the proposed SPAR. In this regard, please refer to DPC's response outlined in Section 3.14.1.7 of this response document, which provides a detailed reply to the recommendations made by Pembroke Beach DAC concerning the SPAR.

3.2.1.10 Dr Kristin Hadfield

Item 1 - Land Uses – Request for Nature, Community and Housing Uses

Submission

Dr Kristin Hadfield's submission expresses concerns regarding the proposed 3FM Project, particularly the inappropriateness of establishing a container trailer park close to a nature-sensitive environment, advocating for the prioritisation of nature and community uses over industrial ones. Relevant excerpts include: *“The impact on local wildlife, potential light and noise pollution, and the proximity to residential areas are deeply troubling. I believe this land should be preserved for nature and community use rather than industrial purposes.”*

“Specifically, instead of dedicating the 13 acre site for container and trailer storage, this area could be integrated into the Irishtown Nature Reserve to expand green space and protect local wildlife.”

Additionally, Dr Hadfield emphasises the need for a balanced approach to regional development, suggesting that existing industrial sites should be repurposed for housing to address the ongoing housing crisis. Relevant excerpts include: *“Furthermore, the 10 acre site at East Wall, currently used to store newly imported cars,*

could be repurposed for much-needed housing, addressing the housing crisis while creating a better balance between industrial and community development.”

DPC Response

DPC notes that the application documentation clearly demonstrates the need for the proposed development (EIAR Chapter 2 of Volume 2) and its compliance with the relevant national, regional, and local policy context. As evidenced in the Planning Report included with the application, the 3FM Project has been designed to comply with the DCDP 2022-2028 and the Planning Scheme, including consistency with the land use zoning objectives in both documents.

All proposed uses, including the new Lo-Lo Container Terminal (Area N), Lo-Lo Container Yard (Area L), Ro-Ro Terminal (Area K), and Ro-Ro Terminal Yard (Area O), comply with the relevant land use designations and zoning objectives established in the DCDP 2022-2028 and the Planning Scheme. For further details, please refer to Sections 7.4.1.2 (Compliance with the Dublin City Development Plan's Zoning Objectives) and 7.4.2.1 (Land Use and Delivery of Port-related Uses) of the Planning Report, which demonstrates how the proposals are consistent with the designated land uses.

While DPC acknowledges Dr Hadfield's preference for alternative uses (i.e., nature, community, and housing development) within the lands of the 3FM Project, such proposals would be inconsistent with current planning policies and land use objectives and, therefore, contrary to the principles of proper planning. For example, as detailed in the Planning Report enclosed with the application, a significant portion of the land under the 3FM Project is designated with the land use zoning objective *"Z7 Employment (Heavy)"* in the DCDP 2022-2028, which aims to protect and create industrial uses, including port-related activities. Residential use is neither permitted nor permissible within these zoned lands.

Regarding the development of the site where the Ro-Ro Terminal Yard (Area O) is proposed as a nature area or community use, DPC would like to refer to Figures 9.1 and 4.2 of the Planning Scheme. These figures delineate the location and extent of parkland or amenity use (i.e., Port Park), indicating that the area where the proposed Ro-Ro Terminal Yard has been proposed is not intended for parkland or amenity uses. Consequently, accommodating Dr Hadfield's request to develop this area as a nature area or community use would be inconsistent with the Planning Scheme and its land use designations.

In conclusion, DPC emphasises that the 3FM Project fully complies with the relevant planning policies and objectives. The proposed 3FM Project has been designed to align with the strategic objectives of the Planning Scheme and the DCDP 2022-2028, ensuring that it contributes positively to the area's sustainable development. Therefore, the concerns raised by Dr Hadfield should not impede the development of the 3FM Project.

3.2.1.11 David Turner

Item 1 - Land Uses – Overdevelopment & Land Utilisation

Submission

Mr Turner's submission expresses concerns regarding the proposed expansion of Dublin Port as part of the 3FM Project, alleging that the development constitutes over-development, particularly due to the proposed development on the south side of the peninsula, which the submission deems unacceptable given its proximity to nature-sensitive environments. Mr Turner urges DPC to demonstrate that they are maximising the utilisation and efficiency of the existing land under their control. Relevant excerpts include: *"This is over-development and is a continuation of the existing plan of incremental expansion by Dublin Port Company (DPC), in the absence of robust demand planning information. ... It is understood that there are already many acres under DPC control, which are no longer being used for core DPC activities. ... I call for an international comparator study to establish the land used by DPC per tonne of goods handled per year."*

DPC Response

In response to Mr Turner's assertion regarding alleged over-development resulting from the 3FM Project, particularly concerning the proposed uses on the Poolbeg Peninsula, as per the application documentation, DPC confirms that all lands included in the application are under its control, including those to the north and south of the River Liffey, as shown in Drawing 3FM-RPS_S26-PGN-XX-DR-HE-100-0007-Overall-General-Arrangements-Overall-Site-Location-Plan-Sh.1 submitted with the application. Furthermore, DPC activities

have already been established on the Poolbeg Peninsula. The application documentation, particularly the Planning Report demonstrates that the existing uses and character of the lands are primarily associated with port-related activities (See Drawing 3FM-RPS_S26-PGN-XX-DR-HE-100-0003-Overall-General-Arrangements-Permitted-Site-Layout-Plan-Sh1 and Section 4 of the Planning Report). Therefore, Mr Turner's assertion regarding 'additional land' or the suggestion that the inclusion of lands in the Poolbeg Peninsula in the 3FM Project may represent a deviation from the existing character and uses is inaccurate.

While Mr Turner does not explicitly state that the proposed uses in the 3FM Project application are not in line with planning policy or land uses, noting that the 3FM Project proposal in the Poolbeg Peninsula is unacceptable, which may imply that the project does not align with land use designations. As evidenced in the Planning Report included with the application, the 3FM Project has been designed to comply with the DCDP 2022-2028 and the Planning Scheme, including consistency with the land use zoning objectives in both documents. All proposed uses, including the new Lo-Lo Container Terminal (Area N), Lo-Lo Container Yard (Area L), Ro-Ro Terminal (Area K), and Ro-Ro Terminal Yard (Area O), comply with the relevant land use designations and zoning objectives established in the DCDP 2022-2028 and the Planning Scheme. For further details, please refer to Sections 7.4.1.2 (Compliance with the Dublin City Development Plan's Zoning Objectives) and 7.4.2.1 (Land Use and Delivery of Port-related Uses) of the Planning Report, which demonstrates the manner in which the proposals are consistent with the designated land uses. In this regard, Mr Turner's concerns about the 3FM Project proposal at the Poolbeg Peninsula are unfounded from a land use perspective.

Regarding Mr Turner's request for an international comparator study to establish the land used by DPC per tonne of goods handled per year, DPC refer Mr Turner to Chapter 2 of the EIAR enclosed with the application, which sets out the need for the proposed development.

In conclusion, the 3FM Project fully complies with relevant planning policies and objectives. The proposed development has been designed to align with the strategic objectives of the Planning Scheme and the DCDP 2022-2028, ensuring that it contributes positively to the area's sustainable development.

3.2.1.12 Pete Hogan

Item 1 - Land Uses – Overdevelopment & Land Utilisation

Submission

Mr Hogan expresses concerns regarding the proposed expansion of Dublin Port as part of the 3FM Project, alleging that the development constitutes over-development, particularly due to the proposed development on the south side of the peninsula, which the submission deems unacceptable given its proximity to nature-sensitive environments. Mr Hogan urges Dublin Port Company (DPC) to demonstrate that they are maximising the utilisation and efficiency of the existing land under their control. Relevant excerpts include: *"This is over-development and is a continuation of the existing plan of incremental expansion by Dublin Port Company (DPC), in the absence of robust demand planning information. ... It is understood that there are already many acres under DPC control, which are no longer being used for core DPC activities. ... I call for an international comparator study to establish the land used by DPC per tonne of goods handled per year."*

DPC Response

In response to Mr Hogan's assertion regarding alleged over-development resulting from the 3FM Project, particularly concerning the proposed uses on the Poolbeg Peninsula, as per the application documentation, DPC confirms that all lands included in the application are under its control, including those to the north and south of the River Liffey, as shown in Drawing 3FM-RPS_S26-PGN-XX-DR-HE-100-0007-Overall-General-Arrangements-Overall-Site-Location-Plan-Sh.1 submitted with the application. Furthermore, DPC activities have already been established on the Poolbeg Peninsula. The application documentation, particularly the Planning Report demonstrates that the existing uses and character of the lands are primarily associated with port-related activities (See Drawing 3FM-RPS_S26-PGN-XX-DR-HE-100-0003-Overall-General-Arrangements-Permitted-Site-Layout-Plan-Sh1 and Section 4 of the Planning Report). Therefore, Mr Hogan's assertion regarding 'additional land' or the suggestion that the inclusion of lands in the Poolbeg Peninsula in the 3FM Project may represent a deviation from the existing character and uses is inaccurate.

The 3FM Project has been designed to comply with the DCDP 2022-2028 and the Planning Scheme, including consistency with the land use zoning objectives in both documents. All proposed uses, including the new Lo-Lo Container Terminal (Area N), Lo-Lo Container Yard (Area L), Ro-Ro Terminal (Area K), and Ro-Ro Terminal

Yard (Area O), comply with the relevant land use designations and zoning objectives established in the DCDP 2022-2028 and the Planning Scheme. For further details, please refer to Sections 7.4.1.2 (Compliance with the Dublin City Development Plan's Zoning Objectives) and 7.4.2.1 (Land Use and Delivery of Port-related Uses) of the Planning Report, which demonstrates how the proposals are consistent with the designated land uses. In this regard, Mr Hogan's concerns about the 3FM Project proposal at the Poolbeg Peninsula are unfounded from a land use perspective.

Regarding Mr Hogan's request for an international comparator study to establish the land used by DPC per tonne of goods handled per year, DPC refer Mr Hogan to Chapter 2 of the EIAR enclosed with the application, which sets out the need for the proposed development.

3.2.2 Conclusions Relevant to Planning Policy and Land Use

There are twelve submissions or observations in which issues are raised regarding the alignment and compliance of the 3FM Project with policies, objectives, and management standards outlined in the relevant planning framework and / or incompatibility, inappropriateness, or misalignment of the proposed land uses within various elements of the 3FM Project. Issues are also raised in respect of the proposed uses and preferences are expressed for alternative land use options. Section 3.2.1.1 to Section 3.2.1.12 of this response document addresses and these issues.

As demonstrated in the application documentation and further reaffirmed in Section 3.2.1.1 to Section 3.2.1.12, the 3FM Project has been designed to comply with the land use designations and zoning objectives outlined in the Poolbeg West SDZ Planning Scheme and the Dublin City Development Plan 2022-2028.

Also as demonstrated in the application documentation and further reaffirmed hereby in Section 3.2.1.1 to Section 3.2.1.12, any assertions regarding the alignment and compliance of the 3FM Project with the Poolbeg West SDZ Planning Scheme, and the Dublin City Development Plan 2022-2028 are unfounded. The Planning Report, along with the details presented in the application documentation, clearly evidences that the 3FM Project has been designed to comply with the relevant planning policy.

3.3 Consultation

3.3.1 Observations Relevant to Consultation

The following observations refer to Consultation and are addressed below.

Number in Index	Party Name
No. 1	Rushfleet
No. 14	Dublin Stevedores Ltd
No. 22	Ringsend & District Historical Society
No. 9	Grainne Hughes, 49 Pigeon House Road
No. 32	Brigid Purcell, 5 Pigeon House Road
No. 36	Michael Curry, 27 Pigeon House Road
No. 39	Jason McDonnell, 12 Pigeon House Road
No. 41	Graham McDonnell, 12 Pigeon House Road
No. 35	William Kelly

3.3.1.1 Rushfleet

Item 1 – Absence of Consultation

Submission

In its submission Rushfleet states that “*there has been no specific consultation to date*” in relation to the 3FM Project.

DPC Response

In the submission from Rushfleet, there is express reference to their client having made previous submissions to non-statutory pre-planning phases. This statement is correct and the previous submissions from Rushfleet have been reviewed and considered by DPC. The recent Rushfleet submission seeks to raise a range of diverse issues of a landlord and tenant nature, but which are not relevant to the planning or environmental assessment processes. Specifically, and for the avoidance of doubt, DPC does not have any obligation to obtain a letter of consent from Rushfleet in order to advance the 3FM Project application. DPC has sufficient legal interest as the landowner to make the planning application to the Board.

3.3.1.2 Dublin Stevedores Limited

Item 1 – Absence of Consultation; insufficient time afforded to public consultation process

Submission

In its submission, Dublin Stevedores Limited raise issues in relation to an asserted absence of consultation by DPC with their clients on the 3FM Project. Specifically they state that the public consultation on the project took place at a “*late stage and sufficient time was not afforded to the public consultation process*”. The submission further states that for a project of this scale and nature, DPC should have consulted all stakeholders in the formulation of the 3FM plan and that there was a “*total failure*” to consult Dublin Stevedores Limited or other similar stakeholders or port users.

DPC Response

DPC disagrees with the contention that the consultation on the 3FM Project has been inadequate. In this regard, DPC refers to Chapter 3 (Vol 2) of the EIAR, which includes details of the consultations carried out in connection with the preparation of the 3FM Project. Furthermore, in the interest of clarity and conciseness, reference is made to Section 3 of this response document, which demonstrates there has been extensive consultation concerning the 3FM Project. Indeed, consultation was initiated in 2011 when the Dublin Port Masterplan was being prepared and which set out the fundamental aspects of the proposed pattern of development in the Port including what became the 3FM Project. Additionally, there has been detailed public consultation on the specifics of the 3FM Project since 2021 with two separate rounds of public consultation, in which Dublin Stevedores Limited, or their agents, were fully entitled to participate.

In light of the above and the documentation submitted with the application, it is clear that the assertions made by Dublin Stevedores Limited regarding lack of consultation, are unfounded.

3.3.1.3 Ringsend and District Historical Society

Item 1 – Inadequate Consultation

Submission

Ms Rachel Lopez, on behalf of Ringsend & District Historical Society, states in her submission that the Society was “*never ever consulted*” in relation to the 3FM development. Ms Lopez does note that the Society attended a community consultation event in the Poolbeg Yacht Club on 13 August 2024, after the 3FM planning application had been lodged with An Bord Pleanála. Ms Lopez also claims that the absence of consultation was “*totally inadequate and unacceptable to the Community*”. Ms Lopez further states that a range of other local groups were not consulted in relation to the Project including the Ringsend & Irishtown Community Centre, and the Ringsend Community Development Group. Ms Lopez contends that the requirement for consultation was “*not adequately adhered to*”. Her submission requests An Bord Pleanála to reject the 3FM application on the grounds that Community Consultation in the pre planning process “*was inadequately adhered to*”.

DPC Response

DPC does not accept that there was inadequate consultation on the 3FM Project pre-planning process. The details of the consultations undertaken are set out fully in Volume 2, Chapter 3 of the EIAR and summarised in Section 3 below. There were a significant number of community groups and organisations which participated in the consultation process for the 3FM Project. In addition, particular attention was afforded by the Project Team to Cultural Heritage issues, as set out in Chapter 16 of the EIAR with the production of a detailed Dublin Port Heritage Conservation Strategy (2024) produced by a multi-disciplinary team, which is enclosed with the application documentation.

As part of the community consultation for the 3FM Project, DPC held a consultation session on 13 August 2024, which Ms Lopez confirmed she attended. During this session, DPC provided information to attendees, including the Ringsend Community Services Forum and representatives from the Ringsend & District Historical Society, regarding the 3FM Project application, which included an appraisal of the conservation strategy on behalf of the Ringsend & District Historical Society.

In this context, Ms Lopez's claims regarding a lack of consultation are unsubstantiated, as evidenced by the information provided in the application (specifically, Chapter 16 of the EIAR) and her attendance at one of the community consultation meetings held by DPC.

3.3.1.4 Pigeon House Road Residents

Item 1 – Absence of Consultation

Submission

Graham Hughes, Brigid Purcell, Michael Curry, Jason McDonnell and Graham McDonnell, residents of the Pigeon House Road area, have made submissions referencing an asserted absence of proper consultation on the 3FM Project or lack of meaningful community consultation, with insufficient opportunity for residents to voice concerns. Some submissions assert that the presentation by DPC at Poolbeg Yacht Club on 13th August 2024 was the first that they had heard of the 3FM Project.

DPC Response

DPC has undertaken extensive community engagement and consultation with the local community as part of the General Consultation on the 3FM Project, which is fully set out in Volume 2, Chapter 3 of the EIAR and summarised below in Section 3, but outlined here for the purposes of completeness.

The specific consultation processes on 3FM over a 3 year period included

- the initial public consultation during the preparation and update of the overarching Masterplan, under which the subject lands are contained (2010/2012),
- Consultation and the Masterplan Review (2017-2018)

Stage 1: 2017 Masterplan Review Consultation Process

Stage 2: 2018 Masterplan Review Consultation Process

- Consultation on the Dublin Port Post-2040 Dialogue Papers (2020)
- Consultation and the 3FM Project (2021-2024)

Pre-application consultation meetings with An Bord Pleanála (2021-2024)

Pre-application consultation meetings with Dublin City Council (2021-2024)

Pre-application consultation meetings with Prescribed Bodies and key stakeholders (2021)

Public Consultation (2021-2023)

- First Public Consultation Process (November – December 2021) (which included boat tours on which some local residents from Pigeon House Road participated).
- Second Public Consultation Process (March – May 2023)
- DPC Responses to the Public Consultation Process (2024)
- Consultation with local community and interest groups (2021-2024)
- Additional Pre application consultation with prescribed bodies & key stakeholders (2021-2023)
- Consultation post submission of 3FM Project application for consent (2024)

DPC also has undertaken an extensive community engagement programme for many years and has engaged with Pigeon House Road Residents generally (as well as on the 3FM Project since 2021) both individually, collectively and as members of local community organisations.

All public consultation processes for both the Masterplan and the 3FM Project involved the generation and distribution of local publicity, including door to door leaflet drops, billboards, and coverage on mainstream and social media.

3.3.1.5 William Kelly

Item 1 – Inadequate Northside Public Consultation

Submission

Mr William Kelly raised issues regarding the public consultation process conducted by DPC for the 3FM application, alleging an inappropriate number of consultation sessions held in Clontarf, where only one session was organised. In his submission, Mr Kelly states that he believes that the event in Clontarf was organised in an area that was remote and poorly served by public transport and requests ABP to instruct DPC to organise additional information sessions specifically for residents from the Northside areas.

DPC Response

In response to Mr Kelly's claims, DPC wishes to confirm that extensive community engagement and consultation with the local community has been undertaken as part of the General Consultation on the 3FM Project, as demonstrated in Chapter 3 of the EIAR (Consultation and Project Scoping) and summarised below in Section 3.

Given that the primary focus of the development is in the Poolbeg Peninsula, DPC has carried out extensive engagement with the local community and stakeholders in that area including information sessions in two local facilities.

However, as part of the 3FM Project Consultation, the consultation processes for the project were publicised widely across media, with a virtual consultation room with universal access. Additionally, two separate public information sessions were provided in Clontarf in the Scoil Ui Chonaill GAA Club (20 April 2023) and in the Parish Hall of the Church of St John the Baptist, Seafield Road, Clontarf (Thursday 15th August 2024).

DPC has undertaken significant and meaningful consultation throughout the development of the 3FM Project.

3.3.2 Summary of Consultation by DPC on the 3FM Project

The 3FM Project application has been the subject of extensive consultation and engagement by DPC over a 3 year period. Full details of the consultation process and project scoping undertaken for this project are set out in detail in Volume 2, Chapter 3 of the EIAR. For clarity, we have provided a summary of the key elements of the consultation strategy implemented by DPC relevant to the 3FM Project. This includes the initial public consultation during the preparation and update of the overarching Masterplan, under which the subject lands

are contained, and consultation with relevant stakeholders during the course of preparation of the application for the 3FM Project.

Section 3.2 Consultation and the Masterplan Review (2017-2018)

3.2.1 - Stage 1: 2017 Masterplan Review Consultation Process

3.2.2 - Stage 2: 2018 Masterplan Review Consultation Process

Section 3.3 Consultation and the Dublin Port Post-2040 Dialogue Papers (2020)

Section 3.4 Consultation and the 3FM Project (2021-2024)

3.4.1 – Pre-application consultation meetings with An Bord Pleanála (2021-2024)

3.4.2 – Pre-application consultation meetings with Dublin City Council (2021-2024)

3.4.3 – Pre-application consultation meetings with Prescribed Bodies and key stakeholders (2021)

3.4.4 - Public Consultation (2021-2023)

- First Public Consultation Process (November – December 2021)

- Second Public Consultation Process (March – May 2023)

3.4.4.1 & 3.4.4.3 - DPC Responses to the Public Consultation Process (2024)

3.4.4.4 - Consultation with local community and interest groups (2021-2024)

3.4.5 - Additional Pre application consultation with prescribed bodies & key stakeholders (2021-2023)

3.4.6 - Consultation post submission of 3FM Project application for consent (2024).

Following the submission of the 3FM Project application to An Bord Pleanála, DPC undertook extensive consultation to inform all stakeholders of the 3FM Project and to encourage public participation in the development assessment process.

DPC believes that it has undertaken significant, prolonged and meaningful consultation throughout the preparation of the 3FM Project application.

3.3.3 Conclusions Relevant to Consultation

DPC notes that there are 5 observations that make reference to consultation in the context of the 3FM Project.

Where there are issues raised relevant to Consultation and the 3FM Project these have been fully addressed directly and through reference to Volume 2, Chapter 3 of the EIAR.

The 3FM Project has benefited from extensive public consultation through the different stages of the evolution of the project and before its submission to An Bord Pleanála. This consultation has involved detailed engagement with a range of stakeholders including statutory bodies, prescribed bodies, commercial concerns, Non-Governmental Organisations including community groups and the general public.

The level to which the consultation processes have influenced the development proposals advanced by DPC to An Bord Pleanála can be seen from the extent to which key elements of the project changed from the initial proposals set out in pre application consultation meetings through the period from 2021 to 2024. This is particularly evident in Vol 2, Chapter 3 of the EIAR where DPC's detailed responses to issues raised in observations are listed.

Furthermore in Section 3.4.4.1 and Section 3.4.4.3 of the EIAR, the changes in the project arising from the consultation feedback are identified and reflect the meaningful and effective consultation process which has taken place on the 3FM Project. It also demonstrates the manner in which DPC has considered the inputs from a range of sources, including public representatives, local community groups, relevant stakeholders and the general public.

3.4 Assessment of Alternatives

3.4.1 Observations Relevant to Assessment of Alternatives

The following observations refer to Assessment of Alternatives and are addressed below.

Number in Index	Party Name
No. 1	Rushfleet
No. 14	Dublin Stevedores Ltd
No. 24	Docklands Business Forum
No. 27	Bremore Ireland Port
No. 8	Councillor Claire Byrne
No. 9	Grainne Hughes, 49 Pigeon House Road
No. 32	Brigid Purcell, 5 Pigeon House Road
No. 39	Jason McDonnell, 12 Pigeon House Road
No. 45	Patrick Smith, 24 Pigeon House Road
No. 15	Sandymount & Merrion Residents Association (SAMRA)
No. 2	Peter Morrogh, 5 St. John's Road
No. 19	David Turner, 155 Strand Road
No. 21	Seán Ó Gríofa

3.4.1.1 Rushfleet

Item 1 – Consideration of Alternatives

Submission

In a submission on behalf of Rushfleet, BPS Planning & Development Consultants (BPS) claim that the EIAR “lacks any detailed consideration of any alternatives which may have been considered that would have less impact on existing business such as Rushfleet Limited.”

DPC Response

The 3FM Project planning application is accompanied by an EIAR, Volume 2, Part 1, Chapter 4 of which contains a very detailed assessment of alternatives for the Project which has been prepared in accordance with the following guidance documents;

- EU Commission’s Environmental Impact Assessment of Projects Guidance on the Preparation of the Environmental Impact Assessment Report (Directive 2011/92/EU as amended by 2014 /52/EU), 2017;
- EU Commission’s Guidance on the implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, 2022;
- Department of Housing, Planning and Local Government (DHPLG) Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, 2018; and
- Guidelines on the Information to be Contained in Environmental Impact Assessment Reports, Environmental Protection Agency (EPA), 2022.

The consideration of alternatives in the EIAR is substantive and addresses the legal obligations on the developer to provide “a description of the reasonable alternatives studied by the developer which are relevant to the project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, taking into account the environmental effects”. (Article 5 (1) (d) EIA Directive (2014/52/EU).

The Rushfleet submission seems to imply that the EIA Directive contains an obligation to review alternatives taking into account commercial effects on different businesses. However, as set out in the European Commission’s “Environmental Impact Assessment of Projects Guidance on the preparation of the Environmental Impact Assessment Report” Guidance (2017): *put simply, “the Developer needs to provide:*

- *a description of the reasonable Alternatives studied; and*
- *an indication of the main reasons for selecting the chosen option with regards to their environmental impacts. [Emphasis added]*

DPC has met this obligation in the EIAR.

The EC Guidance also states: *“Ultimately, Alternatives have to be able to accomplish the objectives of the Project in a satisfactory manner, and should also be feasible in terms of technical, economic, political and other relevant criteria.”*

Whilst socio-economic factors have been considered, as appropriate, in the EIAR, there is no requirement under the EIA Directive or Irish implementing legislation to set out a comparative economic analysis of various alternative options.

3.4.1.2 Dublin Stevedores Limited

Item 1 – Consideration of Alternatives

Submission

In the submission on behalf of Dublin Stevedores Limited, Thomas Barry & Co, Solicitors asserts that, from a review of the EIAR and the NIS, “there is a clear failure on the part of the applicant to consider the baseline operation and potential effects on port stakeholders of the proposed development”. The submission references Chapter 4 and the Assessment of Alternatives, noting the description of Area L in Chapter 4.

DPC Response

The current operation of the Port was considered as a baseline option in the Strategic Site Layout Alternatives Assessment under the Dublin Port Masterplan (reviewed 2018). This assessment was undertaken to determine whether options were technically feasible within the timescale of capacity demand, environmentally sustainable and socially acceptable. Utilising those criteria, it was determined that only those options involving the optimisation of the main port lands and increasing port lands would be capable of delivering the required capacity to meet growth projection.

In addition, the current operation of the Port was further considered as a baseline option in the Project Design and Process Design Alternative Assessment under the EIAR. It was concluded that the current operation scenario fails to deliver on the port’s strategic objectives without redevelopment of the South Port Estate’s (Poolbeg Peninsula) brownfield sites’ opportunities. Therefore, the current operation scenario is not considered to be a practicable alternative and is presented to provide context for project design and process design alternatives which can deliver the project’s required capacity and objectives.

As required, the evaluation of alternatives addresses the potential environmental impacts to demonstrate why the chosen option is preferable from an environmental perspective and this assessment was undertaken, to the extent necessary and appropriate, in Volume 2, Part 1, Chapter 4 of the EIAR.

The Dublin Stevedores Limited submission seems to imply that the EIA Directive contains an obligation to review alternatives taking into account potential effects on different businesses.

However, such an obligation does not exist under the EIA Directive.

DPC has met the legal obligations to consider reasonable alternatives, as required under the EIA Directive and Irish implementing legislation.

The evaluation of alternatives has also addressed the potential environmental impacts to demonstrate why the chosen option is preferable from an environmental perspective, as required.

3.4.1.3 Docklands Business Forum

Item 1 – Consideration of Alternatives

Submission

A submission by the Docklands Business Forum states that “Porting in Ireland would be better served” by distributing DPCs existing freight to other tier one and tier two ports in Ireland. This submission is advanced in a context where the Docklands Business Forum asserts that the DPC lands should be used for housing rather than for port purposes.

DPC Response

DPC notes the position of the Dublin Business Forum, however, that submission does not take account of a number of strategic issues relevant to the location and operation of Dublin Port, which arise from national policy, including the National Ports Policy (2013). Specifically National Ports Policy 2013 recognises Dublin

Port as a Tier 1 Port of National Significance and expressly endorse the core principles underpinning the Dublin Port Masterplan and the continued commercial development of Dublin Port is recognised as a key strategic objective of National Ports Policy, (National Ports Policy 2013, page 25). There is no indication of any change in this position in the Issues Paper on the Review of National Ports Policy 2013 (Department of Transport, October 2023).

In addition, there is strong EU, National, Regional and Local transport and planning policy support for the development of Dublin Port at its current location, as set out in the Planning Report submitted with the application.

Additionally, it is important to note the key elements of the rationale for the location of Dublin Port at its current location, in the context of the origin and destination of goods proximate to the port, include:

- The proximity of Dublin Port to the market that it serves
- The location of Dublin Port at the heart of rail and road networks
- The location of Dublin Port at a sheltered deepwater harbour.
- The patterns for the distribution of trade from and to Dublin Port.

Dublin Port's proximity to UK ports in Holyhead, Heysham and Liverpool.

Moreover, it should be noted that, from a climate action perspective, there are challenges concerning the proposal advanced by the Forum to distribute Dublin Port's freight business to other ports more remote from Dublin.

All of the above aspects, including the land use zoning, are dealt with in a multitude of Chapters in the EIAR, including Chapter 2 (Project Need), Chapter 3 (Consultation and Project Scoping), Chapter 4 (Assessment of Alternatives), Chapter 11 (Climate) and Chapter 14 (Traffic and Transport) in addition to the Planning Report.

DPC has met this obligation in the EIAR.

3.4.1.4 Bremore Ireland Port

Item 1 – Consideration of Alternatives

Submission

In its submission, Bremore Ireland Port questions the extent to which the alternatives of Bremore and Arklow Ports were assessed in the EIAR and, specifically, whether the assessments that were carried out are adequate in the context of the potential environmental and long term spatial implications of a project such as 3FM for Dublin City.

The Bremore Ireland Port submission outlines some of the aspects to the development of a new port in Bremore addressing, specifically, a role in supporting offshore renewable activities, proximity to the M1 Economic corridor and facilitate a new port on the last remaining deep water site on Ireland's east coast. The submission also asserts that, in the medium term, Bremore Ireland Port will "*satisfy the demand for cargo that Dublin can no longer sustain*".

DPC Response

The detailed Assessment of Alternatives contained in Volume 2, Part 1, Chapter 4 of the EIAR very clearly sets out the strategic considerations that were undertaken by DPC in determining the location for the 3FM development.

Indeed, this strategic assessment process was conducted as part of, and underpinned by, the Dublin Port Masterplan process, including the detailed Dublin Port Post 2040 Dialogue papers, which identified that development at the location selected for the 3FM Project is the most sustainable location. Consequently, DPC is satisfied that the 3FM Project represents the preferred approach from a strategic point of view. In particular, the Board's attention is drawn to the [Dublin Port Dialogue Paper 7](#), which reviews in considerable detail the options for a new greenfield port location on the East Coast of Ireland. Of particular note are the following conclusions from that paper (which is included in the planning application documentation):

- A new Port will be very costly to build – up to €4.2bn
- A new Port will be impactful on the environment and challenging to secure the necessary consents.
- Such a project in either Arklow or Bremore would likely involve advancing an application on the basis of an IROPI planning application. No significant application has ever been permitted in Ireland on this basis.
- The lead times for a new Port are up to 20 years

- The cost of such a new Port project will be at a level which will require State Support.

The Assessment of Alternatives in Chapter 4 also considered different options for the design and configuration of the 3FM Project and sets out, in considerable detail, the design evolution which focused on ensuring that the best option was selected, having regard to environmental effects.

In this context, once again, the Dublin Port 2040 Dialogue Papers review the alternatives presented by a range of other locations (including Bremore Ireland Port) and are relevant to the examination of strategic alternatives to the proposed development.

The conclusion of the Strategic Site Alternatives Assessment identified that the proposed 3FM Project on the Poolbeg Peninsula is the only “brownfield” site where DPC can deliver the capacity increase in the necessary timescale. Other sites outside the ownership of DPC can presumably be developed over time, and may provide capacity to assist with increased demand which exceeds DPC’s ultimate capacity post-2040. In the interim, such “greenfield” site alternatives would have extended delivery timescales, meaning they are not practicable alternatives to delivering incremental increases in capacity up to 2040. It is envisaged that “greenfield” sites may be developed for additional capacity post-2040, but with considerable complexity and cost. DPC has deferred the progression of these schemes given the uncertainties inherent in planning capacity for these longer timescales. The preferred option, having duly considered the detailed alternative strategic locations set out in Chapter 4, is therefore to progress the 3FM Project on the Poolbeg Peninsula site.

DPC has met this obligation in the EIAR.

3.4.1.5 Councillor Claire Byrne

Item 1 – Consideration of Alternatives

Submission

Councillor Byrne raises certain issues identified by the Ringsend Historical and District Society concerning alternatives to the design configuration of aspects of the 3FM Project and the potential impact on cultural and built heritage. Councillor Byrne’s submission contains an extract from a separate observation which has been made by the RHDS.

DPC Response

As Chapter 4 of the EIAR demonstrates, the approach to the design of the Project underwent a significant number of iterations taking account of a range of considerations, including the impact of the proposed design configuration on cultural heritage: see, for example, Option 4 as detailed in Chapter 4, page 45.

It is noted further that, in Chapter 4 of the EIAR dealing with Alternatives, Section 4.5 summarises that heritage influenced the design development with regard to: *“reduced potential impact on the heritage value of the area by moving the turning circle to Area M, avoiding the risk of ships turning and causing erosion at the Great South Wall, reinforced by the development of a conservation management plan and vision for the Great South Wall through the 3FM Project, keeping the line of the wall clear of permanent structures and restoring sections of the wall in Dublin Port Company ownership, and also the removal of the sludge jetty improving the seascape”*.

Accordingly, DPC has fulfilled its obligation to describe the reasonable alternatives it studied which are relevant to the 3FM Project and its specific characteristics, and also indicating of the main reasons for selecting the chosen option, having taken into account the environmental effects, including potential effects on cultural heritage.

3.4.1.6 Pigeon House Road Residents

Item 1 – Consideration of Alternatives

Submission

In their submissions, Grainne Hughes, Brigid Purcell, Jason McDonnell and Patrick Smith, who each reside at Pigeon House Road, suggest that an alternative proposal for consideration to the configuration proposed in the 3FM Project involves the location of the proposed SPAR bridge further downstream beyond the Poolbeg Yacht Club, with a lifting or arched bridge allowing access for shipping up the River Liffey. Some also mention the decentralisation of shipping away from Dublin Port to other ports on the East Coast.

DPC Response

The location of the proposed SPAR bridge was considered under the assessment of Strategic Transport Connectivity Scenarios. This consideration identified that there have been a series of strategic transport studies undertaken on behalf of the former NRA, and more recently TII, which considered a road crossing of the Liffey eastwards of the Tom Clarke Bridge, initially in assessing the feasibility of a strategic infrastructure route (the Dublin Eastern Bypass DEB). DPC has considered the transport link that it requires (titled the Southern Port Access Route SPAR) alongside the evolution of these independent strategic transport studies.

The key findings of this suite of strategic transport studies, which have considered high, mid and tunnel crossings (and alternatives such as ferries), identified a bridge crossing with an at-grade SPAR as the preferred form. These studies also assessed various alternative crossing points and concluded that a corridor immediately eastwards of the Tom Clarke Bridge is the preferred crossing point. These findings are consistent with the layout produced in the Dublin Port Masterplan reviewed, 2018.

In relation to the comments on the alternative configuration of the current proposed development, the evolution of the design of the project is fully set out in Volume 2, Chapter 4 of the EIAR and, in particular, the iterative nature of the design process, which was informed by consultation and stakeholder engagement. The rationale for the design and configuration of the SPAR Bridge in the current proposed location is outlined further in the EIAR, in particular Section 2.2.1.3, where the nature of the proposed bridge as a multimodal transport bridge, rather than a conventional road bridge is referenced. The SPAR Bridge is designed to obviate the need for other footbridges/cycleways, a possible LUAS bridge and a rail interconnection bridge.

It should also be noted that a detailed design report “South Port Access, Road Opening Bridge, Preliminary Design Report” (presented in Appendix 4-2 to the EIAR and available on the 3FM Information Portal ([here](#))) was submitted with the application. The design report sets out the details of the assessments and studies which have been carried out in relation to the location, design and function of the bridge, including consideration of alternative locations. This study determined that the current location is the most effective and, for the reasons set out in the EIAR, this option is the best environmental option.

On the issue of the decentralisation of shipping from Dublin Port, this matter has been addressed in a number of different reports, policies and documents which are outlined throughout the EIAR including the Dublin Port Post 2040 - Dialogue Papers (referenced above).

Dublin Port is recognised as a Tier 1 Port in National Port Policy and categorised as a core/comprehensive port in the EUs TEN-T. Dublin Port’s large share of national port volumes, particularly in unitised modes is a factor of the location of the port in Dublin and the depth of water available at Dublin Port. Located at the hub of the national road and rail network, Dublin Port is a key strategic access point nationally and for the Dublin region. Further details of the relevant policy considerations are set out in Volume 2, Chapter 2, Section 2.3. of the EIAR (Spatial Planning Policy).

3.4.1.7 Sandymount and Merrion Residents Association

Item 1 – Consideration of Alternatives

Submission

BPS Planning and Development Consultants raise a number of issues on behalf of their client, the Sandymount and Merrion Residents Association (SAMRA), including that an alternative site for Area O should be found within other unspecified lands controlled by DPC.

It is also asserted that a proposed use of Area O as a public park is an alternative which should have been considered. The submission contends that the approach taken in the EIAR is to assume that the Area O lands can only be used for Port purposes, and the submission also asserts that the allocation of land in Area O to Dublin City Council for use as a District Heating Facility is not an alternative, but the only use proposed.

DPC Response

In considering the proposed location of Area O, consideration must be given to the change in the configuration of the 3FM Project in Area O which has occurred during the iterative process from the initial presentation of the proposals to the submission of the planning application to ABP which, by definition, has involved the consideration of other or alternative locations.

At the outset of the 3FM Project, DPC had intended to locate a Lo/Lo terminal at Area O to service the new berth being constructed at Area N.

However, following representations from SAMRA to consider alternatives to the Area O use for a Lo/Lo terminal, DPC carried out a detailed review of the design of the project and its existing land holdings to determine if an alternative for Area O being used for Lo/Lo storage could be found.

This process, which is detailed in Section 4.4.2.5 and Chapter 2 of the EIAR led to the redesignation of Area K for Lo/Lo use and the use of Area O as a Ro/Ro transit area. It is clear that this reconfiguration of elements of the 3FM Project arose as a direct consequence of meaningful consultation and subsequent consideration of alternatives.

It now appears that the SAMRA position is that Area O should not be used for port purposes at all, but should be ceded for public amenity use. However, the use of Area O for Ro/Ro transit is entirely consistent with the appropriate zoning for the site in the Poolbeg West SDZ, which does not include amenity use.

In any event, the proposed use of Area O for Ro/Ro transit purposes, instead of Lo/Lo storage, has additional benefits as the SAMRA concerns in relation to the visual impact of stacked containers and perceived associated noise concerning the site no longer arise. Additionally, the revised proposed design involves DPC ceding 1.5 acres of Area O to DCC for inclusion in the Irishtown Nature Park.

In summary, the submission that Area O should be designated for amenity use, would involve a land use that is not consistent with the Poolbeg West SDZ for that site.

It should also be noted that, when considering the alternative uses of Area O from a Lo/Lo yard, as originally proposed, DPC also considered a request from Dublin City Council for part of the lands to be used to facilitate the DCC District Heating Scheme – this is an alternative use from that was originally proposed and is correctly described as such.

3.4.1.8 Peter Morrogh

Item 1 – Consideration of Alternatives

Submission

Peter Morrogh in his submission states that it is an “anachronism” that Dublin Port should be seeking to retain and expand its facilities, when other capital cities have moved them elsewhere, and, also claims that DPC proposals are short term and that other Irish ports should be expanded to take the additional capacity that the country needs.

DPC Response

Dublin is not anachronistic in having a working sea port within its immediate environs. There are other European cities, including Rotterdam and Copenhagen, that have working sea ports within direct proximity to their city centres.

The 3FM Project is the last of three Strategic Infrastructure Development Projects, outlined in the Dublin Port Masterplan, which was first published in 2012 – which demonstrates a long-term focus over three decades. For the reasons set out in detail in the application documentation, the 3FM Project is consistent with EU, National, Regional and local policies.

As set out above, DPC has addressed in considerable detail, the issue of its requirements post-2040 in the Dublin Port Dialogue papers. DPC has also made it clear in the Dublin Port Masterplan that large scale infill of Dublin Harbour is not part of its future plans, particularly in the Tolka Estuary which is a SPA.

From an EU and National Transport Policy perspective, the role of Dublin Port as a Tier One Port of National Significance is well established as reflected in the National Port Policy and the TEN-T Policy.

3.4.1.9 David Turner

Item 1 – Consideration of Alternatives

Submission

Mr Turner’s submission seeks the containment of the Port on the north bank which, it is asserted, would avoid the need for the SPAR and an additional bridge.

DPC Response

The operation of the Port was considered in the Strategic Site Layout Alternatives Assessment under the Dublin Port Masterplan (reviewed 2018). This assessment was undertaken to determine whether options were technically feasible within the timescale of capacity demand, environmentally sustainable and socially acceptable. Utilising those criteria, it was determined that only those options involving the optimisation of the main port lands and increasing port lands would be capable of delivering the required capacity to meet growth projection.

DPC's land holding on the Poolbeg Peninsula represents a third of the total Port Estate. The DPC lands on the Poolbeg Peninsula play a critical role in facilitating Dublin Port to meet its EU and national mandate as a Tier 1/ Core & Comprehensive Port. For a commercial seaport, land adjacent to berths is critical to meeting capacity and demand. Divesting DPC of access to the berths on the Poolbeg Peninsula and the associated lands servicing of those berths would significantly reduce the capacity and throughput of Dublin Port, with significant adverse consequences for the national and regional economy.

Consequently, the land use and zoning on the Poolbeg Peninsula reflects the critically important role that Dublin Port plays in the national economy and gives effect to strategic EU and National policies. The 3FM Project is also consistent with all applicable land use zoning objectives for the Poolbeg Peninsula.

3.4.1.10 Seán Ó Gríofa

Item 1 – Consideration of Alternatives

Submission

Mr O Gríofa contends that Dublin Port should be relocated to a coastal area beyond the M50 with a second orbital route around Dublin mirroring the M50.

DPC Response

The Assessment of Alternatives in EIAR Chapter 4 considered different options for the design and configuration of the 3FM Project and sets out, in considerable detail, the design evolution which focused on ensuring that the best option was selected, having regard to environmental effects.

In this context, once again, the Dublin Post 2040 Dialogue Papers review the alternatives presented by a range of other locations (including Bremore Ireland Port) and are relevant to the examination of strategic alternatives to the proposed development.

The conclusion of the Strategic Site Alternatives Assessment identified that the proposed 3FM Project on the Poolbeg Peninsula is the only "brownfield" site where DPC can deliver the capacity increase in the necessary timescale. Other sites outside the ownership of DPC can presumably be developed over time, and may provide capacity to assist with increased demand which exceeds DPC's ultimate capacity post-2040. In the interim, such "greenfield" site alternatives would have extended delivery timescales, meaning they are not practicable alternatives to delivering incremental increases in capacity up to 2040. It is envisaged that "greenfield" sites may be developed for additional capacity post-2040, but with considerable complexity and cost and DPC has defer the progression of these schemes given the uncertainties inherent in planning capacity for these longer timescales. The preferred option, having duly considered the detailed alternative strategic locations set out in Chapter 4, is therefore to progress the 3FM Project on the Poolbeg Peninsula site.

3.4.2 Conclusions Relevant to Assessment of Alternatives

DPC notes that there are 10 individual or grouped observations that refer to Alternatives in in the context of the planning application for 3FM Project.

Where there are issues raised relevant to Alternatives these have been addressed directly and by reference to Volume 2, Chapter 4 of the EIAR, the Planning Report, the Dublin Port Masterplan and the Dublin Port Post 2040 Dialogue Papers.

At strategic level, the Dublin Port Post-2040 Dialogue papers and the Masterplan identified the 3FM Project as a key element to implement, and underpin, the Masterplan's fundamental approach of providing the port's ultimate capacity by 2040 (73.8m tonnes of cargo throughput annually), by maximising the utilisation of Dublin Port's brownfield lands. The assessment process in support of the Port's dialogue papers and the Masterplan identified that the development at this site and in this area of the Port is the most sustainable location and layout and therefore the desired approach from a strategic point of view.

At outline design level, the evolution of both the proposed marine and landside structural works, and the associated dredging works, was considered to achieve the 3FM Project's objectives. The 3FM Project design evolution was carried out by RPS, supported by navigational and operational studies and with an integrated approach alongside the RPS planning and environmental teams.

The design team's approach to developing and progressing the scheme design was based on examining layouts of key infrastructure elements that avoided or minimised any adverse environmental impacts while meeting the requirements of the project brief. This design process and evolution was carried out in the context of a do-nothing (Option 0) scenario as a baseline case with stakeholder engagement, specialist planning and environmental inputs, specialist studies and site investigation information used to refine the design layouts.

During the design evolution, changes resulted in an improving trend, with each alternative reducing potential negative impacts due to layout and design changes, and also, the inclusion of mitigation measures developed by the environmental impact assessment process. These changes and mitigations also enhanced potential positive environmental benefits for each alternative, noting that the most noteworthy of these are linked to the positive impacts that the 3FM Project affords in terms of material assets, population & human health, air quality and improved flood risk management.

Option 4 is considered the best environmental option due to its delivery of the most positive potential benefits combined with the least minor negative potential impacts. Assessment of the design progressions demonstrates a number of environmental benefits and no additional potential impacts with this final alternative.

Option 4 is therefore the preferred option as it is considered the best environmental option due to its delivery of the most positive potential benefits combined with the least minor negative potential impacts. This is the option that the 3FM Project EIAR has been developed to support.

The 3FM Project, for which development consent is sought, is firmly rooted in the Dublin Port Masterplan and informed by the Dublin Port Post 2040 Dialogue Papers. The Project has further evolved through engagement with stakeholders (including residents' groups) as set out in Chapter 4 of the EIAR, with the configuration of the development proposals being considerably refined by the consideration of alternatives.

The EIAR has described and considered the *reasonable alternatives studied by DPC and its consultants which are relevant to the 3FM Project and its specific characteristics, and has provided the main reasons for selecting the chosen option, taking into account the environmental effects. Having done so*, the 3FM Project, as proposed for development consent represents the best environmental option and is consistent with proper planning and sustainable development.

3.5 Engineering Design & Site Management

3.5.1 Observations Relevant to Engineering Design and Site Management

The following observations refer to Engineering Design and Site Management and are addressed below.

Number in Index	Party Name
No. 10	Birdwatch Ireland
No. 13	ESB
No. 15	Sandymount & Merrion Residents Association (SAMRA)
No. 5	Ruth Morgan & Gary Costello, 63 Pigeon House Road
No. 7	Margaret & Gerard Byrne, 44 Pigeon House Road
No. 9	Grainne Hughes, 49 Pigeon House Road
No. 31	Phyllis Clarke, 1A Pigeon House Road
No. 32	Brigid Purcell, 5 Pigeon House Road
No. 33	Robert Nealon, 103 Ringsend Park
No. 37	Joe & Christina Whelan, 15 Pigeon House Road
No. 39	Jason McDonnell, 12 Pigeon House Road
No. 42	Michela Anoffo, 11 Pigeon House Road
No. 43	Ning Rodgers, 32 Pigeon House Road
No. 44	Sandra Wayne & Marion Ryan, 28 & 29 Pigeon House Road
No. 20	Peter and Mary Carvill
No. 34	Amphitheatre Ireland Ltd.
No. 48	Uisce Éireann
No. 49	Department of Transport

3.5.1.1 Birdwatch Ireland

Item 1 – Timing of Works

Submission

In its observation, BWI states as follows: *“The construction of the turning circle and the new quay and terminal require dredging, piling and rock-breaking to take place. In relation to the timing of works BWI welcomes that the dredging activity is stated as taking place between October and March so as to avoid negative impact on breeding terns (Section 4.2.2.2.1 ‘Construction phase mitigation measures’ and Section 4.2.4.4 ‘Mitigation Measures’) and BWI asks that the rock-breaking and piling activity is also ceased during the months April to July inclusive.”*

DPC Response

Chapter 5 Project Description of the submitted EIAR describes the 3FM project and contains information on the site, design/methodology, size, programme and other relevant features, in order to establish the characteristics of the project for the purposes of environmental assessment. The project description is supported by a series of engineering drawings submitted in support of the planning application.

DPC confirms the reference to rock breaking is in relation to potential breaking operations during the demolition of the sludge jetty but notes that this is greater than 75m distance from the Tern Colony. DPC acknowledges the requested cessation of piling during the months April to July inclusive.

DPC notes the existing mitigation commitment, contained in the draft CEMP, with a closed period for salmon of July/August and **will extend a closed period for impact pile driving, within 75m of the Tern colonies to cover the period mid-April to end August.** This extended closed period, as requested by BWI, will not have a significant impact on the overall construction programme.

3.5.1.2 ESB

Item 1 – Ongoing Cooperation

Submission

In its submission ESB acknowledges the significance of the 3FM Project, including the SPAR Route, and its potential impact on the region's infrastructure, and acknowledges the detailed collaboration that has occurred to date and emphasised the importance of continued cooperation as the project progresses.

DPC Response

DPC acknowledges ESB's positive engagement to date in discussing the proposed project during outline design. DPC will continue to work proactively with ESB during the detailed design process.

3.5.1.3 Sandymount and Merrion Residents Association (SAMRA)

Item 1 – Cross Sections

Submission

In their observation, SAMRA notes the following: *"No cross section of the Ro-Ro Terminal Yard is provided which correctly shows the entirety of the proposed southern boundary treatment which rises to 5.5m tall. Dwg. No. CP1901-3FM-RPS-S45-07-DR-C-0709 is an elevation drawing and not a cross section. A cross section would show the true height of the wall/fence combination."*

DPC Response

Chapter 5 Project Description of the submitted EIAR describes the 3FM project and contains information on the site, design/methodology, size, programme and other relevant features, in order to establish the characteristics of the project for the purposes of environmental assessment. The project description is supported by a series of engineering drawings submitted in support of the planning application.

Drawing CP1901-3FM-RPS-S45-07-DR-C-0709 should be read in conjunction with drawing CP1901-3FM-RPS-S45-07-DR-C-0702. Drawing CP1901-3FM-RPS-S45-07-DR-C-0702 Ro-Ro Terminal Yard (Area O) Proposed Cross Sections A-A and B-B include cross sections of the proposed terminal, including the retaining wall with a security fence on top.

Drawing CP1901-3FM-RPS-S45-07-DR-C-0705 Ro-Ro Terminal Yard (Area O) Proposed Security Fencing Details also include full details of the proposed boundary treatment. These engineering drawings show cross-sections through the southern boundary and the full extent of the embankment to the water line, showing the screening effect of the existing embankment. It should also be noted that planting is proposed to the seaward side of the proposed boundary fence, which will further screen the fence from view.

Accordingly, elevations of the Ro-Ro Terminal Yard have been provided which correctly show the entirety of the proposed southern boundary treatment.

DPC notes that the embankment level varies along the length of the site, and at some locations, the ground level to the outside of the retaining wall will be at the top of the wall. Only the 2.9m security fence will project above the outer ground level at these locations.

The Appendices to Chapter 5, Project Description of the EIAR, include a CGI Aerial Image of the Proposed Area O – Ro-Ro Terminal from Port Park looking east, which further illustrates the form of construction in the context of the embankment. Figure 3.5.1 below is an extract of this image.



Figure 3.5.1 - Extract from CGI image from Port Park (3FM Project EIAR Appendix 5)

Item 2 – Southern Elevations

Submission

In its observation, SAMRA states as follows: “The south elevations of the Ro-Ro Terminal Yard shown in Dwg. No. CP1901-3FM-RPS-S45-07-DR-C-0709 are incorrect (indeed all the elevations are incorrect). They do not show the retaining wall on which the fence is sited. The drawing is wholly incorrect, misleading, and does not correspond to the other applicant drawings (see Figs. 9 to 14). The wall/fence combination rises to 5.5m tall and this would screen the applicant block and all trucks within the Ro-Ro Terminal Yard. The applicant drawings need to be amended to show the true scale of the fence as it would be viewed from areas represented by SAMRA. For example, to any person walking the adjoining public amenity path to the south, this boundary treatment would appear as massive and prison-like, while it would be visible from the wider area in all views (until such a time as any screening trees grow to heights over 5.5m tall). To SAMRA, there appears to be no reason why the cumulative of the wall and fence height needs to be so tall”

“As the proposed boundary, the applicant shows a 2.9m tall ISPS fence on top of a 2.6m tall retaining wall (with 15m high mast lights setback into the site). These proposals may be suitable for a high -security industrial estate; however, SAMRA does not accept that better designed and lower height proposals cannot be achieved. A 5.5m tall unbroken boundary wall in the prison-like appearance shown is excessive at this location and would be visually adverse)”

DPC Response

Chapter 5 Project Description of the submitted EIAR describes the 3FM project and contains information on the site, design, size and other relevant features, in order to establish the characteristics of the project for the purposes of environmental assessment. The project description is supported by a series of engineering drawings submitted in support of the planning application.

DPC confirms that the combined concrete and security fence structure is required. The concrete wall performs the function of retaining the embankment whilst the 2.9 m fence provides security in accordance with the International Shipping and Port Security (ISPS) standard. In areas of maximum retention the ground level to the rear of the concrete wall will be level with the top of the concrete wall and in these locations a full 2.9 m fence is required above ground level. The embankment level varies along its length and hence depending on location some of the concrete wall will project above embankment level.

Drawing CP1901-3FM-RPS-S45-07-DR-C-0709 should be read in conjunction with drawing CP1901-3FM-RPS-S45-07-DR-C-0702. The detailed sections shown through the southern boundary of the site in drawing CP1901-3FM-RPS-S45-07-DR-C-0702 correctly show the security fence on top of the concrete wall. DPC

further notes that the retaining wall and security fence will be screened from view by the presence of the embankment and the proposed planting.

DPC acknowledges a graphical drawing error in Drawing CP1901-3FM-RPS-S45-07-DR-C-0709 in which the southern elevation failed to include the concrete retaining wall below the security fence. This has been corrected and a revised version of that drawing accompanies these responses to directly address SAMRA's submission.

DPC further confirms the photomontages and the landscape and visual assessment (Chapter 17 of the EIAR) correctly include the combined concrete wall and security fence. Views VP09 (Beach Road) and VP10 (Sandymount Strand) presented in Appendix 17.2 of the EIAR illustrate the screening effect of the embankment and planting.

Item 3 – Settlement and Methane Gas Release

Submission

In its observation, SAMRA notes the following: *"Within the submitted EIAR Non-Technical Summary, the applicant refers to "A transit Ro-Ro freight terminal located in Area O, minimised settlement and methane gas release risk from this former municipal site ..." Chapter 4 of the EIAR states: "Area O is the location of a former municipal waste site which may have potential engineering/geotechnical issues with settlement and associated methane gas release".*

It is wholly clear what this point means other than a port-related contaminated area of land will continue to be used for port-related uses which are industrial in nature. The opportunity to clean up the site and convert it into parkland would be lost arising from this project"

DPC Response

The 3FM Project planning application's accompanying a detailed EIAR. Volume 2, Part 1, Chapter 4 contains a very detailed Assessment of Alternatives for the Project.

The reference to minimising settlement and methane gas release is in the context of a comparison of the proposed Ro-Ro freight terminal with the originally intended Lo-Lo yard. The original intended use of the area as a Lo-Lo yard would have resulted in heavier loads being imposed on the area from stacked containers with resulting higher settlement and methane gas release risk. The change from Lo-Lo use to Ro-Ro use results in substantially lower loads being imposed on the area with resultant lower risk of settlement and methane gas release. The area is currently in use/trafficked and as such there will not be a significant change in operational superimposed loads due to the proposed use as a Ro-Ro terminal.

Item 4 – Retaining Wall and Construction Methods

Submission

In its observation, SAMRA also states: *"The applicant's construction phase proposals show the building of a retaining wall and a construction compound to build this which is sited on the amenity open space side of the existing developed areas currently on site. SAMRA asks that ABP clarify why a retaining wall or any wall is required at this location (a permanent utility structure) and to prevent any temporary or permanent erosion of the existing public amenity open space along Sandymount Strand which is already quite thin. Further, what construction methods will be used and are these compatible with keeping the walking path open?"*

DPC Response

DPC confirms that a retaining wall is necessary in order to retain the existing berm whilst providing the operational area required to accommodate the anticipated volume of Ro-Ro traffic. The construction of the retaining wall will use standard civil engineering methods and plant including excavation and reinforced concrete construction. A small amount of temporary excavation will be required to accommodate construction and the extent of this temporary working space is illustrated on application drawing CP1901-3FM-RPS-S45-07-DR-C-0701 Ro-Ro Terminal Yard (Area O) Proposed Operational. Excavated material will be replaced on completion of the wall construction and the embankment will extend to the rear face of the wall. All such work will be on the northern face of the embankment, which is well removed from areas accessed by the public, and therefore will not impact the existing public amenity open space.

DPC considers the information provided with the application documentation adequately addresses this issue.

Item 5 – Proposed earthworks and retaining wall for the Ro-Ro Terminal Yard

Submission

In its observation, SAMRA states: “SAMRA has reviewed Dwg. No. CP1901-3FM-RPS-S45-07-DR-C-0740 ‘Revised Levels Layout’ of the applicant proposals. This confirms a 70cm level difference across the site with the highest site levels recorded to the south side of the site where they have played a de facto bund role historically.

SAMRA is concerned that the applicant is encroaching into lands which do not naturally or historically form part of the brownfield areas of Poolbeg Peninsula but rather have always been part of the public amenity open space to the south. It would be preferable for the lands at higher levels to the south of the site to remain undeveloped and to continue to act as a natural bund whereby a retaining wall is not required. The retaining wall appears to be required only because the applicant wishes to excavate these areas of the site to create a flat surface. Again, SAMRA asks that the boundary be setback at least to areas of the site which are approximately 5.35 to 5.36 OSD. All areas of the site above 5.39 OSD should be excluded and those at 5.61 OSD definitely excluded. This would remove the areas shown in Fig. 54 from the subject site of the Ro-Ro Terminal Yard. These areas are proposed to contain an internal road whose siting is in any case unreasonable.

Finally, it is critical to note how the south end of the site’s contours have far more in common with and form part of the shoreline than part of the inland areas of the peninsula. These areas should be protected. The natural gradient of the south end of the site down to the shoreline should be retained. The proposed retaining wall cannot be justified this close to the shoreline when natural contours can achieve the same outcome”.

DPC Response

DPC confirms that a retaining wall is necessary in order to retain the existing embankment whilst providing the operational area required to accommodate the anticipated volume of Ro-Ro traffic. The internal roads areas indicated on the layout are required for safe circulation of HGVs within the terminal.

The proposed excavation and construction of a retaining wall are limited to the northern (landward) slope of the existing berm. No works will be carried out on the southern (seaward) slope of the existing embankment and as such the natural gradient of the south end of the site down to the shoreline will not be affected.

Item 6 – Foul Drainage Concerns

Submission

SAMRA notes the following: “Further, the block proposed to serve the facility includes toilets which also raise concerns as to permanent discharge of foul water from the area”.

DPC Response

Chapter 5 Project Description of the submitted EIAR describes the 3FM project and contains information on the site, design, size and other relevant features, in order to establish the characteristics of the project for the purposes of environmental assessment. The project description is supported by a series of engineering drawings submitted in support of the planning application.

DPC confirms all wastewater generated in the Area O will be collected by a new dedicated wastewater network, which is shown on the application drawings to discharge to the existing public wastewater network, ultimately connecting to the Ringsend Main Lift Pump Station. From this pump station, the collected wastewater is pumped to Ringsend WWTP where it undergoes treatment prior to discharge via the licenced outfall.

Uisce Éireann has provided a Confirmation of Feasibility for this connection, noting that such a connection is feasible without requiring any infrastructure upgrades.

3.5.1.4 Pigeon House Road Residents

Of the 52 submissions received by An Bord Pleanála 14 were submitted by residents of Pigeon House Road and Ringsend Park, Dublin. A number of common themes were raised in the submissions. Those relating to Engineering Design and Site Management issues have been summarised and responded to below.

Item 1 – Concerns Related to Structural Damage from Construction Phase Vibration

Submission

Concerns related to structural damage from construction phase vibration were raised the following residents:

- Ruth Morgan & Gary Costello;
- Margaret & Gerard Byrne;
- Grainne Hughes;
- Phyllis Clarke;
- Brigid Purcell;
- Robert Nealon;
- Joe & Christina Whelan;
- Jason McDonnell;
- Michela Anoffo;
- Ning Rodgers; and
- Sandra Wayne & Marion Ryan.

Grainne Hughes, Brigid Purcell, and Jason McDonnell stated: “Construction works will involve infilling and mechanical compaction. Piling either impact or screw will inevitably be carried out. The construction and ground preparation will threaten the viability and structural integrity of the Pigeon House Road houses and render them unliveable – (temporary during construction) and permanently due to induced structural defects to the houses and the amenity and environmental damage to the locality. The houses were built in 1911 on sand filling with minimum foundations. The construction impact, during the building of the Toll Bridge, was severe on these houses and caused widespread structural disturbance and the 3FM proposal will be detrimental to their existence. We have experienced this disruption before when the East Link was being built and our houses are suffering subsidence.”

Phyllis Clarke stated: “We will be impacted by the bore piling of the river and will probably cause the river to rise! We cannot take any more building work in or around the river, as I remember well when the East Link was being built, cracks appearing in walls and footpaths etc. also rats as big as cats running around.”

Joe & Christina Whelan stated: “The proposed new road requires bore piling 50 mtrs from my home over a long period of time. I am not convinced that it will have no effect on our house.”

Michela Anoffo noted: “I am aware of the project which will be built in Dublin Port and I would like to express my concern about the stability of these cottages which I know are very old. Years of drilling and various construction works could significantly impact the entire structure and foundations.”

Ning Rodgers stated: “My cottage, like all the others on the Pigeon House Road are over 100 years old. I am deeply concerned that the Bore Piling into seabed 50 metres from my home may cause vibration to my foundations and may cause damage. Has this been considered? Do you have engineering assessment? Can you assure me that every possibility has been calculated?” “You have to Bore Pile into the seabed for the support structure. My concern is the living with the extra noise level by the Bore Pile for 2/3 years.”

Sandra Wayne & Marion Ryan observed: “Noise and vibration – regarding terrestrial noise and vibration. As a resident of Pigeon House Road for the past 14 years we have experienced noise and vibration issues in the past with workings on the port. In short, our house vibrates, pictures have fallen from our walls and concern is that the structure of the old properties in which we live will be compromised as a result of heavy bore piling. Due to the sheer scale of the project I would be hugely concerned that no measures will be able to contain the noise and vibrations that will ensue with the works scheduled. Not only will this possibly impact the structural integrity of our houses, we will also be exposed to noise within our home for years on end until this project is complete.”

DPC Response

In addition to Chapter 5 Project Description of the submitted EIAR and a series of engineering drawings submitted in support of the planning application, Chapter 12 Noise & Vibration of the submitted Environmental Impact Assessment Report (EIAR, Sub-section 12.1 Terrestrial Noise & Vibration) contains the detailed noise and vibration impact assessment in relation to the nearest noise sensitive properties to the proposed 3FM Project. Section 12.1.4 contains a detailed assessment of construction vibration at the nearest sensitive properties along Pigeon House Road.

The piles will be of bored concrete construction with permanent steel sleeves. The use of this type of pile significantly reduces the level and severity of impact driving by avoiding the need to undertake high energy driving of the pile into hard strata. The steel sleeve will be installed from surface to a competent strata by a combination of low energy vibration/driving techniques only to the extent necessary to achieve a suitable seal. Thereafter the pile will be progressed into the hard strata by drilling which produces much lower levels of noise and vibration compared to pile driving.

The closest piles to the houses on Pigeon House Road are approximately 43m. This is sufficiently distant from the structures to prevent any damage occurring.

Section 12.1.4.4 contains an assessment of the potential vibration impacts from the proposed 3FM Project at the nearest properties on Pigeon House Road in accordance with *BS5228:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and open Sites - Part 2: Vibration*. Predicted vibration levels at the nearest properties on Pigeon House Road from the nearest piling activity will be below 1mm/s, which is below the threshold where significant impacts will be experienced and substantially below the threshold whereby structural damage to properties may occur.

A Draft Construction Environmental Management Plan (CEMP) was prepared and submitted as part of the 3FM planning application and details all aspects of controlling vibration emissions at the nearest sensitive properties to the 3FM Project. The CEMP includes various sub-plans which address specific environmental disciplines, including a Noise & Vibration Management Plan (NVMP). The NVMP is an iterative document, which will be updated on an ongoing basis and the requirement for vibration mitigation measures will be recorded in the NVMP on an ongoing basis in consultation with Dublin City Council. Building Condition Surveys will be completed at properties on Pigeon House Road in advance of the commencement of any construction works in this area. Baseline vibration monitoring will be completed at these properties prior to the commencement of construction works and then subsequently while piling activities are taking place to ensure vibration levels from piling do not exceed the relevant threshold limit. A complaints procedure will continue to be operated by the Contractor throughout the construction phase and all efforts will be made to address any vibration issues at the nearest sensitive properties.

In relation to raising water levels, in line with The Planning System and Flood Risk Management Guidelines, the Strategic Flood Risk Assessment (SFRA) for the Dublin Port Masterplan 2040 advised that any development should be set at the present day 0.5% AEP tidal event with a suitable allowance for climate change and an appropriate freeboard, taking account of data uncertainties and the site-specific wave climate. The 3FM Project used the most up to date information from the Irish Coastal Wave and Water Level Modelling Study (ICWWS), an allowance of 1m for climate change and a freeboard of 0.3m to set appropriate development levels for the various elements.

The 3FM Project does not rely on any future flood defences for protection. Modelling of the proposed bridge and viaduct within the River Liffey has been undertaken and this has shown that there is no increase in coastal flood risk elsewhere that would need to be considered in any future flood defence scheme. The 3FM Project will not hinder the design and implementation of any future flood risk management measures that may be required outside of the project.

The 3FM Project is compliant with The Planning System and Flood Risk Management Planning Guidelines.

Item 2 – Concerns Related to Rat Infestation

Submission

Concerns relating to rat infestations were raised by a number of residents including:

- Grainne Hughes;
- Phyllis Clarke;
- Brigid Purcell;
- Jason McDonnell;
- Michela Anoffo;
- Ning Rodgers; and
- Sandra Wayne & Marion Ryan.

In their various submissions residents made the following statements regarding rodent infestation: *“There are major concerns about the dust/dirt/traffic noise and noxious smells in the area. There will be an increase in these major nuisances which will occur when construction begins (along with dense rat and rodent infestation)”*.

“It should also be noted that rodent infestation is widespread along the rock armour and any construction activity will dislodge and cause a huge rodent problem along the entire length of Pidgeon House and York Roads”.

“We can’t take any more building work in or around the River, as I remember when the East Link was being built, cracks appearing in walls and footpaths and rats as big as cats running around”.

"In 1984, during the construction of the East Link Road, we had a rat infestation. Caused by the disturbance, People on the Road reported seeing rats every day and night for months on end. Do you envisage that this might happen again? Are there plans in place for such an event?"

"Rat Infestation – previously anytime any works have commenced or any disturbance in the area of grass across from our houses has resulted in rats been re-located. Most of the rats at the waterside. I don't need to highlight the diseases that can be contracted through rats. I don't see any measure to protect the residents from rat infestations".

DPC Response

DPC recognises that rats are undoubtedly present within the rock revetment which forms the riverside boundary to the River Liffey and the R131 Road in relatively close proximity to the residents of Pigeon House Road and Ringsend Park.

The 3FM Project has been designed to minimise disturbance to the existing rock revetment at this location by creating a new road on a bridge structure, separated from the existing waterfront, which has been referred to as the SPAR Viaduct (see Chapter 5 Project Description of the EIAR). This negates the need to demolish the existing rock revetment or to give rise to any further infilling of the River Liffey.

The construction of the SPAR Viaduct supporting piles will however need to be founded into short sections of the rock revetment at circa 20m intervals causing temporary displacement of rats at these specific locations. This will most likely result in limited movement of rats but within the entirety of the rock revetment. Nevertheless, there remains a low probability that some rats may attempt to relocate towards Pigeon House Road.

DPC thereby recognises the concern raised by the residents and references the importance of this issue within the proposed Construction Management Plans set out in the Draft Construction Environmental Management Plan (CEMP), including:

- Construction Waste Management Plan will ensure all food waste and litter generated from site offices are safely stored and removed from site to ensure there is no food source to attract rats.
- A suitability qualified Vernon Control Company will be retained to ensure any signs of rat infestation can be identified at a very early stage and that eradication measures undertaken quickly.

As set out in the Draft CEMP, DPC will appoint a suitably qualified person to the role of Environmental Facilities Manager (Environmental Clerk of Works) to monitor the 3FM Project construction works. The Environmental Facilities Manager will be the point of contact to effectively deal with any concern raised by residents.

3.5.1.5 Peter & Mary Carvill

Item 1 – Potential impact of deep dredging on the stability/level of the tidal mudflat

Submission

In their submission Peter and Mary Carvill noted the following: *"Very deep dredging immediately to the north of the mudflats and adjoining them (down to -13m. chart datum) might be expected to impact the level and stability of the mudflats, and also to alter the hydromorphology of the site regarding both wind generated waves and the frequent displacement waves generated by ships entering and leaving the port.*

DPC Response

The project description in the EIAR is supported by a series of engineering drawings submitted in support of the planning application. A comprehensive site investigation was conducted to provide data to support the outline design (presented in the EIAR Appendix 8).

DPC confirms that, on the basis of the site investigation data and associated engineering analysis, the proposed dredging has been designed so that it will not impact the level and stability of the mudflats.

The stability of dredge slopes has been assessed and the top of the dredge slope will not extend far enough towards land to undermine the mudflats. As shown on drawing CP1901-3FM-RPS-S45-06-DR-C-0609 (submitted with the planning application), the top of the slope is below the level of Mean Low Water Springs meaning that there will not be an impact on the bird feeding area.

Item 2 – Potential Liquefaction of Sediments

Submission

In their submission Peter and Mary Carvill noted the following: *“Liquefaction of the sediments as a consequence of shock waves from the pile driving may potentially affect the suitability or productivity of the mudflats as a habitat for the invertebrates on which the birds feed”*

DPC Response

On the basis of the site investigation data there is no risk of liquefaction of the mudflats as a result of pile installation. Liquefaction is a risk associated with loose sandy soils and soils with a Plasticity Index greater than 7% are not susceptible to liquefaction. Higher values of Plasticity Index indicate higher presences of silt and clay particles within a soil sample. Samples taken in upper layers of the Recent Estuarine Deposits (within 2.5m of the surface) have a minimum Plasticity Index of 16% and an average value of 28%.

Notwithstanding the above if there was to be any such effect it would only occur when piling was being actively undertaken and the material would revert to its current state thereafter.

3.5.1.6 Amphitheatre Ireland Ltd

Item 1 – Noise and Vibration from Construction Works

Submission

In their submission Amphitheatre Ireland Ltd noted the following: *“Substructure works for are described in Section 4.3.6 of the Preliminary Report for the SPAR Opening Bridge.*

With the objective of addressing the concerns of the 3Arena, it is submitted that the scope, planning documents, tender documents and instructions to the Contractor for the 3FM Project should include controls, restraints and mitigating measures in relation to the following activities in the area of the 3Arena”.

DPC Response

Section 12.1.4.4 of the EIAR contains an assessment of the potential vibration impacts from the proposed 3FM Project at the nearest properties in accordance with *BS5228:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and open Sites - Part 2: Vibration*. Predicted vibration levels from the nearest piling activity will be below 1mm/s at the 3Arena, which is below the threshold where significant impacts will be experienced and substantially below the threshold whereby structural damage to properties may occur.

DPC confirms that tender documents and instructions to Contractors will include controls, restraints and mitigating measures in relation to the construction activities.

A Building Condition Survey will be completed at the 3Arena in advance of the commencement of any construction works in this area. Baseline vibration monitoring will be completed at the building prior to the commencement of construction works and then subsequently while piling activities are taking place to ensure vibration levels from piling do not exceed the relevant threshold limit. A complaints procedure will continue to be operated by the Contractor throughout the construction phase and all efforts will be made to address any noise and vibration issues at the 3Arena.

3.5.1.7 Uisce Éireann

Item 1 – Connection(s) to Public Water and Wastewater

Submission

In its submission Uisce Éireann noted the following: *“The applicant is seeking connections to the public water and wastewater network at a number of locations within the redline boundary. Uisce Éireann previously advised Dublin Port that Pre connection Enquiries (PCE) for each connection were required to be submitted to Uisce Éireann for assessment of connection feasibility. Uisce Éireann confirms it has recently received PCEs from Dublin Port for connections to service the site (table 1).*

Table 1. Pre-Connection Enquiries

Ref	Area	Description
CDS24005670	Area K, South Bank Road	New Roll-On Roll-Off (Ro-Ro) Terminal
CDS24005664	Area O, South Bank Road	Ro-Ro Terminal Yard (Area O)
CDS24005672	Area N, Pigeon House Road	New Lift-on Lift-off (Lo-Lo) Terminal
CDS24005668	Maritime Village, Pigeon House Road	Maritime Village
CDS24005669	Area L, Pigeon House Road	Lo-Lo Container Yard

It should be noted that the connection feasibility assessment for each of the PCEs above is required to be completed by Uisce Éireann ahead of any grant of permission to ensure the site, as a whole, can be adequately serviced by public water and wastewater infrastructure.

The applicant is requested to submit the outcome of Uisce Éireann's connection feasibility assessment for the Pre Connection Enquiries listed in table 1."

DPC Response

Chapter 15 Material Assets - Services of the submitted EIAR appraises the impact of the 3FM Project on existing and proposed utilities within the Poolbeg Peninsula and in the vicinity of proposed roadworks within the North Port Estate. The service requirements of the 3FM Project (water supply, wastewater and electricity supply) are also quantified to ensure the demand can be met and to ensure that there is no significant impact on other users or on the neighbouring communities.

DPC confirms engagement with Uisce Éireann and submitted the required information in September 2024, this information is also enclosed in response to the submission made to the Board. Refer to Appendix 3.5.1 of this Response Document.

Item 2 – Protection of Existing Uisce Éireann's Assets

Submission

In their submission UE noted the following: *"The applicant is seeking connections to the public water and wastewater network at a number of locations within the redline boundary. Uisce Éireann previously advised Dublin Port that Pre connection Enquiries (PCE) for each connection were required to be submitted to Uisce Éireann for assessment*

Protection of Existing Uisce Éireann's Assets Proposals under Dublin Ports 3FM application indicate there are interactions with Uisce Éireann's public in situ infrastructure. It is imperative that Uisce Éireann's in-situ infrastructure is protected to ensure continued provision of critical services.

With a view to ensuring Uisce Éireann's ability to continue to provide the required levels of water and wastewater services, Uisce Éireann has engaged with Dublin Port and set out the requirements to satisfy Uisce Éireann that proposals under Dublin Ports 3FM application do not pose risk(s) to public water and wastewater infrastructure.

Areas requiring assessment include proposed works along Pigeon House Road, Shellybanks Road and changes in ground levels at the proposed Ro-Ro Terminal Yard which may have the potential to impact strategic wastewater network pipes connecting the Ringsend Main Lift Wastewater pumping station with the Ringsend Wastewater Treatment Plant.

Other interactions which require assessment include:

- *The road network upgrades on the northern roads which are near/over water pipes located on Alexandra Road, Tolka Quay Road and Bond Drive*
- *The road network upgrades on the southern roads which are near/over water and wastewater pipes located on South Bank Road*
- *The active travel path on South Bank Road*
- *Uisce Éireann assets in the vicinity of Whitebank Road*
- *Any structures or works over or in close proximity to Uisce Éireann infrastructure that may inhibit access for maintenance or endanger structural or functional integrity of the infrastructure*

The applicant is requested to submit the outcome of Uisce Éireann's diversion/build near feasibility assessment for all interactions with public in-situ water and wastewater infrastructure as part of proposals under the 3FM project."

DPC Response

Chapter 15 Material Assets - Services of the submitted EIAR appraises the impact of the 3FM Project on existing and proposed utilities within the Poolbeg Peninsula and in the vicinity of proposed roadworks within the North Port Estate. The service requirements of the 3FM Project (water supply, wastewater and electricity supply) are also quantified to ensure the demand can be met and to ensure that there is no significant impact on other users or on the neighbouring communities.

DPC confirms that applications for build near assessments, which are included within Appendix 3.5.1 of this document, were submitted to UE on 19 September 2024.

3.5.1.8 Department of Transport (DoT)

Item 1 – Maritime Navigation Safety

Submission

In its submission DOT noted the following: *“In the context of maritime navigation, the Department of Transport proposes that An Bord Pleanála should impose the following as planning conditions, should development consent for this project be granted:*

1. *The applicant shall, through consultation and agreement with the Department of Transport's Marine Survey Office and the Commissioners of Irish Lights, arrange for the publication of a Marine Notice(s) as necessary throughout the development period.*
2. *The promulgation and frequency of the International Maritime Organization's Navtex system and radio broadcast warnings shall be agreed in advance with the Irish Coast Guard, which is part of the Department of Transport, for the duration of the permission.*
3. *The marking and lighting of any moored instruments shall be carried out in consultation with the Marine Survey Office in the Department of Transport and the Commissioners of Irish Lights. Lighting and marking shall be compliant with International Association of Aids to Navigation (IALA) requirements. Information regarding the position of any markings which create a hazard to navigation shall be promulgated to maritime traffic within the jurisdiction of Dublin Port, via publication of a marine notice and all available means appropriate.*
4. *The applicant shall ensure all appropriate measures are taken for the duration of the development to ensure the safety of navigation is maintained. Any hazard to safe navigation shall be easily identifiable to all mariners operating within or in the vicinity of the jurisdiction of Dublin Port.*
5. *All vessels engaged in the construction phase of the development must conform to Irish Certification standards for vessels and the vessels must be manned by suitably qualified personnel. Additionally, where equipment is carried, an Irish Load Line survey may be required as part of the certification process. The applicant should contact the Marine Survey Office (mso@transport.gov.ie) for any clarification in relation to the certification requirements of vessels deployed.*
6. *In advance, and throughout the construction period, the applicant shall be obliged to inform United Kingdom Hydrographic Office (UKHO), of any activities or establishment of structures that may impact the safety of navigation, in addition to the provision of bathymetry data in order that appropriate navigation charts can be updated. email: hdc@hdc.hydro.gov.uk) and the INFOMAR program at support@geodata.gov.ie*
7. *Security of the areas under development shall be managed to the equivalent standards required in the Port Facility Security Plans currently established for Dublin Port.* 8. *It is noted that a Vessel Traffic Service (VTS) has been successfully established within Dublin Port and will be critical to the safety of navigation during the development of this project, particularly in relation to safety of recreational craft and activities in the proposed relocation and development of the Marine Village.”*

DPC Response

DPC acknowledges the importance of maritime navigation safety and accepts the requested planning conditions, in the event that the Board decides to grant permission for the 3FM Project.

3.5.2 Conclusions Relevant to Engineering Design and Site Management

The EIAR assesses the likely significant effects of the 3FM Project on the environment arising from the construction of the 3FM Project. Integration of the engineering design team with the planning and environmental team from an early stage in the project has enabled mitigation by design to be used, causing

many likely significant effects to be eliminated or reduced to an acceptable level during the preliminary design stage.

Mitigation through avoidance has also been used, for example, contaminated material at Area O identified through an extensive Site Investigation has been left in-situ as far as practicable by raising ground levels to avoid disturbance. Similarly, a series of Closed Periods for impact piling has been designed to avoid impact on migratory birds and fish,

The mitigation measures set out in the EIAR have been incorporated into a Draft Construction Environmental Management Plan (CEMP) for the 3FM Project which forms part of the 3FM Project planning application. The draft CEMP sets out the minimum requirements which will be adhered to during the construction phase of the 3FM Project.

DPC has an established liaison group for the ABR Project and MP2 Project which includes representatives of DPC, the Contractor, Dublin City Council (DCC) and MARA. The group meets at quarterly intervals each year with an agenda and minutes taken of the meetings. It is proposed that this liaison group will also provide environmental oversight of the construction phase of the 3FM Project.

DPC will appoint a suitably qualified person to the role of Environmental Facilities Manager (Environmental Clerk of Works) to monitor the 3FM Project construction works. The Environmental Facilities Manager will provide monthly reports to the members of the liaison group. The Environmental Facilities Manager will work closely with the Contractor's site supervisors to monitor activities and ensure that all relevant environmental legislation is complied with and that the requirements of the CEMP are implemented. The Environmental Facilities Manager will have the authority to review method statements, oversee works and instruct action, as appropriate, including the authority to require the temporary cessation of works, where necessary.

A suite of draft Construction Environmental Management Plans has been prepared for the construction phase of the 3FM Project and are presented in the Draft CEMP and summarized in Chapter 21 of the EIAR (Table 21-2). These draft Construction Environmental Management Plans will be finalised as required prior to the commencement of construction and will incorporate the mitigation measures outlined in the documentation submitted with the application for permission, and will include any additional requirements pursuant to conditions attached to statutory consents. In addition, regular audits of the CEMP will be undertaken during the construction phase of the works by the Environmental Facilities Manager.

Eight parties, or groups of individuals, have made reference to engineering related issues these are addressed in Section 3.5.1 of this response document.

With regards to Terns, DPC acknowledges the requested cessation of piling during the months April to July inclusive. DPC notes the existing mitigation closed period for salmon of July/August and **will extend a closed period for impact driving, within 75m of the Tern colonies to cover the period mid-April to end August.** This extended closed period will not have a significant impact on the overall construction programme.

3.6 Terrestrial Ecology & Ornithology (including NIS)

3.6.1 Observations Relevant to Terrestrial Ecology and Ornithology (including NIS)

The following observations refer to Terrestrial Ecology and Ornithology (including NIS) and are addressed below.

Number in Index	Party Name
No. 23	Department of Housing, Local Government & Heritage – National Parks & Wildlife Service (NPWS)
No. 9	Grainne Hughes, 49 Pigeon House Road
No. 32	Brigid Purcell, 5 Pigeon House Road
No. 39	Jason McDonnell, 12 Pigeon House Road
No. 36	Michael Curry, 27 Pigeon House Road
No. 15	Sandymount and Merrion Residents Association (SAMRA)
No. 17	Deirdre Tracey, 15 Londonbridge Road
No. 28	Ceanna Walsh, 121 Strand Road
No. 40	Drs. Philip Murphy and Ann O'Doherty, 22 Durham Road
No. 10	Birdwatch Ireland
No. 20	Peter and Mary Carvill

3.6.1.1 Department of Housing, Local Government & Heritage – National Parks & Wildlife Service (NPWS)

Item 1 – Natura Impact Statement

Submission

In its submission on the planning application, the Department of Housing, Local Government and Heritage's (DHLGH) observations/recommendations requested the following Further Information:

"1. An amended NIS to include:

- An assessment of the potential for the cranes to be installed in the proposed Lo-Lo container terminal to be constructed in Masterplan Area N when operational to adversely affect the common tern nesting colony using the adjacent ESB Tern Platform.
- Clarification of the discrepancies in the text of the NIS previously submitted and Appendix C to that document in relation to the numbers of SCI bird species and particularly black-tailed godwits recorded in surveys undertaken of the Great South Wall outfall at the eastern end of Masterplan Area N and an assessment of the possible effects of the lo-Lo terminal on the usage of SCI species of the outfall area.
- An evaluation of the potential effects of the construction and operation of the proposed Ro-Ro terminal in Masterplan Area O on the usage by light-bellied brent geese of the neighbouring Goose Compensation Field within the South Dublin Bay and River Tolka Estuary SPA.

Reason: To facilitate the Board undertaking a fully informed Appropriate Assessment of the potential effects of the proposed 3FM Project on European sites including any possible effects on SCI bird species for local SPAs".

DPC Response

DPC has submitted a detailed suite of application documentation in respect of the 3FM Project, including an EIAR which addresses terrestrial biodiversity and ornithology in Chapter 7 Biodiversity, Chapter 21 Summary of Mitigation Measures and Conclusions (Volume 2, Part 2 of the EIAR); draft Construction Environmental Management Plan (CEMP); Screening for Appropriate Assessment Report; and Natura Impact Statement (NIS).

Section 4.2.4.1 of the NIS records the potential for aerial noise and disturbance effects of 3FM Project and Section 4.2.4.3 notes the potential implications of aerial noise and disturbance on the conservation objectives of *inter alia* the special conservation interest species of South Dublin Bay and River Tolka Estuary SPA.

Section 4.2.4.3.2 of the NIS records that for construction phase, “the most significant potential sources of impact on breeding tern colonies are activities and noise arising from extensive piling operations at Area N during construction of a 650 m x 150 m open pile Lo-Lo wharf”.

Section 4.2.4.3.3.1 of the NIS records that for operational phase, “the existing high levels of anthropogenic noise, traffic and disturbance associated with the operational use of the Dublin Port estate has resulted in the birds that breed and overwinter here becoming habituated to much of the human activity in the area. The nature of such activity will not change in the 3FM operational phase”.

It is DPC’s opinion that the NIS was robust and in line with standard practice, however, in response to the Department’s direct request, DPC is providing further information, to supplement the extensive information provided in the Natura Impact Statement (NIS) submitted with the planning application in July 2024, so as to ensure that the competent authority has all relevant information necessary for its environmental assessments of the 3FM Project. The issues are addressed using the same numbering as in the DHLGH submission.

1a Common tern nesting colony

This response summarises the detailed information provided under Response 3.6.1.5, Item 2 regarding the Birdwatch Ireland’s submission.

Information in relation to the assessment of the potential effects of cranes installed in the proposed Lo-Lo container terminal in Masterplan Area N, during the operational phase of the 3FM Project, including potential effects on the common tern nesting colony using the adjacent ESB Tern Platform, is set out below.

Results from an overshadowing study has shown that the proposed Area N will not cause overshadowing of the tern colony at the CDL Dolphin (NHA designation). The study has indicated that shadowing of infrastructure (i.e., ship to shore gantry cranes) will be cast over the tern colony at the ESB Dolphin (SPA Designation) during the early morning in the breeding season – on occasions when the cranes are at the extent of the western limits of their rails i.e., closest to the colony (see Appendix 3.6.4 to this response). However, the shadow cast will be temporary, lasting approximately 1 hour in April and May and approximately 30 minutes in June and July. The shadow will also be slow moving, caused by the rising sun (when suitable sunlight conditions occur).

In summary, only when clear conditions occur in the early morning and cranes are at their western extent can overshadowing occur. Should conditions cause overshadowing, it would be temporary in nature and slow-moving. As shown in Appendix 3.6.4.

Moreover, as set out in Response 3.6.1.5, Item 2 of this response document, Complementary Case Studies confirm that common terns and operational ports can successfully co-exist.

In the circumstances, there is sufficient information to enable the competent authority to assess the potential for the cranes to be installed in the proposed Lo-Lo container terminal in Masterplan Area N, when operational, to affect the common tern nesting colony using the adjacent ESB Tern Platform.

However, having conducted that assessment, the competent authority is enabled to conclude that there will be no such adverse effects on the common tern nesting colony.

1b Numbers of SCI bird species

The text in Section 4.2.4.3.3.2 of the NIS describing Disturbance impacts at Poolbeg/GSW Feeding Area was based on a draft ornithological impact assessment composed following the completion of the year-long wetland bird survey campaign between April 2022 and March 2023, whereas Appendix C to the NIS also includes additional data gathered during co-ordinated “through the tide cycle count” (TTTCC) surveys at Bull Island, Poolbeg and Shelly Banks carried out between October 2023 and March 2024 (based on the priority period for IWeBS counts as this encompasses the main months when peak numbers of most species occur in Ireland).

Peak count at Poolbeg during the co-ordinated counts was 318. Peak count at other survey locations was 550 (Bull Island) and 369 (Shelly Banks). Average counts of Black-tailed godwit at all three survey sites across the winter 2023-2024 was 42 at Shelly Banks, 40 at Bull Island and 21 at Poolbeg.

Based on the data, it remains the professional opinion of DPC’s ecological consultant that, if Black-tailed godwit are prevented from feeding on the small intertidal area by the outfall at Poolbeg (an area outside the SPA) for the short periods when tidal conditions would have otherwise allowed them to feed here, then the unavailability of this area would not cause any detrimental impact upon the SPA population or the conservation objectives of South Dublin Bay & River Tolka Estuary SPA.

Indeed, the coordinated counts have shown that alternative feeding sites are not only available but, in all likelihood, are preferred within North Bull Island SPA (for which the species is listed as a SCI) and South Dublin

Bay SPA (where the species is not listed as a SCI). Having carefully considered the DHLGH submission, the conclusion remains as stated at the end of Section 4.2.4.3.3.2 of the NIS –

- *For SCI species of South Dublin Bay & River Tolka Estuary, there will be no significant decrease in the range, timing or intensity of use of areas by the target species, other than that occurring from natural patterns of variation.*
- *For SCI species of North Bull Island SPA, there will be no significant decrease in the range, timing or intensity of use of areas by the target species, other than that occurring from natural patterns of variation.*

1c Light-bellied brent geese

As noted at Section 4.2.4.3.2.2 of the NIS, there is a potential for disturbance to the overwintering SCIs of South Dublin Bay & River Tolka Estuary SPA and North Bull Island SPA from construction noise and, during the operational phase, from normal operational port activities in the 3FM Project area and from recreation and amenity users of the proposed Active Travel Path, Port Park and Coastal Park.

It should be noted that there were no observations of Light-bellied brent goose during Through-the-tide-count (TTTC) surveys between April 2022 and March 2023, which included a survey of the Goose Compensation Field. Similarly, in the Through-the-tide-count surveys conducted between October 2023 – March 2024, less than 2% of the South Dublin Bay and River Tolka Estuary SPA population of Light-bellied brent geese were recorded foraging or roosting within 1km of the Goose Compensation Field and there were no recorded observations of geese within the Goose Compensation Field. The peak count of geese within 1km of the Goose Compensation Field during the winter disturbance surveys was 10 birds, accounting for less than 3% of the South Dublin Bay and River Tolka Estuary SPA population. In contrast, Through-the-tide-count results for October 2023 - March 2024 within the survey area inside the boundary of the Bull Island SPA have shown that this alternative feeding site accounts for 4% of the SPA population, with internationally important counts of the species regularly occurring across the entire SPA during the winter season (Lewis 2019)². In the light of the analysis of these data, the conclusion remains as stated at the end of Section 4.2.4.3.3.2 of the NIS:

- *For SCI species of South Dublin Bay & River Tolka Estuary, there will be no significant decrease in the range, timing or intensity of use of areas by the target species, other than that occurring from natural patterns of variation.*
- *For SCI species of North Bull Island SPA, there will be no significant decrease in the range, timing or intensity of use of areas by the target species, other than that occurring from natural patterns of variation.*

It should also be noted that the design of the 3FM Project includes tree planting and landscaping around Area O that will provide a barrier to mitigate visual impacts of Area O activities on the Goose Compensation Field. Additionally, Area O is planned as a Ro-Ro terminal, primarily for transit trailer parking. Adjacent areas including the Ringsend WwTP facility and coastal path around Irishtown Nature Park are currently industrial and actively-used areas and, therefore, any species regularly using the Goose Compensation Field will already be habituated to industrial activities and other forms of disturbance when using the site.

The main concern in literature for Brent geese are high levels of anthropogenic disturbances due to people and dogs causing a break in foraging behaviour (Owens 1977³; Stock 1993⁴; Riddington *et al.*, 1996⁵; Clausen *et al.*, 2012⁶; Stillman *et al.*, 2015⁷; Lewis 2019¹).

However, in this instance, as noted at Section 4.2.1.1 of the NIS, the boundary of the South Dublin Bay and River Tolka Estuary SPA is offset by between 5m and 14m seaward on the MHW, along 625m of the red-line boundary at Area O and the Irishtown Nature Reserve, providing a buffer to prevent additional anthropogenic disturbances from the Active Travel Path.

Item 2 – Otter and Badger Surveys

² Lewis, L. (2019). *An assessment of the effects of recreational and other activities on the waterbirds using the Bull Island saltmarsh - Final Report*. Dublin City Council: Birdwatch Ireland, Wicklow, Ireland.

³ Owens, N. (1977). Responses of wintering Brent Geese to human disturbance. *Waterbirds* 28: 5-14

⁴ Stock, M. (1993). *Studies on the effects of disturbances on staging Brent Geese: a progress report*. IWRB Goose Research Group Bulletin No. 1, Germany.

⁵ Riddington, R., Hassall, M., Lane, S.J., Turner, P.A. & Walters, R. (1996). The impact of disturbance on the behaviour and energy budgets of Brent Geese *Branta b. bernicla*. *Bird Study* 43: 269-277.

⁶ Clausen, K.K. & Clausen, P. (2013). Earlier Arctic springs cause phenological mismatch in longdistance migrants. *Oecologia* 173: 1101–1112.

⁷ Stillman, R.A., Wood, K.A., Gilkerson, W., Elkinton, E., Black, J.M., Ward, D.H. & Petrie, M. (2015). Predicting effects of environmental change on a migratory herbivore. *Ecosphere* 6: 114.

Submission

2. An otter survey of the proposed 3FM Project site and adjacent areas undertaken by otter specialist surveyors.

Reason: To permit full evaluation of the potential of the proposed 3FM Project to affect the otter population of the Liffey Estuary and adjacent areas and inform the drawing up of mitigation measures to mitigate any possible adverse effects on otter identified.

3. A badger survey of the 3FM Project site and adjacent areas to be carried out by ecologists with expertise in undertaking badger surveys and a 3FM Badger Conservation Plan drawn up on the basis of the results of the badger survey.

Reason: So that the implementation of the 3FM Badger Conservation Plan as a condition of any planning permission granted for the 3FM Project will ensure the avoidance of any injury to badgers which inhabit or forage over the 3FM Project lands and help ensure the continued existence of a badger population in the Poolbeg Peninsula into the future."

DPC Response

The assessment contained in the application documentation, including the NIS, in relation to Otters and Badgers was robust and in line with standard practice. However, arising directly from the DHLGH submission, RPS has carried out an updated and more extensive otter and badger survey covering both the 3FM Project site and the surrounding area. A survey technical note incorporating the results of these most up to date surveys can be found at Technical Note 1. In addition, a Badger Conservation Plan has also been submitted at Appendix A to that technical note.

In summary, there were no additional otter holts or couches recorded by RPS in this most recent survey campaign within the site of the 3FM Project or within 150 m of the red line boundary. Fresh field signs of otters being present in the survey area were recorded, and the updated survey report also notes anecdotal observations made by third parties reported to the survey team.

As regards badgers, five badger setts were recorded in the up-to-date surveys – three inside the Proposed 3FM Project red line boundary and two outside and within 30 m of the Proposed Project boundary. These setts will be treated in accordance with a Badger Conservation Plan, as outlined in Table 3.6.1 below for ease of reference.

Table 3.6.1: Badger Sett Codes and Actions at Construction Phase

Sett Reference	Construction Phase Reference Code	Action at Construction Phase
S1	PC-01	Permanent closure
S2	MP-01	Protective exclusion zone (Monitor and Protect)
S3	PC-02	Permanent closure
S4	PC-03	Permanent closure
S5 (5a & 5b)	MP-02	Protective exclusion zone (Monitor and Protect)

Due to the high level of persecution of badger, and consequent legal protection afforded to this species (badger is listed in the Fifth Schedule of the Wildlife Acts 1976 to 2023 and protected under Section 23 of the Wildlife Acts), information pertaining to the location of setts is treated as confidential.

For this reason, figures illustrating and identifying the location of badger setts which are presented in the survey technical note (Technical Note 1) are not intended to be made available to the general public on either the An Bord Pleanála website (<https://www.pleanala.ie/en-ie/case/320250>) or the dedicated 3FM Project website (<https://dublinport3fm.ie/>), where environmental information in relation to the proposed 3FM Project is otherwise available.

This survey information and the accompanying outline Badger Conservation Plan prescribing the actions to be taken for each sett as summarised in Table 3.6.1, is intended to be provided to the competent authority, An Bord Pleanála, and the Development Applications Unit (DAU) of the Department of Housing, Local Government and Heritage under separate cover with the sole purpose of preventing the location of badger setts being easily identified by the general public. It is a confidential technical note supporting to the main response document to be provided to the Board.

However, the summary of the conclusions reached in the report are set out below, without reference to any material which would enable the location of the Badger setts to be identified:

A total of five badger setts have been recorded within or adjacent to the application boundary.

Setts 1, 2, 3 and 4 are in proximity to one another. Setts 1, 2 & 3 are active, notably sett 2 which may function as a main badger sett. Sett 4 has an abandoned appearance. Each of these setts is comprising a single entrance.

Setts 5a and 5b are significantly distanced from Setts 1 to 4 and comprising seven entrances. They appear to represent main and annexe setts respectively. Entrances 1, 2 and 3 had large, fresh spoil heaps.

3.6.1.2 Residents from Pigeon House Road

Item 1 – Birds and Mammals

Submission

The following residents of the Pigeon House Road area raise the following concerns related to Terrestrial Biodiversity and Ornithology:

Grainne Hughes, Brigid Purcell and Jason McDonnell make reference to a press release statement from Mr Barry O'Connell which states: *"The river area here has the potential for bird and nature observation, however a development as proposed will destroy the habitat affecting wildlife in the locality."*

DPC Response

DPC has submitted a detailed application for the 3FM Project supported by and EIAR which addresses terrestrial biodiversity and ornithology in Chapter 7 Biodiversity, Chapter 21 Summary of Mitigation Measures and Conclusions (Volume 2, Part 2 of the EIAR); draft Construction Environmental Management Plan (CEMP); Screening for Appropriate Assessment Report; and Natura Impact Statement.

Chapter 7, Section 7.2.3.1 of the EIAR describes the potential impacts upon habitats during the construction phase. It was determined that the following habitat features will be affected by the development:

- Approximately 1.2 ha of mosaic habitat (largely dry meadows and grassy verges with recolonising bare ground) within Area O will be permanently lost. This feature is considered to be of Local (Lower) value.
- Approximately 0.4 ha of mosaic habitat (dry meadows and grassy verges with recolonising bare ground, and scrub) within Area M will be permanently lost in order to facilitate the new turning circle. This feature is considered to be of Local (Lower) value.
- Approximately 208 m of treelines will be lost at various locations for the purposes of road upgrading and newly built roads. These features are considered to be of Local (Lower) value.
- Up to c 1.0 ha of scrub at various locations will be lost for the purposes of road upgrading, newly built roads and landscaping (new retaining wall and tree planting along the southern boundary of Area O). These features are considered to be of Local (Lower) value.
- Road upgrading and newly built roads will result in the small losses of habitats of Local (Lower) value. These are amenity grassland, (species poor) dry meadows and meadows and grassy verges, and immature woodland. For example, c. 100m² of immature woodland south of the Waste to Energy Plant will be lost for the purposes of a new access road.

Permanent loss of those features of Local (Lower) ecological value is predicted to result in a minor negative magnitude of effect, as their loss does not result in any significant environmental impact. In accordance with the methodology set out in Section 7.2.1.5 of the EIAR, these impacts do not require avoidance, reduction or counterbalancing measures to be implemented.

In addition, Section Chapter 7, Section 7.5.4 of the EIAR notes that there is a low risk of any significant environmental effects upon breeding and non-breeding avifauna as a result of disturbance and displacement and in the absence of mitigation. Potential impacts are assessed to be slight/temporary to imperceptible without mitigation.

However, as is evident from the application documentation, including the EIAR, the 3FM Project will not *"destroy the habitat affecting wildlife in the locality."*

Item 2 – Drainage Concerns

Submission

Michael Curry raised an issue relating to drainage concerns and the potential for impact to local wildlife: *“The proximity of this project to the river raises serious environmental concerns. Increased pollution from traffic, construction, and industrial activity poses a threat to local wildlife and the ecosystem. The long-term environmental impact of this project has not been adequately assessed, particularly its contribution to local pollution levels and potential harm to the nearby waterways.”*

DPC Response

DPC submitted a robust EIAR containing a detailed traffic and transportation assessment (Chapter 14) including a Mobility Management Plan (Appendix 14.2) and a Draft Construction Traffic Management Plan (Draft CEMP) in addition to planning drawings and bridge design reports.

Surface water captured in Area O will be attenuated using underground storage systems and treated via full retention separators prior to discharge into the sea via an existing drainage outfall. Above ground (or surface based) SuDS was deemed inappropriate due to the industrial nature of the locations, the existing presence of shallow utilities, the level of contamination present within the existing ground and the limited space available.

The purpose of the attenuation is to:

- limit the rate of flow discharging from Area O so that there is no nett increase discharging to the estuary via the existing outfall
- limit the rate of flow requiring treatment via the oil interceptor, therefore reducing the size of the interceptor required

Control measures will be put in place to ensure that in the event of a spillage the source can be readily identified and that section of the network isolated. The receiving environment will be protected through the installation of petrol/oil interceptors and control valves that prevent contaminated runoff or spills reaching the sea.

The drainage infrastructure will consist of non-perforated drainage pipe on account of the tidal nature of the location and the nature of the ground.

The drainage proposals are based on SuDS principles and align with the Dublin City Development Plan 2022-2028.

In addition, as outlined in Chapter 9 of the EIAR, Section 9.1.4 the effects on the water quality from surface water management, from both the storm water infrastructure and direct run-off from hardstanding areas was assessed to be significant in the absence of mitigation.

Storm water runoff will be collected in a dedicated storm water drainage system and will not be permitted to discharge directly to the marine environment from new jetties, and hardstand areas. Storm water will drain to an appropriate full retention oil separator, designed in accordance with GPP3 - Use and design of oil separators in surface water systems, and BSEN858, for the Port Operations at Area K, Area N and Area O which will trap oils and silt prior to being discharged into the harbour waters through a non-return flap valve. Drainage from the new SPAR road, bridge and viaduct will be via by-pass oil interceptors given the reduced risk associated with these areas, again in accordance with GPP3 - Use and design of oil separators in surface water systems, and BSEN858. Sustainable Urban Drainage Systems (SuDS) was deemed inappropriate due to the industrial nature of the locations, the existing presence of shallow utilities, the potential level of contamination present within the existing ground and the limited space available. In accordance with GPP3 a class 1 bypass separator is required for general road and car parking areas of the site whilst a class 1 full retention separator will be required for the HGV parking and loading areas within Area K, Area N and Area O.

The selection, design, installation and operation of appropriate treatment systems on the storm water network in accordance with industry best practice will ensure there will be no significant effect on water quality or habitat in natural river/stream channels or any receiving waterbody.

3.6.1.3 Sandymount and Merrion Residents Association (SAMRA)

Item 1 – Natura Impact Statement – Concerns & lacunae

Submission

SAMRA's submission, Section 6.6, states concern regarding the NIS, bats and waterbirds and requests the following further information:

“11. The Natura Impact Statement needs to assess all parts of the scheme including all parts of the Ro - Ro Terminal Yard, all amendments to the existing coastal areas, all the ‘Active Travel Path’ proposals, etc. ‘and’ it must fully assess/re-assess all parts of the EIAR relevant to Natura 2000 sites. The NIS currently appears to assume parts of the EIAR are ‘taken as read’ in its pages. This is not the case. The NIS cannot contain lacunae.”

“The proposed development will generate high levels of noise at given locations. SAMRA does not consider that all areas used at present by these birds can be mitigated adequately as regards noise. The claimed existing and proposed ways that mitigation is claimed to arise lack credibility especially along the coastal parkland area to the south of the Ro-Ro Terminal yard.”

SAMRA's submission also states with regard to the NIS that it: *“is not convinced that existing storm water outfalls are sufficient and/or are an acceptable way to address surface water run-off from the Ro-Ro Terminal Yard. Nowhere in the applicant documentation, including in the Natura Impact Statement, is sufficient detail provided in this regard.*

Increased drainage discharge from the Poolbeg Peninsula into Dublin Bay which may adversely impact water quality in Dublin Bay and that serving Sandymount Strand. Fig. 32 illustrates the significant number of new drainage outfall locations proposed by the applicant.

It is not clear that the NIS has fully addressed these new drainage outfalls. ABP may wish to review this.”

DPC Response

DPC has submitted a detailed application for the 3FM Project supported by and EIAR which addresses terrestrial biodiversity and ornithology in Chapter 7 Biodiversity, Chapter 21 Summary of Mitigation Measures and Conclusions (Volume 2, Part 2 of the EIAR); draft Construction Environmental Management Plan (CEMP); Screening for Appropriate Assessment Report; and Natura Impact Statement.

The NIS refers to the proposed Lo-Lo Terminal as Area N and the proposed Ro-Ro Terminal as Area O, illustrating all of these areas of the 3FM Project in Figure 3.2 of the NIS.

Section 4.2.2.1 of the NIS records that *“the construction of hardstand areas”* and *“active travel paths”* have the potential to result in accidental pollution at construction phase; and that *“on-land operations including the temporary storage of construction materials [...]”* has the potential to result in accidental pollution at operational phase, and represents *“an increase in or intensification of the current normal day to day port activities on the Poolbeg Peninsula and the South Port lands”*. For the avoidance of doubt, reference to hardstand areas and on-land operations in the NIS includes *inter alia* the Ro-Ro Terminal at Area O. Moreover, reference to active travel paths refers to paths and cycleways.

Construction phase mitigation measures set out at Section 4.2.2.2.1 of the NIS contains targeted measures for the prevention of suspended sediments and sedimentation for demolition of existing buildings and structures, berth construction and construction of landside ancillary works (at Section 4.2.2.2.1.2.1). For the avoidance of doubt, reference to ‘landside ancillary works’ includes *inter alia* the Ro-Ro Terminal at Area O and proposed paths and cycleways.

Section 4.2.2.2.1.3.1 contains targeted measures for the management of concrete and cement to avoid pollution during demolition of existing buildings and structures, berth construction and re-fronting, maritime village construction and construction of landside ancillary works. For the avoidance of doubt, reference to ‘landside ancillary works’ includes *inter alia* the Ro-Ro Terminal at Area O and proposed paths and cycleways. Section 4.2.2.2.2.3 contains targeted measures for the inclusion of a full retention oil separator to BS EN 858 standard at Area O for operational phase activities.

Section 4.2.4.1 of the NIS records the potential for aerial noise and disturbance effects of 3FM Project and Section 4.2.4.3 of the NIS notes the potential implications of aerial noise and disturbance on the conservation objectives of *inter alia* the special conservation interest species of South Dublin Bay and River Tolka Estuary SPA.

Section 4.2.4.3.3.1 of the NIS records that for operational phase, *“the portion of South Dublin Bay & River Tolka Estuary SPA to the south of the 3FM development site, including Sandymount which is an important staging site for post-breeding terns, and supports high numbers of foraging waterbirds (including Species of Conservation Interest), is remote and screened from the project area. Nor will the 3FM Project promote any additional activities, or increase in existing activities, in this SPA. It is therefore concluded that disturbance impacts due to 3FM during operation will be negligible and not significant at population level.*

For SCI species of South Dublin Bay & River Tolka Estuary, there will be no significant decrease in the range, timing or intensity of use of areas by the target species, other than that occurring from natural patterns of variation”.

For the avoidance of doubt, the Appropriate Assessment Screening Report does not screen out Area O or other community gain elements of the proposed 3FM Project (described under subsection (6) of Section 3.1 ‘Project Description’ of the NIS. These elements of the project have been included in the stage 2 appraisal for appropriate assessment contained in the NIS.

In relation to the observations on the assessment of noise disturbance to the waterbirds of Dublin Bay and its Natura 2000 sites, we additionally refer to our responses on these topics at Section 3.6.1.1 (item 1) above and Section 3.6.1.5 below where we refer to output plots from the construction phase noise model provided by the 3FM Project Noise and Vibration Impact Assessment (at Appendix 3.6.9).

As can be seen from Construction Phase Airborne Noise Model Output H1 and H2 (Appendix 3.6.7), the potential impacts of pile-driving noise on birds in Dublin Bay. Predictions indicated that noise levels in the intertidal mudflats of South Dublin Bay and River Tolka Estuary SPA would not exceed 60 dB(A) during road construction activities in years 2-4, and 70 dB(A) during the construction of Area O from years 7-11. These estimates are based on a worst-case scenario that assumes no vegetation between the noise source and the receptor. However, the presence of coastal vegetation is expected to provide additional noise attenuation in the SPA areas. Overall, the assessment suggests that the actual noise impact may be lower than predicted due to this natural attenuation.

Regarding bats, the Appropriate Assessment Screening Report identified 11 European sites in and around Dublin Bay that were assessed for likely significant effects in relation to the 3FM Project. Bats are not a Qualifying Interest Feature of any of these European sites and therefore do not require assessment within the Natura Impact Statement. However, a full assessment of the impacts and effects on bats can be found in Chapter 7 Biodiversity, Section 7.2 Terrestrial Biodiversity and Appendix 7.2 Terrestrial Ecology of the 3FM Project EIAR.

The potential suitability of any site for bats is based on the presence of suitable habitat features within the landscape for bat roosting, foraging and commuting and is categorised in accordance with the Bat Conservation Trust (BCT), Good Practice Guidelines⁸. Factors which decrease the potential suitability for bats include highly urbanised areas, highly disturbed and active industrial areas and prefabricated structures with steel and sheet materials⁹.

A total of 23 structures within the red line boundary of the 3FM Project were subject to Preliminary Roost Assessment to assess their suitability for bats. Only two structures were considered to have potential suitability for bats however no bats were observed emerging from these structures during Emergence Surveys. The site overall has ‘Negligible’ to ‘Low’ suitability to provide roosting habitat for bats, defined as ‘*no obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion*’ and ‘*A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year.*’, respectively. There were no bat roosts recorded with the red line boundary of the 3FM Project.

The 3FM Project is located within the heavily industrialised area of Dublin Port that, together with the wider highly urbanised Dublin City area, has low habitat suitability for bats¹⁰. The majority of the site consists of buildings and hard landscaping (89%) with only a small proportion of the site containing any vegetation (11%). The site provides limited foraging habitat for bats, which at most is categorised as ‘Low’, defined as “*habitat that could be used by a small number of foraging bats.*”.

There is only one significant feature along the southern site boundary that is categorised as ‘Moderate’ and defined as “*continuous habitat connected to the wider landscape that could be used by bats for flight-paths.*” The linear feature which consists of scattered trees, scrub and grassland connects Sean Moore Park and Irishtown Nature Reserve which are located outside the red line boundary of the 3FM Project. The linear feature will be retained.

⁸Collins, J. (ed.) (2023) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (4th edn), The Bat Conservation Trust, London.

⁹ Marnell, F., Kelleher, C. & Mullen, E. (2022) Bat mitigation guidelines for Ireland v2. *Irish Wildlife Manuals*, No. 134. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Ireland.

¹⁰ Lundy, M.G., Aughney, T., Montgomery, W.I., & Roche, N. (2011) *Landscape conservation for Irish bats & species specific roosting characteristics*, Bat Conservation Ireland, Dublin.

The aim of Bat Activity Surveys was to survey suitable habitat features to determine bats presence, identify bat species and assess bat activity levels in the area. The results of Bat Activity Surveys do not determine the number of individual bats recorded but provide an indicator of the overall bat activity at the site. There were three bat species recorded common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus* and Leisler's bat *Nyctalus leisleri* all of which are widespread and common species in Ireland. These are light tolerate bat species and will opportunistically feed on insects attracted to lights.

In summary:

- there were no bat roosts recorded with the red line boundary of the 3FM Project
- the 3FM Project site is located within a heavily industrialised area that has low habitat suitability for bats
- a single linear feature suitable for bat foraging and commuting will be retained on site
- bat species recorded on site are all widespread and common species less affected by lighting.

Regarding drainage, the attenuation and treatment of the storm water from Area O (Ro-Ro Terminal Yard) ensures that the existing outfall is an acceptable way to address surface water run-off from the Ro-Ro Terminal Yard as this approach will:

- limit the rate of flow discharging from Area O so that there is no nett increase discharging to Dublin Bay via the existing outfall;
- limit the rate of flow requiring treatment via the oil interceptor, therefore reducing the size of the interceptor required

Control measures will be put in place to ensure that in the event of a spillage the source can be readily identified and that section of the network isolated. As outlined above the receiving environment will be protected through the installation of petrol/oil interceptors and control valves that prevent contaminated runoff or spills reaching Dublin Bay via the existing outfall.

There will be no new drainage outfalls into Dublin Bay. There are a number of new drainage outfalls to the Liffey Estuary Lower all of which will be serviced by suitable separators designed in accordance with GPP3 which requires class 1 bypass separator for general road and car parking areas of the site whilst class 1 full retention separators will be required for the HGV parking and loading areas within Area K, Area N and Area O.

The selection, design, installation and operation of appropriate attenuation and treatment systems on the storm water network in accordance with industry best practice, Dublin City Development Plan 2022-2028 and Sustainable Drainage Design & Evaluation Guide 2022 will ensure there will be no significant effect on water quality or habitat in the Liffey Estuary Lower, Dublin Bay or associated water dependent protected areas.

Surface water management and the new drainage outfalls from the Poolbeg Peninsula is addressed in the NIS under Section 4.2.2.2.2 Operational Phase Mitigation Measures, specifically Section 4.2.2.2.2.3 General Operational Activities where the measures outlined above in relation to the treatment of stormwater prior to discharge via the existing outfall to Dublin Bay, in the case of Area O, and new outfalls to the Lower Liffey Estuary from other parts of the proposed development is considered. The NIS concluded that consequent on the implementation of these mitigation measures that there will be no adverse effects upon the integrity of any European site and therefore does consider the surface water management and drainage outfalls from the Poolbeg Peninsula. This is also addressed in the response to the Pigeon House Road residents' concerns around the drainage and the potential impact on local wildlife and the ecosystem as outlined in Section 3.6.1.2 of this document.

3.6.1.4 Residents from Sandymount

Item 1 – Potential Impact on Bats and Brent Geese

Submission

Certain residents from the Sandymount area raised concerns regarding the potential impact on bats and brent geese:

- Deirdre Tracey;
- Ceanna Walsh; and
- Philip Murphy & Ann O'Doherty.

The submissions asserted, *inter alia*, that: “The impact on the bat roosts and bat habitat in the surrounding area, and the brent geese that winter to the immediate south of the proposed trailer park”.

DPC Response

As noted in the DPC response to SAMRA, the Appropriate Assessment Screening Report identified 11 European sites in and around Dublin Bay that were assessed for likely significant effects in relation to the 3FM Project. Bats are not a Qualifying Interest Feature of any of these European sites and therefore do not require assessment within the Natura Impact Statement. A full assessment of the impacts and effects on bats can be found in Chapter 7 Biodiversity, Section 7.2 Terrestrial Biodiversity and Appendix 7.2 Terrestrial Ecology of the 3FM Project EIAR.

The assessment of 23 structures revealed only two with potential bat suitability, but no bats were observed during surveys. Overall, the site has 'Negligible' to 'Low' suitability for bat roosting, primarily due to its heavily industrialized environment, which consists of 89% buildings and a small proportion of the site containing any vegetation (11%). The site provides limited foraging habitat for bats, which at most is categorised as 'Low', defined as "*habitat that could be used by a small number of foraging bats.*".

Three bat species were recorded, all common in Ireland, indicating low overall bat activity. There is only one significant feature along the southern site boundary that is categorised as 'Moderate' and defined as "*continuous habitat connected to the wider landscape that could be used by bats for flight-paths.*" The linear feature which consists of scattered trees, scrub and grassland connects Sean Moore Park and Irishtown Nature Reserve which are located outside the red line boundary of the 3FM Project. The linear feature will be retained.

Surveys conducted from April 2022 to March 2023 and from October 2023 to March 2024 to assess the potential disturbance to overwintering Light-bellied brent geese in the South Dublin Bay & River Tolka Estuary SPA and North Bull Island SPA revealed no observations of brent geese in the Goose Compensation Field, with only a small percentage recorded within 1 km of the area. The peak count during winter disturbance surveys was 10 birds, representing less than 3% of the local population. In contrast, the Bull Island SPA showed a more significant presence of brent geese, accounting for 4% of the population, indicating that alternative feeding sites are being utilized.

To mitigate potential impacts, the design of the 3FM Project includes tree planting and landscaping around Area O, which will serve as a barrier to reduce visual disturbances. The area is planned for use as a Ro-Ro terminal, and adjacent industrial activities may lead to habituation of species to disturbances. Literature highlights that anthropogenic disturbances, particularly from people and dogs, can disrupt brent geese foraging behavior. However, the SPA boundary has been strategically offset to create a buffer against additional disturbances from the Active Travel Path, ensuring that the range and intensity of use by target species remain unaffected by the project, aside from natural variations.

The report concludes that there will be no significant adverse effects on the range or intensity of use of areas by target species, aside from natural variations. A buffer zone along the South Dublin Bay and River Tolka Estuary SPA boundary is established to minimize additional disturbances from the Active Travel Path.

3.6.1.5 Birdwatch Ireland

Item 1 – Potential Piling Noise Impact on the Tern Colony

Submission

Birdwatch Ireland (BWI) present several items regarding the potential impacts of the Dublin Port 3FM Masterplan on the local tern colony, which is notably the third largest Common tern colony in the Republic of Ireland. The primary issue raised is the timing of construction activities, particularly dredging, rock-breaking, and piling, which are crucial for the development of the turning circle and new quay. BWI welcomes the proposed timing for dredging to occur between October and March but insists that rock-breaking and piling should also be halted from April to July. This request is based on the arrival of terns from their wintering grounds during April, marking the beginning of their breeding season, a sensitive period during which disturbances could lead to nest abandonment.

DPC Response

DPC has submitted a detailed application for the 3FM Project supported by and EIAR which addresses terrestrial biodiversity and ornithology in Chapter 7 Biodiversity, Chapter 21 Summary of Mitigation Measures and Conclusions (Volume 2, Part 2 of the EIAR); draft Construction Environmental Management Plan (CEMP); Screening for Appropriate Assessment Report; and Natura Impact Statement.

Noise disturbance

As noted in Section 4.2.4.1 of the NIS, the sounds that birds hear can be divided into threatening and non-threatening sounds. Examples of non-threatening sounds are wave noise on a beach or constant traffic noise from a road. Threatening sounds include impulsive sounds such as gunfire, explosion or barking of a dog. The sound of construction is not impulsive (sudden, loud or shocking) but tends to be continuous and low frequency noise such as that made by machinery and vehicular traffic. On average, birds hear less well than many mammals, including humans. Acoustic deterrents or gas banger devices are not generally effective because birds habituate to them and eventually ignore them completely. Devices that purport to use sound frequencies outside the hearing range of humans are also most certainly inaudible to birds because birds have a narrower range of hearing than humans do (Birkhead 2012)¹¹.

Also as noted in Section 4.2.4.1 of the NIS, Dooling (2002)¹² reviewed the literature on how well birds can hear in noisy (windy) conditions and suggested that birds cannot hear certain mechanical noises as well as humans in these conditions. Results of a trial for a colony of a different species, the Crested Tern (*Sterna bergii*) in Australia, found that the maximum responses observed, preparing to fly or flying off, were restricted to exposures to simulated aircraft noise levels of greater than 85 dB(A). A scanning behaviour involving bead-turning was the minimum response, and this, or a more intense response, was observed in nearly all birds at all levels of exposure. However, an intermediate response, an alert behaviour, demonstrated a strong positive relationship with increasing exposure. It was suggested that visual stimulus is likely to be an important component of aircraft noise disturbance (Brown 1990)¹³.

As noted at Section 4.2.4.3.2.2 of the NIS, worst-case predicted construction noise levels from the proposed development will be less than 75dB(A) at the tern colony on the SPA Platform. This is substantially below the 85 dB(A) level cited above as likely to result in disturbance. In addition, no piling will take place within 75m of tern colony during the breeding season and screening will be erected to attenuate any aerial noise arising from the piling operations.

Also as noted at Section 4.2.4.3.2.2 of the NIS, a tern colony itself generates noise up to 70 to 80 dB(A) in the breeding season through the continuous calling of the terns (trial measurements carried out by Richard Nairn and Eugene McKeown within Dublin Port, 09 June 2015)¹⁴. This would exceed the audible construction noise from the construction site at 75m distance. The level of operational noise arising at this location would therefore be significantly below the level of noise generated by the terns themselves, even without which the construction noise levels, as predicted, are not predicted to cause any disturbance or other negative effects on the birds.

It is, therefore, concluded that construction noise from the proposed project site will not be threatening to these tern species which are qualifying interests of the South Dublin Bay and River Tolka Estuary SPA. There will be no significant impacts on these species.

As noted at the outset of Section 4.2.4.3.2.2 of the NIS, anthropogenic noise can cause disturbance to birds in a variety of ways although some noises produce no reaction in birds, even at close range and some species are more sensitive than others to loud noises (Ortega 2012)¹⁵. There are two recognised levels of response to disturbance: effects and impacts (Robinson and Pollitt, 2002)¹⁶.

- Effects can be seen as observed responses (behavioural and/or distributional) by a bird to a given disturbance. Examples of this include birds changing their feeding behaviour, taking flight or being more vigilant. In these circumstances, although technically disturbed, birds may be able to use the same or alternative sites without any major negative effects on their energy budget, and ultimately on the survival of individuals (Gill *et al.* 2001)¹⁷.
- Impacts in this context imply a reduction in body condition, productivity or survival and are therefore of primary conservation concern as they may result in an adverse effect at the population level, if enough

¹¹ Birkhead, T. (2012). *Bird sense: What it's like to be a bird*. Bloomsbury, London.

¹² Dooling, R. (2002). *Avian hearing and the Avoidance of Wind Turbines*. US Department of Energy, USA.

¹³ Brown, A. L. (1990). Measuring the effect of aircraft noise on sea birds. *Environment International* 16: 587-592.

¹⁴ McKeown & Nairn (*pers. comm.*), unpublished work.

¹⁵ Ortega, C.P. (2012). Effects of Noise Pollution on Birds: A brief review of our knowledge. *Ornithological Monographs* 74: 6-22.

¹⁶ Robinson, J.A. & Pollitt, M.S. (2002). Sources and extent of human disturbance to waterbirds in the UK: an analysis of Wetland Bird Survey data, 1995/96 to 1998/99. *Bird Study* 49: 205-211.

¹⁷ Gill, J.A., Norris, K. & Sutherland, W.J. (2001). Why behavioural responses may not reflect the population consequences of human disturbance. *Biological Conservation* 97(2): 265-268.

individuals are affected. Whether disturbance results in an impact depends largely on the availability of alternative sites and the energetic costs of displacement (Goss-Custard *et al.* 1995)¹⁸.

The effects of noise from construction activity such as pile-driving may affect birds by two different pathways:

- Aerial noise may be heard by birds such as geese, ducks, waders, seabirds, grebes and herons and some gulls, while they are foraging, roosting, swimming or flying close to the construction site.
- Underwater noise may be heard by certain bird species that forage by diving or plunge-diving. This includes cormorants, shags, grebes, mergansers, auks, gannets, terns and any other species that feed on fish or shellfish near the seabed.

Regarding the effects of pile-driving noise, as noted in Section 4.2.4.1 of the NIS, pile-driving is impulsive, but it is a repetitive noise that is not threatening to birds and to which they are likely to habituate rapidly. An example is the frequent habituation of birds to gas bangers which are designed to prevent birds landing on crops or airport runways.

A study was undertaken on the effects of piling noise and vibration disturbance in birds within the Humber Estuary SPA, Eastern England (RPS 2014)¹⁹. Despite consistent periods of double hydraulic piling activity on the landward side of the seawall on the Humber, birds appeared to be largely unaffected by the noise of piling. On some occasions, birds were recorded arriving to feed during periods of piling activity. It was considered that the screening of the mudflats by the seawall was effective in minimising disturbance effects.²⁰ The study results suggest that any disturbance caused by piling activity may also have been due to the increased presence of people.

Wright *et al.* (2010)²¹ investigated the effects of impulsive noise on water birds and reported that disturbance at levels above 65.5dB(A) are more likely to result in behavioural response of some kind rather than no response. At above 72.25dB(A) flight with abandonment of the site became the most likely outcome of the disturbance.

Cutts *et al.* (2009)²² considered impacts to birds utilising the Humber Estuary and summarised the general thresholds due to the potential effects of construction disturbance on birds. Noise up to 50dB(A) is found to have no effect whereas noise between 50dB(A) and 85dB(A) causes head turning, scanning behaviour, reduced feeding and movement to nearby areas. Above 85dB(A), response includes preparing to fly away, flying away and possibly leaving the area (Figure 7.5.9). The authors recommend that ambient construction noise levels should be restricted to below 70dB(A). Birds will habituate to regular noise below this level. Where possible, sudden irregular noise above 50dB(A) should be avoided as this causes maximum disturbance to birds.

IECS (2007)²³ showed that birds were found in general, to accept a wide range of steady state noise level from 55dB(A), up to 85dB(A), therefore complete exclusion within up to 250 m was considered very unlikely. Evidence presented by Cutts *et al.* (2009)¹⁶ from repair work to a pipeline in the Humber Estuary has shown that disturbed birds (within 100m) are likely to return within a short time frame once disturbance ceases, potentially within 30 minutes, and with no evidence of effects on numbers during surveys the following week, emphasising the short-term nature of any impacts.

The potential impacts of pile-driving noise on birds in Dublin Bay were assessed using output plots from the construction phase noise model provided by the 3FM Project Noise and Vibration Impact Assessment (at Appendix 3.6.7 to this response). Noise levels in the intertidal mudflats of South Dublin Bay and River Tolka Estuary SPA at Pembroke Cove (labelled (G) in Appendix 3.6.7) and intertidal mudflats of South Dublin Bay and River Tolka Estuary SPA at Irishtown Nature Reserve (labelled (H) in Appendix 3.6.7), were predicted, under a worst case scenario, to not exceed 60dB(A) during road construction activities (years 2-4) of construction phase; and 65 dB(A) during construction of Area O between years 7-11. These predictions

¹⁸ Goss-Custard, J.D., Caldow, R.W.G., Clarke, R.T., Le V. Dit Durrell, S.E.A., Urfi, J. & West, Y.D. (1995). Consequences of habitat loss and change to populations of wintering migratory birds: predicting the local and global effects from studies of individuals. *Ibis* 137: S56-S66.

¹⁹ RPS 2014

²¹ Wright, M.D., Goodman, P. & Cameron, T.C. (2009). Exploring behavioural responses of shorebirds to impulsive noise. *Wildfowl* 60: 150-167.

²² Cutts, N., Phelps, A. & Burdon, D. (2009). *Construction and Waterfowl: Defining Sensitivity, Response, Impacts and Guidance*. Report to Humber Industrial Nature Conservation Association, Waterside, Lincs, UK.

²³ IECS (2007)

assume no vegetation between the noise source and the receptor whereas in fact coastal vegetation will result in additional attenuation of noise levels in the SPA areas.

Figure 4.5 of the NIS (illustrated as Figure 3.6.1 below) shows this worst case scenario as falling within the 'level 2 – moderate' response range. The literature cited in the NIS (Cutts *et al.*, 2009) considered impacts to birds utilising the Humber Estuary and summarised the general thresholds due to the potential effects of construction disturbance on birds. A Waterbird Disturbance Toolkit²⁴ developed by TIDE²⁵ (Cutts *et al.* (v3.2), March 2013) evolved from this earlier study by Cutts *et al.* and usefully includes assessment predictions of how waterbirds will respond to a variety of noise sources, including a summary graphic of likely disturbance effect for a noise level and distance of receptor from source.

Cutts *et al.* (2009) showed that birds were found in general, to accept a wide range of steady state noise level from 55dB(A), up to 85dB(A), therefore complete exclusion within up to 250m was considered very unlikely. The study also presented evidence from repair work to a pipeline in the Humber Estuary has shown that disturbed birds (within 100m) are likely to return within a short time frame once disturbance ceases, potentially within 30 minutes, and with no evidence of effects on numbers during surveys the following week, emphasising the short-term nature of any impacts.

Birds in all parts of the SPA are expected to rapidly habituate to construction phase noise sources, including piling noise, and there will be no adverse effects upon the integrity of South Dublin Bay and River Tolka Estuary SPA.

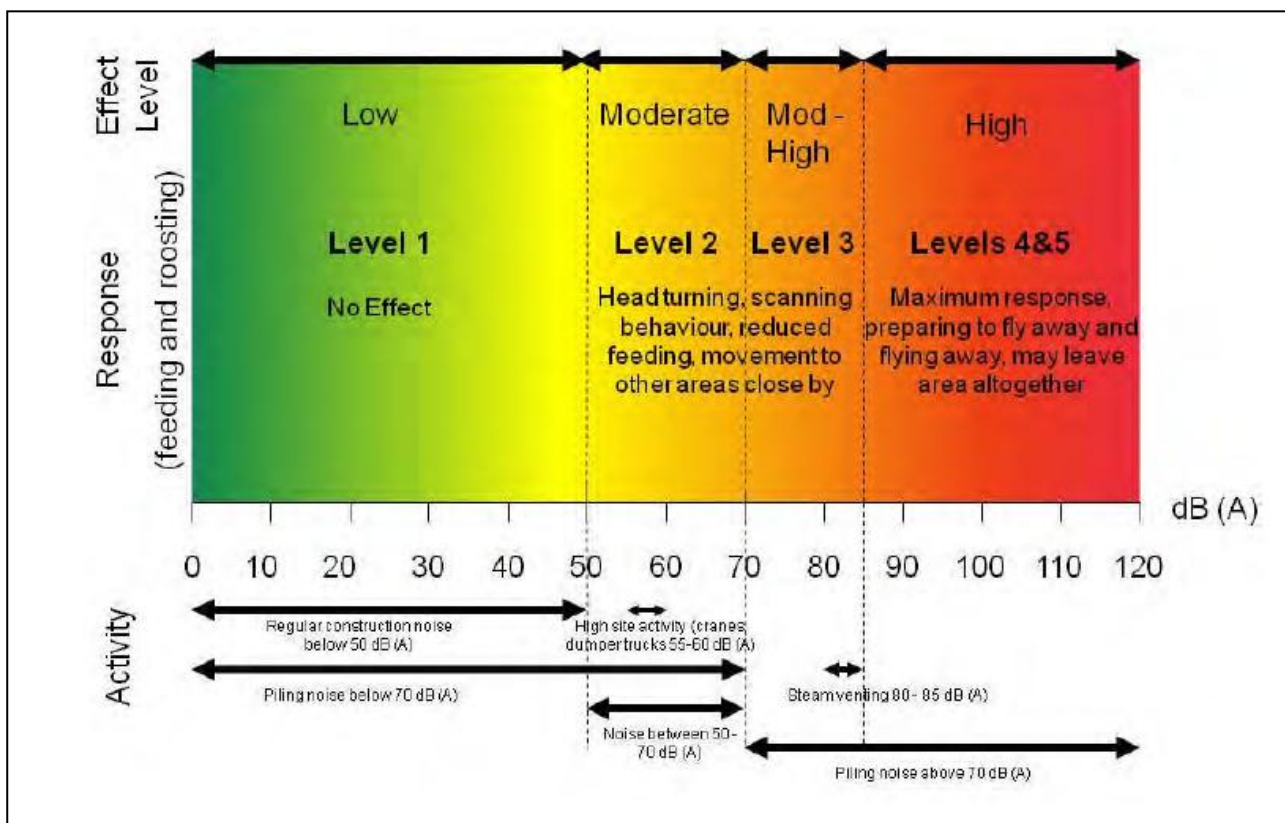


Figure 3.6.1 Waterbird response to construction disturbance NIS Figure 4.5 (from Cutts *et al.* 2009)¹³.

The main potential source of disturbance to water birds would be the activity of construction workers close to the shoreline. Waders using Mutton Island in Galway Bay were studied over a period of 5 years, during and after the construction of a major sewage treatment plant which was situated between 150m and 200m from the main high tide roost. The waders became more concentrated on the undeveloped part of the island but otherwise showed no negative effects of disturbance. Numbers of birds using the roost were higher towards

²⁴ https://tide-toolbox.eu/tidetools/waterbird_disturbance_mitigation_toolkit/

²⁵ The TIDE (Tidal River Development) project is a partnership of port and waterways administrations, universities and environmental agencies around the Elbe, Humber, Scheldt and Weser estuaries founded as the EU INTERREG IV B project 'TIDE' to propose the integrated management of estuaries leading to benefits for ecology, economy and society.

the end of the period as human disturbance decreased due to controls on access to the island and because of a high wall around the construction site which screened construction workers from the birds (Nairn 2005)²⁶.

Notwithstanding the above assessments, DPC confirms the reference to rock breaking is in relation to potential breaking operations during the demolition of the sludge jetty but notes that this is greater than 75m distance from the Tern Colony. DPC acknowledges the requested cessation of piling during the months April to July inclusive. DPC notes the existing mitigation, contained in the draft CEMP, with a closed period for salmon of July/August and **will extend a closed period for impact pile driving, within 75m of the Tern colonies to cover the period mid-April to end August**. This extended closed period, as requested by BWI, will not have a significant impact on the overall construction programme.

Item 2 – Potential Risk of Abandonment of the Tern Colony

Submission

BWI also raises an issues in relation to the overall disturbance risks posed by the new developments in proximity to the tern breeding platforms. They highlight that the construction of the new quay and terminal, along with the activity surrounding the turning circle and the proposed Codling Wind Park, could deter terns from nesting in the area.

DPC Response

DPC has submitted a detailed application for the 3FM Project supported by and EIAR which addresses terrestrial biodiversity and ornithology in Chapter 7 Biodiversity, Chapter 21 Summary of Mitigation Measures and Conclusions (Volume 2, Part 2 of the EIAR); draft Construction Environmental Management Plan (CEMP); Screening for Appropriate Assessment Report; and Natura Impact Statement.

The NIS was robust and in line with best practice guidance on the assessment of proposed development on European sites. In addition, however, DPC has provided further information in the following sections of this response document to directly address BWI's concern regarding the possibility that the terns may not continue to occupy the breeding sites at all if conditions are different upon their return as the landscape surrounding their nesting habitat will change by undertaking visualisations and overshadowing assessment of the proposed development, assessment of shipping movements and also by considering evidence from comparable cases studies.

Proximity of Port Structures and Shipping

Visualisations of the proposed 3FM project have been produced to show views from the tern nesting structures (at Appendix 3.6.5 to this response). They show that construction of the proposed 3FM Project will not result in major encroachment of the SPA tern colony and demolition of the sludge jetty will actually create more open water between the SPA colony and existing port lands to the south-west. In addition, the height of the proposed statcom building associated with the proposed Codling Wind Park onshore infrastructure does not exceed 25m above ground level, and which will cause no overshadowing effects on the colony. It should be noted that the construction of the new Lo-Lo terminal (Wharf N) is programmed to take circa six years to construct meaning that the visual differences will be gradual for the returning terns.

Results from an overshadowing study has shown that the proposed Area N will not cause overshadowing of the tern colony at the CDL Dolphin (NHA designation). The study has indicated that shadowing of infrastructure (i.e., ship to shore gantry cranes) will be cast over the tern colony at the ESB Dolphin (SPA Designation) during the early morning only in the breeding season – but only on occasions when the cranes are at the full extent of the western limits of their rails i.e., closest to the colony (see Appendix 3.6.4 to this response). However, it should be emphasised that any shadow cast will be temporary, lasting approximately 1 hour in April and May and approximately 30 minutes in June and July.

The shadow would also be slow moving, caused by the rising sun. However, this will only occur on days when the sun is not covered in cloud. On dull and cloudy days, the sun will be obscured, so will not cast a shadow, so the effect will not occur and the tern colony will endure a standard dull day in Dublin. Thereby shadow will only occur in extreme circumstances, be short term, and temporary. This type of shadow effect is regarded by the birds as no different from a cloud moving in front of the sun.

²⁶ Nairn, R. (2005). *Bird Habitats in Ireland*. Collins, UK.

The Dublin Port Harbourmaster in conjunction HR Wallingford has provided data and visuals representing a summary of manoeuvres. This data is from existing vessel movements on approach to the existing river berths and in the area where the proposed turning circle is to be located, and not projected vessel movements. The information is presented as Appendix 3.6.9 to this response. This information clearly demonstrates that this is not a new activity that does not already occur in this area. Vessels do turn and manoeuvre in the area in which it is proposed to locate the turning circle element of 3FM Project. The work required to facilitate the turning circle is principally below the water line in the form of dredging. There is no above ground (or above the water line) infrastructure, aside from a manoeuvring ship as and when it occurs. The proposed turning circle as part of the 3FM Project will not see a major encroachment of vessel movements in proximity to the tern colonies, compared to existing levels with vessels already passing within 40m of the dolphins during turning manoeuvres. Ships manoeuvring within the circle, performing a swing movement, enabling the ship to move into the appropriate berth, will be temporary and short in duration. The presence of successful colonies at Dublin Port and Leith Docks where ships pass close by, is indicative that terns have shown they are tolerant of vessel movements and there is no detrimental effect on the terns breeding success.

Disturbance to Terns in Port Environments – Complementary Case Studies

Whether developments and wildlife can coexist has been discussed and studied worldwide, particularly important in sites which provide benefits for developments and necessary resources for species. For example, Common tern nest on flat, poorly vegetated surfaces close to water, such as beaches, islands and estuaries, which are common areas for industrial ports. However, evidence has shown that both terns and ports can co-exist if planned carefully. Three examples are highlighted below.

3.6.1.5.1 Montrose Port, Scotland - Both Arctic and Common terns have moved around the port area but have not been found to nest in the docks themselves. Terns historically bred on the beach at Montrose, at the outer end of the port, but increasing human disturbance, such as pressure from dog walkers, has forced individuals to seek safer locations.

Around 2008, terns began to nest on industrial flat rooftops in the harbour area. This provided safety from human disturbance but caused friction with residents in the area given the droppings were impacting cars and local office staff. Glaxo Smith-Kline, the pharmaceutical producer, provided funding to Scottish Wildlife Trust and Angus Council to provide tern rafts in an attempt to attract the birds further upstream along the River South Esk to Montrose Basin LNR, and away from the port and associated industrial zones. This has proved to be successful, as highlighted by the Scottish Wildlife Trust blog²⁷:

“Last year (2010) when we visited the colony at the end of June most of the eggs had hatched and we ringed 110 chicks

This year (2011) the colony is about two weeks late, most likely due to the storm which swept the country on 23 May, so we didn’t make our annual ringing trip until last weekend (10 July).

..... we found 129 chicks had been ringed, with around 15 too small and only a couple missed. Although the birds are a couple of weeks behind last year they appear to have had to a good season and even if 50 of the remaining 85 eggs hatch, there is potential for almost 200 chicks fledging from the raft this year.”

Since then, the tern raft has had mixed results, with poor maintenance and disturbance from small boats and kayaks being raised as issues. However, this example shows that terns will move within a wider site if suitable habitat is provided and managed effectively.

3.6.1.5.2 Ringaskiddy Deepwater Port, Cork - The potential implications of the Ringaskiddy Port Redevelopment Project (RPRP) on the Cork Harbour Tern colony was assessed by An Bord Pleanála in detail through the planning process (ABP Ref: 04.PA0035), and the Cork Container Terminal was completed in 2021. A Common tern sub-colony was nesting upon operational mooring dolphins outside of Cork Harbour SPA and beside the ferry terminal at a location 25 m of the proposed RPRP.

The RPRP EIS noted that up to 50 pairs of Common tern bred upon the mooring dolphins of the Ringaskiddy Deep Water Berth. Further post-planning application monitoring in 2014 indicated the breeding estimate to be consistent with 2013 counts, indicating that the population was becoming regular and stable – not simply a

²⁷ [A tale of two colonies.... | Scottish Wildlife Trust \(https://scottishwildlifetrust.org.uk/2011/07/a-tale-of-two-colonies/\)](https://scottishwildlifetrust.org.uk/2011/07/a-tale-of-two-colonies/).

one-off event. However, a proposal to construct a new access road for the proposed container terminal 25m from the most eastern dolphin at its nearest point raised concerns over the potential for disturbance to breeding Common terns in the summer.

To address these concerns, a 4m visual screen was planned to be constructed as part of the works along the northern perimeter of the internal road. This screen was designed to include predator perching post deterrents and construction of an internal road outside of the breeding season between the existing security hut and the existing Ro-Ro ferry ramp was not permitted to commence prior to the installation of the screen.

Further concerns were raised as favoured tern feeding areas in proximity to the redevelopment are typically concentrated around the mooring dolphins and the main navigation channel, but significant foraging occurs beyond the immediate intertidal and marine areas. Although dredging works would be prohibited between May and August, the soft sediment habitats to be lost are used by potential prey items of Common terns. However, the benthic assessment concluded that disturbance of sub-tidal habitats during dredging activities are likely to have a localised and temporary impact on fisheries within Ringaskiddy Basin. The fisheries assessment also concluded that such fish populations will be unaffected in the long term by these relatively small changes in the context of Cork Harbour.

There were no predicted significant residual effects upon the Ringaskiddy Common Tern sub-colony. The design and the mitigation associated with the proposed Ringaskiddy Port Redevelopment project was not predicted to result in the loss or deterioration of nesting habitat.

Port of Cork have been deploying pontoons to provide alternative nesting habitat at two locations in the harbour each year since 2017 in an effort to relocate the colony from the mooring dolphins. Results of monitoring in subsequent years has shown that the colony has successfully relocated to the new nesting pontoons with the number of Common terns attempting to breed at the DWB declining in the years since the deployment of the pontoons (refer Table 3.6.2 below). In addition, improved survival rates and fledging success of Common tern chicks on the Pontoons would strongly indicate that suitable alternative nesting habitat has been achieved within Cork Harbour²⁸. The pontoons have been successful in reducing both mammalian and avian predation of Common tern chicks, with high fledging rates since the employment of mitigation measures such as the installation of twine and a weldmesh overhang.

Table 3.6.2 – Number of nesting pairs at Ringaskiddy DWB and pontoon 2017-2024

Year	Deep-water berth	Ringaskiddy Pontoon
2017	73	0
2018	112	12
2019	65	0
2020	58	25
2021	0	40
2022	0	72
2023	11	77
2024	0	53

3.6.1.5.3 Imperial Dock, Port of Leith, Edinburgh - The Port of Leith hosts a tern colony on the Firth of Forth. It is one of the few mainland colonies remaining in eastern Scotland. It was formerly designated in 2004 for its Common tern status, hosting ~5% of the British population, and being Scotland's largest tern colony.

The quirk with this colony is that the colony nests on one narrow concrete section in the middle of the busy harbour (Appendices 3-6).

Large vessels pass the colony as they move between Imperial Dock and the open sea, although they are not permitted to anchor beside the colony during the summer months which restricts port activities and the use of two overhanging cranes. The cranes are ~30m from the colony and overhang it, casting a shadow (when suitable sunlight conditions occur) which has not had a detrimental effect on the terns' breeding success.

²⁸ Citation required

Analysis of long-term data suggests colonisation occurred as a result of relocation from natural islands in the Forth (e.g., Fidra) which have become unsuitable due to the ingress of invasive tree mallow and increase in numbers of breeding gulls (predators for terns).

Terns have been found to return to the colony every year, at times with Arctic and Roseate terns also attending the site. Breeding success varies, with HPAI 'bird flu' an increasing factor in yearly success.

An interesting take on Leith docks is that there is large vessel movement, but little human activity which shows a 'human outline'. It seems that the terns will tolerate large ships passing but do become flighty when humans appear quayside. When the birds are flighty it exposes the eggs and chicks in the colony which makes them vulnerable to predation by gulls.

Mammalian predators in the dock have never been provided, though otters do occur locally, and in one-year reports of a mink sighting spread. No rats, cats or foxes have been seen. The steep concrete sides of the concrete structure also act as a deterrent for an approaching mammal.

In winter 2024 two small new rafts have been installed (Appendix 3.6.1 to this response) to try and encourage the birds to relinquish their concrete nest site and free up activity and harbour development. However, the overview is that the current colony site is attractive to terns and they continue to use it with magnetism, despite it being an industrialised port.

In summary, with regard to BWI's submission, DPC has considered the proximity of Port Structures and Shipping, and supporting case studies demonstrating successful tern colonies in comparable working port environments.

On the basis of the information contained in the application documentation (including the NIS) and the additional information presented above, from experiences derived from sites with very similar scenarios, and the scientific analysis and evaluation presented in the DPC Habitats Directive appraisal reports previously submitted, it is concluded that there will not be a significant change in the existing conditions in relation to the presence of the structures, overshadowing or movement of vessels within Dublin Port as a result of the 3FM Project.

3.6.1.6 Peter and Mary Carvill

Item 1 – Potential Impact on Birds of Conservation Interest in Dublin Bay

Submission

The observations made by Peter and Mary Carvill outline several issues arising from the proposed 3FM Project, focusing in particular on the potential impact on Birds of Conservation Interest in Dublin Bay. Mr. and Mrs. Carvill express concerns as to inadequacy of the survey data used in the Natura Impact Statement (NIS) and assert that the methodology failed to account for a significant number of birds that have been observed feeding on the tidal mudflats in the Liffey Estuary, specifically in an area referred to as Area N, which is adjacent to the discharge from the Ringsend Wastewater Treatment Plant.

Additionally, Mr. and Mrs. Carvill point to asserted inadequacy of data concerning the sewage and power plant outflow area, particularly regarding the presence of bird species designated under the adjoining SPAs from September to May. The submission also calls for consideration of cumulative impacts from other projects in the area, as mandated by the Birds and Habitats Directives. The authors argue that the assessment should not only focus on the 3FM Project but also include potential cumulative effects from other developments, such as the MP2 project and ESB's proposed work on the outflow channel.

DPC Response

DPC has submitted a detailed application for the 3FM Project supported by and EIAR which addresses terrestrial biodiversity and ornithology in Chapter 7 Biodiversity, Chapter 21 Summary of Mitigation Measures and Conclusions (Volume 2, Part 2 of the EIAR); draft Construction Environmental Management Plan (CEMP); Screening for Appropriate Assessment Report; and Natura Impact Statement.

Bird Surveys

The 3FM documents recognise that the close proximity of Dublin Bay to so many important waterbird sites makes the area particularly significant for the high concentrations of waterbirds that rely on the Bay throughout the annual cycle. In particular, Sandymount Strand holds the largest concentration of post-breeding terns in Ireland, attracting birds from colonies across Ireland and further afield, making it one of the most important tern staging-sites in North-west Europe (Burke *et al.*, 2020). The safeguarding of the passage populations of

Roseate Tern, Common Tern and Arctic Tern, as well as the breeding population of Common Tern are listed as a conservation objective for the South Dublin Bay and River Tolka Estuary SPA (NPWS 2015b).

Therefore, a comprehensive ornithological survey campaign was commissioned to ensure that bird usage of areas of the port in the zone of influence of the proposed 3FM Project, and that potential effects of the proposed 3FM Project in the adjacent areas to the port and across the SPAs that are important for avian species were comprehensively captured and identified. These surveys included concurrent Through-the-tide Cycle Count surveys (TTTCC) across the SPAs across the year, from April to March. Breeding Tern Disturbance surveys, and Poolbeg/Great South Wall Disturbance surveys as can be found in Chapter 7 Biodiversity, Section 7.5 Avian Biodiversity of the 3FM Project EIAR. Surveys were coordinated to cover a range of tidal, weather and time of day conditions in order to assess avian roosting and foraging territories, disturbance levels and peak counts across the range of conditions.

The submission by Peter and Mary Carvill makes reference to the large numbers of waders utilising the adjacent areas of mudflat at Poolbeg/Great South Wall and Sandymount strand, specifically citing numbers of 300-1000 wintering Black-tailed godwit *Limosa limosa* regularly feeding and roosting. iWeBS data suggests an average count of 285 Black-tailed godwits in the Poolbeg survey area (2016/17 survey data, Birdwatch Ireland).

The peak TTTCC survey counts from the survey campaign commissioned by DPC were 318, 369 and 550 at Poolbeg, Shelly Banks and Bull Island respectively.

In this regard, the peak counts from the DPC commissioned survey campaigns are similar to the numbers of birds cited by Mr and Mrs Carvill as having been recorded at this location. DPC does not disagree with the additional scientific information that Mr and Mrs Carvill are providing and take a view that the provision of additional scientific information to An Bord Pleanála, from any party, makes for a more robust planning determination process.

The Bull Island survey accounts for 150% of the Bull Island SPA citation population, suggesting that any disturbance as a consequence of the proposed 3FM Project would not impact the majority of the population using Bull Island (Appendix 3.6.6 to this response).

Disturbance surveys, conducted during dredging campaigns associated with Alexandra Basin Redevelopment, in October 2019, October 2022 and November 2022 showed the highest level of disturbance to Black-headed gulls was caused by a Buzzard which spooked the flock as they were loafing in the shipping channel. No Black-tailed godwit or Sanderling were recorded during the disturbance surveys, and no significant disturbance was observed to any other SCI species (i.e., Redshank, Teal and Turnstone).

The area behind the weir at the Great South Wall, Area N, has been identified as a foraging site for SCI species, however, this area has been artificially created due to a failure in the ESB cooling water channel. This failure is to be repaired by Uisce Éireann, and once the cooling water channel is functioning effectively once again, this area will no longer be available to the avian community and therefore will cease to be a foraging / roosting site, even in the absence of the 3FM Project. As per the results of co-ordinated TTTCC, SCI birds which currently feed at Poolbeg outfall should utilise the Bull Island SPA, where the majority of the SPA population forage, in the absence of the artificially created mudflat at Area N.

In-combination Effects

Section 3.2 of the NIS describes the proposed development and within that description, it is stated that construction sequencing “has been used to derive an estimate of the maximum envisaged construction traffic volumes in order to undertake a robust assessment of the maximum potential impact on the local road network, in combination with other planned construction activity in the area” (emphasis added).

Table 4.1 of the NIS states that likely significant effects as a result of the proposed 3FM Project acting in combination with other projects cannot be excluded for qualifying interests of North Dublin Bay SAC, South Dublin Bay SAC, Rockabill to Dalkey Island SAC, Lambay Island SAC and Codling Fault Zone SAC; and also for special conservation interests of South Dublin Bay & River Tolka Estuary SPA, North Bull Island SPA, Howth Head Coast SPA, Dalkey Islands SPA and the North-West Irish Sea SPA.

Section 4.6 of the Appropriate Assessment Screening Report describes the range of projects where in-combination effects can occur, noting that they cannot be excluded for the following projects in-combination with the proposed 3FM Project:

- MP2 Project;
- Dublin Harbour Capital Dredging Project;
- Ringsend WwTP Upgrade project;

- ESB Cooling Water Channel Remediation Works; and
- Poolbeg West SDZ & Former Irish Glass Bottle Site.

Section 3 of the NIS also addresses two future projects for which an application for development consent had not been submitted at the time planning permission was sought for the proposed 3FM Project:

- The provision of a 0.62 ha site within Dublin Port Masterplan Area O to accommodate the infrastructure required to deliver District Heating from the Dublin Waste to Energy Scheme.
- The provision of a 1.5 ha site within Dublin Port Masterplan Area M for a substation to facilitate the onshoring and transmission of Offshore Renewable Energy by Codling Wind Park offshore wind farm.

With regard to the ESB proposals, the works to repair and upgrade the UWWT plant discharge channel adjacent to the ESB Poolbeg Generating Station are expected to be completed prior to the commencement of the 3FM Project. Nonetheless, ESB's repair and upgrade works are likely to result in scour and redistribution of soft, organic rich sediments that have accumulated in recent years at the damaged outfall weir. This will result in some loss of muddy habitat and replacement with habitats of coarser sediments, however given the extent of soft muddy benthic habitat within harbour area, the cumulative impacts are likely to be minor negative and not significant. It should also be noted that this area has been artificially created due to a failure in the ESB cooling water channel. As this issue will be rectified by Uisce Éireann, this area will no longer be available to the avian community and therefore will cease to be a foraging / roosting site, even in the absence of the 3FM Project.

In summary, a range of other projects have been considered in the DPC Article 6(3) Habitats Directive appraisal for their potential to result in significant effects on the European sites of Dublin Bay along with the proposed 3FM Project. Those projects have been clearly identified and described in the documents submitted, and the impact pathways and qualifying interest and special conservation interest features where in-combination effects could occur have been clearly identified and described in the documents submitted.

The approach taken is in accordance with up-to-date European Commission guidance on Article 6(3) of the Habitats Directive (ES, 2019 and EC, 2021), stating that "on grounds of legal certainty it would seem appropriate to restrict the in-combination provision to those which have been actually proposed, i.e. for which an application for approval or consent has been introduced".

The cumulative assessment within the EIAR and NIS considered the information available at time of submission, however details were not available regarding the proposed Codling Wind Park. The cumulative impact of this proposed development regarding the information now available, has been updated and assessed subsequently, in line with the wider assessment regarding overshadowing, and it is concluded that there is no in combination impact.

3.6.2 Conclusions Relevant to Terrestrial Ecology and Ornithology (including NIS)

A total of six parties make reference to issues relevant to Terrestrial Biodiversity & Ornithology, and those issues are addressed in Section 3.6.1 of this response document.

As appears from those responses, where issues have been raised which are relevant to Terrestrial Biodiversity & Ornithology and the 3FM Project; these have been fully addressed through reference to the extensive documentation already submitted to the Board, including:

- Chapter 7 Biodiversity in Volume 2, Part 2 of the EIAR;
- relevant Appendices to Chapter 7 contained at Volume 3, Part 3 of the EIAR;
- Chapter 21 Summary of Mitigation Measures and Conclusions in Volume 2, Part 5 of the EIAR;
- Draft Construction Environmental Management Plan (CEMP);
- Screening for Appropriate Assessment Report; and
- Natura Impact Statement.

In addition, to ensure that the competent authority has all relevant and necessary information to carry out the required environmental assessment, additional information has been presented to the Board, including the confidential information on badgers and otters provided to the Board and DAU under separate cover.

3.7 Marine Ecology (Benthic Biodiversity, Fisheries & Marine Mammals)

3.7.1 Observations Relevant to Marine Ecology

The following observations refer to Marine Ecology and are addressed below.

Number in Index	Party Name
No. 3	Inland Fisheries Ireland
No. 8	Councillor Claire Byrne
No. 9	Grainne Hughes, 49 Pigeon House Road
No. 32	Brigid Purcell, 5 Pigeon House Road
No. 36	Michael Curry, 27 Pigeon House Road
No. 39	Jason McDonnell, 12 Pigeon House Road

3.7.1.1 Inland Fisheries Ireland

Item 1 – Importance of fisheries in the Lower Liffey/Dublin Harbour

Submission

IFI set out the importance of fisheries in the Lower Liffey / Dublin Harbour both for migratory and resident fish groups:

“The Liffey represents an important salmonid system with excellent populations of Atlantic salmon, Sea trout and Brown trout throughout. Both migratory and resident fish groups utilise coastal habitat in the vicinity of the proposed development at some time during their life cycle. In addition to a summer run of Salmon, Grilse & Sea trout, the Liffey system is also known to contain populations of all three species of Lamprey found in Ireland. All three Lamprey species are listed as Annex II species under the EU Habitats Directive”.

“Migratory Atlantic salmon, Sea trout, and Lamprey...have to pass through the Liffey Estuary / Dublin Harbour to reach the sea or return to their spawning grounds. Large numbers of eels migrate through the area. Estuaries / transitional waters include a variety of different habitats. Their importance to fisheries relates to the fact that migratory fish must pass through these zones on their passage to / from the sea, while such transitional waters also act as important spawning / nursery areas for a wide variety of different marine fish species”.

DPC Response

DPC consulted with IFI during the development of the 3FM Project (see Chapter 3 of the EIAR, Section 3.4.3, Table 3.3) and is fully aware of the importance of fisheries within the Lower Liffey / Dublin Harbour area.

The potential impacts on fisheries are fully addressed within the following Chapters of the EIAR and Draft Construction Environmental Management Plan (CEMP):

- Chapter 7 Biodiversity, Flora and Fauna, Section 7.3 Benthic Biodiversity and Fisheries
- Chapter 8 Land, Soils, Geology and Hydrogeology, Section 8.4.13 Capital Dredging
- Chapter 9 Water Quality and Flood Risk Assessment, Section 9.1 Water Quality
- Chapter 13 Material Assets - Coastal Processes
- Chapter 21 Summary of Mitigation Measures and Conclusions.

The status of the fisheries is set out in Chapter 7 of the EIAR (Section 7.3 Benthic Biodiversity and Fisheries, Sub-Sections 7.3.1 and 7.3.2). Fisheries records noted in Section 7.3.1 and 7.3.2 support the conclusion that the section of the Lower Liffey estuary at Dublin Harbour acts as a migratory route for Annex II species Atlantic Salmon and river lamprey, which spawn in freshwaters and migrate to sea to feed. Small numbers of another Annex II species, sea lamprey (*Petromyzon marinus*), may also migrate through the development area. European eel (*Anguilla anguilla*), which spawn in the Sargasso Sea and feed in estuarine and freshwaters and which is also a protected species, also migrate through the port area. Populations of migratory Sea Trout and Brown Trout have also been recorded. In addition to the freshwater migratory species mentioned, a range of resident or seasonally resident estuarine/marine species use the development area for feeding, none of which is protected or classed as of concern under the IUCN.

Furthermore, analysis of fish trends within the Liffey set out in Section 7.3.1 and 7.3.2 has shown that Atlantic Salmon numbers returning to the Liffey have significantly declined in recent years. This is however not unique to the Liffey; all major salmonid rivers along the East Coast of Ireland have also seen significant declines in Atlantic Salmon returns. It is therefore clear that wider factors are at play but contributory factors unique to the Liffey include the upstream weirs and dams which may be impeding the passage of the salmon to the upstream spawning grounds. The peak adult return period is July to August when salmon return from the sea to spawn within the upper reaches of the Liffey catchment. The peak period for young salmon (smolts) to return to the sea is between March and May. The salmon are most vulnerable at this stage.

In conclusion, the EIAR (Chapter 7, Sections 7.3.1 and 7.3.2) establishes the importance of the Lower Liffey / Dublin Harbour area for both migratory and resident fisheries and is in agreement with IFI's observations. The EIAR however goes further by setting out fisheries trends which has identified that Atlantic Salmon numbers returning to the Liffey have significantly declined in recent years. The fisheries environmental impact assessment set out in the EIAR (Chapter 7, Section 7.3.3) takes these downward trends in salmon numbers into consideration and sets out a series of mitigation measures to safeguard Benthic Biodiversity & Fisheries as discussed under Item 2 and 3 below.

Item 2 – Mitigation Requirements

Submission

The IFI observations set out a range of potential impacts on fisheries and proposed mitigation measures.

“Ground and seabed preparation and associated construction works, including dredging, topographic alteration and the creation of seawalls, roads and bridges etc. have significant potential to cause the release of sediment and pollutants into the surrounding waters. Pollution of the adjacent coastal waters from poor on-site construction practices could have a significantly negative impact on the fauna and flora of surface waters in this area. High levels of suspended solids settling on the seashore and seabed can alter habitats resulting in potential loss of feeding, nursery and spawning grounds for fish. All measures necessary should be taken to ensure protection of local aquatic ecological integrity, in the first place by complete impact avoidance and as a secondary approach through mitigation by reduction and remedy”.

“Foreshore works should be designed and implemented in an ecologically sound and stable way..” “The disturbance effect of the dredging is difficult to quantify but mitigation measures such as soft start up and ramp up along with periods of relief when the dredger is offsite to dump sediment will reduce the impact. The dredger pumps being switched off or in neutral when raising and moving to a new location will also reduce the risk of fish entrainment”...“The resuspension of dredge material should not impact negatively on the fisheries of this area in any way. Toxic contaminants in water or sediment can kill marine life...” “Concrete / cement and other construction materials can be highly toxic to aquatic life. Use of these elements should be strictly controlled and monitored ...” “Implementation of comprehensive environmental management planning systems is essential for all construction activities...”.

DPC Response

The Environmental Impact Assessment for fisheries is set out in Chapter 7 of the EIAR, Section 7.3.3 cumulating in a series of comprehensive mitigation measures set out below. The Mitigation Measures are repeated in Chapter 21 of the EIAR (Summary of Mitigation Measures and Conclusions).

Mitigation through Engineering Design

Integration of the engineering design team with the planning and environmental team from an early stage in the project has enabled mitigation by design to be used, causing many likely significant effects to be eliminated or reduced to an acceptable level during the preliminary design stage.

Mitigation through engineering design has been extensively used during the preliminary design stage of the 3FM Project to ensure no significant infilling of the Lower Liffey / Harbour area and to maintain marine biodiversity.

Notably the proposed Lift-on Lift-off (Lo-Lo) container terminal located on the foreshore north of the ESB's Generating Station (Area N) is designed as an open-piled wharf structure.

Furthermore, the SPAR Viaduct located on the foreshore between the Tom Clarke Bridge and Poolbeg Yacht and Boat Club is designed as an open-piled bridge structure.

The design of the 3FM Project therefore ensures no significant infilling of the Lower Liffey Estuary.

Chapter 13 of the EIAR, Material Assets - Coastal Processes, sets out the computational modelling undertaken to support the engineering design. The modelling of tidal currents and storm waves has provided evidence that changes to the tidal regime as a result of the proposed open-piled marine infrastructure, including capital dredging, will be imperceptible. Furthermore, modelling of the movement and settlement of sediments as a result of capital dredging has demonstrated that the impact on riverine and coastal environments, including nearby European sites within the Tolka Estuary, will also be imperceptible.

Mitigation through engineering design has therefore reduced the potential impact of the 3FM Project on coastal processes to an imperceptible level thereby minimising the potential loss of feeding, nursery and spawning grounds for fish.

DPC is currently supporting research that aims at enhancing biodiversity through design and use of eco-structures, including tiles treated to encourage marine growth, fishery bio-huts, and rock face imprinted blocks. Such structures increase habitat niche variety and availability of refugia and have potential for future deployment on a port wide scale.

Mitigation by Avoidance

Mitigation by avoidance has also been extensively used by establishing construction closed periods to avoid impact at the most vulnerable times within the fisheries life cycles.

During construction, a closed period for impact piling within the narrow reach of river, upstream of Berth 49, will be enforced between March and May during the peak smolt migration run.

A closed period will also apply to impact piling within the broader reach of the river, adjacent to the navigation channel at the proposed Lo-Lo container terminal at Area N, between July and August during the peak adult salmon run.

During capital dredging, closed periods will also apply. All capital dredging of sediments required by the 3FM Project will be carried out during the winter months (October – March) to negate any potential impact on salmonid migration (particularly smolts) and summer bird feeding, notably terns, in the vicinity of the dredging operations. In addition, upstream of Berth 49 the no-dredging period will be extended to include the period from 15th March to 31st March.

Mitigation through preventing deterioration in Water Quality

The Water Quality of the Lower Liffey is of key importance for the safe passage of salmon and other migratory fish species. DPC has been measuring water quality continuously at four locations (see EIAR Chapter 9, Figure 9.10) for over a decade. The key parameters recorded are Turbidity (a surrogate for Total Suspended Solids) and Dissolved Oxygen. Temperature and Salinity are also monitored which directly impact Dissolved Oxygen levels within the Lower Liffey. These parameters provide indicators of the overall health of the Lower Liffey from a Benthic Biodiversity & Fisheries, Marine Mammals perspective.

There has been a general improvement in water quality and DPC has contributed to this through the Alexandra Basin Redevelopment (ABR) Project²⁹ which has ceased fugitive losses arising from the export of Lead and Zinc Ore and cleaning up legacy contamination issues associated with the sediments within Alexandra Basin West.

The most recent monitoring by the EPA has however downgraded the Water Framework Directive status of the Lower Liffey from Good to Moderate. The cause of this decline has been identified as increased nutrients, potentially caused by wastewater discharges from Ringsend Wastewater Treatment Plant and/or diffuse nutrient losses from agricultural areas in the upstream Liffey catchment. The activities of Dublin Port do not influence nutrient levels in the Lower Liffey and therefore was not the cause of this change in status.

Prevention of Pollution Measures

- A Water Quality Management Plan will be implemented for the duration of the proposed construction works, as presented in the Draft CEMP and summarized in Table 21.1 of the EIAR and repeated below for convenience.
- Sound design principles will be followed to adhere to relevant Irish guidelines and recognised international guidelines for best practice.
- Appropriate erosion and sediment controls during construction to prevent sediment pollution will be implemented.

²⁹ Board Case Ref. PL 29N.PA0034

- Where preferential surface flow paths occur, silt fencing or other suitable barriers will be used to ensure silt laden or contaminated surface runoff from the site does not discharge directly to a water body or surface water drain.
- In the event that dewatering of foundations or drainage trenches is required during construction and/or discharge of surface water from sumps, a treatment system prior to the discharge will be used; silt traps, settlement skips etc. This measure will allow additional settlement of any suspended solids within storm water arising from the construction areas.
- Management and auditing procedures, including tool-box talks to personnel will be put in place to ensure that any works which have the potential to impact on the aquatic environment are being carried out in accordance with required permits, licences, certificates and planning permissions.
- Existing and proposed surface water drainage and discharge points will be mapped on the Drainage layout. These will be noted on construction site plans and protected accordingly to ensure water bodies are not impacted from sediment and other pollutants using measures to intercept the pathway for such pollutants.

A project-specific Pollution Incident Response Plan has been prepared, and suitable training will be provided to relevant personnel detailed within the Pollution Incident Response Plan (see Draft CEMP and Table 21.1 of the EIA).

The following precautionary measures shall be undertaken to minimise the risk of impacting on water quality within the receiving environment with respect to the accidental release of highly alkaline contaminants from concrete and cement that may arise during the demolition of buildings and structures and the construction of hardstand areas, waterside berths, quay walls, jetties, bridging structures, etc.

- Breaking of concrete (associated with structure demolition) has the potential to emit alkaline dust into the receiving environment. Where necessary a barrier between the dust source and the sensitive receptor (the water body in this case) will be erected to limit the possibility of dust contacting the receptor.
- Concrete use and production shall adhere to control measures outlined in Guidance for Pollution Prevention (GPP5): Works and maintenance in or near water (2017). Any on-site concrete production will have the following mitigation measures: bunded designated concrete washout area; closed circuit wheel wash; and initial siting of any concrete mixing facilities such that there is no production within a minimum of 10m from the aquatic zone.
- The use of wet concrete and cement in or close to any water body will be carefully controlled so as to minimise the risk of any material entering the water, particularly from shuttered structures or the washing of equipment.
- Where concrete is to be placed under water or in tidal conditions, specific fast-setting mix is required to limit segregation and washout of fine material/cement. This will normally be achieved by having either a higher-than-normal fines content, a higher cement content or the use of chemical admixtures.

The following precautionary measures shall be undertaken to minimise the risk of impacting on water quality within the receiving environment associated with works machinery, infrastructure and on-land operations (for example leakages/spillages of fuels, oils, other chemicals and wastewater):

- Management and auditing procedures, including toolbox talks to personnel, will be put in place to ensure that any works which have the potential to impact on the aquatic environment are being carried out in accordance with required permits, licences, certificates and planning permissions.
- Existing and proposed surface water drainage and discharge points will be mapped on the Drainage layout. These will be noted on construction site plans and protected accordingly to ensure water bodies are not impacted from sediment and other pollutants using measures to intercept the pathway for such pollutants.
- Fuel, oil and chemical storage will be sited on an impervious base within a bund and secured. The base and bund walls must be impermeable to the material stored and of adequate capacity. The control measures in GPP2 - Above Ground Oil Storage Tanks and GPP26 - Safe storage – drums and intermediate bulk containers shall be implemented to ensure safe storage of oils and chemicals.
- The safe operation of refuelling activities shall be in accordance with GPP 7 - Safe Storage – The safe operation of refuelling facilities.

Mitigation during Capital Dredging Activities

The assessment of the suitability of the marine sediments for disposal at sea is set out in Chapter 8 Land, Soils, Geology and Hydrogeology, Section 8.4.13 Capital Dredging of the EIA.

In order to determine the suitability of the marine sediments for disposal at sea, the Marine Institute prepared Sampling and Analysis Plans (SAPs) specifying the sample locations, depths and contaminants to be tested. The marine sediments were classified by comparing the sediment chemistry results against the upper and lower action limits set in the Marine Institute *Guidelines for the Assessment of Dredge Material for Disposal in*

Irish Waters (2006). The full results of the sediment chemistry sampling and analysis were provided to the Marine Institute who examined the results in detail in combination with other relevant data held by the Marine Institute.

It was concluded, subject to the formal approval of the Marine Institute, that the majority of dredged sediments (1,189,000m³) can be classified as Class 1 (Uncontaminated: no biological effects likely) and are therefore suitable for disposal at sea in the absence of a more sustainable alternative. It is proposed to dispose of this Class 1 dredged material at the licenced disposal site at the entrance to Dublin Bay located to the west of the Burford Bank. Alternative options to disposal at sea were considered and are presented in Chapter 4 of the EIAR.

It was also concluded that the top 1.0m of material at the Maritime Village contained widespread levels of Class 2 material making it unsuitable for disposal at sea, equating to 70,000m³ or 6% of the total volume required to be dredged. This material will be dredged and taken ashore for recovery and reuse.

The following key mitigation measures shall apply to Capital Dredging associated with the 3FM Project to minimise the impact of the proposed works on migratory and resident fisheries as presented in the Draft CEMP and summarized in Table 21.1 of the EIAR and repeated below for convenience.

- No over-spilling at the surface of the dredger for all dredging activities within the inner Liffey Channel will be permitted. This includes all proposed capital dredging required for the 3FM Project.
- The dredger will work on one half of the channel at a time within the inner Liffey channel to prevent the formation of a silt curtain across the River Liffey.
- A trailing suction hopper dredger (TSHD) or back-hoe dredger will be used for the capital dredging works. When operating in the River Liffey Channel, the TSHD pumps will be switched off when the drag head is being lifted and returned from the bottom as the dredger turns between successive lines of dredging to minimise the risk of fish entrainment.
- A maximum of 4,100m³ of sediment and entrained water will be loaded into the dredger's hopper for each loading/dumping cycle.
- A documented Accident Prevention Procedure will be put in place prior to commencement.
- A documented Emergency Response Procedure will be put in place prior to commencement.
- A full record of loading and dumping tracks and record of the material being dumped will be maintained for each trip.
- When any dredging is scheduled to take place within a 500m radius of power station intakes, the relevant stakeholders will be notified so that precautionary measures can be taken if deemed necessary.

Mitigation during Piling Activities

The following key mitigation measures shall apply to impact piling activities to minimise the impact of the proposed works on fisheries as presented in the Draft CEMP and summarized in Table 21.1 of the EIAR and repeated below for convenience.

- For piling activities, where the output peak sound pressure level (in water) exceeds 170 dB re: 1μPa @ 1m, a ramp-up procedure will be employed. Underwater acoustic energy output will commence from a lower energy start-up and thereafter be allowed to gradually build up to the necessary maximum output over a period of 20-40 minutes.
- The impact piling closed periods set out in Table 21.1 will apply for the duration of the construction works.
- Piling is also restricted to 0700h and 1900h (Monday to Friday), 0800h to 1300h (Saturday) and no piling will take place on Sundays or Bank Holidays. Therefore, during piling periods, active piling operations will only occur for a maximum of about 38% of that period, allowing extensive unimpeded use of the harbour area by fish (and marine mammals) throughout project construction.

3FM Project Construction Activities – Monitoring

A water quality monitoring system has been designed to ensure robust protection of the marine environment and for users of the inner Liffey channel during the construction phase of the 3FM Project.

It is proposed to maintain the four water quality monitoring stations already in position for the ABR Project and MP2 Project³⁰. The water quality monitoring programme is based on the following specification:

- 24/7 real time monitoring with water quality monitoring sensors giving high resolution data with respect to Turbidity, Dissolved Oxygen, Temperature, Salinity and pH (additional proposed parameter). Turbidity is

³⁰ Board Case Ref. PA29N.304888

measured as a surrogate for suspended solids. Site specific tests have previously been undertaken by the ABR Project to define the relationship between Turbidity and suspended solids.

- Water level is also measured at one monitoring station to provide information on tidal state.
- A data acquisition and transfer system is used to enable the transmission of high-resolution data at approximately 15 minute intervals.
- Trigger levels that will prompt investigation are proposed for Dissolved Oxygen and Peak Suspended Solids based on Turbidity records in the Water Quality Management Plan (see Draft CEMP). The Dissolved Oxygen trigger level has been selected to safeguard fish-life.
- The monitoring network infrastructure has been in place since 2016 and will continue for the duration of the construction phase of the 3FM Project.
- This monitoring system has already generated a robust water quality baseline within the inner Liffey channel with the ability to identify water quality trends. The continuation of the monitoring system will serve to further strengthen the knowledge of water quality trends, a key indicator of the health of the marine environment.
- The water quality data currently being collected is circulated to Dublin City Council on a monthly basis. It is proposed that this transfer of information continues for the duration of the construction phase of the 3FM Project.
- The data collected is also being shared with research organisations (e.g. Dublin City University, Maynooth University and University College Cork).

The construction mitigation measures outlined above have been tried and tested during the construction of the ABR Project at Dublin Port. Extensive monitoring programmes put in place for the duration of these works have demonstrated that the mitigation measures are effective in protecting the marine environment.

In conclusion, DPC submits that the detailed and proven mitigation measures proposed in the application documentation, and repeated above, are in line with the mitigation measures recommended by IFI in its observation and will be sufficient to achieve the protection of the marine environment.

Item 3 – Surface Water Management

Submission

The IFI observations set out a range of specific potential impacts associated with Surface Water Management.

“Surface water management (SUDS approach) should not in any way result in a deterioration of water quality or habitat in natural river / stream channels or any receiving waterbody”.

“It is essential that the receiving foul and storm water infrastructure has adequate capacity to accept predicted volumes from this development with no negative repercussions for quality of treatment, final effluent quality and the quality of receiving waters”.

DPC Response

The assessment of the potential impact and significance of effects for the storm water and foul water infrastructure that will service the 3FM Project is outlined in Chapter 9 of the EIAR (Water Quality and Flood Risk Assessment, Sub-Section 9.1.4.2.3).

Storm Water Infrastructure

As outlined in Chapter 9 of the EIAR, Section 9.1.4 the main potential pollutants from surface water drainage or direct run-off are sediment, hydrocarbons, and trace contaminants including metals and organics. The effects on the water quality from surface water management, from both the storm water infrastructure and direct run-off from hardstanding areas was assessed to be significant in the absence of mitigation.

Storm water runoff will be collected in a dedicated storm water drainage system and will not be permitted to discharge directly to the marine environment from new jetties, and hardstand areas. Storm water will drain to an appropriate full retention oil separator, designed in accordance with GPP3 - Use and design of oil separators in surface water systems, and BSEN858, for the Port Operations at Area K, Area N and Area O which will trap oils and silt prior to being discharged into the harbour waters through a non-return flap valve. Drainage from the new SPAR road, bridge and viaduct will be via by-pass oil interceptors given the reduced risk associated with these areas, again in accordance with GPP3 - Use and design of oil separators in surface water systems, and BSEN858. Sustainable Urban Drainage Systems (SuDs) are not proposed due to limited space and the industrial nature of the operations. In accordance with GPP3 a class 1 bypass separator is required for general road and car parking areas of the site whilst a class 1 full retention separator will be required for the HGV parking and loading areas within Area K, Area N and Area O.

The selection, design, installation and operation of appropriate treatment systems on the storm water network in accordance with industry best practice will ensure there will be no significant effect on water quality or habitat in natural river/stream channels or any receiving waterbody.

Foul Water Infrastructure

As outlined in Section 9.1.4 the development will be serviced by a dedicated foul water network connecting to the existing Uisce Éireann Rathmines to Pembroke 1,500mm trunk sewer, which will also require a diversion to accommodate the development of Area K Ro-Ro terminal subject to Uisce Éireann approval, for treatment at Ringsend WwTP. The increased loading to the urban wastewater agglomeration at Ringsend will be relatively small when compared to the overall loading to the Ringsend WWTP. The additional loading from the development will not have a significant effect on the compliance with the Ringsend agglomeration wastewater discharge licence.

Item 4 – Continued Consultation with IFI

Submission

IFI state that continued consultation should be undertaken in relation to:

“Method statements should be submitted to IFI for approval in advance of any “in-stream” works of any kind”... “Consultation should be undertaken with IFI in relation to any application for a Section 4 licence for discharge of effluent to surface waters from the planned works”... “IFI should be consulted directly in relation to all matters concerning fisheries and surface water quality. In particular, IFI should receive regular communication from the Environmental Facilities Manager. Reporting of aquatic monitoring data should be extended to IFI on a scheduled basis”.

DPC Response

There is no trade effluent discharge proposed to surface waters and therefore a license to discharge to surface waters under Section 4 of the Water Pollution Acts is not required.

DPC confirms its commitment to continue its engagement with IFI during the detailed design and construction stages of the 3FM Project.

The results of the monitoring programmes are shared with the Statutory Authorities and discussed at quarterly meetings of a Liaison Group, established to oversee the construction work programmes at Dublin Port. IFI will be invited to join in the Liaison Group as a full participatory member or as a corresponding member as it deems most appropriate to its needs. IFI will be copied with aquatic monitoring data by the Environmental Facilities Manager on a scheduled basis.

Item 5 – Preservation of Access for Anglers

Submission

The IFI submission states that access to anglers should be preserved in the following terms: *“All measures necessary should be undertaken to ensure and preserve access for anglers and commercial fishermen during and after project completion...”*

DPC Response

Anglers currently fish from the Great South Wall proximate to Poolbeg Lighthouse. No works are proposed at this location so there will be no impact on access to anglers or on their fishing activities. There are no commercial fishermen operating within the confines of Dublin Harbour.

3.7.1.2 Councillor Claire Byrne

Item 1 – Environmental and Biodiversity Impact

Submission

Councillor Byrne sets out concerns related to the environment and biodiversity specifically in relation to Marine Mammals: *“There are concerns about the impact of this development on the environment and biodiversity of the local area, especially as Dublin Bay is a UNESCO site.*

- *The significant impact of piling noise on protected wildlife particularly porpoise and seals....*
- *The mitigation is not sufficient to protect harbour porpoise, seals and other wildlife”.*

DPC Response

DPC actively participates in the Dublin Bay Biosphere Partnership and fully recognises the importance of the Dublin Biosphere which at its core seeks to celebrate and promote a wider appreciation of the natural and cultural heritage of Dublin Bay.

Biospheres are places where nature and culture connect. They are internationally recognised for their biological diversity yet also actively managed to promote a balanced relationship between people and nature. A biosphere is a special designation awarded by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) but managed in partnership by communities, NGOs and local and national governments. Importantly, the biosphere designation brings no new regulations; its aims are achieved by people working together.

DPC has therefore designed the 3FM Project in accordance with the requirements of European and National environmental legislation, notably the EU Habitats Directive and the EU Water Framework Directive.

Councillor Byrne raises concerns regarding the impact of piling noise on harbour porpoise and seals and suggests that the mitigation measures set out in the EIAR are not sufficient. No scientific basis is set out for these assertions.

To provide reassurance, the potential impacts on marine mammals are fully addressed within the following Chapters of the EIAR and Draft CEMP:

- Chapter 7 Biodiversity, Flora and Fauna, Section 7.4 Marine Mammals
- Chapter 12 Noise and Vibration, Section 12.2 Underwater Noise
- Chapter 21 Summary of Mitigation Measures and Conclusions.

A detailed analysis of the potential underwater noise exposure to a range of marine mammals and fish during impact piling is set out in Chapter 12 of the EIAR, Section 12.2 Underwater Noise. This analysis produced a series of exposure maps for piling activities at different sites within the port area which enabled appropriate mitigation measures to be developed to safeguard marine mammals during the 3FM Project construction phase.

A Marine Mammals Management Plan will be implemented for the duration of the proposed construction works, presented in the Draft CEMP and summarized in Chapter 21 of the EIAR Summary of Mitigation Measures and Conclusions (Table 21.1).

The following precautionary measures, set out in Chapter 21 of the EIAR Summary of Mitigation Measures and Conclusions (Table 21.1) will be undertaken to minimise the risk of injury or disturbance to marine mammals in the area of operations in line with National Parks and Wildlife Service (NPWS) Guidance to Manage the Risk to Marine Mammals from man-made Sound Sources in Irish Waters (2014):

- A trained and experienced Marine Mammal Observer (MMO) will be put in place during piling, dredging, demolition and dumping operations. The MMO will scan the surrounding area to ensure no marine mammals are in a pre-determined exclusion zone in the 30-minute period prior to operations. The NPWS exclusion zone is 500m for dredging and demolition works and 1,000m for piling activities.
- Noise-producing activities will only commence in daylight hours where effective visual monitoring, as performed and determined by the MMO, has been achieved. Where effective visual monitoring is not possible, the sound-producing activities will be postponed until effective visual monitoring is possible. Visual scanning for marine mammals (in particular harbour porpoise) will only be effective during daylight hours and if the sea state is WMO Sea State 4 (≈Beaufort Force 4 conditions) or less.
- For piling activities, where the output peak sound pressure level (in water) exceeds 170 dB re: 1μPa @ 1m, a ramp-up procedure will be employed following the pre-start monitoring. Underwater acoustic energy output will commence from a lower energy start-up and thereafter be allowed to gradually build up to the necessary maximum output over a period of 20-40 minutes.
- If there is a break in piling / dredging including dredging & piling plant activity for a period greater than 30 minutes, then all pre-activity monitoring measures and ramp-up (where this is possible) will recommence as for start-up.
- Once normal operations commence (including appropriate ramp-up procedures), there is no requirement to halt or discontinue the activity at night-time, nor if weather or visibility conditions deteriorate, nor if marine mammals occur within a radial distance of the sound source that is 500m for dredging and demolition works, and 1,000m for piling activities.
- Once normal dredging operations commence there is no requirement to halt or discontinue the activity at night-time, nor if weather or visibility conditions deteriorate, nor if marine mammals occur within a radial

distance of the sound source that is 500m for dredging and demolition works. Notwithstanding this, MMOs will implement additional best-practice mitigation where feasible by directing operations to areas where marine mammals are absent or requesting delays to activities to provide animals an opportunity to disperse.

- Any approach by marine mammals into the immediate (<50m) works area will be reported to the National Parks and Wildlife Service.
- Non-piling windows, and implementation of piling controls when marine mammals occur in specified monitoring zones have been set for impact piling.
- Piling is restricted to 0700h and 1900h (Monday to Friday), 0800h to 1300h (Saturday) and no piling will take place on Sundays or Bank Holidays. Therefore, during piling periods, active piling operations will only occur for a maximum of about 38% of that period, allowing extensive unimpeded use of the harbour area by marine mammals throughout project construction.
- An extended monitoring zone will be implemented for harbour porpoise during piling at Area N and Area K. This zone will include all areas within the Bull Walls, and no piling will be permitted if harbour porpoise are present in this area during a pre-watch. A minimum of two MMOs are required to effectively monitor this extended zone.
- The MMO will keep a record of the monitoring and log all relevant events using standardised data forms available from NPWS and submit to the NPWS on completion of the works.
- In line with international best practice, a combination of visual and acoustic mitigation techniques will be used to ensure there are no significant impacts on all Annex II marine species, including harbour porpoise, grey seal and harbour seal. Static Acoustic Monitoring (SAM) through the deployment of FPODS will be used. SAM monitoring sites will be established and maintained throughout the project and for two years post-construction. This technique is to complement and not replace visual techniques.
- The deployment of a SAM system will complement and extend the extensive database currently being collected as part of the ABR and MP2 Project environmental monitoring programmes.
- The deployment of a Passive Acoustic Monitoring (PAM) system at North Bank Light in the inner Liffey channel will continue for the duration of the construction phase. The PAM system uses a hydrophone to detect the presence of marine mammals in real time.

It is important to note that the above mitigation measures prohibit impact piling if harbour porpoise are present within the Bull Walls. Mitigation by avoidance is therefore being adopted with respect to harbour porpoise.

The environmental assessments set out in Section 7.4 of the EIAR conclude that no marine mammal mitigation measures are required during the operational phase of the 3FM Project.

3.7.1.3 Residents from Pigeon House Road

Item 1 – Biodiversity, Environmental Concerns and Sustainability

Submission

The following Residents of the Pigeon House Road area raise the following concerns related to Benthic Biodiversity, Fisheries, and Marine Mammals:

Grainne Hughes, Brigid Purcell and Jason McDonnell stated: *“The river has populations of salmon, migratory fish and eels. Any developments of this nature should have additional proposals to prevent silt washout and reduce under water noises and vibrations which will affect migrating species”.*

“Otters. Seals. Urban Foxes. Mammals as seals and otters which frequent the tidal edge are vulnerable to this type of development and construction methods, especially when under water noises and machinery workings are present”

Michael Curry stated: *“The proximity of this project to the river raises serious environmental concerns. Increased pollution from traffic, construction and industrial activity poses a threat to local wildlife and the ecosystem”.*

“The long-term environmental impact of this project has not been adequately assessed, particularly its contribution to local pollution levels and potential harm to the nearby waterways”.

DPC Response

DPC acknowledges the concerns raised by residents of the Pigeon House Road area and wishes to provide reassurance that all the items raised have been fully addressed within the EIAR and Draft CEMP which supported the planning application to An Bord Pleanála.

Chapter 7 of the EIAR, Section 7.3 (Benthic Biodiversity and Fisheries) sets out the environmental assessment associated with fisheries including migratory fish species Atlantic Salmon, Eel and Sea Trout. Mitigation measures include the use of Closed Periods to riverside impact piling particularly during the period March to May when salmon smolts migrate from the upstream catchment to the sea. The full suite of mitigation measures are summarized in Chapter 21 of the EIAR, Table 21.1 (Summary of Mitigation Measures and Conclusions).

Chapter 9 of the EIAR Section 9.1.4.2.3. (Water Quality and Flood Risk Assessment) sets out the assessment of the potential impact and significance of effects for the storm water and foul water infrastructure that will service the 3FM Project. The full suite of mitigation measures which will be put in place to prevent silt and other forms of pollutants from reaching the Liffey are summarized in Chapter 21 of the EIAR, Table 21.1 (Construction Phase) and Table 21.4 (Operational Phase) (Summary of Mitigation Measures and Conclusions).

Chapter 7 of the EIAR, Section 7.4 (Marine Mammals) sets out the environmental assessment associated with marine mammals including Harbour Porpoise and Seals. The full suite of mitigation measures to safeguard marine mammals during the construction phase of the 3FM Project are summarized in Chapter 21 of the EIAR, Table 21.1 (Summary of Mitigation Measures and Conclusions).

Chapter 7 of the EIAR, Section 7.2 (Terrestrial Ecology) sets out the environmental assessment associated with mammals including protected species such as Otter. The assessment concludes that there are no significant residual impacts predicted on terrestrial protected species as a result of the construction and operation of the 3FM Project. Urban Fox, which is not a protected species, may occasionally visit the water's edge but is less vulnerable than Otter.

Given the detailed and robust contents of the submitted EIAR, DPC disputes that the long term environmental impact of the project has not been adequately assessed. On the contrary the project has been assessed in respect of all necessary environmental headings. There is nothing in those assessments that shows significant adverse effects on local pollution levels or nearby waterways.

In conclusion, the concerns raised by residents of the Pigeon House Road residents with regard to the potential impact of the 3FM Project on the marine environment of the Liffey have been fully addressed by the EIAR. It should be noted that no scientific basis is set out to support the assertions made.

3.7.2 Conclusions Relevant to Marine Ecology

This submission outlines three observations related to benthic biodiversity, fisheries, and/or marine mammals. A summary of these observations, along with the appropriate response from DPC, is provided in Section 3.7.1.1 to Section 3.7.1.3.

Where there are items raised relevant to Benthic Biodiversity & Fisheries, Marine Mammals and the 3FM Project; these have been fully addressed through reference to

- Chapter 7 Biodiversity, Flora and Fauna, Section 7.3 Benthic Biodiversity and Fisheries
- Chapter 7 Biodiversity, Flora & Fauna, Section 7.4 Marine Mammals
- Chapter 8 Land, Soils, Geology and Hydrogeology, Section 8.4.13 Capital Dredging
- Chapter 9 Water Quality and Flood Risk Assessment, Section 9.1 Water Quality
- Chapter 12 Noise and Vibration, Section 12.2 Underwater Noise
- Chapter 13 Material Assets - Coastal Processes
- Chapter 21 Summary of Mitigation Measures and Conclusions
- Draft CEMP.

The assessment of benthic biodiversity and fisheries features as set out in Chapter 7 of the EIAR, Section 7.3, concludes that the infrastructural changes associated with the 3FM Project are significant and complex and will give rise to a range of positive and negative impacts. Much of the adverse change will be offset by more positive changes, namely the introduction of new hard surfaces which are likely in the main to be rapidly colonised by both estuarine and marine flora and fauna. Temporary habitat disturbance from the dredging activities is not expected to result in any long-term impact, with recovery occurring rapidly on cessation of dredging activities. Loss of sub-tidal habitats associated with the installation of piles in particular are deemed minor due to the large amount of similar habitat present in Dublin Port. As acknowledged in the EIAR, the introduction of extensive areas of shade by the SPAR Viaduct and the wharf at Area N will have negative effects on the habitats affected. However, all these changes need to be viewed in the context of the Lower Liffey Estuary as a busy port and a busy recreational boating and angling area, whose natural intertidal habitats have been dramatically altered and largely degraded down the decades. Despite the proposed changes, the

importance of the Lower Liffey as a locally important nursery ground for estuarine/marine residents and migrants will remain substantially intact and fully functional and its role as a conduit for inwardly and outwardly migrating anadromous and catadromous species for the wider River Liffey catchment will remain fully intact.

The assessment of marine mammal features as set out in Chapter 7 of the EIAR, Section 7.4. concludes that significant environmental impacts are predicted upon individuals, but not populations, of marine mammals as a result of piling, dredging and demolition works during the construction of the proposed 3FM Project in the absence of mitigation. Mitigation measures have been proposed to minimise the risk of injury or disturbance to marine mammals in the area of operations in line with National Parks and Wildlife Service (NPWS) Guidelines (2014): Effective implementation of the proposed mitigation measures will ensure that there is no significant residual environmental impact upon marine mammals.

3.8 Land, Soils, Geology & Hydrogeology

3.8.1 Observations Relevant to Land, Soils, Geology and Hydrogeology

The following observations refer to Land, Soils, Geology and Hydrogeology and are addressed below.

Number in Index	Party Name
	EPA
No. 40	Drs. Philip Murphy & Ann O'Doherty, 22 Durham Road
No. 17	Deirdre Tracey, 15 Londonbridge Road
No. 28	Ceanna Walsh, 121 Strand Road
No. 15	Sandymount & Merrion Residents Association (SAMRA)
No. 46	Department of the Environment, Climate and Communications Geological Survey Ireland

3.8.1.1 Residents from Sandymount

Item 1 – Human health impacts

Submission

The following observers expressed concern regarding the health impacts associated with asbestos and heavy metals:

- Drs. Philip Murphy and Ann O'Doherty;
- Deirdre Tracey; and
- Ceanna Walsh.

In their submission, Dr. Murphy and Dr. O'Doherty state: *"The potential for disturbing the asbestos and heavy metals on the site during its development damaging human health and directly causing lung cancer (Pleuromesithelioma)."*

In her submission, Ms. Tracey states: *"the concerns that may arise from disturbing the asbestos and heavy metals on the site during its development."*

In her submission, Ms. Walsh states: *"I am concerned from a health and safety perspective about the consequences that may arise from disturbing the asbestos and heavy metals on the site during its development."*

DPC Response

Volume II, Part 2, Chapter 8 of the submitted EIAR contains a very detailed assessment on the impacts to Land, Soils, Geology & Hydrogeology which has been prepared in accordance with the following guidance documents:

- 'Geology in Environmental Impact Statements', published by The Institute of Geologists of Ireland in September 2002.
- Institute for Geologists Ireland (IGI) Guidance for the preparation of Soils, Geology and Hydrogeology Chapters of Environmental Impact Statements, April 2013.
- Guidelines on the Information to be Contained in Environmental Impact Assessment Reports, Environmental Protection Agency, May 2022.
- The National Roads Authority's guidelines; 'Guidelines on Procedures for Assessment and Treatment of Geology, Hydrology and Hydrogeology for National Road Schemes', published in 2008. These guidelines aim to provide guidance on the assessment of geological, hydrological and hydrogeological impacts through the EIA process.

A robust ground investigation and contaminated land quantitative risk assessment was undertaken (EIAR Appendices to Chapter 8) and a draft CEMP was also produced in support of the application.

In the absence of government guidance on contaminated land risk assessment within Ireland, current guidance provided by the UK Environment Agency (EA) has been utilised to form the basis of this assessment. The *Land Contamination Risk Management (LCRM) - How to assess and manage the risks from land contamination. Environment Agency, July 2023* guidance document has been used in the production of the relevant reports.

Underpinning the guidance within LCRM is a source-pathway-receptor methodology, which is used to identify Significant Pollutant Linkages (SPLs). The following definitions apply: -

- **Source:** a contaminant or pollutant that is in, on or under the land and that has the potential to cause harm or pollution.
- **Pathway:** a route by which a receptor is or could be affected by a contaminant
- **Receptor:** something that could be adversely affected by a contaminant, for example a person, controlled waters, an organism, an ecosystem, or Part 2A receptors such as buildings, crops, or animals

An important thread throughout the overall process of risk assessment is the need to formulate and develop a conceptual model for the site, which supports the identification and assessment of pollutant linkages. Development of the conceptual model forms the main part of the preliminary risk assessment, and the model is subsequently refined or revised as more information and understanding is obtained through the risk assessment process. A risk is present only when a source-pathway-receptor linkage is present and active. Without a pollutant linkage, there is not a risk, even if a contaminant is present.

A number of remedial measures were considered in relation to the lands at Area O within the Remedial Strategy report (EIAR Volume III, Part 6, Appendix 8-3). Upon consideration of these options with regard to the site setting and development proposals, a number of options were considered to be the most suitable. These options are;

- Groundwater and surface water sampling of the River Liffey as part of the groundwater monitoring programme to be undertaken before, during and after completion of Area O localised ground improvement works;
- Ground gas monitoring during construction phase of Area O;
- Implementation of venting techniques within Area O during localised ground improvement works;
- Implementation of ground gas protection within the proposed buildings;
- Implementation of dust suppression during earthworks at Port Park and Area O.
- Clean cover barrier in soft landscaped areas of Port Park

Asbestos: The detailed EIAR and ground investigation has identified asbestos contamination in soil and has proposed appropriate mitigations to address any potential risks. These mitigation measures are outlined within the Remedial Strategy EIAR Volume III, Part 6, Appendix 8-3. In relation to dust and dust suppression, the draft CEMP contains a Dust and Odour Management Plan which outlines how dust emissions are to be minimised, managed and monitored. The Contractor will be made aware of the presence of asbestos and will enact appropriate health and safety measures including dust suppression and management to mitigate the potential risk from asbestos.

As a result of the proposed measures, the risk posed towards human health from the asbestos identified will be mitigated appropriately in accordance with Article 4 of the revised Waste Framework Directive.

Heavy Metals in Groundwater: Groundwater within the site will not be used as a potable source of water, therefore, the ingestion pathway for contamination to human health from heavy metals in groundwater is not deemed to be active. No direct or indirect exposure pathways for human health regarding heavy metals in groundwater were identified.

In light of the above response, which is based on the information submitted with the application, DPC respectfully submits that no risk to human health arises from the identified heavy metals

3.8.1.2 Sandymount & Merrion Residents Association (SAMRA)

Item 1 – Asbestos and Dust

Submission

The SAMRA observation is relevant to land, soils, geology & hydrogeology with regard to the following extracts: *“Asbestos Chrysotile asbestos was identified within five (5) soil samples within Area O obtained between 0.50m – 3.00m bgl, with quantifications between 0.002 – 0.004%. Five (5) samples were obtained from BH119, BH120, BH320, BH322 at 0.50m & BH322 at 3.00m. Amosite asbestos was identified within 1 no. soil sample obtained at 1.00m (BH119). Given the proposed hardstanding within the road network, Area O, it is anticipated that the risk to future site users from asbestos fibres is low. However, there is a potential risk to workers during construction from activities such as excavations, which may disturb and release asbestos fibres in soil. ... Asbestos is also an issue in the proposed Port Park area: “One (1) soil sample obtained from Area Port Park returned a positive asbestos identification. A sample obtained from BH317 at 0.50m comprised chrysotile*

fibres. Given the shallow depth at which this asbestos was identified and the proposed soft landscaping in this area, asbestos in soils are considered a source of contamination at this location.” (page 27)

“SAMRA requests that ABP require full Asbestos and heavy metal remediation of these lands prior to any works being undertaken. No worker, no local person, and no part of the environment should be placed at risk in order to re-develop this area. ... Table 4.1 ‘Remedial Options’ is not reassuring and clarity is required around precisely what works will be undertaken and how these will be managed. For example: Dust suppression during earthworks at Port Park - This technique can be used to damped soils and dust during earthworks and therefore reduce the release of asbestos fibres into the air.Clean cover barrier in soft landscaped areas of Port Park - A clean cover barrier of at least 600mm of clean soil will act as a barrier to asbestos exposure in underlying soils. ... Dust has the potential to reach Sandymount and Merrion and must be properly and fully managed.” (page 28)

“Both the Port Park and the site of the Ro-Ro Terminal Yard show areas of contamination by Asbestos. This should not be disturbed to facilitate this project. Excavation in the proposed Ro-Ro Terminal Yard should not be permitted. The Ro-Ro Terminal Yard lands should be treated in the same way as proposed to address Asbestos in Port Park. These lands should all move away from previous land contaminating uses.” (page 30)

DPC Response

The 3FM Project planning application is accompanied by a detailed EIAR. Volume II, Part 2, Chapter 8 contains a detailed assessment on the impacts to Land, Soils, Geology & Hydrogeology which has been prepared in accordance with the following guidance documents:

- ‘Geology in Environmental Impact Statements’, published by The Institute of Geologists of Ireland in September 2002.
- Institute for Geologists Ireland (IGI) Guidance for the preparation of Soils, Geology and Hydrogeology Chapters of Environmental Impact Statements, April 2013.
- Guidelines on the Information to be Contained in Environmental Impact Assessment Reports, Environmental Protection Agency, May 2022.
- The National Roads Authority’s guidelines; ‘Guidelines on Procedures for Assessment and Treatment of Geology, Hydrology and Hydrogeology for National Road Schemes’, published in 2008. These guidelines aim to provide guidance on the assessment of geological, hydrological and hydrogeological impacts through the EIA process.

A robust ground investigation and contaminated land quantitative risk assessment was undertaken (EIAR Appendices to Chapter 8) and a draft CEMP was also produced in support of the application.

EIAR Volume III, Part 4-5, Appendix 8-2 outlines the extensive ground investigation undertaken between the 8th of November 2022 and the 10th of February 2023, and between 19th March and 6th June 2024. This investigation was designed to provide geotechnical information for outline design and to target potential sources of concern and quantify any relevant ground contamination pollutant linkages.

As highlighted in Part 4-7, Appendix 8-2, a total of 32 environmental soil samples were initially screened for the presence of asbestos during the investigation undertaken between the 8th of November 2022 and the 10th of February 2023. A further 56 environmental soil samples were screened for the presence of asbestos during the investigation undertaken between the 19th March and 6th June 2024. Asbestos containing materials (ACM) were identified in nine of the 88 soil samples tested.

Area O: Chrysotile asbestos was identified within five soil samples within Area O obtained between 0.50m – 3.00m bgl, with quantifications between 0.002 – 0.004%. Five samples were obtained from BH119, BH120, BH320, BH322 at 0.50m & BH322 at 3.00m. Amosite asbestos was identified within one. soil sample obtained at 1.00m (BH119).

The key measure identified in Chapter 8 with regard to asbestos is through mitigation by design, in accordance with Article 4 of the revised Waste Framework Directive (the Waste Hierarchy) which sets out 5 steps for dealing with waste, ranked according to environmental impact. The remedial measures proposed in EIAR Volume III, Part 4-5, Appendix 8-3 are considered to be the most sustainable methods of mitigating the risks posed from asbestos in soils that ensure the site will meet a suitable for use level, whilst optimising environmental, social and economic values. Ground levels will be raised to minimise disturbance and provide a barrier to reduce the potential for future ground disturbance. Ground levels at Area O will be raised on average 500mm (with a maximum of 900mm) above the existing ground level across the site. The raised site levels and hardstanding will act as a barrier to exposure to asbestos and therefore any future potential risk to site users from asbestos fibres is low because the barrier prevents there being a pathway.

In addition, to mitigate potential risk to workers during construction, from activities such as excavations, which may disturb and release asbestos fibres in soil, standard mitigation measures have been proposed such as the appropriate use of PPE / RPE and dust suppression techniques which will be employed to mitigate the potential risks to construction workers from the inhalation of asbestos fibres within these areas.

Port Park: One soil sample obtained from Area Port Park returned a positive asbestos identification. A sample obtained from BH317 at 0.50m comprised chrysotile fibres.

The retaining wall construction and the implementation of soft landscaping in this area requires the use of standard techniques such as dust suppression measures during construction to mitigate any potential risk to construction workers and the general public from a release of asbestos fibres.

In summary, the detailed EIAR and ground investigation has identified the potential hazard in relation to asbestos contamination in soil and has proposed appropriate mitigations to address potential risks including raising ground levels to provide a long barrier and additional construction phase measures. This minimises the potential pathways to air borne release/dispersion and therefore asbestos is not a risk in terms of air quality or human health

In addition, regarding dust and dust suppression, the draft CEMP contains a Dust and Odour Management Plan which outlines how dust emissions are to be minimised, managed and monitored. The Contractor will be made aware of the presence of asbestos and, during the detailed design and construction phases, will enact appropriate health and safety measures including dust suppression and management to mitigate the potential risk from asbestos.

Item 2 – Heavy Metals in Groundwater

Submission

The SAMRA observation states: *“Heavy Metals Concentrations of cadmium (BH128), lead (BH128 & SW01), and nickel (BH120, BH121, BH123, BH125, BH128) exceeded the EU Environmental Objectives values for surface water receptors, however, notably, these issues did not appear to be significant within the surface water samples obtained during the investigation. The concentration of zinc in groundwater sampled from BH128 exceeded the EU Environmental Objectives for groundwater. The source of these metals is likely to be the made ground/waste material beneath the site”. (page 28)*

Figure 5.1 ‘Proposed Surface Water Sampling Locations’ shows no less than 3 monitoring locations to the south of the Ro-Ro Terminal Yard. This indicates a genuine concern with contaminated waters. What exactly can be done to protect areas to the south if monitoring results show raised levels of heavy metals?” (page 28)

DPC Response

EIAR Volume III, Part 4-5, Appendix 8-2 outlines that three surface water samples were collected for laboratory analysis from the adjacent River Liffey and Dublin Bay (SW01 – SW03). Sample SW01 was taken from the River Liffey adjacent to the Poolbeg Yacht Club. SW02 is considered to be representative of ‘mid-stream’ and was taken from the River Liffey adjacent to an area of vacant land known as the ‘47A hardstand’. Sample SW03 is considered to be representative of ‘downstream’ and was obtained from Dublin Bay i.e. where the River Liffey discharges into to Irish Sea, from the Great South Wall, prior to reaching Poolbeg Lighthouse.

Whilst the shallow groundwater has been impacted by heavy metals, the surface water sampling and analysis demonstrates that this is not impacting upon the quality of River Liffey. Groundwater within the site will not be used as a potable source of water, therefore, the ingestion pathway for contamination to human health from heavy metals in groundwater is not deemed to be active. No direct or indirect exposure pathways for human health regarding heavy metals in groundwater were identified.

EIAR Appendix 8-3 recommends that groundwater monitoring and sampling of boreholes at the site is undertaken prior to any works commencing on Area O and then on a weekly basis during the ground improvement works to determine any change in contaminant concentrations as a result of works. It is advised that a monitoring round should be undertaken following the completion of all earth and any localised ground improvement works, and again once all construction works are completed at Area O. Appendix 8-3 identifies three additional surface water sampling points in Sandymount Bay South of Area O. These locations are positioned to be upstream, adjacent and downstream of Area O which is standard practice to allow comparison of monitoring results.

This strategy aims to monitor the concentrations of contaminants of concern in groundwater and surface water, and determine any trend in concentrations before, during, and after ground improvement works at Area O. As noted in the draft CEMP, a monitoring report will be prepared after the completion of each monitoring round

which will set out any actions which need to be taken in response to exceptional results. These actions would involve undertaking further investigation into exceptional results and undertaking more regular monitoring and sampling to understand if a long term trend is developing or if any impact is temporary and passing in nature due to a particular site work activity.

3.8.1.3 DECC Geological Survey Ireland (GSI)

Item 1 – Use of GSI Datasets

Submission

Geological Survey Ireland's submission is relevant to land, soils, geology & hydrogeology in the following terms: *"We are pleased to see the use of our Geoheritage, Bedrock, Quaternary, Groundwater Aquifer, Vulnerability, Pits and Quarry Locations maps and datasets within the EIAR"*.

DPC Response

DPC welcome this submission from DECC Geological Survey Ireland. The publicly available Geoheritage, Bedrock, Quaternary, Groundwater Aquifer, Vulnerability, Pits and Quarry Locations maps and datasets provided a baseline for land, soils, geology, and hydrogeology conditions across the 3FM Project. This information was then used to scope and design a coherent ground investigation to collate site-specific datasets which were used to inform and design the 3FM Project.

3.8.1.4 EPA

Item 1 – IE Licence Process

Submission

The EPA state that *"the location of the proposed development appears to be the same location as the EPA licenced site. Also it is noted that Dublin Port Company has applied to the Agency on 11 October 2024 for a Dumping at Sea permit (Ref: 50038-01). The licence may need to be reviewed or amended to accommodate the changes proposed in the planning application."*

Should a licence review application be received by the Agency, all matters to do with emissions to the environment from the activities proposed, the licence review application documentation and EIAR will be considered and assessed by the Agency."

DPC Response

DPC notes the observations concerning the proposed development's boundary, including the EPA licenced site Industrial Emissions (IE) Licence (Register No: P1022-02) site. This licence was obtained to facilitate the option of bringing of any dredged material deemed unsuitable for dumping at sea under the 3FM Project to land. If capacity is available at Berth 52/53 then it is proposed that the dredge sediment, or part thereof, be treated and placed in the Berth 52/53 receptor.

DPC note the process outlined in the EPA correspondence and will comply if the licence needs to be reviewed or amended to accommodate the changes proposed in the planning application.

3.8.2 Conclusions Relevant to Land, Soils, Geology and Hydrogeology

DPC notes that there are four grouped or individual observations that refer to asbestos, dust and heavy metals in groundwater, data and licensing.

Where there are issues raised relevant to asbestos, dust and heavy metals in groundwater and the 3FM Project, these have been fully addressed directly and through reference to Volume 2, Chapter 8 of the EIAR.

A robust ground investigation and contaminated land quantitative risk assessment was undertaken. The detailed EIAR and ground investigation has identified potential risks in relation to asbestos in soil and has proposed appropriate mitigations to address these potential risks (EIAR Volume III, Part 6, Appendix 8-3).

The draft CEMP contains a Dust and Odour Management Plan which outlines how dust emissions are to be minimised, managed and monitored. The Contractor will be made aware of the presence of asbestos and will

enact appropriate health and safety measures including dust suppression and management to mitigate the risk from asbestos.

It is DPC's submission that as a result of the mitigation and monitoring measures identified and assessed in the EIAR there will be no significant risk posed to human health, or the environment generally, by anything arising from the lands, soils, geological and hydrogeological elements of the proposed development.

3.9 Water Quality & Flooding

3.9.1 Observations Relevant to Water Quality and Flooding

The following observations refer to Water Quality and Flood Risk and are addressed below.

Number in Index	Party Name
No 2	Peter Morrogh, 5 St. John's Road
No. 3	Inland Fisheries Ireland
No. 15	Sandymount & Merrion Residents Association (SAMRA)

3.9.1.1 Peter Morrogh

Item 1 – Flood Defences

Submission

In his submission, Peter Morrogh states *“Dublin Port’s proposals acknowledge that the area has been subject to flooding. In my opinion, over the next 16 years up to 2040 Dublin City will have to address the City’s flood defences. The proposed developments should be consistent with whatever flood defences are required and should be included as a requirement on Dublin Port.”*

DPC Response

In line with the Planning System and Flood Risk Management Guidelines, the Strategic Flood Risk Assessment (SFRA) for the Dublin Port Masterplan 2040 advised that any development should be set at the present day 0.5% AEP tidal event with a suitable allowance for climate change and an appropriate freeboard, taking account of data uncertainties and the site-specific wave climate. The 3FM Project used the most up-to-date information from the Irish Coastal Wave and Water Level Modelling Study (ICWWS), an allowance of 1m for climate change and a freeboard of 0.3m to set appropriate development levels for the various elements.

The 3FM Project does not rely on any future flood defences for protection. Modelling of the proposed bridge and viaduct within the River Liffey has been undertaken and this has shown that there is no increase in coastal flood risk elsewhere that would need to be considered in any future flood defence scheme. The 3FM Project will not hinder the design and implementation of any future flood risk management measures that may be required outside of the project.

The 3FM Project is compliant with the Planning System and Flood Risk Management Planning Guidelines.

3.9.1.2 Inland Fisheries Ireland

Item 1 – Mitigation Requirements

Submission

IFI’s submission has highlighted concerns regarding construction phase activities and the potential to cause the release of sediments and pollutants into surrounding waters. IFI have stated: *“Ground and seabed preparation and associated construction works, including dredging, topographic alteration and the creation of seawalls, roads and bridges etc. have significant potential to cause the release of sediment and pollutants into the surrounding waters. Pollution of the adjacent coastal waters from poor on-site construction practices could have a significantly negative impact on the fauna and flora of surface waters in this area. High levels of suspended solids settling on the seashore and seabed can alter habitats resulting in potential loss of feeding, nursery and spawning grounds for fish. All measures necessary should be taken to ensure protection of local aquatic ecological integrity, in the first place by complete impact avoidance and as a secondary approach through mitigation by reduction and remedy”.*

“Foreshore works should be designed and implemented in an ecologically sound and stable way.” “The disturbance effect of the dredging is difficult to quantify but mitigation measures such as soft start up and ramp up along with periods of relief when the dredger is offsite to dump sediment will reduce the impact. The dredger pumps being switched off or in neutral when raising and moving to a new location will also reduce the risk of fish entrainment”...“The resuspension of dredge material should not impact negatively on the fisheries of this area in any way. Toxic contaminants in water or sediment can kill marine life...” “Concrete / cement and other

construction materials can be highly toxic to aquatic life. Use of these elements should be strictly controlled and monitored ...” “Implementation of comprehensive environmental management planning systems is essential for all construction activities...”

DPC Response

DPC has noted and considered the concerns raised by IFI with regard to the potential impacts associated with construction phase activities on surrounding waters. DPC has applied the following mitigation measures, set out in the Chapter 5 (Project Description) of the submitted EIAR, Chapter 9 (Water Quality and Flood Risk Assessment), Chapter 21 (Mitigation) and the Draft CEMP which will be sufficient to protect the integrity of the local aquatic ecology during the construction phase of the development:

Mitigation through Engineering Design

Integration of the engineering design team with the planning and environmental team from an early stage in the project has enabled mitigation by design to be used, causing many likely significant effects to be eliminated or reduced to an acceptable level during the preliminary design stage.

Mitigation through engineering design has been extensively used during the preliminary design stage of the 3FM Project to ensure no significant infilling of the Lower Liffey / Harbour area to avoid significant effects on the hydromorphological supporting conditions of the surface water status of the Lower Liffey Estuary and to maintain ecological potential of the Liffey Estuary Lower transitional water body.

Notably the proposed Lift-on Lift-off (Lo-Lo) container terminal located on the foreshore north of the ESB's Generating Station (Area N) is designed as an open-piled wharf structure.

Furthermore, the SPAR Viaduct located on the foreshore between the Tom Clarke Bridge and Poolbeg Yacht and Boat Club is designed as an open-piled bridge structure.

The design of the 3FM Project therefore ensures no significant infilling of the Lower Liffey Estuary.

Chapter 13 of the EIAR, Material Assets - Coastal Processes, sets out the computational modelling undertaken to support the engineering design. The modelling of tidal currents and storm waves has provided evidence that changes to the tidal regime as a result of the proposed open-piled marine infrastructure, including capital dredging, will be imperceptible. Furthermore, modelling of the movement and settlement of sediments as a result of capital dredging has demonstrated that the impact on riverine and coastal environments, including nearby European sites within the Tolka Estuary, will also be imperceptible.

Mitigation through engineering design has therefore reduced the potential impact of the 3FM Project on coastal processes and the hydromorphological supporting conditions of the Lower Liffey Estuary to an imperceptible level thereby minimising the potential loss of feeding, nursery and spawning grounds for fish.

Mitigation by Avoidance

As noted in Chapter 9 (Water Quality and Flood Risk Assessment), section 9.1.5.1 (Construction Phase Mitigation Measures) of the submitted EIAR, mitigation by avoidance has also been extensively used by establishing construction closed periods to avoid impact at the most vulnerable times within the fisheries life cycles. This is important as fish are an important contributing element to the ecological potential of the Liffey Estuary Lower, Liffey Estuary Upper and Dublin Bay and the 3FM project will not result in the deterioration in the fish status nor will it prevent the transitional and coastal water bodies affected from achieving their environmental objectives.

During construction, a closed period for impact piling within the narrow reach of river, upstream of Berth 49, will be enforced between March and May during the peak smolt migration run.

A closed period will also apply to impact piling within the broader reach of the river, adjacent to the navigation channel at the proposed Lo-Lo container terminal at Area N, between July and August during the peak adult salmon run.

During capital dredging, closed periods will also apply. All capital dredging of sediments required by the 3FM Project will be carried out during the winter months (October – March). In addition, upstream of Berth 49 the no-dredging period will be extended to include the period from 15th March to 31st March. This refers to the narrowest part of the channel and has been applied by the EPA to the MP2 Project and Dublin Harbour Capital Dredging Project Dumping at Sea Permits.

Mitigation through preventing deterioration in Water Quality

The Water Quality of the Lower Liffey is of key importance for the safe passage of salmon and other migratory fish species. DPC has been measuring water quality continuously at four locations (see EIAR Chapter 9, Figure 9.10) for over a decade. As noted in Chapter 9 (Water Quality and Flood Risk Assessment), section 9.1.9 (Monitoring), the key parameters recorded are Turbidity (a surrogate for Total Suspended Solids) and Dissolved Oxygen. Temperature and Salinity are also monitored which directly impact Dissolved Oxygen levels within the Lower Liffey. These parameters provide indicators of the overall health of the Lower Liffey from a Benthic Biodiversity & Fisheries, Marine Mammals perspective.

There has been a general improvement in water quality and DPC has contributed to this through the Alexandra Basin Redevelopment (ABR) Project³¹ which has ceased fugitive losses arising from the export of Lead and Zinc Ore and cleaning up legacy contamination issues associated with the sediments within Alexandra Basin West.

The most recent monitoring by the EPA has however downgraded the Water Framework Directive ecological potential of the Lower Liffey from Good to Moderate. The cause of this decline has been identified as increased nutrients, potentially caused by wastewater discharges from Ringsend Wastewater Treatment Plant and/or diffuse nutrient losses from agricultural areas in the upstream Liffey catchment. Dublin Port does not influence nutrient levels in the Lower Liffey and is therefore not the cause of this change is the ecological potential of the water body.

Prevention of Pollution Measures

A Water Quality Management Plan will be implemented for the duration of the proposed construction works, as presented in the Draft CEMP and summarized in Table 21.1 (Chapter 21) of the EIAR and repeated below for convenience.

- “Sound design principles will be followed to adhere to relevant Irish guidelines and recognised international guidelines for best practice.
- Appropriate erosion and sediment controls during construction to prevent sediment pollution will be implemented.
- Where preferential surface flow paths occur, silt fencing or other suitable barriers will be used to ensure silt laden or contaminated surface runoff from the site does not discharge directly to a water body or surface water drain.
- In the event that dewatering of foundations or drainage trenches is required during construction and/or discharge of surface water from sumps, a treatment system prior to the discharge will be used; silt traps, settlement skips etc. This measure will allow additional settlement of any suspended solids within storm water arising from the construction areas.
- Management and auditing procedures, including tool-box talks to personnel will be put in place to ensure that any works which have the potential to impact on the aquatic environment are being carried out in accordance with required permits, licences, certificates and planning permissions.
- Existing and proposed surface water drainage and discharge points will be mapped on the Drainage layout. These will be noted on construction site plans and protected accordingly to ensure water bodies are not impacted from sediment and other pollutants using measures to intercept the pathway for such pollutants.
- A project specific Pollution Incident Response Plan has been prepared and suitable training will be provided to relevant personnel detailed within the Pollution Incident Response Plan (see Draft CEMP and Table 21.1 of the EIAR).”

In addition to the above, with regard to the potential for pollution associated with concrete and cement, Table 21.1 (Chapter 21) of the submitted EIAR also states “the following precautionary measures shall be undertaken to minimise the risk of impacting on water quality within the receiving environment with respect to the accidental release of highly alkaline contaminants from concrete and cement that may arise during the demolition of buildings and structures and the construction of hardstand areas, waterside berths, quay walls, jetties, bridging structures, etc.

- Breaking of concrete (associated with structure demolition) has the potential to emit alkaline dust into the receiving environment. Where necessary a barrier between the dust source and the sensitive receptor (the water body in this case) will be erected to limit the possibility of dust contacting the receptor.
- Concrete use and production shall adhere to control measures outlined in Guidance for Pollution Prevention (GPP5): Works and maintenance in or near water (2017). Any on-site concrete production will have the following mitigation measures: bunded designated concrete washout area; closed circuit wheel

³¹ Board Case Ref. PL 29N.PA0034

wash; and initial siting of any concrete mixing facilities such that there is no production within a minimum of 10m from the aquatic zone.

- The use of wet concrete and cement in or close to any water body will be carefully controlled so as to minimise the risk of any material entering the water, particularly from shuttered structures or the washing of equipment.
- Where concrete is to be placed under water or in tidal conditions, specific fast-setting mix is required to limit segregation and washout of fine material/cement. This will normally be achieved by having either a higher-than-normal fines content, a higher cement content or the use of chemical admixtures."
- With regard to general water quality impacts associated with the construction phase from fuels or other dangerous substances, Table 21.1 (Chapter 21) of the submitted EIAR also states "the following precautionary measures shall be undertaken to minimise the risk of impacting on water quality within the receiving environment associated with works machinery, infrastructure and on-land operations (for example leakages/spillages of fuels, oils, other chemicals and waste water);
- Management and auditing procedures, including tool-box talks to personnel, will be put in place to ensure that any works which have the potential to impact on the aquatic environment are being carried out in accordance with required permits, licences, certificates and planning permissions.
- Existing and proposed surface water drainage and discharge points will be mapped on the Drainage layout. These will be noted on construction site plans and protected accordingly to ensure water bodies are not impacted from sediment and other pollutants using measures to intercept the pathway for such pollutants.
- Fuel, oil and chemical storage will be sited on an impervious base within a bund and secured. The base and bund walls must be impermeable to the material stored and of adequate capacity. The control measures in GPP2 - Above Ground Oil Storage Tanks and GPP26 - Safe storage – drums and intermediate bulk containers shall be implemented to ensure safe storage of oils and chemicals.
- The safe operation of refuelling activities shall be in accordance with GPP 7 - Safe Storage – The safe operation of refuelling facilities."

Mitigation during Capital Dredging Activities

The assessment of the suitability of the marine sediments for disposal at sea is set out in Chapter 8 Land, Soils, Geology and Hydrogeology, Section 8.4.13 Capital Dredging of the EIAR.

As noted in Section 8.4.13 (Capital Dredging), Chapter 8 of the submitted EIAR, in order to determine the suitability of the marine sediments for disposal at sea, the Marine Institute prepared Sampling and Analysis Plans (SAPs) specifying the sample locations, depths and contaminants to be tested. The marine sediments were classified by comparing the sediment chemistry results against the upper and lower action limits set in the Marine Institute *Guidelines for the Assessment of Dredge Material for Disposal in Irish Waters (2006)*. The full results of the sediment chemistry sampling and analysis were provided to the Marine Institute who examined the results in detail in combination with other relevant data held by the Marine Institute.

It was concluded, subject to the formal approval of the Marine Institute, that the majority of dredged sediments (1,189,000m³) can be classified as Class 1 (Uncontaminated: no biological effects likely) and are therefore suitable for disposal at sea in the absence of a more sustainable alternative. It is proposed to dispose of this Class 1 dredged material at the licenced disposal site at the entrance to Dublin Bay located to the west of the Burford Bank. Alternative options to disposal at sea were considered and are presented in Chapter 4 of the EIAR.

It was also concluded that the top 1.0m of material at the Maritime Village contained widespread levels of Class 2 material, equating to 70,000m³ or 6% of the total volume required to be dredged. The options for disposal of the Class 2 element of dredged sediment from the Maritime Village / Marina, in order of preference, are:

1. Filled to berth 52/53 under a revised IE licence subject to availability of receptor capacity;
2. Recovered at a soil recovery or soil treatment facility in Ireland subject to testing of the sediments in line with the selected facility licence at the time of the works;
3. Recovered at a soil treatment facility in Great Britain or northern Europe;
4. Disposed of at a licenced landfill facility in Ireland.

The following key mitigation measures shall apply to Capital Dredging associated with the 3FM Project to minimise the impact of the proposed works on water quality and the WFD status of the Liffey Estuary Lower, Liffey Estuary Upper and Dublin Bay as presented in the Draft CEMP and summarized in Table 21.1 of the EIAR and repeated below for convenience.

- No over-spilling at the surface of the dredger for all dredging activities within the inner Liffey Channel will be permitted. This includes all proposed capital dredging required for the 3FM Project.

- The dredger will work on one half of the channel at a time within the inner Liffey channel to prevent the formation of a silt curtain across the River Liffey.
- A trailing suction hopper dredger (TSHD) or back-hoe dredger will be used for the capital dredging works. When operating in the River Liffey Channel, the TSHD pumps will be switched off when the drag head is being lifted and returned from the bottom as the dredger turns between successive lines of dredging to minimise the risk of fish entrainment.
- A maximum of 4,100m³ of sediment and entrained water will be loaded into the dredger's hopper for each loading/dumping cycle.
- A documented Accident Prevention Procedure will be put in place prior to commencement.
- A documented Emergency Response Procedure will be put in place prior to commencement.
- A full record of loading and dumping tracks and record of the material being dumped will be maintained for each trip.
- When any dredging is scheduled to take place within a 500m radius of power station intakes, the relevant stakeholders will be notified so that precautionary measures can be taken if deemed necessary.

Mitigation during Piling Activities

The following key mitigation measures shall apply to impact piling activities to minimise the impact of the proposed works on fisheries as presented in the Draft CEMP and summarized in Table 21.1 of the EIAR and repeated below for convenience.

- "For piling activities, where the output peak sound pressure level (in water) exceeds 170 dB re: 1µPa @ 1m, a ramp-up procedure will be employed. Underwater acoustic energy output will commence from a lower energy start-up and thereafter be allowed to gradually build up to the necessary maximum output over a period of 20-40 minutes.
- The impact piling closed periods set out in Table 21.1 will apply for the duration of the construction works.
- Piling is also restricted to 0700h and 1900h (Monday to Friday), 0800h to 1300h (Saturday) and no piling will take place on Sundays or Bank Holidays. Therefore, during piling periods, active piling operations will only occur for a maximum of about 38% of that period, allowing extensive unimpeded use of the harbour area by fish (and marine mammals) throughout project construction."

3FM Project Construction Activities – Monitoring

As noted in Chapter 9 (Water Quality and Flood Risk Assessment), section 9.1.9, a water quality monitoring system has been designed to ensure robust protection of the marine environment and for users of the inner Liffey channel during the construction phase of the 3FM Project.

It is proposed to maintain the four water quality monitoring stations already in position for the ABR Project and MP2 Project³². As noted above, section 9.1.9 notes that the water quality monitoring programme is based on the following specification:

- 24/7 real time monitoring with water quality monitoring sensors giving high resolution data with respect to Turbidity, Dissolved Oxygen, Temperature, Salinity and pH (additional proposed parameter). Turbidity is measured as a surrogate for suspended solids. Site specific tests have previously been undertaken by the ABR Project to define the relationship between Turbidity and suspended solids.
- Water level is also measured at one monitoring station to provide information on tidal state.
- A data acquisition and transfer system is used to enable the transmission of high resolution data at approximately 15 minute intervals.
- Trigger levels that will prompt investigation are proposed for Dissolved Oxygen and Peak Suspended Solids based on Turbidity records in the Water Quality Management Plan (see Draft CEMP). The Dissolved Oxygen trigger level has been selected to safeguard fish-life.
- The monitoring network infrastructure has been in place since 2016 and will continue for the duration of the construction phase of the 3FM Project.
- This monitoring system has already generated a robust water quality baseline within the inner Liffey channel with the ability to identify water quality trends. The continuation of the monitoring system will serve to further strengthen the knowledge of water quality trends, a key indicator of the health of the marine environment.
- The water quality data currently being collected is circulated to Dublin City Council on a monthly basis. It is proposed that this transfer of information continues for the duration of the construction phase of the 3FM Project.

³² Board Case Ref. PA29N.304888

- The data collected is also being shared with research organisations (e.g. Dublin City University, Maynooth University and University College Cork).

The construction mitigation measures outlined above have been tried and tested during the construction of the ABR Project at Dublin Port. Extensive monitoring programmes put in place for the duration of these works have demonstrated that the mitigation measures are effective in protecting the marine environment.

Item 2 – Surface Water Management

Submission

IFI have also highlighted that surface water management should not result in a deterioration of water quality or habitat. IFI have stated: *“Surface water management (SUDS approach) should not in any way result in a deterioration of water quality or habitat in natural river / stream channels or any receiving waterbody”*.

IFI have also stated: *“It is essential that the receiving foul and storm water infrastructure has adequate capacity to accept predicted volumes from this development with no negative repercussions for quality of treatment, final effluent quality and the quality of receiving waters”*.

DPC Response

The assessment of the potential impact and significance of effects for the storm water and foul water infrastructure that will service the 3FM Project is outlined in Section 9.1.4.2.3 of the EIAR.

Storm Water Infrastructure

With regard to IFI's submission which refers to surface water management, as outlined in Chapter 9 of the EIAR, Section 9.1.4 the main potential pollutants from surface water drainage or direct run-off are sediment, hydrocarbons, and trace contaminants including metals and organics. The effects on the water quality from surface water management, from both the storm water infrastructure and direct run-off from hardstanding areas was assessed to be significant in the absence of mitigation.

Storm water runoff will be collected in a dedicated storm water drainage system and will not be permitted to discharge directly to the marine environment from new jetties, and hardstand areas. Storm water will drain to an appropriate full retention oil separator, designed in accordance with GPP3 - Use and design of oil separators in surface water systems, and BSEN858, for the Port Operations at Area K, Area N and Area O which will trap oils and silt prior to being discharged into the harbour waters through a non-return flap valve. Drainage from the new SPAR road, bridge and viaduct will be via by-pass oil interceptors given the reduced risk associated with these areas, again in accordance with GPP3 - Use and design of oil separators in surface water systems, and BSEN858. Sustainable Urban Drainage Systems (SuDs) are not proposed due to limited space and the industrial nature of the operations. In accordance with GPP3 a class 1 bypass separator is required for general road and car parking areas of the site whilst a class 1 full retention separator will be required for the HGV parking and loading areas within Area K, Area N and Area O.

The selection, design, installation and operation of appropriate treatment systems on the storm water network in accordance with industry best practice will ensure there will be no significant effect on water quality or habitat in natural river/stream channels or any receiving waterbody.

Foul Water Infrastructure

With regard to IFI's submission which refers to foul and storm water infrastructure, as outlined in Section 9.1.4 the development will be serviced by a dedicated foul water network connecting to the existing Uisce Éireann Rathmines to Pembroke 1,500mm trunk sewer, which will also require a diversion to accommodate the development of Area K Ro-Ro terminal subject to Uisce Éireann approval, for treatment at Ringsend WwTP. The increased loading to the urban wastewater agglomeration at Ringsend will be relatively small when compared to the overall loading to the Ringsend WWTP. It was concluded that the additional loading from the development will not have a significant effect on the compliance with the Ringsend agglomeration wastewater discharge licence.

Item 3 – Continued Consultation with IFI

Submission

IFI highlight that consultation with IFI should be undertaken in relation to: *“Method statements should be submitted to IFI for approval in advance of any “in-stream” works of any kind”... “Consultation should be undertaken with IFI in relation to any application for a Section 4 licence for discharge of effluent to surface waters from the planned works”... “IFI should be consulted directly in relation to all matters concerning fisheries and surface water quality. In particular, IFI should receive regular communication from the Environmental Facilities Manager. Reporting of aquatic monitoring data should be extended to IFI on a scheduled basis”*.

DPC Response

There is no trade effluent discharge proposed to surface waters and therefore a license to discharge to surface waters under section 4 of the Water Pollution Acts is not required.

DPC confirms its commitment to continue its engagement with IFI during the detailed design and construction stages of the 3FM Project.

The results of the monitoring programmes are shared with the Statutory Authorities and discussed at quarterly meetings of a Liaison Group, established to oversee the construction work programmes at Dublin Port. IFI will be invited to join in the Liaison Group as a full participatory member or as a corresponding member as it deems most appropriate to its needs. IFI will be copied with aquatic monitoring data by the Environmental Facilities Manager on a scheduled basis.

Item 4 – Preservation of Access for Anglers

Submission

IFI also state: “All measures necessary should be undertaken to ensure and preserve access for anglers and commercial fishermen during and after project completion...”.

DPC Response

Anglers currently fish from the Great South Wall proximate to Poolbeg Lighthouse. No works are proposed at this location so there will be no impact on access to anglers or on their fishing activities. There are no commercial fishermen operating within the confines of Dublin Harbour.

3.9.1.3 Sandymount & Merrion Residents Association (SAMRA)

Item 1 – Drainage Concerns

Submission

In their submission, SAMRA state: “SAMRA supports the use of the lands proposed for the Ro-Ro Terminal Yard as open space and/or parkland. Such a use would provide a natural area of planted lands in which surface water from the scheme could be naturally addressed using Sustainable Urban Drainage Systems (SUDS).

The current proposal to surface over 4ha. of land with concrete (see Dwg. No. CP1901-3FM-RPS-S45- 07-DR-C-0743 and Figs. 30 and 31) to create a terminal yard, all access roads, and new toilets, etc. raises unnecessary permanent concerns regarding the management of wastewater

Section 15.3.2 ‘Wastewater’ of Chapter 15 ‘Material Assets – Services’ of the EIAR states:

Separate foul and storm water drainage systems are in existence within the Dublin Port Estate. The existing set-up will continue within the footprint of the 3FM Project in that surface water will be directed to a storm water drainage system and wastewater will be directed to the existing sewerage network. The sewerage network is in turn connected to the municipal wastewater system for Dublin City which is operated and managed by Uisce Éireann.

It is proposed to collect storm water on the new hardstanding areas in closed systems and discharge via new silt traps and oil interceptor/separators to either the existing surface drainage system or via new storm water outfalls to the Liffey. Additional storm water attenuation tanks will be used at Area O to slow the rate of flow to enable storm water to use existing storm water outfalls thereby avoiding any new outfalls to South Dublin Bay. No construction works on the foreshore in South Dublin Bay are therefore required.

Surface water: SAMRA is concerned to ensure that all surface water run-off at construction and operational phases of the Ro-Ro Terminal Yard (if permitted) is treated and does not end up untreated in Dublin Bay. The proposed attenuation tanks at Area O would involve additional open excavations and risk of contaminated surface water run-off.

SAMRA is not convinced that existing storm water outfalls are sufficient and/or are an acceptable way to address surface water run-off from the Ro-Ro Terminal Yard. Nowhere in the applicant documentation, including in the Natura Impact Statement, is sufficient detail provided in this regard.

The proposal is at odds with Dublin City Development Plan 2022-2028 and its climate, sustainable drainage, flood management, and environmental policies.

Foul water: Further, the block proposed to serve the facility includes toilets which also raise concerns as to permanent discharge of foul water from the area.

Increased drainage outfalls: Increased drainage discharge from the Poolbeg Peninsula into Dublin Bay which may adversely impact water quality in Dublin Bay and that serving Sandymount Strand. Fig. 32 illustrates the significant number of new drainage outfall locations proposed by the applicant.

It is not clear that the NIS has fully addressed these new drainage outfalls. ABP may wish to review this."

DPC Response

DPC has considered the submissions from SAMRA outlined above and have set out how the 3FM Project will deal with storm water, foul water, and drainage outfall below. The assessment of the potential impact and significance of effects for the storm water and foul water infrastructure that will service the 3FM Project is outlined in Section 9.1.4.2.3 of the EIAR.

Storm Water Infrastructure

As outlined in Chapter 9 of the EIAR, Section 9.1.4 the main potential pollutants from surface water drainage or direct run-off are sediment, hydrocarbons, and trace contaminants including metals and organics. The effects on the water quality from surface water management, from both the storm water infrastructure and direct run-off from hardstanding areas was assessed to be significant in the absence of mitigation.

Storm water runoff will be collected in a dedicated storm water drainage system and will not be permitted to discharge directly to the marine environment from new jetties, and hardstand areas. Storm water will drain to an appropriate full retention oil separators, designed in accordance with GPP3 - Use and design of oil separators in surface water systems, and BSEN858, for the Port Operations at Area K, Area N and Area O which will trap oils and silt prior to being discharged into the harbour waters through a non-return flap valve. Drainage from the new SPAR road, bridge and viaduct will be via by-pass oil interceptors given the reduced risk associated with these areas, again in accordance with GPP3 - Use and design of oil separators in surface water systems, and BSEN858.

Above ground (or surface based) Sustainable Urban Drainage Systems (SuDS) was deemed inappropriate due to the industrial nature of the locations, the existing presence of shallow utilities, the potential level of contamination present within the existing ground and the limited space available. However the drainage proposals are based on SuDS principles with surface water captured across the proposed 3FM development area subject to underground SuDS attenuation measures which will limit the run-off to 10 - 20l/s/ha, including Area O (Ro-Ro Terminal Yard) where storm water will be attenuated using underground storage systems and treated via full retention separators prior to discharge into Dublin Bay via an existing drainage outfall.

The attenuation and treatment of the storm water from Area O ensures that the existing outfall is an acceptable way to address surface water run-off from the Ro-Ro Terminal Yard as this approach will:

- limit the rate of flow discharging from Area O so that there is no nett increase discharging to Dublin Bay via the existing outfall;
- limit the rate of flow requiring treatment via the oil interceptor, therefore reducing the size of the interceptor required

Control measures will be put in place to ensure that in the event of a spillage the source can be readily identified and that section of the network isolated. As outlined above the receiving environment will be protected through the installation of petrol/oil interceptors and control valves that prevent contaminated runoff or spills reaching Dublin Bay via the existing outfall.

Full greenfield run-off attenuation is not required as discharge is direct to the estuary / sea (as per DCC's Sustainable Drainage Design & Evaluation Guide 2022 which is included as an Appendix to the Dublin City Development Plan 2022-2028). Therefore the proposals align with the Dublin City Development Plan 2022-2028.

The selection, design, installation and operation of appropriate attenuation and treatment systems on the storm water network in accordance with industry best practice, Dublin City Development Plan 2022-2028 and Sustainable Drainage Design & Evaluation Guide 2022 will ensure there will be no significant effect on water quality or habitat in natural river/stream channels or any receiving waterbody.

Regarding the expresses concerns that the proposed attenuation tanks at Area O would involve open excavations and risk of contaminated surface run-off. DPC has applied mitigation measures to ensure the prevention of any deterioration in Water Quality as outlined below.

The Water Quality of the Lower Liffey is of key importance for the safe passage of salmon and other migratory fish species. DPC has been measuring water quality continuously at four locations (see EIAR Chapter 9, Figure 9.10) for over a decade. The key parameters recorded are Turbidity (a surrogate for Total Suspended Solids)

and Dissolved Oxygen. Temperature and Salinity are also monitored which directly impact Dissolved Oxygen levels within the Lower Liffey. These parameters provide indicators of the overall health of the Lower Liffey from a Benthic Biodiversity & Fisheries, Marine Mammals perspective.

There has been a general improvement in water quality and DPC has contributed to this through the Alexandra Basin Redevelopment (ABR) Project³³ which has ceased fugitive losses arising from the export of Lead and Zinc Ore and cleaning up legacy contamination issues associated with the sediments within Alexandra Basin West.

The most recent monitoring by the EPA has however downgraded the Water Framework Directive ecological potential of the Lower Liffey from Good to Moderate. The cause of this decline has been identified as increased nutrients, potentially caused by wastewater discharges from Ringsend Wastewater Treatment Plant and/or diffuse nutrient losses from agricultural areas in the upstream Liffey catchment. Dublin Port does not influence nutrient levels in the Lower Liffey and is therefore not the cause of this change is the ecological potential of the water body.

Prevention of Pollution Measures

A Water Quality Management Plan will be implemented for the duration of the proposed construction works, as presented in the Draft CEMP and summarized in Table 21.1 of the EIAR and repeated below for convenience.

- “Sound design principles will be followed to adhere to relevant Irish guidelines and recognised international guidelines for best practice.
- Appropriate erosion and sediment controls during construction to prevent sediment pollution will be implemented.
- Where preferential surface flow paths occur, silt fencing or other suitable barriers will be used to ensure silt laden or contaminated surface runoff from the site does not discharge directly to a water body or surface water drain.
- In the event that dewatering of foundations or drainage trenches is required during construction and/or discharge of surface water from sumps, a treatment system prior to the discharge will be used; silt traps, settlement skips etc. This measure will allow additional settlement of any suspended solids within storm water arising from the construction areas.
- Management and auditing procedures, including tool-box talks to personnel will be put in place to ensure that any works which have the potential to impact on the aquatic environment are being carried out in accordance with required permits, licences, certificates and planning permissions.
- Existing and proposed surface water drainage and discharge points will be mapped on the Drainage layout. These will be noted on construction site plans and protected accordingly to ensure water bodies are not impacted from sediment and other pollutants using measures to intercept the pathway for such pollutants.
- A project specific Pollution Incident Response Plan has been prepared and suitable training will be provided to relevant personnel detailed within the Pollution Incident Response Plan (see Draft CEMP and Table 21.1 of the EIAR).

In addition to the above, with regard to the potential for pollution associated with concrete and cement, Table 21.1 (Chapter 21) of the submitted EIAR also states: “the following precautionary measures shall be undertaken to minimise the risk of impacting on water quality within the receiving environment with respect to the accidental release of highly alkaline contaminants from concrete and cement that may arise during the demolition of buildings and structures and the construction of hardstand areas, waterside berths, quay walls, jetties, bridging structures, etc.

- Breaking of concrete (associated with structure demolition) has the potential to emit alkaline dust into the receiving environment. Where necessary a barrier between the dust source and the sensitive receptor (the water body in this case) will be erected to limit the possibility of dust contacting the receptor.
- Concrete use and production shall adhere to control measures outlined in Guidance for Pollution Prevention (GPP5): Works and maintenance in or near water (2017). Any on-site concrete production will have the following mitigation measures: bunded designated concrete washout area; closed circuit wheel wash; and initial siting of any concrete mixing facilities such that there is no production within a minimum of 10m from the aquatic zone.

³³ Board Case Ref. PL 29N.PA0034

- The use of wet concrete and cement in or close to any water body will be carefully controlled so as to minimise the risk of any material entering the water, particularly from shuttered structures or the washing of equipment.
- Where concrete is to be placed under water or in tidal conditions, specific fast-setting mix is required to limit segregation and washout of fine material/cement. This will normally be achieved by having either a higher than normal fines content, a higher cement content or the use of chemical admixtures."

With regard to general water quality impacts associated with the construction phase from fuels or other dangerous substances, Table 21.1 (Chapter 21) of the submitted EIAR also states: "the following precautionary measures shall be undertaken to minimise the risk of impacting on water quality within the receiving environment associated with works machinery, infrastructure and on-land operations (for example leakages/spillages of fuels, oils, other chemicals and waste water);

- Management and auditing procedures, including tool-box talks to personnel, will be put in place to ensure that any works which have the potential to impact on the aquatic environment are being carried out in accordance with required permits, licences, certificates and planning permissions.
- Fuel, oil and chemical storage will be sited on an impervious base within a bund and secured. The base and bund walls must be impermeable to the material stored and of adequate capacity. The control measures in GPP2 - Above Ground Oil Storage Tanks and GPP26 - Safe storage – drums and intermediate bulk containers shall be implemented to ensure safe storage of oils and chemicals.
- The safe operation of refuelling activities shall be in accordance with GPP 7 - Safe Storage – The safe operation of refuelling facilities.

Foul Water Infrastructure

As outlined in Section 9.1.4 the development will be serviced by a dedicated foul water network connecting to the existing Uisce Éireann Rathmines to Pembroke 1,500mm trunk sewer, which will also require a diversion to accommodate the development of Area K Ro-Ro terminal subject to Uisce Éireann approval, for treatment at Ringsend WwTP. The increased loading to the urban wastewater agglomeration at Ringsend will be relatively small when compared to the overall loading to the Ringsend WWTP. It was concluded that the additional loading from the development will not have a significant effect on the compliance with the Ringsend agglomeration wastewater discharge licence and therefore increased drainage discharge from the Poolbeg Peninsula into Dublin Bay is not likely to have a significant impact on water quality in Dublin Bay and that serving Sandymount Strand.

Increased Drainage Outfalls

The response to the Pigeon House Road residents' concerns around the drainage and the potential impact on local wildlife (Section 3.6.1.2) are repeated. and the ecosystem as outlined in of this document.

There will be no new drainage outfalls into Dublin Bay. There are a number of new drainage outfalls to the Liffey Estuary Lower all of which will be serviced by suitable separators designed in accordance with GPP3 which requires class 1 bypass separator for general road and car parking areas of the site whilst class 1 full retention separators will be required for the HGV parking and loading areas within Area K, Area N and Area O.

The selection, design, installation and operation of appropriate attenuation and treatment systems on the storm water network in accordance with industry best practice, Dublin City Development Plan 2022-2028 and Sustainable Drainage Design & Evaluation Guide 2022 will ensure there will be no significant effect on water quality or habitat in the Liffey Estuary Lower, Dublin Bay or associated water dependent protected areas.

Surface water management and the new drainage outfalls from the Poolbeg Peninsula is addressed in the NIS under Section 4.2.2.2 Operational Phase Mitigation Measures, specifically Section 4.2.2.2.3 General Operational Activities where the measures outlined above in relation to the treatment of stormwater prior to discharge via the new outfalls to the Lower Liffey Estuary is considered. The NIS concluded that consequent on the implementation of these mitigation measures that there will be no adverse effects upon the integrity of any European site and therefore does consider the new drainage outfalls from the Poolbeg Peninsula.

3.9.2 Conclusions Relevant to Water Quality and Flooding

There are three parties that make reference to water quality and flood risk and are addressed in Section 3.9.1.1 to Section 3.9.1.3 of this response document.

Where there are items raised relevant to Water Quality and Flood Risk and the 3FM Project; these have been fully addressed through reference to

- Chapter 8 Land, Soils, Geology and Hydrogeology, Section 8.4.13 Capital Dredging

- Chapter 9 Water Quality and Flood Risk Assessment, Section 9.1 Water Quality
- Chapter 9 Water Quality and Flood Risk Assessment Section 9.2 Flood Risk
- Chapter 13 Material Assets - Coastal Processes
- Chapter 21 Summary of Mitigation Measures and Conclusions
- Draft CEMP.

Using baseline water quality data and site-specific water quality model simulation outputs, an assessment of the 3FM Project was conducted to determine the likelihood of significant impacts on water and appropriate mitigation measures to reduce impacts were proposed where necessary. In circumstances where the appropriate mitigations measures are fully implemented during the construction and operational phases, the impact of the 3FM Project on water quality in the project zone of influence will be imperceptible. An assessment of potential cumulative impacts has also been made in Chapter 9 of the EIAR. The 3FM Project is not expected to significantly impact water quality, either alone or in combination with other projects, in the receiving waters.

It can therefore be concluded that the 3FM Project works are compliant with the requirements and environmental objectives of the EU Water Framework Directive and the other relevant water quality objectives for these water bodies.

The flood risk to the 3FM application area was assessed and the predominant source of flood risk emanates from tidal flooding from the River Liffey. Under the Planning System and Flood Risk Management Planning Guidelines, the 3FM Project site consists of areas located within Flood Zones A, B and C. Appropriate mitigations measures have been proposed for the various elements of the project, to ensure that the flood risk to the project is minimised. The change in risk of potential coastal flooding due to the 3FM Project at neighbouring sites is negligible. The 3FM Project is compliant with the Planning System and Flood Risk Management Planning Guidelines.

3.10 Air Quality

3.10.1 Observations Relevant to Air Quality

The following observations refer to Air Quality and are addressed below.

Number in Index	Party Name
No. 5	Ruth Morgan & Gary Costello, 63 Pigeon House Road
No. 7	Margaret & Gerard Byrne, 44 Pigeon House Road
No. 9	Grainne Hughes, 49 Pigeon House Road
No. 31	Phyllis Clarke, 1A Pigeon House Road
No. 32	Brigid Purcell, 5 Pigeon House Road
No. 33	Robert Nealon, 103 Ringsend Park
No. 36	Michael Curry, 27 Pigeon House Road
No. 37	Joe & Christina Whelan, 15 Pigeon House Road
No. 39	Jason McDonnell, 12 Pigeon House Road
No. 41	Graham McDonnell, 12 Pigeon House Road
No. 42	Michela Anoffo, 11 Pigeon House Road
No. 43	Ning Rodgers, 32 Pigeon House Road
No. 44	Sandra Wayne & Marion Ryan, 28 & 29 Pigeon House Road
No. 45	Patrick Smith, 24 Pigeon House Road
No. 8	Councillor Claire Byrne
No. 15	Sandymount & Merrion Residents Association (SAMRA)
No. 17	Deirdre Tracey, 15 Londonbridge Road
No. 28	Ceanna Walsh, 121 Strand Road
No. 40	Drs. Philip Murphy and Ann O'Doherty, 22 Durham Road

3.10.1.1 Residents from Pigeon House Road

Item 1 – Increase in Operational Phase Air Pollution

Submission

Concerns relating to an increase in operational phase air pollution were raised by a number of residents including:

- Ruth Morgan & Gary Costello;
- Margaret & Gerard Byrne;
- Grainne Hughes;
- Phyllis Clarke;
- Brigid Purcell;
- Robert Nealon;
- Michael Curry;
- Joe & Christina Whelan;
- Jason McDonnell;
- Graham McDonnell;
- Michela Anoffo;
- Ning Rodgers;
- Sandra Wayne & Marion Ryan; and
- Patrick Smith.

Examples of how the Operational Phase item was expressed in the observations are set out below:

Ruth Morgan & Gary Costello stated: “The new road will increase traffic and pollution in the area so with two roads it will double the traffic and double the pollution...”

Margaret & Gerard Byrne stated: “We have the most polluted air quality in Ireland and with the new road it’s going to be a lot worse.”

Phyllis Clarke stated: “heavy traffic causing double pollution ...,”

Joe & Christina Whelan stated *“Increased traffic on a second road creating more noise and pollution. The proposed road is intended for Port traffic and Incinerator traffic. The Port and Incinerator companies intend to increase their capacity and will operate over 24 hours per day, this was confirmed at a meeting with Port Company.”*

Michela Anoffo stated: *“Not least the resulting pollution which will increase significantly, having 5 roads in front of the front door.”*

Ning Rodgers stated: *“Traffic and pollution - The East-link Road is used by thousands of vehicles on a daily basis, increased considerably by the opening of the Tunnel.”*

Sandra Wayne & Marion Ryan stated *“Traffic and pollution – Pigeon house is exposed to extreme pollution at present with the constant traffic and heavy articulated lorries that need to access the road in front. Albeit that there is proposal for a separate road, this does not reduce the pollution we are exposed to only increase it as the new road is in very close proximity to our houses. The impact that this increase in traffic will have on my and my children’s health should not be written off or ignored by no means. I also object to this project on the grounds of the pollution, noise pollution and air pollution that will impact on me and my family for the foreseeable future. This is not an acceptable measure to expect us to accept as part of a development.”*

Patrick Smith stated *“Dublin Port 3FM Proposal is further industrial development right beside existing public housing and newly built housing. A whole new road built out into the River Liffey? More truck exhaust in front of all our homes? More noise, more impingement upon the natural environment right in the middle of us all?... There is nothing positive on a personal front as my family and neighbours breathe even more truck diesel polluted air, along with a diminishing river view in front of my house, as well as years of building work and noise pollution.”*

DPC Response

As detailed in Chapter 14 of the EIAR (Section 14.13.1) the SPAR is a significant mitigation measure for the 3FM Project and removes up to 95% of HGVs from the Tom Clarke bridge and up to 50% of HGVs from the East Wall Road per day, resulting in reduced operational phase traffic. The provision of the SPAR reduces the overall daily traffic on the Tom Clarke by 30% and by 20% on East Wall Road (Units PCUs).

Chapter 10 Air Quality of the submitted EIAR contains the detailed air quality impact assessment in relation to the nearest air sensitive receptors to the proposed 3FM Project.

It should be noted that both noise and air quality assessments of the construction and operational phases of all elements of the scheme have been undertaken. The proposed SPAR was assessed in accordance with the relevant TII (formerly NRA) guidelines³⁴ for the assessment of road schemes. Appendix 10.2 Detailed Dispersion Model Inputs & Outputs of the EIAR includes detailed air quality model predictions at the nearest properties along Pigeon House Road with and without the proposed 3FM Project in place. As noted in above, the proposed SPAR will remove the majority of HGVs from East Link Road, thus reducing the air pollution concentration levels from the East Link Road at these residential properties. The HGV movements on the SPAR will occur at a further distance from the majority of the properties on Pigeon House Road and will be subject to greater associated atmospheric dispersion when compared with the current situation as a result of that greater distance. The combination of these two factors will result in no increase in air pollution concentration at these properties.

With regard to shipping emissions, Section 10.5.2.5 of Chapter 10 contains predictions of proposed operational shipping emissions as a result of the 3FM Project. Shipping volumes at the port are predicted to increase annually at an average annual growth rate of 3.3% from 2010 to 2040. Shipping emissions associated with the proposed project have been quantified using the emission factors presented in the EMEP/EEA Emission Inventory Guidebook 2023, Section 1.A.3.d Navigation (shipping). The current Marpol 73/78 Annex VI legislation on NOx emissions, formulated by IMO (International Maritime Organisation) is relevant for diesel engines with a power output higher than 130kW, which are installed on a ship constructed on or after 1 January 2000 and diesel engines with a power output higher than 130kW which undergo major conversion on or after 1 January 2000.

Given the existing legal requirements around fuel and emissions for shipping, the extent of emissions per vessel is gradually reducing and will continue to reduce in future years. Shipping emissions associated with

³⁴ TII Air Quality Assessment of Proposed National Roads - Standard PE-ENV-01107 (December 2022) (TII, 2022b) and TII Road Emissions Model (REM): Model Development Report GE-ENV-01107 (December 2022) (TII, 2022c).

the proposed project have been quantified in EIAR Chapter 10 based on the projected increases in shipping numbers at the port in 2040 both as a result of the 3FM Project and cumulatively for the Masterplan. Shipping emissions are not predicted to generate significant adverse impact on air quality.

Item 2 – Increase in Construction Phase Air Pollution

Submission

Concerns relating to air pollution arising from the construction phase were raised by a number of residents including:

- Grainne Hughes;
- Brigid Purcell;
- Robert Nealon;
- Michael Curry;
- Joe & Christina Whelan;
- Jason McDonnell;
- Graham McDonnell;
- Michela Anoffo;
- Ning Rodgers;
- Sandra Wayne & Marion Ryan; and
- Patrick Smith.

Examples of how this Construction Phase item was expressed in some of the are observations are set out below:

Grainne Hughes, Brigid Purcell and Jason McDonnell stated *“There are major concerns about the dust / dirt / traffic noise and noxious smells in the area. There will be an increase in these major nuisances which will occur when construction begins (along with rat and rodent infestation) and for the entire working life of this road.”*

Michael Curry stated *“The construction phase of this development is expected to introduce a substantial number of heavy trucks to an area already overburdened by traffic directed toward Dublin Port. These trucks will undoubtedly contribute to increased noise, air pollution, and road safety concerns.”*

DPC Response

Emissions to air (including dust) during the construction phase have been assessed in Chapter 10 Air Quality of the EIAR and also Appendix 10.3 Detailed Dust Assessment from Demolition and Construction.

The Institute of Air Quality Management in the UK (IAQM) guidance document ‘Guidance on the Assessment of Dust from Demolition and Construction’ (2024) outlines an assessment method for predicting the impact of dust emissions from demolition, earthworks, construction and haulage activities based on the scale and nature of the works and the sensitivity of the area to dust impacts. The IAQM methodology has been applied to the construction phase of the 3FM Project in order to predict the likely risk of dust impacts in the absence of mitigation measures and to determine the level of site-specific mitigation required. TII recommends the use of the IAQM guidance (2024) in the TII guidance document Air Quality Assessment of Specified Infrastructure Projects – PE-ENV-01106 (TII, 2022a).

The construction phase assessment is summarised in Section 10.5.1.1 of Chapter 10 and in full in Appendix 10.3 Detailed Dust Assessment from Demolition and Construction sets out the assessment of air quality and the construction phase. Section 10.5.1.3 of Chapter 10 sets out the consideration of construction traffic emissions and in relation to odour, Section 10.5.1.4 comments on dredging and hydrogen sulphide.

Dust mitigation is set out in detail in Section 10.6.1 of Chapter 10, this is also reiterated in the Draft CEMP of the EIAR. The mitigation measures identified in the assessment are divided into general measures applicable to the entire project and measures applicable specifically to the defined construction activities (i.e. demolition, earthworks, construction and track-out).

As the risk of dust impact on receptors from soiling has been identified to range from medium to high during the demolition stage specifically, the highest risk category should be applied when considering general mitigation measures (IAQM, 2024). These are set out in Section 10.6.1 of Chapter 10. When the dust minimisation measures detailed in the mitigation section of this chapter are implemented, fugitive emissions of dust from the site are not predicted to be significant and pose no nuisance, human health or ecological risk to nearby receptors. Thus, there will be no residual construction phase dust impacts.

The assessment of construction phase traffic emissions has found negligible air quality impacts from traffic disruption caused by construction traffic. The construction phase of the assessment identifies a negligible impact on air quality in the vicinity of the proposed project.

Therefore, overall, it is considered that the residual effects are overall short-term and not significant.

3.10.1.2 Councillor Claire Byrne

Item 1 – Increase in Operational Phase Air Pollution

Submission

Councillor Byrne states *“Placing 2.5m trucks on to an already congested road and motorway system will...increase our transport related emissions.”* Page 2 (Transport)

“The proposal to build a new road adjacent to Pigeon House Road to facilitate this significant increase in heavy goods vehicle and utility traffic will expose the residents of Pigeon House Road and the wider Ringsend to increased noise and air pollution.” Page 3 (South port access route)

DPC Response

As detailed in Chapter 14 of the EIAR (Section 14.13.1) the SPAR is a significant mitigation measure for the 3FM Project and removes up to 95% of HGVs from the Tom Clarke bridge and up to 50% of HGVs from the East Wall Road per day, resulting in reduced operational phase traffic. The provision of the SPAR reduces the overall daily traffic on the Tom Clarke by 30% and by 20% on East Wall Road (Units PCUs).

Chapter 10 Air Quality of the submitted EIAR contains the detailed air quality impact assessment in relation to the nearest air sensitive receptors to the proposed 3FM Project.

The proposed SPAR was assessed in accordance with the relevant TII (formerly NRA) guidelines³⁵ for the assessment of road schemes. Appendix 10.2 Detailed Dispersion Model Inputs & Outputs of the EIAR includes detailed air quality model predictions at the nearest properties along Pigeon House Road with and without the proposed 3FM Project in place. The proposed SPAR will remove the majority of heavy good vehicles (HGVs) from East Link Road, thus reducing the air quality pollution concentrations levels from East Link Road at these properties. The HGV movements on the SPAR will be further from the majority of the properties on Pigeon House Road and will be subject to greater distance and associated atmospheric dispersion when compared with East Link Road.

The combination of these two factors will result in no air pollution concentration increase at these properties.

3.10.1.3 Sandymount & Merrion Residents Association (SAMRA)

Item 1 – Air Quality Concerns on Residents related to proposed Ro-Ro Terminal Yard – Area O

Submission

SAMRA's submission states that: *“The proposals are incompatible with the Poolbeg West SDZ Planning Scheme, the residential element of Glass Bottle Site, and the surrounding community to the south, as regards its 24/7 noise and dust proposals for the construction and operational phases.”*

“Area O is the location of a former municipal waste site which may have potential engineering/geotechnical issues with settlement and associated methane gas release.”

“As described throughout the project documentation, the Ro-Ro Yard would be constantly in motion, be noisy, generate dust, be lit and night etc...It is not designed to represent a movement away from noisy, traffic filled, port operations, but to provide a new location for exactly this.”

DPC Response

³⁵ TII Air Quality Assessment of Proposed National Roads - Standard PE-ENV-01107 (December 2022) (TII, 2022b) and TII Road Emissions Model (REM): Model Development Report GE-ENV-01107 (December 2022) (TII, 2022c).

Chapter 12 Noise & Vibration of the submitted EIAR, Sub-section 12.1 Terrestrial Noise & Vibration contains the detailed noise and vibration impact assessment in relation to the nearest noise sensitive properties to the proposed 3FM Project.

Section 12.1.4.2 of the EIAR contains detailed modelling of worst-case construction noise levels associated with the 3FM Project. Figure 12.1.10 illustrates that worst-case construction noise levels in the direction of Sandymount will be below 50dB(A) at Sandymount, which is significantly below the most onerous construction phase noise threshold limit of 65dB(A) included in BS5228:2009+A1:2014. These worst-case predicted construction noise levels are also substantially below existing ambient noise levels (L_{Aeq}) and below existing background noise levels (L_{A90}) currently experienced in the Sandymount area as summarised in Table 12.1.11 of the EIAR. On this basis, construction phase noise impacts at Sandymount are considered to be negligible.

Section 12.1.5.6 of the EIAR contains detailed noise modelled predictions of proposed Port operational activities in Area O as a result of the 3FM Project at the nearest noise sensitive properties in the Sandymount area (see property references 24-27 in Figure 12.1.23 of the EIAR). Table 12.1.23 of the EIAR contains predicted noise levels from worst-case operational activities from the 3FM Project at the nearest noise sensitive properties at Sandymount. All predicted noise levels are below guideline limits included in the EPA NG4 guidance document for daytime (55dB L_{AeqT}), evening (50dB L_{AeqT}) and night-time (45 L_{AeqT}) periods. All predicted noise levels are below existing ambient noise levels (L_{Aeq}) in this area and below existing background noise levels (L_{A90}) for all periods of day also. On this basis, the noise impact is considered to be negligible/minor in this area.

Chapter 10 Air Quality of the submitted EIAR contains the detailed air quality impact assessment in relation to the nearest air sensitive receptors to the proposed 3FM Project.

The proposed SPAR and associated surrounding road network was assessed in accordance with the relevant TII (formerly NRA) guidelines³⁶ for the assessment of road schemes. Appendix 10.2 Detailed Dispersion Model Inputs & Outputs of the EIAR includes detailed air quality model predictions at the nearest properties.

The operational impacts of increased traffic emissions arising from the additional traffic on local roads, due to the development, have been assessed. It has been demonstrated that the proposed project will not cause any exceedances of the air quality objectives in locations where they are not already exceeded. Overall, the operational air quality impacts, following the application of the proposed mitigation are judged to be 'not significant'. With regard specifically to dust emissions, air dispersion modelling of operational traffic emissions was undertaken to assess the impact of the development with reference to EU ambient air quality standards which are based on the protection of human health.

As demonstrated by the modelling results, emissions as a result of the proposed project are compliant with all national and EU ambient air quality limit values and, therefore, will not result in a significant impact on human health.

Dust mitigation is set out in detail in Section 10.6.1 of Chapter 10, this is also reiterated in the Draft CEMP of the EIAR. The mitigation measures identified are divided into general measures applicable to the entire project and measures applicable specifically to the defined construction activities (i.e. demolition, earthworks, construction and track-out). As the risk of dust impact on receptors from soiling has been identified to range from medium to high during the demolition stage specifically, the highest risk category should be applied when considering general mitigation measures (IAQM, 2024). A Dust Management Plan (DMP) will be prepared by the appointed contractor for the site and submitted to Dublin City Council for written agreement prior to commencement of construction.

Monitoring of dust is detailed in Section 10.9 of Chapter 10. Monthly monitoring of dust deposition levels shall be undertaken by the contractor for the duration of construction for comparison with the guideline of 350mg/m²/day (for non-hazardous dusts). This monitoring shall be carried out at a minimum of four locations at each working area (when active) and further monitoring locations at sensitive receptors around the proposed works. The additional locations will be at any residential receptor area within 100m of the proposed works areas.

With regard to Area O, Chapter 8 Land, Soils, Geology and Hydrogeology (Section 8.4.12) of the submitted EIAR discusses monitoring of ground gases, including Methane. In accordance with the guidance provided in

³⁶ TII Air Quality Assessment of Proposed National Roads - Standard PE-ENV-01107 (December 2022) (TII, 2022b) and TII Road Emissions Model (REM): Model Development Report GE-ENV-01107 (December 2022) (TII, 2022c).

CIRIA C665, the maximum gas concentration (59.4 vol/vol% for Methane at BH120) and flow rate (10.8 litres/hour at BH120) was used to calculate a GSV, which was calculated as 6.42 l/hr which is categorised as Characteristic Situation 4 at Area O. As noted in Section 8.7.1.2, to achieve the appropriate level of protection, consideration has been given to BS8485:2015+A1:2019 'Code of Practice for the Design of Protective Measures for Methane and Carbon Dioxide Ground Gases for New Buildings'. The building type has therefore been classified as a Type C building. This indicates, for a Characteristic 4, Type C building, the gas protection measures should provide a solution score total of 4.5. Reference has then been made to BS8485:2015 which provides all of the protection elements/systems. A combination of elements have to be chosen and combined to achieve the required level of gas protection for all areas of the site.

Section 8.10 (Chapter 8) of the submitted EIAR outlines recommended monitoring of Area O. Continuous, real-time ground gas monitoring during the construction phase of Area O works is recommended. The monitoring is recommended before enabling works, during construction including ground improvement works, and following the completion of works. Additional boreholes may be required within Area O and Port Park to facilitate monitoring works. Monitoring and sampling of groundwater and surface water should be undertaken prior to any works commencing on Area O and then on a weekly basis during the ground improvement works to determine any change in contaminant concentrations as a result of works. It is advised that a monitoring round should be undertaken following the completion of all ground improvement and earth works, and again once all construction works are completed at Area O.

Item 2 – Air pollution concerns relating to excessive reliance on roads and an increase in HGVs up to 24/7 during the construction phase

Submission

SAMRA's submission states that *"SAMRA is very concerned over the volume of HGVs required at construction phase which is to last 15 years. The submitted Environmental Management Plan includes construction stage traffic proposals which include significant vehicular and HGV movements throughout the entirety of a very long project duration. No restriction appears to be proposed on the hours of operation."*

"Section 18.4.1.3 'Health effects from changes in transport nature and flow rate' of the EIAR states: "Over the entire 15-year construction phase, the average HGV generation would be 55 two-way daily movements. The peak HGV generation would be 177 two-way daily movements, occurring in the second half of 2038 where there would be concurrent construction of the Maritime Village (Phase 2), Ro-Ro terminal, SPAR, and Lo-Lo terminal"." Page 19

DPC Response

Emission to air (including dust) during the construction phase have been assessed in Chapter 10 Air Quality of the EIAR and also Appendix 10.3 Detailed Dust Assessment from Demolition and Construction.

The Institute of Air Quality Management in the UK (IAQM) guidance document 'Guidance on the Assessment of Dust from Demolition and Construction' (2024) outlines an assessment method for predicting the impact of dust emissions from demolition, earthworks, construction and haulage activities based on the scale and nature of the works and the sensitivity of the area to dust impacts. The IAQM methodology has been applied to the construction phase of the 3FM Project in order to predict the likely risk of dust impacts in the absence of mitigation measures and to determine the level of site-specific mitigation required. TII recommends the use of the IAQM guidance (2024) in the TII guidance document Air Quality Assessment of Specified Infrastructure Projects – PE-ENV-01106 (TII, 2022a).

The construction phase assessment is summarized in Section 10.5.1.1 of Chapter 10 and in full in Appendix 10.3 Detailed Dust Assessment from Demolition and Construction sets out the assessment of air quality and the construction phase. Section 10.5.1.3 of Chapter 10 sets out the consideration of construction traffic emissions and in relation to odour, Section 10.5.1.4 comments on dredging and hydrogen sulphide.

Dust mitigation is set out in detail in Section 10.6.1 of Chapter 10, this is also reiterated in the Draft CEMP of the EIAR. The mitigation measures identified in the assessment are divided into general measures applicable to the entire project and measures applicable specifically to the defined construction activities (i.e. demolition, earthworks, construction and track-out). As the risk of dust impact on receptors from soiling has been identified to range from medium to high during the demolition stage specifically, the highest risk category should be applied when considering general mitigation measures (IAQM, 2024). These are set out in section 10.6.1 of Chapter 10. When the dust minimisation measures detailed in the mitigation section of this chapter are implemented, fugitive emissions of dust from the site are not predicted to be significant and pose no nuisance,

nor risk to human health, nor ecological risk to nearby receptors. Thus, there will be no residual construction phase dust impacts.

The significance of impacts due to vehicle emissions during the construction phase will be dependent on the number of additional vehicle movements, the proportion of HGVs and the proximity of sensitive receptors to site access routes. It is not likely that construction traffic would lead to a significant change (>10%) in Average Annual Daily Traffic (AADT) flows near to sensitive receptors, then concentrations of nitrogen dioxide, PM₁₀ and PM_{2.5} will be predicted. The construction traffic volumes will not be significant and the resultant air quality impact from construction traffic is “negligible”. Section 10.5.1.3 of Chapter 10 sets out construction traffic emissions.

The assessment of construction phase traffic emissions has found negligible air quality impacts from traffic disruption caused by construction traffic. The construction phase of the assessment identifies a negligible impact on air quality in the vicinity of the proposed project.

Therefore, overall, it is considered that the residual effects are overall short-term and not significant.

Item 3 – Air Pollution Concerns Relating to Excessive Reliance on Roads and an Increase in HGVs up to 24/7 during the Operational Phase

Submission

SAMRA’s submission states that: *“The applicant sets out details of HGV routing to and from the Ro-Ro Terminal Yard which necessarily means heavy use of port roads, increased traffic, noise, fumes, etc. ... this project seeks to cause never-stop traffic with no restrictions – ever. SAMRA considers that regulations is required.”* Page 19

DPC Response

Chapter 10 Air Quality of the submitted EIAR contains the detailed air quality impact assessment in relation to the nearest air sensitive receptors to the proposed 3FM Project.

It should be noted that both noise and air quality assessments have been undertaken of the operation and construction phases of all elements of the scheme and where required restrictions have been placed on nighttime activities in order to mitigate impact on noise sensitive receptors.

The proposed SPAR and associated road network was assessed in accordance with the relevant TII (formerly NRA) guidelines³⁷ for the assessment of road schemes. Appendix 10.2 Detailed Dispersion Model Inputs & Outputs of the EIAR includes detailed air quality model predictions at the nearest properties with and without the proposed 3FM Project in place.

The operational impacts of increased traffic emissions arising from the additional traffic on local roads, due to the development, have been assessed in Chapter 14 of the submitted EIAR. It has been demonstrated that the proposed project will not cause any exceedances of the air quality objectives at modelled sensitive receptor locations. Overall, the operational air quality impacts, following the application of the proposed mitigation are judged to be ‘not significant’.

Item 4 – Air Quality Concerns Relating to Asbestos and Dust

Submission

SAMRA’s submission states that: *“The lands comprise a contaminated site containing Asbestos and heavy metals which should rule out excavations works.”*

“Asbestos Chrysotile asbestos was identified within five (5) soil samples within Area O...there is a potential risk to workers during construction from activities such as excavations, which may disturb and release asbestos fibres in soil.” Page 27

“Table 4.1 ‘Remedial Options’ is not reassuring and clarity is required around precisely what works will be undertaken and how these will be managed. For example: Dust suppression during earthworks at Port Park – This technique can be used to dampen soils and dust during earthworks and therefore reduce the release of

³⁷ TII Air Quality Assessment of Proposed National Roads - Standard PE-ENV-01107 (December 2022) (TII, 2022b) and TII Road Emissions Model (REM): Model Development Report GE-ENV-01107 (December 2022) (TII, 2022c).

asbestos fibres into the air. Clean cover barrier in soft landscaped areas of Port Park- A clean cover barrier of at least 600mm of clean soil will act as a barrier to asbestos exposure in underlying soil.” Page 28

“Dust has the potential to reach Sandymount and Merrion and must be properly and fully managed.” Page 28

“...the applicant proposes a Ro-Ro Terminal Yard which will maintain permanent and ongoing truck movements in and out on an ongoing basis. SAMRA objects to the dust that this would generate at all phases. The applicant EIAR accepts that there will be “Dust Deposition Continuous over project duration”, and according to the draft CEMP, dust monitoring is proposed at the construction phase...Towards Sandymount...using Bergerhoff Dust Deposition Gauges Deposition jars to be replaced monthly.” Page 30, section 6.1.7.

DPC Response

Items in relation to Asbestos are set out in Volume 2, Chapter 8 of the EIAR (Lands Soils Geology and Hydrogeology) and the response to Lands Soils Geology and Hydrogeology Submissions in Section 3.8.1.1 of this Response Document. A robust ground investigation and contaminated land quantitative risk assessment was undertaken (EIAR Appendices to Chapter 8) and a Draft CEMP was also produced in support of the application. The detailed EIAR and ground investigation has identified asbestos contamination in soil and has proposed appropriate mitigations to address any potential risks. These mitigation measures are outlined within the Remedial Strategy EIAR Volume III, Part 6, Appendix 8-3. In relation to dust and dust suppression, the Draft CEMP contains a Dust and Odour Management Plan which outlines how dust emissions are to be minimised, managed and monitored. The Contractor will be made aware of the presence of asbestos and will enact appropriate health and safety measures including dust suppression and management to mitigate the potential risk from asbestos.

Emissions to air (including dust) during the construction phase have been assessed in Chapter 10 Air Quality of the EIAR and also Appendix 10.3 Detailed Dust Assessment from Demolition and Construction.

Air dispersion modelling of operational traffic emissions was undertaken to assess the impact of the development with reference to EU ambient air quality standards which are based on the protection of human health.

As demonstrated by the modelling results, emissions as a result of the proposed project are compliant with all national and EU ambient air quality limit values and, therefore, will not result in a significant impact on human health.

Dust mitigation is set out in detail in Section 10.6.1 of Chapter 10, this is also reiterated in the Draft CEMP of the EIAR. The mitigation measures identified are divided into general measures applicable to the entire project and measures applicable specifically to the defined construction activities (i.e. demolition, earthworks, construction and track-out). As the risk of dust impact on receptors from soiling has been identified to range from medium to high during the demolition stage specifically, the highest risk category should be applied when considering general mitigation measures (IAQM, 2024). A Dust Management Plan (DMP) will be prepared by the appointed contractor for the site and submitted to Dublin City Council for written agreement prior to commencement of construction.

Monitoring of dust is detailed in Section 10.9 of Chapter 10. Monthly monitoring of dust deposition levels shall be undertaken by the contractor for the duration of construction for comparison with the guideline of 350mg/m²/day (for non-hazardous dusts). This monitoring shall be carried out at a minimum of four locations at each working area (when active) and further monitoring locations at sensitive receptors around the proposed works. The additional locations will be at any residential receptor area within 100m of the proposed works areas.

The proposed construction operation will involve the movement of materials and reconfiguration of existing roadways, buildings and lands to create an additional three hectares of usable terminal. Additional infill material may be sourced offsite and transported via the newly configured access to the port. All dredged material will be barged to the dump site and will not travel by road.

As the construction traffic volumes predicted with the 3FM Project are not considered significant relative to existing volumes, the resultant air quality impact from construction traffic is negligible and there is no predicted significant adverse impact.

3.10.1.4 Residents from Sandymount

Item 1 – Concerns about Asbestos & Air Pollution during Construction

Submission

This item relating to asbestos and air pollution during construction was expressed in observations from residents of the Sandymount area as follows:

Deirdre Travey stated: *"The concerns that may arise from disturbing the asbestos and heavy metals on the site during its development."*

Ceanna Walsh stated: *"I am concerned from a health and safety perspective about the consequences that may arise from disturbing the asbestos and heavy metals on the site during its development."*

Drs. Philip Murphy and Ann O'Doherty stated: *"The industrial noise and pollution from the trucks in the proposed trailer park will be excessive, unhealthy by adding further to the air pollution both when walking to the nature reserve and nearby living in Sandymount...The potential for disturbing the asbestos and heavy metals on the site during its development damaging human health and directly causing lung cancer (Pleuromesithelioma)"*

DPC Response

Chapter 10 Air Quality of the submitted EIAR contains the detailed air quality impact assessment in relation to the nearest air sensitive receptors to the proposed 3FM Project.

The proposed SPAR and associated road network was assessed in accordance with the relevant TII (formerly NRA) guidelines³⁸ for the assessment of road schemes. Appendix 10.2 Detailed Dispersion Model Inputs & Outputs of the EIAR includes detailed air quality model predictions at the nearest properties with and without the proposed 3FM Project in place.

The operational impacts of increased traffic emissions arising from the additional traffic on local roads, due to the development, have been assessed. It has been demonstrated that the proposed project will not cause any exceedances of the air quality objectives in locations where they are not already exceeded.

Overall, the operational air quality impacts, following the application of the proposed mitigation are judged to be 'not significant'.

Items in relation to Asbestos and heavy metals are set out in Volume 2, Chapter 8 of the EIAR (Lands Soils Geology and Hydrogeology) and the response to Lands Soils Geology and Hydrogeology Submissions in Section 3.8.1.1 of this Response Document. In summary, a robust ground investigation and contaminated land quantitative risk assessment was undertaken (EIAR Appendices to Chapter 8) and a Draft CEMP was also produced in support of the application. The detailed EIAR and ground investigation has identified asbestos contamination in soil and has proposed appropriate mitigations to address any potential risks. These mitigation measures are outlined within the Remedial Strategy EIAR Volume III, Part 6, Appendix 8-3. In relation to dust and dust suppression, the Draft CEMP contains a Dust and Odour Management Plan which outlines how dust emissions are to be minimised, managed and monitored. The Contractor will be made aware of the presence of asbestos and will enact appropriate health and safety measures including dust suppression and management to mitigate the potential risk from asbestos.

With regard to heavy metals, groundwater within the site will not be used as a potable source of water, therefore, the ingestion pathway for contamination to human health from heavy metals in groundwater is not deemed to be active. No direct or indirect exposure pathways for human health regarding heavy metals in groundwater were identified.

Emissions to air (including dust) during the construction phase have been assessed in Chapter 10 Air Quality of the EIAR and also Appendix 10.3 Detailed Dust Assessment from Demolition and Construction.

Air dispersion modelling of operational traffic emissions was undertaken to assess the impact of the development with reference to EU ambient air quality standards which are based on the protection of human health.

As demonstrated by the modelling results, emissions as a result of the proposed project are compliant with all national and EU ambient air quality limit values and, therefore, will not result in a significant impact on human health.

³⁸ TII Air Quality Assessment of Proposed National Roads - Standard PE-ENV-01107 (December 2022) (TII, 2022b) and TII Road Emissions Model (REM): Model Development Report GE-ENV-01107 (December 2022) (TII, 2022c).

Dust mitigation is set out in detail in Section 10.6.1 of Chapter 10, this is also reiterated in the Draft CEMP of the EIAR. The mitigation measures identified are divided into general measures applicable to the entire project and measures applicable specifically to the defined construction activities (i.e. demolition, earthworks, construction and track-out). As the risk of dust impact on receptors from soiling has been identified to range from medium to high during the demolition stage specifically, the highest risk category should be applied when considering general mitigation measures (IAQM, 2024). A Dust Management Plan (DMP) will be prepared by the appointed contractor for the site and submitted to Dublin City Council for written agreement prior to commencement of construction.

Monitoring of dust is detailed in Section 10.9 of Chapter 10. Monthly monitoring of dust deposition levels shall be undertaken by the contractor for the duration of construction for comparison with the guideline of 350mg/m²/day (for non-hazardous dusts). This monitoring shall be carried out at a minimum of four locations at each working area (when active) and further monitoring locations at sensitive receptors around the proposed works. The additional locations will be at any residential receptor area within 100m of the proposed works areas.

The proposed construction operation will involve the movement of materials and reconfiguration of existing roadways, buildings and lands to create an additional three hectares of usable terminal. Additional infill material may be sourced offsite and transported via the newly configured access to the port. All dredged material will be barged to the dump site and will not travel by road.

As the construction traffic volumes predicted with the 3FM Project are not considered significant relative to existing volumes, the resultant air quality impact from construction traffic is negligible and there is no predicted significant adverse impact.

3.10.2 Conclusions Relevant to Air Quality

DPC notes that there are four individual or grouped observations that refer to Air Quality in the context of 3FM; Section 3.10.1 to Section 3.10.5 contains responses to the various submissions from residents at Pigeon House Road, Councillor Claire Byrne, the Sandymount and Merrion Residents Association (SAMRA) and in the Sandymount residents' area.

A robust Air Quality Assessment of the 3FM Project at Dublin Port during both the construction and operational stages has been completed.

The current state of the environment in terms of baseline air quality has been determined from the data from the EPA monitoring Zone A (Dublin) network to determine compliance with relevant ambient air legislation. In addition to the EPA monitoring, DPC carry out a series of ambient air quality monitoring tests within the environs of the port. This monitoring is employed in this assessment to demonstrate the spatial variation in the Port and in the wider Dublin area in conjunction with the data from the EPA network.

Results of the baseline monitoring indicates that recent levels in the Greater Dublin Area are well below the statutory limits for the protection of human health and also below the WHO guidelines for the protection of human health. It is noted that monitoring undertaken by DPC within the port shows levels that are higher than the Greater Dublin Area average and, in some cases, levels exceed both the statutory limits and the WHO guidelines.

There are sensitive receptors (houses, commercial operations) located in the area and these receptors vary in distance from the proposed project. There is a potential that receptors may experience a change in air quality and the extent of these changes in air quality is identified in the air quality assessment. The nearest sensitive residential receptors to the south of the proposed project are the residential dwellings on York Road, Pigeon House Road, Ringsend Park and Pembroke Cottages circa 400m to the south of the 3FM Project application boundary.

The proposed construction operation will involve the movement of materials and reconfiguration of existing roadways, buildings and lands to create an additional three hectares of usable terminal. Additional infill material may be sourced offsite and transported via the newly configured access to the port. All dredged material will be barged to the dump site and will not travel by road. As the construction traffic volumes predicted with the 3FM Project are not considered significant relative to existing volumes, the resultant air quality impact from construction traffic is negligible.

The main potential odour from the construction stage relates to the potential for fugitive odours from the dredging operation. Despite the low risk of encountering odours, a series of odour mitigation measures have been presented to minimise the impact of this operation and to prevent any nuisance in the unlikely event that

odours are encountered. The residual odour impact of the proposed dredging operations is considered negligible.

The operational impacts of increased traffic emissions arising from the additional traffic on local roads, due to the development, have been assessed. It has been demonstrated that the proposed project will not cause any exceedances of the air quality objectives in locations where they are not already exceeded. Overall, the operational air quality impacts, following the application of the proposed mitigation are judged to be 'not significant'.

The results of the modelling indicate that with the development, the predicted NO₂, PM₁₀ and PM_{2.5} concentrations at existing receptors are below the relevant long and short-term AQS objectives. When the magnitude of change in annual-mean NO₂, PM₁₀ and PM_{2.5} concentrations is considered in the context of the absolute predictions, the air quality impacts of the development on existing receptors are categorised as 'negligible'. Taking into account the geographical extent of the impacts predicted in this study, the overall impact of the development on the surrounding area as a whole is considered to be 'negligible', using the descriptors adopted for this assessment. The AQS objectives for NO₂, PM₁₀ and PM_{2.5} are likely to be met at the facades of the sensitive receptors.

On that basis, future and existing receptors should be exposed to acceptable air quality. Using professional judgement, the resulting air quality effect is considered to be 'not significant' overall.

Shipping emissions associated with the proposed project have been quantified based on the projected increases in shipping numbers at the port in 2040 both as a result of the 3FM Project and cumulatively for the Masterplan. Shipping emissions are not predicted to generate significant adverse impact on air quality.

3.11 Climate

3.11.1 Observations Relevant to Climate

The following observations refer to Climate and are addressed below.

Number in Index	Party Name
No. 49	Department of Transport
No. 8	Councillor Claire Byrne
No. 15	Sandymount & Merrion Residents Association (SAMRA)

3.11.1.1 Department of Transport

Item 1 – Climate Policy

Submission

The Department of Transport's submission at Page 4 states: *"The Climate Action Plan 2024 (CAP24) is the third annual update to Ireland's Climate Action Plan, laying out a roadmap of actions towards achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. The Transport Chapter of the Climate Action Plan sets out the need for systemic action, at all levels of Government, in order to better integrate our planning and transport systems so that we can achieve the 50% emissions abatement target for the sector.*

The new 'Avoid-Shift-Improve' approach to the classification of actions and focus on high-impact measures (such as road space reallocation and the promotion of viable alternatives to private car use) was informed by the OECD Report, commissioned by the Climate Change Advisory Council, on the Irish transport system - Redesigning transport: Towards Irish transport systems that work for people and the planet.

The National Sustainable Mobility Policy (2022) sets out a strategic framework to 2030 for active travel (walking and cycling) and public transport journeys to help Ireland meet its climate obligations. It is accompanied by an action plan to 2025 which contains actions to improve and expand sustainable mobility options across the country by providing safe, green, accessible and efficient alternatives to car journeys. It also includes demand management and behavioural change measures to manage daily travel demand more efficiently and to reduce the journeys taken by private car."

DPC Response

DPC is fully aware of the importance of climate change and of its obligations as a statutory body to comply with the Climate Action Plan and national policy as it relates to this item. The potential impacts of the 3FM Project on climate are fully addressed in Chapter 11 of the EIAR. This chapter of the EIAR assesses the potential climate impacts from the development of the Dublin Port 3FM Project and identifies and presents an assessment of the likely significant effects of the 3FM Project on climate and also the vulnerability of the Project to climatic factors.

EIAR Chapter 11 considers the consistency of the project with the provisions of the Climate Action and Low Carbon Development Acts 2015 to 2021, the Climate Action Plan 2024 (CAP24), and all applicable domestic and European Union legislative and regulatory requirements. This chapter should be read in conjunction with the Climate Impact Assessment Report presented in Appendix 11-1.

Annex IV to Directive 2014/52/EU includes direct reference to climate and climate change with the emphasis placed on two distinct aspects of the climate change item:

- Climate change mitigation: this considers the impact the Project will have on climate change, through greenhouse gas emissions primarily; and
- Climate change adaptation: this considers the vulnerability of the Project to future changes in the climate, and its capacity to adapt to the impacts of climate change, which may be uncertain.

This assessment identifies and presents an assessment of the likely significant effects of the proposed development on climate (mitigation) and also the vulnerability of the project to climatic factors (adaptation).

In relation to Climate policy, the following has been discussed in CAP24:

The heavy goods fleet comprises c.40,000 vehicles which are almost exclusively fuelled by diesel. While decarbonisation will remain a significant challenge for the sector over the medium term to 2030 and beyond, there are encouraging signals from vehicle manufacturers regarding the supply of alternatively fuelled vehicles, and in the growing drawdown of funding supports available under the Alternative Fuel Heavy Duty Vehicle scheme.

Ireland's Road Haulage Strategy (published December 2022) provides a roadmap as to how the Irish Government will support the Road Freight sector to decarbonise and meet the targets set out in the climate action plan. CAP23 included a new target for the sector following Ireland becoming a signatory in November 2022 to the Global MOU on Zero Emission Medium- and Heavy-Duty vehicles. This non-binding agreement targets 30 per cent of sales of new Medium- and Heavy-duty vehicles (trucks and buses) to be zero emission by 2030, increasing to 100 per cent of new sales in 2040. A critical element in supporting the transition will be the provision of charging infrastructure for heavy-duty vehicles.

In order to enable the delivery of this infrastructure, Zero Emissions Vehicles Ireland (ZEVI) has recently set out its draft National En-route EV Charging Network Plan which meets the requirements set out in the recently agreed Alternative Fuels Infrastructure Regulation (AFIR) and targets dedicated publicly accessible charging pools for HDVs of 3,600 kW at 60 km intervals on the core TEN-T network and of 1,500 kW at 100 km intervals across the comprehensive TEN-T network by 2030.

As a transitional measure, increasing the amount of renewable transport fuels (e.g., biodiesel) in the national fuel mix will provide a level of emissions savings from the existing fleet. Under the Renewable Transport Fuel Obligation, which is administered by the National Oil Reserves Agency (NORA), there is an obligation on suppliers of mineral oil to ensure that a percentage of the motor fuel they place on the market in Ireland is produced from renewable sources. Climate Action Plan 2024 in 2022, 7% of the diesel fuel supplied was from renewable sources and our intention is to increase the level of renewable fuel usage in transport such that we achieve an equivalent 20% biodiesel blend by 2030, a move which will help to significantly reduce emissions from the Road Freight sector.

Additionally, there is a full relief from the carbon component of Mineral Oil Tax for liquid or gaseous fuels that have been produced from biomass. This means that no carbon tax applies to biofuels, such as Hydrogenated Vegetable Oil or biomethane, used in any road vehicle, private or commercial. The carbon tax relief for biofuels is intended to promote a higher level of biofuel usage and supports the Government's commitment to incentivising more environmentally friendly alternatives to fossil fuels. This means that, as annual increases in the carbon tax are implemented, the differential in tax costs between biofuels and fossil fuels will continue to widen, further incentivising the uptake of biofuels. Eco-Driver training, which trains drivers to operate their vehicles in a safer and more ecofriendly manner, will be important in promoting decarbonisation in the road freight sector. This training, which has been proven to lead to a significant reduction in fuel consumption and related carbon emissions, not only benefits the environment, but it also improves road safety and generates cost savings and improved efficiencies for road freight operators.

Under the Demand Management Strategy work programme, a specific sub-group has also been established to develop measures that will support greater efficiencies in the freight sector. The All-Island Strategic Rail Review which has been published for public consultation as part of the Strategic Environmental Assessment process sets out further recommendations to increase the level of ambition for rail freight on the island, thereby contributing to the decarbonisation of the sector.

These include recommendations to develop sustainable solutions for first/last mile rail freight access for Dublin Port, reduce track access charges for freight services; strengthen rail connectivity to the island's busiest ports; and to develop a network of inland terminals close to major cities on the rail network. Following finalisation of the SEA process, an implementation strategy to support agreed proposed recommendations of the Strategic Rail Review will be developed and submitted for approval to Government in the first half of 2024.

DPC have devised the proposed development to be consistent, in so far as practicable, with the relevant climate policy base and, in assessing the proposed development and deciding to grant permission for the 3FM Project, the Board would comply with the requirements of Section 15 of the Climate Action and Low Carbon Development Act 2015, as amended. DPC submits that it has met all of its obligations arising under national and European Union law in respect of climate assessment through the comprehensive and robust data set out in the EIAR.

3.11.1.2 Councillor Claire Byrne

Item 1 – Climate Policy

Submission

Councillor Byrne's submission states: *"Given the scale of the proposed expansion and the single focus on road haulage, it is difficult to understand how this project aligns with national climate policy and legislation, and our European and international commitments.*

The Climate Action Plan (CAP) recognises that Ireland must achieve a significant modal shift in transport if we are to achieve our target of a 51% reduction in Green House Gas emissions by 2030 and ultimately net zero by 2050. Investment planned under this National Development Plan will be directed toward achieving that challenging target. The National Investment Framework for Transport in Ireland aims to establish modal and intervention hierarchies which, in conjunction with the priorities, will ensure that the most environmentally sustainable feasible solution to a transport need or opportunity is used on a given project. The proposed doubling of capacity and use of road haulage to transport those goods is not the most sustainable transport solution.

In addition, under European and International legislation, businesses have to account for their Scope 3 emissions and this needs to be facilitated down the supply and value chains.

There is also no carbon costing applied to this proposal. At a time when the Government is the process of reviewing the public spending code to include the cost and the shadow cost of carbon it would be prudent to for Dublin Port Company to do the same for a development of this significance and scale.

We are the on cusp of a renewable revolution, with lands on the Poolbeg peninsula that were originally used for fossil fuel based energy supply now moving towards facilitating grid upgrades, sustainable fuels, battery storage, district heating and offshore wind. Dublin Port Company should be part of that zero carbon journey."

DPC Response

DPC respectfully disagrees that the 3FM Project is in conflict with national and EU climate policy or is based upon "single focus" on road haulage.

The potential impacts on climate from the proposed development are fully addressed in Chapter 11 of the EIAR and Climate Policy is discussed in Section 11.1.2 Climate Policy of the EIAR. This chapter of the EIAR assesses the potential climate impacts from the development of the Dublin Port 3FM Project and identifies and presents an assessment of the likely significant effects of the 3FM Project (hereafter the 'proposed development') on climate and also the vulnerability of the Project to climatic factors.

EIAR Chapter 11 also contains an assessment of the consistency of the project with the provisions of the Climate Action and Low Carbon Development Acts 2015 to 2021, the Climate Action Plan 2024 (CAP24), and all applicable domestic and European Union legislative and regulatory requirements. This chapter is supplemented with a Climate Impact Assessment Report presented in Appendix 11-1.

Annex IV to Directive 2014/52/EU includes direct reference to climate and climate change with the emphasis placed on two distinct aspects of the climate change item:

- Climate change mitigation: this considers the impact the Project will have on climate change, through greenhouse gas emissions primarily; and
- Climate change adaptation: this considers the vulnerability of the Project to future changes in the climate, and its capacity to adapt to the impacts of climate change, which may be uncertain.

Climate policy is discussed in Section 11.1.2 Climate Policy of the EIAR and the project is compliant with policy measures addressed in the EIAR. This assessment identifies and presents an assessment of the likely significant effects of the proposed development on climate (mitigation) and also the vulnerability of the project to climatic factors (adaptation).

A climate risk assessment of the project is covered in Section 11.1.7 Climate Change Risk (CCR) Assessment of the EIAR.

Climate mitigation for the construction and operational phases of the project are discussed in Section 11.1.13 Mitigation Measures of the EIAR.

The project has been found to be aligned with current policy (refer to Section 11.1.2, Chapter 11 of the EIAR). Shipping is one of the most sustainable forms of transportation globally and scope 3 emissions pertaining to road haulage and shipping emissions have been included in Chapter 11 of the EIAR chapter and the project is compliant with CAP Policy on road haulage.

The proposal shows for the provision of renewable energy by supporting the Codling windfarm. Codling Wind Park is a 1,300 MW offshore wind farm proposed to be developed in the Irish Sea, in an area called the Codling

Bank, approximately 13-22 kilometres off the County Wicklow coast, between Greystones and Wicklow Town. With the potential to provide power to over 1 million Irish homes every year, Codling Wind Park is the largest Phase One offshore renewable energy project in Ireland, essential to achieve our national renewable energy and climate action targets.

The role of the EIAR is to present likely significant effects on the environment and, as such, no costing or financial effects are included in this planning application. DPC has met this obligation in the EIAR.

In relation to the wider international move towards renewable energy and the national need to facilitate grid upgrades, sustainable fuels, battery storage, district heating and offshore wind, the Proposed Scheme does not hinder this energy transition in any way. In fact the proposal has been designed to support the renewable sector such as at the boundary between the Turning Circle and the onshore substation for Codling Wind Park. In addition, there is a planned District Heating System requiring pipework from the main Encyclis building to an area in the vicinity of Area O for District Heating Energy Station.

The matter of Rail Freight accessibility at Dublin Port is significantly covered in the 3FM Planning Submission and Chapter 4 Assessment of Alternatives, Section 4.3.3 Consideration of Strategic Transport Connectivity Scenarios, sets out the alternatives considered for accessibility to Poolbeg for both the route of the SPAR and the connectivity to the wider rail network. An extract from Section 4.3.3 confirms DPC's ongoing commitment to the development of rail freight in Dublin Port as follows:

"Dublin Port is rail connected and is at the hub of the national rail network. It has been a clear strategic policy objective of DPC to grow rail freight at the port as stated in the Dublin Port Masterplan 2040, reviewed 2018; "Dublin Port is at the heart of the national rail network with direct connections to all major centres of population. DPC believes that there is continuing potential for rail freight to grow over the period of the Masterplan" (Dublin Port Masterplan, 2040, page 10). The Masterplan also expressly has a key strategic objective to maximise the use of rail transport for goods to and from the Port (Ibid, page 17).

DPC remains committed to the development of rail freight in Dublin Port and in furtherance of this objective has engaged extensively with Irish Rail on exploring such potential and has contributed fully to the All Island Strategic Rail Review – a copy of the DPC Submission to the Review is presented in Appendix 4-1."

3.11.1.3 Sandymount & Merrion Residents Association (SAMRA)

Item 1 – Cycling Infrastructure

Submission

"Regarding cycle infrastructure proposals, SAMRA has reviewed the applicant's cycling infrastructure proposals in details. The following concerns arise. As submitted, the proposals require amendment as they are inadequate and incomplete. No proper, safe, and useable through connection from the proposed SPAR bridge to Beach Road is provided. Section 2.4 'The Core Strategy' of the DCDP 2022-2028 refers to the need for "premium cycle routes" to address Climate Change. This is not achieved and the applicant's Climate Change report and Chapter 11 of the EIAR each fail to address the shortcomings of the submitted cycling proposals".

DPC Response

Analysis in the Climate Chapter of the EIAR has due regard for cycling networks. Chapter 11, Section 11.1.13.3 (Operational Phase – Road Traffic) of the EIAR discusses project specific mitigation, including the Active Travel Path. Cycling will have no direct emissions and is largely positive in terms of climate given the small impact on cycling on GHG emissions. Therefore, no quantification of cycling emissions has been taken into account, as these are likely to be zero. In terms of project specific mitigation for road transport, this is discussed in Chapter 11, Section 11.1.13.3 (Operational Phase – Road Traffic) of the EIAR. However, it is not the role of the Climate Chapter to assess the cycling infrastructure likely effects on the environment. In terms of project specific mitigation for road transport, the proposed development includes 4.6km of Active Travel Path (cycle, pedestrian, wheelers etc.) and 2.6km of new or upgraded footway for the SPAR and Poolbeg Peninsula, which will link with the 1.4km Liffey Tolka Greenway in the North Port, and from there to the 4.0km Tolka Estuary Greenway currently under construction by Dublin Port. DPC will also provide Dublin City Council with a €5 million contribution for future upgrading of the existing coastal path along the southern perimeter of the Poolbeg

Peninsula. The Dublin County Council (DCC) Development plan discusses climate in Chapter 3³⁹. In the broader context other aspects of this project are compliant with Dublin City Development Plan 2022-2028 in so far as practical.

The access point from Beach Road to Sean Moore Park and the Active Travel path, as well as the upgrading of the existing coastal path along the southern perimeter of the Poolbeg Peninsula would require more detailed consideration and that this would be best led by Dublin City Council. As such, DPC have confirmed that they will provide Dublin City Council with a €5million contribution for future upgrading of these areas.

It is noted that DCC Parks Division insisted that the section of active travel path from South Bank Road to Sean Moore Park should be designated as shared as that is standard through park areas. The Project Team recognise that there may be a desire to modify this in future to a segregated path and therefore notes were added to inform readers that this could be done within the cross-section provided.

Item 2 – Climate Policy

SAMRA has reviewed the planning application, including all drawings, details and reports, visited the site, had due regard to the National Planning Framework, the Regional Spatial and Economic Strategy, the Climate Action Plan 2021, to all applicable transport planning policy and best practice documents (including the Design Manual for Urban Roads and Streets 2013, the Transport Strategy for Greater Dublin Area 2016-2035, the Greater Dublin Area Cycle Network Plan 2013), and the provisions of the Dublin City Development Plan 2022-2028, to the Poolbeg West SDZ Planning Scheme, and all matters arising, and concludes that the proposed development by reason of its failures to properly address its context, its design, and its likely adverse impacts on the area, should be amended.

Response

The potential impacts on climate are fully addressed in Chapter 11 of the EIAR. Climate policy is discussed in Section 11.1.2 Climate Policy of the EIAR. This chapter of the EIAR assesses the potential climate impacts from the development of the Dublin Port 3FM Project and identifies and presents an assessment of the likely significant effects of the 3FM Project on climate and also the vulnerability of the Project to climatic factors. This chapter which contains an assessment of the consistency of the project with the provisions of the Climate Action and Low Carbon Development Acts 2015 to 2021, the Climate Action Plan 2024 (CAP24), and all applicable domestic and European Union legislative and regulatory requirements. This chapter should be read in conjunction with the Climate Impact Assessment Report presented in Appendix 11-1.

Annex IV to Directive 2014/52/EU includes direct reference to climate and climate change with the emphasis placed on two distinct aspects of the climate change item:

- Climate change mitigation: this considers the impact the Project will have on climate change, through greenhouse gas emissions primarily; and
- Climate change adaptation: this considers the vulnerability of the Project to future changes in the climate, and its capacity to adapt to the impacts of climate change, which may be uncertain.

With respect, DPC disagrees that the EIA of the 3FM Project indicates any failure to address any adverse impacts arising from the Project. The 3FM Project is consistent, insofar as is practicable, with local authority policy, national climate policy and all of Ireland's European Union obligations.

3.11.2 Conclusions Relevant to Climate

There are three parties that refer to Climate Change in their responses, and they are addressed in full in Section 3.11.1.1 to Section 3.11.1.3 of this response document. Where there are items raised relevant to Climate Change and the 3FM Project; these have been fully addressed through reference to the following:

- Chapter 11 Climate of the EIAR.
- Draft CEMP

The climate assessment, as per Chapter 11 of the submitted EIAR includes a construction phase climate assessment to identify sources and quantify total GHG emissions generated from the construction activities

³⁹ DCC Development plan [Development Plan 2022 - 2028 | Dublin City Council](#) Chapter 3: [Final 1-03 Climate Action.pdf](#)

associated with the proposed development. A series choices of low carbon steel and concrete materials will help mitigate this impact and fully comply with the targets of CAP24.

A prediction of the local impact of traffic-derived emissions during the operation phase was carried out and the results of the analysis of the proposed development indicates that traffic emissions will increase in future years as a result of the increased throughput to the port.

Employing the TII significance criteria, the following considerations apply to the operational road traffic emissions for the Do-Something scenario relative to the Do-Minimum scenario:

- The Project's GHG impacts will be somewhat mitigated through legislative measures – in the case of the modelled emissions under the CAP24 scenario, this includes national measures such as the electrification of the fleet and the biofuels blend as per CAP24. These national mitigation measures are inherent in the calculations presented through the CAP24 implementation scenario presented;
- The project complies with existing and emerging policy requirements, again through the implementation of CAP24 policy measures such as EV and biofuels in the CAP24 scenario modelled; and
- The predictions suggest that the Do-Something scenario will increase significantly and therefore is not fully in line to achieve Ireland's trajectory towards net zero.

With these factors considered, the net impact on climate of the operational phase traffic emissions is classed as an indirect moderate adverse climate impact in the long term. Much of the adverse change will be offset by more positive changes, namely the introduction of cycle lanes and mobility corridors. Traffic and transport emissions from these developments may be somewhat mitigated through the active travel proposals included in the 3FM Project which are beneficial relative to the baseline infrastructure. As noted, mitigation of road transport emissions is mandated at national level through the CAP and the residual cumulative climate impact from road traffic from these projects is considerate moderate adverse.

Mitigation measures have been proposed to minimise the risk, and are further discussed in Chapter 11, Section 11.1.13 Mitigation Measures of the EIAR. In short, the analysis shows that in the event that ABP decides to grant permission for the 3FM Project, it would be performing its assessment and consenting function, in so far as practicable, in a manner consistent with the following:

- The most recently approved Climate Action Plan (CAP);
- The most recently approved national long term climate action strategy;
- The most recently approved national adaptation framework Emi and approved sectoral adaptation plans;
- The furtherance of the National Climate Objective; and
- The objective of mitigating GHGs and adapting to the effects of climate change in the State.

For impacts under the direct control of DPC, such as the construction works, the onsite energy use or the climate resilience, the impacts have been suitably mitigated and designed in line with national policy.

The carrying out of the construction phase of the proposed development will be fully aligned with the requirements of policies relating to the climate impact of these activities, while the energy efficiency measures, active travel, modal shift and electric or other low carbon vehicle enhancements in the operational phase will all contribute to the national targets and measures for these elements of national and international policy.

While there are significant indirect impacts to climate identified as a result of road traffic and shipping, the planned legislative mitigation measures at international, EU and national levels will reduce these impacts. DPC will continue to perform its functions, in so far as practicable, in a manner consistent with any current or future climate policy on road traffic and shipping to aid in the reduction of these indirect sources.

In conclusion, DPC have devised the proposed development to be consistent, in so far as practicable, with the relevant climate policy base and, in assessing the proposed development and deciding to grant permission for the 3FM Project, the Board would comply with the requirements of Section 15 of the Climate Action and Low Carbon Development Act 2015, as amended.

3.12 Noise & Vibration

3.12.1 Observations Relevant to Noise and Vibration

The following observations refer to Noise and Vibration and are addressed below.

Number in Index	Party Name
No. 5	Ruth Morgan & Gary Costello, 63 Pigeon House Road
No. 7	Margaret & Gerard Byrne, 44 Pigeon House Road
No. 9	Grainne Hughes, 49 Pigeon House Road
No. 31	Phyllis Clarke, 1A Pigeon House Road
No. 32	Brigid Purcell, 5 Pigeon House Road
No. 33	Robert Nealon, 103 Ringsend Park
No. 36	Michael Curry, 27 Pigeon House Road
No. 37	Joe & Christina Whelan, 15 Pigeon House Road
No. 39	Jason McDonnell, 12 Pigeon House Road
No. 42	Michela Anoffo, 11 Pigeon House Road
No. 43	Ning Rodgers, 32 Pigeon House Road
No. 44	Sandra Wayne & Marion Ryan, 28 & 29 Pigeon House Road
No. 45	Patrick Smith, 24 Pigeon House Road
No. 8	Councillor Claire Byrne
No. 17	Deirdre Tracey, 15 Londonbridge Road
No. 18	Dr. Kristin Hadfield, 81A Strand Road
No. 28	Ceanna Walsh, 121 Strand Road
No. 40	Drs. Philip Murphy and Ann O'Doherty, 22 Durham Road
No. 15	Sandymount & Merrion Residents Association (SAMRA)
No. 34	Amphitheatre Ireland Ltd.

3.12.1.1 Pigeon House Road Residents

Item 1 – Increase in Operational Phase Noise

Submission

Concerns regarding an increase in operational phase noise were raised by a number of parties residing in the Pigeon House Road area including:

- Ruth Morgan & Gary Costello
- Grainne Hughes;
- Phyllis Clarke;
- Brigid Purcell;
- Robert Nealon;
- Michael Curry;
- Joe & Christina Whelan;
- Jason McDonnell;
- Michela Anoffo;
- Ning Rodgers;
- Sandra Wayne & Marion Ryan; and
- Patrick Smith.

This item was expressed in the observation excerpts as follows:

Ruth Morgan & Gary Costello stated “*The new road will increase traffic and pollution in the area so with two roads it will double the traffic and double the pollution not to mention the noise considering they are planning to work 24 hours a day.*”

Grainne Hughes, Robert Nealon and Jason McDonnell stated “*Expansion of the port is the only solution the DPC is willing to consider to resolve its problems and this expansion is at the expense of the local urban communities which are plagued by increased port traffic bringing increased noise and dirt and threatening the very future of these communities.*”

Phyllis Clarke stated *“2 road of heavy traffic causing double pollution and noise 24 hours!”*

Michael Curry stated *“Noise Pollution and Increased Traffic Congestion: Currently, the residents of Pigeon House Road, especially those of us in the river-facing cottages, are exposed to constant noise pollution from the East Link Bridge. The proposed 3FM project threatens to significantly worsen this situation by increasing traffic on a road that is already over-congested. The addition of construction vehicles and later, operational traffic, will further compound this problem, making life unbearable for local residents who are already living in a highly trafficked area.”*

Joe & Christina Whelan stated *“Increased traffic on a second road creating more noise and pollution. The proposed road is intended for Port traffic and Incinerator traffic. The Port and Incinerator companies intend to increase their capacity and will operate over 24 hours per day, this was confirmed at a meeting with Port Company.”*

Michela Anoffo stated *“Not to mention the constant noise that this expansion will cause. Not least the resulting pollution which will increase significantly, having 5 roads in front of the front door.”*

Ning Rodgers stated *“Noise has been a problem here for many years, normal traffic and Port activity, I accept this as part of where I live. I understand that the Spar Viaduct will take many years to construct and the big machinery will be used.”*

Sandra Wayne & Marion Ryan stated *“Traffic and pollution – Pigeon house is exposed to extreme pollution at present with the constant traffic and heavy articulated lorries that need to access the road in front. Albeit that there is proposal for a separate road, this does not reduce the pollution we are exposed to only increase it as the new road is in very close proximity to our houses. The impact that this increase in traffic will have on my and my children’s health should not be written off or ignored by no means. I also object to this project on the grounds of the pollution, noise pollution and air pollution that will impact on me and my family for the foreseeable future. This is not an acceptable measure to expect us to accept as part of a development.”*

Patrick Smith stated *“Dublin Port 3FM Proposal is further industrial development right beside existing public housing and newly built housing. A whole new road built out into the River Liffey? More truck exhaust in front of all our homes? More noise, more impingement upon the natural environment right in the middle of us all?... There is nothing positive on a personal front as my family and neighbours breathe even more truck diesel polluted air, along with a diminishing river view in front of my house, as well as years of building work and noise pollution.”*

DPC Response

Chapter 12 Noise & Vibration of the submitted EIAR (Sub-section 12.1 Terrestrial Noise & Vibration) contains the detailed noise and vibration impact assessment in relation to the nearest noise sensitive properties to the proposed 3FM Project. A draft CEMP containing proposed noise and vibration measures was also submitted.

The proposed SPAR was assessed in accordance with the TII (formerly NRA) Guidelines for the Treatment of Noise and Vibration in National Road Schemes. Section 12.1.5.3 of the EIAR includes detailed noise model predictions at the nearest properties along Pigeon House Road with and without the proposed 3FM Project in place.

Section 12.1.7.2 includes detailed noise model predictions at the nearest properties along Pigeon House Road with and without the proposed 3FM Project in place, with noise mitigation measures in place. With the proposed noise mitigation measures in place (as detailed in the draft CEMP), there will be no increase in traffic noise levels as a result of the proposed 3FM Project compared with the Do Nothing scenario. The proposed SPAR will remove the majority of heavy good vehicles (HGVs) that currently (and in future will) use the East Link Road, thus reducing the overall noise levels from the East Link Road at these properties. The HGV movements on the SPAR will be further from the majority of the properties on Pigeon House Road and will be subject to greater distance attenuation when compared with the East Link Road. The combination of these two factors will result in no noise level increase at these properties. In relation to the Coastguard Cottages, specific noise barriers have been included within the design to ensure that there will be no noise level increase at the northern facades of these particular properties.

Section 12.1.5.6 contains detailed noise modelled predictions of proposed operational Port activities as a result of the 3FM Project at the nearest noise sensitive properties. Predicted noise levels from the proposed Port activities, with mitigation measures in place, will be below existing ambient (L_{Aeq}) and background (L_{A90}) noise levels at properties along Pigeon House Road. On this basis, the proposed 3FM Project will not result in increased noise levels at these properties.

Item 2 – Increase in Construction Phase Noise

Submission

Concerns regarding an increase in construction phase noise were raised by a number of residents including:

- Margaret & Gerard Byrne;
- Grainne Hughes;
- Robert Nealon;
- Michael Curry;
- Joe & Christina Whelan;
- Jason McDonnell;
- Michela Anoffo;
- Ning Rodgers;
- Sandra Wayne & Marion Ryan; and
- Patrick Smith

Excerpts of how this item was expressed in the observations are as follows:

Margaret & Gerard Byrne stated *“The noise and disturbance we are going to have to put up with while works are being carried out, piling etc.”*

Grainne Hughes, Robert Nealon and Jason McDonnell stated *“There are major concerns about the dust / dirt / traffic noise and noxious smells in the area. There will be an increase in these major nuisances which will occur when construction begins (along with rat and rodent infestation) and for the entire working life of this road.”*

Michael Curry stated *“The construction phase of this development is expected to introduce a substantial number of heavy trucks to an area already overburdened by traffic directed toward Dublin Port. These trucks will undoubtedly contribute to increased noise, air pollution, and road safety concerns.”*

DPC Response

Construction phase noise was assessed in accordance with the lowest applicable noise threshold limits from BS5228:2009+A1:2014. Under worst-case assumptions, there is potential for predicted noise levels to exceed this noise threshold limit with no noise mitigation measures in place at Pigeon House Road. Section 12.1.7.1 includes worst-case construction noise predictions with noise mitigation measures in place, which are all below the applicable BS5228:2009+A1:2014 noise threshold limit. A Draft Construction Environmental Management Plan (CEMP) was prepared and submitted as part of the 3FM planning application, which details all aspects of controlling environmental impacts at the nearest sensitive properties to the 3FM Project.

The CEMP includes various sub-plans which address specific environmental disciplines, including a Noise & Vibration Management Plan (NVMP). The NVMP is an iterative document, which will be submitted for agreement with DCC prior to commencement of development and updated on an ongoing basis when a Contractor is appointed and the requirement for temporary noise barriers to reflect the changing nature of the works will be recorded in the NVMP on an ongoing basis in consultation with Dublin City Council. The document details the requirements for compliance noise monitoring to be completed during each stage of the construction process. If required a complaints procedure will be implemented and operated by the Contractor throughout the construction phase and all efforts will be made to address any noise or vibration issues at the nearest sensitive properties.

In particular the EIAR Chapter 12.1 and draft CEMP included, a temporary noise barrier is proposed to ensure the relevant BS5228:2009+A1:2014 noise threshold limit will not be exceeded in years 4-8 in the vicinity of Pigeon House Road / Coastguard Cottages (see EIAR Section 12.1.7.2). The NVMP will provide specific details on temporary noise barriers to be deployed in this area during this period and the monitoring requirements to ensure that the appropriate compliance noise monitoring is completed. As the works progress in different areas, the requirement for temporary noise barriers in this area will change to reflect the changing nature of the works.

With all of the proposed mitigation measures included in the EIAR Chapter 12.1 and the Draft CEMP, there will be no significant construction phase noise impact at the nearest noise sensitive properties.

Item 3 – Concerns Related to Structural Damage from Construction Phase Vibration

Submission

Concerns related to structural damage from construction phase vibration were raised by a number of residents including:

- Margaret & Gerard Byrne;
- Grainne Hughes;
- Phyllis Clarke;
- Robert Nealon;
- Joe & Christina Whelan;
- Jason McDonnell;
- Michela Anoffo;
- Ning Rodgers; and
- Sandra Wayne & Marion Ryan.

Examples of how this item was expressed in the observations are as follows:

Margaret & Gerard Byrne stated *“Damage to our homes from piling. Our houses are 120 years old.”*

Grainne Hughes, Robert Nealon and Jason McDonnell stated *“Construction works will involve infilling and mechanical compaction. Piling either impact or screw will inevitably be carried out. The construction and ground preparation will threaten the viability and structural integrity of the Pigeon House Road houses and render them unliveable – (temporary during construction) and permanently due to induced structural defects to the houses and the amenity and environmental damage to the locality. The houses were built in 1911 on sand filling with minimum foundations. The construction impact, during the building of the Toll Bridge, was severe on these houses and caused widespread structural disturbance and the 3FM proposal will be detrimental to their existence. We have experienced this disruption before when the East Link was being built and our houses are suffering subsidence.”*

Phyllis Clarke stated *“We will be impacted by the bore piling of the river and will probably cause the river to rise! We cannot take any more building work in or around the river, as I remember well when the East Link was being built, cracks appearing in walls and footpaths etc. also rats as big as cats running around.”*

Joe & Christina Whelan stated *“The proposed new road requires bore piling 50 mtrs from my home over a long period of time. I am not convinced that it will have no effect on our house.”*

Michela Anoffo stated *“I am aware of the project which will be built in Dublin Port and I would like to express my concern about the stability of these cottages which I know are very old. Years of drilling and various construction works could significantly impact the entire structure and foundations.”*

Ning Rodgers stated *“My cottage, like all the others on the Pigeon House Road are over 100 years old. I am deeply concerned that the Bore Piling into seabed 50 metres from my home may cause vibration to my foundations and may cause damage. Has this been considered? Do you have engineering assessment? Can you assure me that every possibility has been calculated?” “You have to Bore Pile into the seabed for the support structure. My concern is the living with the extra noise level by the Bore Pile for 2/3 years.”*

Sandra Wayne & Marion Ryan stated *“Noise and vibration – regarding terrestrial noise and vibration. As a resident of Pigeon House Road for the past 14 years we have experienced noise and vibration issues in the past with workings on the port. In short, our house vibrate, pictures have fallen from our walls and concern is that the structure of the old properties in which we live will be compromised as a result of heavy bore piling. Due to the sheer scale of the project I would be hugely concerned that no measures will be able to contain the noise and vibrations that will ensue with the works scheduled. Not only will this possibly impact the structural integrity of our houses, we will also be exposed to noise within our home for years on end until this project is complete.”*

DPC Response

Section 12.1.4.4 contains an assessment of the potential vibration impacts from the proposed 3FM Project at the nearest properties on Pigeon House Road in accordance with *BS5228:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and open Sites - Part 2: Vibration*. Predicted vibration levels at the nearest properties on Pigeon House Road from the nearest piling activity will be below 1mm/s, which is below the threshold where significant impacts will be experienced and substantially below the threshold whereby structural damage to properties may occur. A Draft Construction Environmental Management Plan (CEMP) was prepared and submitted as part of the 3FM planning application and details all aspects of controlling vibration emissions at the nearest sensitive properties to the 3FM Project.

Under the CEMP, vibration mitigation measures will be recorded in the Noise & Vibration Management Plan (NVMP) on an ongoing basis in consultation with Dublin City Council. Building Condition Surveys will be completed at properties on Pigeon House Road in advance of the commencement of any construction works

in this area. Baseline vibration monitoring will be completed at these properties prior to the commencement of construction works and then subsequently while piling activities are taking place to ensure vibration levels from piling do not exceed the relevant threshold limit. If required a complaints procedure will be implemented and continue to be operated by the Contractor throughout the construction phase and all efforts will be made to address any vibration issues at the nearest sensitive properties.

Whilst DPC understands the concerns of residents they can be assured that the robust data in Chapter 12.1 makes clear that there will be no significant construction phase vibration impact at the nearest sensitive properties.

Item 4 – Noise from New Lo-Lo & Ro-Ro Terminals

Submission

This item was expressed by Grainne Hughes, Robert Nealon and Jason McDonnell as follows: *“Mr Barry O’Connell’s statement: 2&3 New Lo-Lo terminal L & N. No height restrictions in these areas for containers or cranes. These will be noisy ugly areas with no noise restriction or visual screening. Area K will be left as is – a noise, visually nasty intrusive industrial site with no regard to any visual improvement for residents or road users.”*

DPC Response

Section 12.1.5.6 of the EIAR contains detailed noise modelled predictions of proposed operational port activities as a result of the 3FM Project at the nearest noise sensitive properties. An extensive 4m high noise barrier (Section 12.1.7.2) will be in place between the nearest portion of the proposed port activities (Area K) and the properties on Pigeon House Road (including Coastguard Cottages). Predicted noise levels from the proposed port activities, with mitigation measures in place, will be below existing ambient (L_{Aeq}) and background (L_{A90}) noise levels at properties along Pigeon House Road for all periods of the day. On this basis, the proposed 3FM Project will not result in increased noise levels at these properties.

Item 5 – Noise Barriers

Submission

This item was expressed in Grainne Hughes submission as follows *“Mr Barry O’Connell’s statement: There should be no additional visual barrier or traffic barriers between river and Pigeon House Road.”*

DPC Response

The *“statement”* referred to in the submission is a press release in which visual and traffic barriers are specifically being referenced.

As illustrated in EIAR Section 12.1.7.2, 4m high noise barriers are proposed between the nearest portions of proposed 3FM Port activities (Area K) and the nearest properties on Pigeon House Road (i.e. Coastguard Cottages).

The eastern section of noise barrier is located between the Coastguard Cottages and Area K and will not impact on river views from Pigeon House Road. The western portion of barrier will be located north of and behind the existing 4m high wall with associated existing vegetation (which will remain in place) and will be screened from view on the northern façade of the Coastguard Cottages by the existing wall / vegetation.

3.12.1.2 Councillor Claire Byrne

Item 1 – Increase in Operational Phase Noise

Submission

Councillor Byrne states *“The proposal to build a new road adjacent to Pigeon House Road to facilitate this significant increase in heavy goods vehicle and utility traffic will expose the residents of Pigeon House Road and the wider Ringsend to increased noise and air pollution.”*

DPC Response

The proposed SPAR was assessed in accordance with the TII (formerly NRA) Guidelines for the Treatment of Noise and Vibration in National Road Schemes. Section 12.1.5.3 of the EIAR includes detailed noise model predictions at the nearest properties along Pigeon House Road with and without the proposed 3FM Project in

place. Section 12.1.7.2 includes detailed noise model predictions at the nearest properties along Pigeon House Road with and without the proposed 3FM Project in place, with noise mitigation measures in place.

With the proposed noise mitigation measures in place, there will be no increase in traffic noise levels as a result of the proposed 3FM Project compared with the Do-Nothing scenario. The proposed SPAR will remove the majority of heavy good vehicles (HGVs) from the East Link Road, thus reducing the overall noise levels from the East Link Road at these properties. The HGV movements on the SPAR will be further from the majority of the properties on Pigeon House Road and will be subject to greater distance attenuation when compared with the East Link Road.

The combination of these two factors will result in no noise level increase at the houses on Pigeon House Road and in Ringsend generally. Specific noise barriers have been included within the design to ensure that there will be no noise level increase at the northern facades of the Coastguard Cottages.

Item 2 – Concerns Related to Structural Damage from Construction Phase Vibration

Submission

Councillor Byrne states *“The scale of this development could also potentially put the cottages at risk structurally.”*

DPC Response

Section 12.1.4.4 of the EIAR contains an assessment of the potential vibration impacts from the proposed 3FM Project at the nearest properties on Pigeon House Road in accordance with *BS5228:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and open Sites - Part 2: Vibration*. Predicted vibration levels at the nearest properties on Pigeon House Road from the nearest piling activity will be below 1mm/s, which is below the threshold where significant impacts will be experienced and substantially below the threshold whereby structural damage to properties may occur.

With all of the proposed mitigation measures included in the Chapter 12.1 the CEMP and the NVMP, DPC can assure residents and Councillor Byrne that there will be no significant construction phase vibration impact at the nearest sensitive properties on Pigeon House Road.

Item 3 – Noise Impact on New Residents at Poolbeg West

Submission

Councillor Byrne states *“While Port Park will provide a great service to the community, this is almost negated by the fact that the new residents of the Poolbeg West development will be subjected to additional heavy vehicle traffic driving to deposit and collect containers to and from the adjacent site.”*

DPC Response

Section 12.1.5.6 of the EIAR contains detailed noise modelled predictions of proposed port activities as a result of the 3FM Project at the nearest noise sensitive properties. These modelled predictions were also completed for the nearest future locations of residential properties within the Glass Bottle site (Poolbeg West) as illustrated in Figure 12.1.22 of the EIAR.

Table 12.1.23 of the EIAR contains predicted noise levels from worst-case operational activities from the 3FM Project at the nearest future noise sensitive properties at the Glass Bottle site. All predicted noise levels are below guideline limits included in the EPA NG4 guidance document for daytime (55dB L_{AeqT}), evening (50dB L_{AeqT}) and night-time (45 L_{AeqT}) periods. All predicted noise levels are below existing ambient noise levels (L_{Aeq}) in this area and at or below existing background noise levels (L_{A90}) for all periods of day. On this basis, the noise impact is considered to be negligible/minor in this area.

At the Glass Bottle site, there is very little activity currently taking place, which is reflected in the lower ambient and background noise levels. When the site is developed and occupied, ambient and background noise levels will increase when activity increases significantly in this area. This will further reduce any potential for plant/equipment noise impacts in this area.

Heavy goods vehicle (HGV) traffic currently enters the South Port Estate in this area along South Bank Road, immediately adjacent to the northern boundary of the Glass Bottle site. The new 3FM Project will remove these HGV movements from the South Bank Road to the new SPAR, which is significantly more distant from the Glass Bottle site boundary than South Bank Road. Additionally, future development of the SDZ area between South Bank Road and the Port north of South Bank Road will result in the presence of large

commercial buildings in this area which will act as a complete building barrier between the Glass Bottle site and the SPAR / Area K.

Based on the data set out above DPC can reassure Councillor Byrne that there will be no significant operational phase noise impact at the nearest noise sensitive properties in Poolbeg West.

3.12.1.3 Residents from Sandymount

Item 1 – Noise Impact from New Trailer Park (Area O) on Sandymount Residents

Submission

These residents from the Sandymount area raised concerns regarding noise impact from Area O:

- Deirdre Tracey;
- Kristin Hadfield;
- Ceanna Walsh; and
- Philip Murphy & Ann O'Doherty.

This item was expressed in the observations as follows:

Deirdre Tracey stated *“The noise from the trucks in the proposed trailer park you may experience when walking to the nature reserve or live close by.”*

Dr Kristin Hadfield stated *“The impact on local wildlife, potential light and noise pollution, and the proximity to residential areas are deeply troubling.”*

Ceanna Walsh stated *“The noise from the trucks in the proposed trailer park will disturb and reduce the enjoyment of my home and disturb my regular walk to the nature reserve.”*

Drs. Philip Murphy and Ann O'Doherty stated *“The industrial noise and pollution from the trucks in the proposed trailer park will be excessive, unhealthy by adding further to the air pollution both when walking to the nature reserve and nearby living in Sandymount.”*

DPC Response

The potential for noise impacts on wildlife receptors is addressed in Chapter 7 Biodiversity, Flora & Fauna of the EIAR. This response has been prepared in relation to the potential for noise impacts from the new trailer park (Area O) at residential properties in the Sandymount area.

Section 12.1.5.6 of the EIAR contains detailed noise modelled predictions of proposed operational activities in Area O as a result of the 3FM Project at the nearest noise sensitive properties in the Sandymount area (see property references 24-27 in Figure 12.1.23 of the EIAR).

Table 12.1.23 of the EIAR contains predicted noise levels from worst-case operational activities from the 3FM Project at the nearest noise sensitive properties at Sandymount. All predicted noise levels are below guideline limits included in the EPA NG4 guidance document for daytime (55dB LAeqT), evening (50dB LAeqT) and night-time (45 LAeqT) periods. All predicted noise levels are below existing ambient noise levels (LAeq) in this area and below existing background noise levels (LA90) for all periods of day also.

The data illustrates that the noise impact of the 3FM Project during operation will be negligible/minor in this area.

3.12.1.4 Sandymount & Merrion Residents Association (SAMRA)

Item 1 – Noise Impact from New Ro-Ro Terminal (Area O) on Sandymount Residents

Submission

SAMRA's submission states that *“SAMRA is concerned that the proposed Ro-Ro Terminal Yard will cause noise in its construction phase and 24/7 noise from the HGV movements at operational phase.”*

“It would be better for the entire Ro-Ro Terminal Yard to be removed to offer a permanent noise buffer in the form of a continuous large public park in place of this proposal.”

DPC Response

Section 12.1.4.2 of the EIAR contains detailed modelling of worst-case construction noise levels associated with the 3FM Project. Figure 12.1.10 illustrates that worst-case construction noise levels in the direction of Sandymount will be below 50dB(A) at Sandymount, which is significantly below the most onerous construction phase noise threshold limit of 65dB(A) included in BS5228:2009+A1:2014. These worst-case predicted construction noise levels are also substantially below existing ambient noise levels (LAeq) and below existing background noise levels (LA90) currently experienced in the Sandymount area as summarised in Table 12.1.11 of the EIAR. On this basis, construction phase noise impacts at Sandymount are considered to be negligible.

Section 12.1.5.6 of the EIAR contains detailed noise modelled predictions of proposed Port operational activities in Area O as a result of the 3FM Project at the nearest noise sensitive properties in the Sandymount area (see property references 24-27 in Figure 12.1.23 of the EIAR). Table 12.1.23 of the EIAR contains predicted noise levels from worst-case operational activities from the 3FM Project at the nearest noise sensitive properties at Sandymount. All predicted noise levels are below guideline limits included in the EPA NG4 guidance document for daytime (55dB LAeqT), evening (50dB LAeqT) and night-time (45 LAeqT) periods. All predicted noise levels are below existing ambient noise levels (LAeq) in this area and below existing background noise levels (LA90) for all periods of day also.

The data illustrates that the noise impact of the Ro-Ro Yard during construction and operation will be negligible/minor in this area.

Item 2 – Baseline Noise Monitoring

Submission

SAMRA's submission states that *"The applicant has provided some baseline noise monitoring results. SAMRA does not however consider the submitted noise monitoring location at Sandymount to be representative of the closest and likely most noise impacted areas of Beach Road (see the EIAR Appendix 12.1 Volume 3 Part 7). The closest dwelling is in fact 500m away from the Ro-Ro Terminal Yard site which is 500m closer than the noise monitor was sited."*

DPC Response

The noise monitoring location at Sandymount was selected due to it being one of the few publicly accessible locations available to conduct noise monitoring. However, contrary to the view expressed in the SAMRA submission, it is in fact representative of the nearest noise sensitive properties to the Port along the R802/R131 route. Road traffic noise along this route is by some distance the dominant noise source experienced by property owners adjacent to this road. This noise source is a long linear noise source that extends along the extent of this road.

All of the properties adjacent to this road experience noise levels similar to that included in the EIAR for this noise monitoring location, any variation of which will be dependent on the relatively minor variations in the exact distance the particular property is from the road. The noise monitoring location was selected on the opposite side of the road to the properties, but at a relatively similar distance from the road as compared with the distance the properties are from the road. This makes this noise monitoring location representative of that experienced by the properties adjacent to this long linear dominant noise source.

Table 12.1.11 of the EIAR includes a summary of the noise monitoring survey data, providing ranges of ambient (LAeq) and background (LA90) noise levels recorded for each of the daytime (07:00 – 19:00), evening (19:00 – 23:00) and night-time (23:00 – 07:00) periods. The ambient (LAeq) noise levels recorded adjacent to this long linear noise source for day and evening periods at Sandymount is observed to be in a relatively narrow range in the mid-60s dB(A). This is consistent with a relatively constant noise source associated with continuous traffic movements along this road. During the night-time period, this range widens significantly between 49-63dB(A). This is consistent with the lower and more sporadic movement of traffic evident during the night-time period.

The background noise level parameter (LA90) effectively omits the top 10% of noise-generating activity from any measurement period and is typically used as an indicator of noise levels at a location when noisier activities are omitted (or between periods of noisier activity). This is observable in Table 12.1.11 in the considerably lower ranges of noise levels recorded for each period when compared with the ambient (LAeq) noise levels. During the night-time period, the lowest recorded background (LA90) noise level was 41dB(A).

Section 12.1.5.6 of the EIAR contains detailed noise modelled predictions of proposed Port operational activities in Area O as a result of the 3FM Project at the nearest noise sensitive properties in the Sandymount area (see property references 24-27 in Figure 12.1.23 of the EIAR). The predicted noise levels included in

Table 12.1.23 of the EIAR for the nearest properties in Sandymount to Area O are in the 30s dB(A) and significantly lower than the lowest recorded background (LA90) noise level recorded during the Sandymount night-time noise monitoring survey.

In summary, predicted noise levels from Area O will be significantly below existing background (LA90) noise levels and substantially below existing ambient (LAeq) noise levels at all of the properties in the Sandymount area and will not generate any significant noise impact at these properties.

Item 3 – Operational Phase Noise Monitoring

Submission

SAMRA's submission also states: *"An additional noise monitoring station is proposed towards Sandymount, sited to be representative of nearest noise receptors to the south of the 3FM Project site". This is just to the construction phase and not for the operational phase which will also generate noise (permanently)."*

DPC Response

Dublin City Council operates permanent noise monitoring stations at various locations around Dublin, one of which is located adjacent to Strand Road at Sandymount. This location is in close proximity to where the noise monitoring was completed for the 3FM Project and included in the EIAR. As discussed in the response to Item 2 above, this monitoring station is predominantly a recording of existing road traffic noise which will be relatively consistent along the length of this road. Relatively minor variations of noise levels experienced at individual properties adjacent to this road will be as a result of the relatively minor variations in distance individual properties are from the dominant road traffic noise source.

These noise recordings are available to the public on a daily basis on the Dublin City Council website and notwithstanding the noise predictions in the EIAR indicating no significant operational phase noise impact at properties in the Sandymount, these measurements are publicly available to confirm such during the operational phase.

Item 4 – Draft Construction Environmental Management Plan (CEMP)

Submission

At a further point in the submission SAMRA state: *"The Draft Construction and Environmental Management Plan ("CEMP") and Chapter 12 'Noise & Vibration' refer to how: All data will be collected and analysed on a weekly basis and the analysed data will be fed back to DPC and the Contractors with a view to reviewing the compliance of construction phase activities in the context of any relevant conditions in planning if granted, and the threshold/requirements included in the draft Noise & Vibration Management Plan. This will also include any liaison requirement with DCC in this regard. Any noise nuisance issues associated with the construction phase activities will be immediately assessed and analysed in relation to the recorded noise levels and all correspondence with DPC, the Contractor, DCC and the residents will be conducted with the appropriate level of urgency. This will include the appropriate liaison with DPC and the Contractor to control activities to ensure that the construction phase activities are in line with any relevant planning conditions and the CEMP."*

SAMRA notes that no liaison with the community as regards construction noise is included in the section, ABP is asked to require that any deviations from conditioned noise levels be reported to the community (water quality levels are reported regularly on public forums, etc.)."

DPC Response

DPC is happy to reassure SAMRA that the draft CEMP (including the Noise & Vibration Management) does indeed include liaison with a range of stakeholders, including the local residents as has been stated in the text included in the EIAR. Section 3.5.5.2 of the Draft CEMP guarantees that *"DPC will engage in a neighbour notification exercise prior to the commencement of the construction phase."* This includes the operation of a Complaints Procedure to address any issues raised by local residents. This is standard practice for any significant construction project and demonstrated DPC's ongoing commitment to community liaison.

3.12.1.5 Amphitheatre Ireland Ltd (3Arena)

Item 1 – Construction Phase Noise & Vibration

Submission

The JSA letter submitted for Amphitheatre Ireland Ltd states: *“Additionally, as detailed in the enclosed Waterman Moylan’s Report, our client has concerns regarding noise and vibration that may be generated during construction and the potential impacts on the day-to-day operations of the 3Arena and performances at the venue.”*

“Water Moylan Report – Extract: Section 3.8: Noise and Vibration from Construction Works:

Substructure works for are described in Section 4.3.6 of the Preliminary Report for the SPAR Opening Bridge.

With the objective of addressing the concerns of the 3Arena, it is submitted that the scope, planning documents, tender documents and instructions to the Contractor for the 3FM Project should include controls, restraints and mitigating measures in relation to the following activities in the area of the 3Arena.

3.8.1 Demolition Works

Mitigation and control of noise and vibration generated by

- *Demolition of existing reinforced concrete structures.*
- *Demolition of existing mooring dolphins.*
- *Extraction of redundant piles.*

3.8.2 Abutments and Piers

Mitigation and control of noise and vibration generated by pile driving for

- *Temporary cofferdams.*
- *Abutments and intermediate piers.*
- *Raking piles.*
- *Temporary H-piles.*

3.8.3 Dolphins

Mitigation and control of noise and vibration generated by pile driving for

- *Vessel collision protection structures.*
- *Berthing Dolphins*
- *Raking piles.*

3.8.4 Bridge Decks

Mitigation and control of noise and vibration generated by the erection of the fixed and lifting spans.”

DPC Response

A range of noise modelling exercises using CadnaA noise modelling software were completed to determine worst-case construction noise levels from the nearest area of construction activity on the northern side of the River Liffey to the 3Arena building. This modelling was completed on the basis of a range of activities like those highlighted in Sections 3.8.1 – 3.8.4 of the Waterman Boylan Report and assumed the simultaneous activity of a range of items of plant including dredging, piling rigs, rock breakers, tippers, dozers, excavators.

On the basis of worst-case assumptions and assuming no noise mitigation measures in place, there is potential for worst-case construction noise levels in the range 60-70dB(A) at the nearest part of the 3Arena. These worst-case predictions are in excess of what is likely to be experienced at the 3Arena as they assume simultaneous continuous activity from a range of disparate plant sources at the nearest portions of the construction site to the 3Arena (Section 12.1.7.1).

Dublin Port Company (DPC) has operated a number of continuous noise monitoring stations in the vicinity of the Port for a number of years. One of these is located as indicated in Figure 12.1.2 of the 3FM Project EIAR and shown in more detail in Figure 3.12.1 below in the vicinity of the Port boundary with East Wall Road and in close proximity to the 3Arena.



Figure 3.12.1 Noise Monitoring Location Proximate to 3 Arena

EIAR Section 12.1 confirms, the ambient noise monitoring data (i.e. LAeq) for the month of October 2024 for the daytime period (07:00 – 19:00) was averaged over the full month to be 59dB(A). A minimum 3m wall (indicated by the blue line in Figure 3.12.1 above), provides a complete visual screen between the primary East Wall Road traffic noise source and the noise monitoring station. Such a complete screening barrier will provide a barrier attenuation of approximately -10dB at the noise monitoring station, indicating that unscreened noise levels from road traffic noise levels at this noise monitoring location will be approximately 70dB(A). The Environmental Noise Directive (END) requires local authorities to complete strategic mapping every five years for the purpose of generating noise action plans for relevant agglomerations. The fourth round of strategic noise mapping for the Dublin Agglomeration was completed in 2023 and provides similar modelled road traffic noise levels of >70 dB(A) Lden at the nearest parts of the 3Arena as the three previous rounds of strategic mapping. The noise data from the existing DPC noise monitoring station and the four rounds of END strategic noise mapping indicate that worst-case construction noise levels from the proposed 3FM Project without mitigation measures in place will be no greater than existing ambient (LAeq) noise levels currently experience at the 3Arena. The existing 3m high wall will remain in place for construction works in this area and will be extended to the quay edge to the south in the small area where metal fencing is currently located for access. Such a barrier will reduce construction noise levels by approximately -10dB in the direction of the 3Arena and substantially below existing ambient (LAeq) noise levels at the 3Arena.

Section 12.1.4.4 of the EIAR contains an assessment of the potential vibration impacts from the proposed 3FM Project at the nearest properties in accordance with *BS5228:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and open Sites - Part 2: Vibration*. Predicted vibration levels from the nearest piling activity will be below 1mm/s at the 3Arena, which is below the threshold where significant impacts will be experienced and substantially below the threshold whereby structural damage to properties may occur. A Draft Construction Environmental Management Plan (CEMP) was prepared and submitted as part of the 3FM planning application and details all aspects of controlling noise and vibration emissions at the nearest sensitive properties to the 3FM Project.

Standard construction hours will be 07:00 – 19:00 on Monday to Friday and 08:00 – 13:00 on Saturdays and hence will not be concurrent with the critical evening hours when the majority of activities at the 3Arena are taking place.

A Building Condition Survey will be completed at the 3Arena in advance of the commencement of any construction works in this area. Baseline vibration monitoring will be completed at the building prior to the commencement of construction works and then subsequently while piling activities are taking place to ensure vibration levels from piling do not exceed the relevant threshold limit. If required a complaints procedure will

be implemented and continue to be operated by the Contractor throughout the construction phase and all efforts will be made to address any noise and vibration issues at the 3Arena.

With all of the proposed mitigation measures included in the EIAR Chapter 12.1 and the Draft CEMP, there will be no significant construction phase noise and vibration impact at the 3Arena.

3.12.2 Conclusions Relevant to Noise and Vibration

Section 3.12.1 of this document contains responses to the various submissions which reference noise and vibration. This response has been divided into five subsections addressing the particular submissions from residents at Pigeon House Road, in the Sandymount area and the individual submissions made by Councillor Claire Byrne, the Sandymount and Merrion Residents Association (SMARA) and the Amphitheatre Ireland Ltd - 3Arena.

Chapter 12 Noise & Vibration of the submitted EIAR, Sub-section 12.1 Terrestrial Noise & Vibration contains the detailed noise and vibration impact assessment in relation to the nearest noise sensitive properties to the proposed 3FM Project. This chapter contains a robust assessment of all aspects of the proposed 3FM Project where there is potential for construction or operational phase activities to result in noise or vibration impacts at the nearest noise sensitive properties. The chapter was also completed with reference to extensive noise monitoring data recording the existing noise environment in the vicinity of Port lands and with due reference to all relevant noise and vibration guidance documentation.

Chapter 12.1.7 of the EIAR identifies where specific noise mitigation measures have been identified as being required to ensure that there will be no significant noise impact at the relevant nearest noise sensitive receptors. A Draft Construction Environmental Management Plan (CEMP) was prepared and submitted as part of the 3FM planning application and details all aspects of controlling noise and vibration emissions at the nearest sensitive properties to the 3FM Project. The draft CEMP includes various sub-plans which will address specific environmental disciplines, including a Noise & Vibration Management Plan (NVMP). The Draft CEMP and NVMP submitted as part of the 3FM application will be updated by the Contractor when appointed. The NVMP will be an iterative document, which will be updated on an ongoing basis and the requirement for noise and vibration monitoring and mitigation measures will be recorded in the NVMP on an ongoing basis in consultation with Dublin City Council and in liaison with an array of stakeholders including the residents at Pigeon House Road, Sandymount and commercial representatives such as the 3Arena.

Building Condition Surveys will be completed at a range of properties/buildings in advance of the commencement of any construction works where these properties are in relative close proximity to works that have the potential to generate vibration-related impacts. Baseline vibration monitoring will be completed at these buildings prior to the commencement of construction works and then subsequently while piling activities are taking place to ensure vibration levels from piling do not exceed the relevant threshold limit. If required a complaints procedure will be implemented and continue to be operated by the Contractor throughout the construction phase and all efforts will be made to address any noise and vibration issues at the nearest noise and vibration sensitive properties.

3.13 Coastal Processes

3.13.1 Observations Relevant to Coastal Processes

The following observations refer to Coastal Processes and are addressed below.

Number in Index	Party Name
No. 3	Inland Fisheries Ireland
No. 8	Councillor Claire Byrne
No. 13	ESB
No. 20	Peter and Mary Carvill

3.13.1.1 Inland Fisheries Ireland (IFI)

Item 1 – Quantifying disturbance effect of dredging

Submission

In its submission, IFI has raised an issue in relation to the ability to quantify the disturbance effect of dredging and have stated: “The disturbance effect of the dredging is difficult to quantify but ...”.

DPC Response

Chapter 13 of the submitted EIAR, Material Assets - Coastal Processes, describes the robust and comprehensive computational modelling programme that was undertaken to support the engineering design and quantify the potential environmental impact of construction activities, including all dredging and disposal operations. The hydraulic models used for this assessment were calibrated using extensive datasets recorded as part of DPC’s Environmental Monitoring Programme (ongoing for the ABR & MP2 Projects). Through this process, all models have been verified as fit for purpose as reported in Appendix 13.1 of the EIAR and also as reported in Annual Environmental Reports (AER) to the EPA under Dumping at Sea Permit S0024-02.

Outputs from dredging simulations were used to inform Chapter 7, Section 7.3 (Benthic Biodiversity and Fisheries) and Chapter 9 (Water Quality) of the submitted EIAR. In summary, this modelling and subsequent assessments have been used to quantify the disturbance effect of dredging and have demonstrated the impact of dredging on riverine and coastal environments, including nearby European sites within the Tolka Estuary, to be imperceptible.

Item 2 – Mitigation Requirements

Submission

The observation set out below is relevant to Coastal Processes: “Ground and seabed preparation and associated construction works, including dredging, topographic alteration and the creation of seawalls, roads and bridges etc. have significant potential to cause the release of sediment and pollutants into the surrounding waters. Pollution of the adjacent coastal waters from poor on-site construction practices could have a significantly negative impact on the fauna and flora of surface waters in this area. High levels of suspended solids settling on the seashore and seabed can alter habitats resulting in potential loss of feeding, nursery and spawning grounds for fish. All measures necessary should be taken to ensure protection of local aquatic ecological integrity, in the first place by complete impact avoidance and as a secondary approach through mitigation by reduction and remedy”.

“Foreshore works should be designed and implemented in an ecologically sound and stable way..” “The disturbance effect of the dredging is difficult to quantify but mitigation measures such as soft start up and ramp up along with periods of relief when the dredger is offsite to dump sediment will reduce the impact. The dredger pumps being switched off or in neutral when raising and moving to a new location will also reduce the risk of fish entrainment”... “The resuspension of dredge material should not impact negatively on the fisheries of this area in any way. Toxic contaminants in water or sediment can kill marine life...” “Concrete / cement and other construction materials can be highly toxic to aquatic life. Use of these elements should be strictly controlled and monitored ...” “Implementation of comprehensive environmental management planning systems is essential for all construction activities...”.

DPC Response

In response to the concerns raised by IFI with regard to the potential impacts associated with construction phase activities on surrounding waters, DPC has applied the following mitigation measures, as included within the Chapter 5 (Project Description) of the submitted EIAR, Chapter 13 (Coastal Processes), Chapter 21 (Mitigation) and the draft CEMP:

Mitigation through Engineering Design

Integration of the engineering design team with the planning and environmental team from an early stage in the project has enabled mitigation by design to be used, causing many likely significant effects to be eliminated or reduced to an acceptable level during the preliminary design stage.

Mitigation through engineering design has been extensively used during the preliminary design stage of the 3FM Project to ensure no significant infilling of the Lower Liffey / Harbour area to avoid significant effects on the hydromorphological supporting conditions of the surface water status of the Lower Liffey Estuary and to maintain ecological potential of the Liffey Estuary Lower transitional water body.

Notably the proposed Lift-on Lift-off (Lo-Lo) container terminal located on the foreshore north of the ESB's Generating Station (Area N) is designed as an open-piled wharf structure.

Furthermore, the SPAR Viaduct located on the foreshore between the Tom Clarke Bridge and Poolbeg Yacht and Boat Club is designed as an open-piled bridge structure.

The design of the 3FM Project therefore ensures no significant infilling of the Lower Liffey Estuary.

Chapter 13 of the EIAR, Material Assets - Coastal Processes, sets out the computational modelling undertaken to support the engineering design. The modelling of tidal currents and storm waves has provided evidence that changes to the tidal regime as a result of the proposed open-piled marine infrastructure, including capital dredging, will be imperceptible. Furthermore, modelling of the movement and settlement of sediments as a result of capital dredging has demonstrated that the impact on riverine and coastal environments, including nearby European sites within the Tolka Estuary, will also be imperceptible.

Mitigation through engineering design has therefore reduced the potential impact of the 3FM Project on coastal processes and the hydromorphological supporting conditions of the Lower Liffey Estuary to an imperceptible level thereby minimising the potential loss of feeding, nursery and spawning grounds for fish.

Mitigation by Avoidance

As noted in Chapter 9 (Water Quality and Flood Risk Assessment), section 9.1.5.1 (Construction Phase Mitigation Measures) of the submitted EIAR, mitigation by avoidance has also been extensively used by establishing construction closed periods to avoid impact at the most vulnerable times within the fisheries life cycles. This is important as fish are an important contributing element to the ecological potential of the Liffey Estuary Lower, Liffey Estuary Upper and Dublin Bay and the 3FM Project will not result in the deterioration in the fish status nor will it prevent the transitional and coastal water bodies affected from achieving their environmental objectives.

During construction, a closed period for impact piling within the narrow reach of river, upstream of Berth 49, will be enforced between March and May during the peak smolt migration run.

A closed period will also apply to impact piling within the broader reach of the river, adjacent to the navigation channel at the proposed Lo-Lo container terminal at Area N, between July and August during the peak adult salmon run.

During capital dredging, closed periods will also apply. All capital dredging of sediments required by the 3FM Project will be carried out during the winter months (October – March). In addition, upstream of Berth 49 the no-dredging period will be extended to include the period from 15th March to 31st March. This refers to the narrowest part of the channel and has been applied by the EPA to the MP2 Project and Dublin Harbour Capital Dredging Project Dumping at Sea Permits

Mitigation through preventing deterioration in Water Quality

The Water Quality of the Lower Liffey is of key importance for the safe passage of salmon and other migratory fish species. DPC has been measuring water quality continuously at four locations (see EIAR Chapter 9, Figure 9.10) for over a decade. As noted in Chapter 9 (Water Quality and Flood Risk Assessment), section 9.1.9 (Monitoring), the key parameters recorded are Turbidity (a surrogate for Total Suspended Solids) and Dissolved Oxygen. Temperature and Salinity are also monitored which directly impact Dissolved Oxygen levels within the Lower Liffey. These parameters provide indicators of the overall health of the Lower Liffey from a Benthic Biodiversity & Fisheries, Marine Mammals perspective.

There has been a general improvement in water quality and DPC has contributed to this through the Alexandra Basin Redevelopment (ABR) Project⁴⁰ which has ceased fugitive losses arising from the export of Lead and Zinc Ore and cleaning up legacy contamination issues associated with the sediments within Alexandra Basin West.

The most recent monitoring by the EPA has however downgraded the Water Framework Directive ecological potential of the Lower Liffey from Good to Moderate. The cause of this decline has been identified as increased nutrients, potentially caused by wastewater discharges from Ringsend Wastewater Treatment Plant and/or diffuse nutrient losses from agricultural areas in the upstream Liffey catchment. Dublin Port does not influence nutrient levels in the Lower Liffey and is therefore not the cause of this change is the ecological potential of the water body.

Prevention of Pollution Measures

A Water Quality Management Plan will be implemented for the duration of the proposed construction works, as presented in the Draft CEMP and summarized in Table 21.1 of the EIAR and repeated below for convenience.

- “Sound design principles will be followed to adhere to relevant Irish guidelines and recognised international guidelines for best practice.
- Appropriate erosion and sediment controls during construction to prevent sediment pollution will be implemented.
- Where preferential surface flow paths occur, silt fencing or other suitable barriers will be used to ensure silt laden or contaminated surface runoff from the site does not discharge directly to a water body or surface water drain.
- In the event that dewatering of foundations or drainage trenches is required during construction and/or discharge of surface water from sumps, a treatment system prior to the discharge will be used; silt traps, settlement skips etc. This measure will allow additional settlement of any suspended solids within storm water arising from the construction areas.
- Management and auditing procedures, including tool-box talks to personnel will be put in place to ensure that any works which have the potential to impact on the aquatic environment are being carried out in accordance with required permits, licences, certificates and planning permissions.
- Existing and proposed surface water drainage and discharge points will be mapped on the Drainage layout. These will be noted on construction site plans and protected accordingly to ensure water bodies are not impacted from sediment and other pollutants using measures to intercept the pathway for such pollutants.
- A project specific Pollution Incident Response Plan has been prepared and suitable training will be provided to relevant personnel detailed within the Pollution Incident Response Plan (see Draft CEMP and Table 21.1 of the EIAR).”

In addition to the above, with regard to the potential for pollution associated with concrete and cement, Table 21.1 (Chapter 21) of the submitted EIAR also states “the following precautionary measures shall be undertaken to minimise the risk of impacting on water quality within the receiving environment with respect to the accidental release of highly alkaline contaminants from concrete and cement that may arise during the demolition of buildings and structures and the construction of hardstand areas, waterside berths, quay walls, jetties, bridging structures, etc.

- Breaking of concrete (associated with structure demolition) has the potential to emit alkaline dust into the receiving environment. Where necessary a barrier between the dust source and the sensitive receptor (the water body in this case) will be erected to limit the possibility of dust contacting the receptor.
- Concrete use and production shall adhere to control measures outlined in Guidance for Pollution Prevention (GPP5): Works and maintenance in or near water (2017). Any on-site concrete production will have the following mitigation measures: bunded designated concrete washout area; closed circuit wheel wash; and initial siting of any concrete mixing facilities such that there is no production within a minimum of 10m from the aquatic zone.
- The use of wet concrete and cement in or close to any water body will be carefully controlled so as to minimise the risk of any material entering the water, particularly from shuttered structures or the washing of equipment.

⁴⁰ Board Case Ref. PL 29N.PA0034

- Where concrete is to be placed under water or in tidal conditions, specific fast-setting mix is required to limit segregation and washout of fine material/cement. This will normally be achieved by having either a higher than normal fines content, a higher cement content or the use of chemical admixtures.”

With regard to general water quality impacts associated with the construction phase from fuels or other dangerous substances, Table 21.1 (Chapter 21) of the submitted EIAR also states “the following precautionary measures shall be undertaken to minimise the risk of impacting on water quality within the receiving environment associated with works machinery, infrastructure and on-land operations (for example leakages/spillages of fuels, oils, other chemicals and waste water);

- Management and auditing procedures, including tool-box talks to personnel, will be put in place to ensure that any works which have the potential to impact on the aquatic environment are being carried out in accordance with required permits, licences, certificates and planning permissions.
- Existing and proposed surface water drainage and discharge points will be mapped on the Drainage layout. These will be noted on construction site plans and protected accordingly to ensure water bodies are not impacted from sediment and other pollutants using measures to intercept the pathway for such pollutants.
- Fuel, oil and chemical storage will be sited on an impervious base within a bund and secured. The base and bund walls must be impermeable to the material stored and of adequate capacity. The control measures in GPP2 - Above Ground Oil Storage Tanks and GPP26 - Safe storage – drums and intermediate bulk containers shall be implemented to ensure safe storage of oils and chemicals.
- The safe operation of refuelling activities shall be in accordance with GPP 7 - Safe Storage – The safe operation of refuelling facilities.”

Mitigation during Capital Dredging Activities

The assessment of the suitability of the marine sediments for disposal at sea is set out in Chapter 8 Land, Soils, Geology and Hydrogeology, Section 8.4.13 Capital Dredging of the EIAR.

As noted in Section 8.4.13 (Capital Dredging), Chapter 8 of the submitted EIAR, in order to determine the suitability of the marine sediments for disposal at sea, the Marine Institute prepared Sampling and Analysis Plans (SAPs) specifying the sample locations, depths and contaminants to be tested. The marine sediments were classified by comparing the sediment chemistry results against the upper and lower action limits set in the Marine Institute *Guidelines for the Assessment of Dredge Material for Disposal in Irish Waters (2006)*. The full results of the sediment chemistry sampling and analysis were provided to the Marine Institute who examined the results in detail in combination with other relevant data held by the Marine Institute.

It was concluded, subject to the formal approval of the Marine Institute, that the majority of dredged sediments (1,189,000m³) can be classified as Class 1 (Uncontaminated: no biological effects likely) and are therefore suitable for disposal at sea in the absence of a more sustainable alternative. It is proposed to dispose of this Class 1 dredged material at the licenced disposal site at the entrance to Dublin Bay located to the west of the Burford Bank. Alternative options to disposal at sea were considered and are presented in Chapter 4 of the EIAR.

It was also concluded that the top 1.0m of material at the Maritime Village contained widespread levels of Class 2 material, equating to 70,000m³ or 6% of the total volume required to be dredged. The options for disposal of the Class 2 element of dredged sediment from the Maritime Village / Marina, in order of preference, are:

- Filled to berth 52/53 under a revised IE licence subject to availability of receptor capacity;
- Recovered at a soil recovery or soil treatment facility in Ireland subject to testing of the sediments in line with the selected facility licence at the time of the works;
- Recovered at a soil treatment facility in Great Britain or northern Europe;
- Disposed of at a licenced landfill facility in Ireland.

The following key mitigation measures shall apply to Capital Dredging associated with the 3FM Project to minimise the impact of the proposed works on water quality and the WFD status of the Liffey Estuary Lower, Liffey Estuary Upper and Dublin Bay as presented in the Draft CEMP and summarized in Table 21.1 of the EIAR and repeated below for convenience.

- No over-spilling at the surface of the dredger for all dredging activities within the inner Liffey Channel will be permitted. This includes all proposed capital dredging required for the 3FM Project.
- The dredger will work on one half of the channel at a time within the inner Liffey channel to prevent the formation of a silt curtain across the River Liffey.
- A trailing suction hopper dredger (TSHD) or back-hoe dredger will be used for the capital dredging works. When operating in the River Liffey Channel, the TSHD pumps will be switched off when the drag head is

being lifted and returned from the bottom as the dredger turns between successive lines of dredging to minimise the risk of fish entrainment.

- A maximum of 4,100m³ of sediment and entrained water will be loaded into the dredger's hopper for each loading/dumping cycle.
- A documented Accident Prevention Procedure will be put in place prior to commencement.
- A documented Emergency Response Procedure will be put in place prior to commencement.
- A full record of loading and dumping tracks and record of the material being dumped will be maintained for each trip.
- When any dredging is scheduled to take place within a 500m radius of power station intakes, the relevant stakeholders will be notified so that precautionary measures can be taken if deemed necessary.

Mitigation during Piling Activities

The following key mitigation measures shall apply to impact piling activities to minimise the impact of the proposed works on fisheries as presented in the Draft CEMP and summarized in Table 21.1 of the EIAR and repeated below for convenience.

- "For piling activities, where the output peak sound pressure level (in water) exceeds 170 dB re: 1µPa @ 1m, a ramp-up procedure will be employed. Underwater acoustic energy output will commence from a lower energy start-up and thereafter be allowed to gradually build up to the necessary maximum output over a period of 20-40 minutes.
- The impact piling closed periods set out in Table 21.1 will apply for the duration of the construction works.
- Piling is also restricted to 0700h and 1900h (Monday to Friday), 0800h to 1300h (Saturday) and no piling will take place on Sundays or Bank Holidays. Therefore, during piling periods, active piling operations will only occur for a maximum of about 38% of that period, allowing extensive unimpeded use of the harbour area by fish (and marine mammals) throughout project construction."

3FM Project Construction Activities – Monitoring

As noted in Chapter 9 (Water Quality and Flood Risk Assessment), section 9.1.9, a water quality monitoring system has been designed to ensure robust protection of the marine environment and for users of the inner Liffey channel during the construction phase of the 3FM Project.

It is proposed to maintain the four water quality monitoring stations already in position for the ABR Project and MP2 Project⁴¹. The water quality monitoring programme is based on the following specification:

- 24/7 real time monitoring with water quality monitoring sensors giving high resolution data with respect to Turbidity, Dissolved Oxygen, Temperature, Salinity and pH (additional proposed parameter). Turbidity is measured as a surrogate for suspended solids. Site specific tests have previously been undertaken by the ABR Project to define the relationship between Turbidity and suspended solids.
- Water level is also measured at one monitoring station to provide information on tidal state.
- A data acquisition and transfer system is used to enable the transmission of high resolution data at approximately 15 minute intervals.
- Trigger levels that will prompt investigation are proposed for Dissolved Oxygen and Peak Suspended Solids based on Turbidity records in the Water Quality Management Plan (see Draft CEMP). The Dissolved Oxygen trigger level has been selected to safeguard fish-life.
- The monitoring network infrastructure has been in place since 2016 and will continue for the duration of the construction phase of the 3FM Project.
- This monitoring system has already generated a robust water quality baseline within the inner Liffey channel with the ability to identify water quality trends. The continuation of the monitoring system will serve to further strengthen the knowledge of water quality trends, a key indicator of the health of the marine environment.
- The water quality data currently being collected is circulated to Dublin City Council on a monthly basis. It is proposed that this transfer of information continues for the duration of the construction phase of the 3FM Project.
- The data collected is also being shared with research organisations (e.g. Dublin City University, Maynooth University and University College Cork).

⁴¹ Board Case Ref. PA29N.304888

The construction mitigation measures outlined above have been tried and tested during the construction of the ABR Project at Dublin Port. Extensive monitoring programmes put in place for the duration of these works have demonstrated that the mitigation measures are effective in protecting the marine environment.

In all the circumstances, all measures necessary and effective have been identified and will be implemented so as to ensure protection of local aquatic ecological integrity, not only by avoidance but also, where such potential impacts cannot be avoided, through mitigation measures, including efficacious environmental management systems for all construction activities.

3.13.1.2 Councillor Claire Byrne

Item 1 – Dredging Impacts

Submission

In her submission, Councillor Claire Byrne states: *“Negative effects of accumulative dredging on water turbidity are significant. This will lead to loss of marine flora and fauna. Also impacts on the sea bed without time to recover.*

This then effect the delicate ecosystem reducing birds and mammals’ food source. Also accumulative with negative impacts of noise levels on wildlife”.

DPC Response

In response to Councillor Claire Byrne’s observation with regard to the impacts of dredging, it should be noted that Chapter 13 of the submitted EIAR, Material Assets - Coastal Processes, describes the robust and comprehensive computational modelling programme that was undertaken to support the engineering design and quantify the potential environmental impact of construction activities, including all dredging and disposal operations. The hydraulic models used for this assessment were calibrated using extensive datasets recorded as part of DPC’s Environmental Monitoring Programme (ongoing for the ABR & MP2 Projects). Through this process, all models have been verified as fit for purpose as reported in Appendix 13.1 of the EIAR and also as reported in Annual Environmental Reports (AER) to the EPA under Dumping at Sea Permit S0024-02.

The hydraulic modelling demonstrated that dredging activities resulted in only relatively small and very local increases in suspended sediments that tended to fall within the natural background range as measured with the Port. Similarly, the resultant levels of localised sediment deposition were considered insignificant relative to the natural sediment load from the upstream Liffey catchment which is estimated at about 200,000 tonnes per annum (DPC Maintenance Dredge AER 2022, Dumping at Sea Permit S0004-02).

Outputs from dredging simulations were used to inform Chapter 7, Section 7.3 (Benthic Biodiversity and Fisheries) and Chapter 9 (Water Quality) of the EIAR. In summary, this modelling and subsequent assessments demonstrated the impact of dredging on riverine and coastal environments, including nearby European sites within the Tolka Estuary, to be imperceptible.

Using baseline water quality data and site specific water quality model simulation outputs, an assessment of the 3FM Project was conducted to determine the likelihood of significant impacts on water and appropriate mitigation measures to reduce impacts were proposed where necessary. In circumstances where the appropriate mitigations measures are fully implemented during the construction and operational phases, the impact of the 3FM Project on water quality in the project zone of influence will be imperceptible. Temporary habitat disturbance from the dredging activities is not expected to result in any long-term impact, with recovery occurring rapidly on cessation of dredging activities.

As described in Chapter 13 (Coastal Processes), section 13.6 (Mitigation Measures) and Chapter 9 (Water Quality and Flood Risk Assessment), section 9.1.5 (Mitigation Measures) of the submitted EIAR and detailed in the previous response (refer to IFI Item 2), there are extensive mitigation measures in place for all engineering works, including dredging operations, based on the following aspects:

- Mitigation through Engineering Design.
- Mitigation by Avoidance.
- Mitigation through preventing deterioration in Water Quality.
- Prevention of Pollution Measures.
- Mitigation during Capital Dredging Activities.

- Mitigation during Piling Activities.
- 3FM Project Construction Activities – Monitoring.

3.13.1.3 Electricity Supply Board (ESB)

Item 1 – Development of Poolbeg Peninsula (Area K & N)

Submission

In its submission, ESB highlights that development of the Poolbeg Peninsula will decrease the cross-sectional area of the primary river channel leading to a reduction in tidal flow and note that a significant build-up of silt or marine debris has the potential to disrupt power generation due to blockages in the ESB Cooling Water Plant. ESB further notes that DPC has collaborated with ESB to conduct comprehensive studies needed to thoroughly assess potential impacts on the cooling water intake and are content that environmental factors were carefully examined and appreciate the adaptation of the designs to align with ESB's long-term requirements. In this regard, ESB state:

"The development of areas K and N will decrease the cross-sectional area of the primary river channel leading to a reduction in tidal flow. Regarding proposed Terminals K and N, ESB has communicated with DPC to underscore the potential impacts on cooling water intake and outfall for Poolbeg and Dublin Bay Power stations, touching upon aspects as thermal efficiency, water quality, and maintenance access. The abstraction of cooling water for ESB's power stations is crucial, requiring cooling water to be continuously available in an acceptable condition. A significant build up of silt or marine debris has the potential to disrupt power generation due to blockages in the Cooling Water Plant. Consequently, operations depend heavily on the condition of estuarine waters and are vulnerable to any material disturbance in the basin."

"We wish to emphasise that DPC has collaborated with ESB to conduct comprehensive studies needed to thoroughly assess potential impacts on the cooling water intake and outfall for our Power Stations, considering aspects such as thermal efficiency, water quality, and maintenance access. Additionally, ESB is satisfied that environmental factors, including specific sites for water extraction and the capability to disperse heated water within the channel, were carefully examined. We value the adaptation of the designs to align with our longterm requirements and look forward to continued collaboration during the detailed design phase of the project. Specifically, we welcome further exploration and commitments regarding future dredging around our intakes if required due to 3FM developments."

DPC Response

In response to ESB's observation, DPC acknowledges that ESB has expressly stated that DPC has collaborated with ESB to conduct comprehensive studies needed to thoroughly assess potential impacts on the cooling water intake and outfall for ESB power stations. It is also noted that ESB is satisfied that environmental factors, including specific sites for water extraction and the capability to disperse heated water within the channel, were carefully examined.

3.13.1.4 Peter and Mary Carvill

Item 1 – Impact of dredging and ship wash on tidal mudflat areas

Submission

In their submission, Peter and Mary Carvill highlight the importance of the tidal mudflats and raise concern about the impact of dredging on the level and stability of the mudflats, and the potential for changes in hydromorphology. In this regard, Peter and Mary Carvill state: ...*"Very deep immediately to the north of the mudflats and adjoining them (down to -13m. chart datum) might be expected to impact the level and stability of the mudflats, and also to alter the hydromorphology of the site regarding both wind generated waves and the frequent displacement waves generated by ships entering and leaving the port."*

DPC Response

Chapter 13 of the submitted EIAR, Material Assets - Coastal Processes, describes the robust and comprehensive computational modelling programme that was undertaken to assess and quantify the potential impact of the 3FM Project on key coastal processes including tides, waves and sediment transport which collectively govern the hydromorphology of the area. This modelling assessment was undertaken using separate calibrated and validated models to represent the baseline scenario (pre-3FM Project) and proposed

scenario (post-3FM Project), with the latter model having been developed to represent all elements of the project including all dredging operations.

Using these models, and as reported in Chapter 13 of the submitted EIAR, it was found that:

- **In respect of the tidal regime:** the predicted changes in current speeds reduce rapidly outside the works areas and changes to mid-ebb or mid-flood current speeds are less than ± 0.15 m/s within 50 to 150 m of the works. No notable changes to the tidal regime were detected across the mudflats or outside of Dublin Port.
- **In respect of wave conditions:** the predicted change in wave heights within the vicinity of works in Dublin Port during typical storm events are less than ± 0.20 m. There is no discernible change to the wave heights (i.e., $< \pm 0.01$ m) beyond the vicinity of works, including the mudflats and adjacent coastline areas i.e., Clontarf, Tolka Estuary, Sandymount.

Chapter 13 further describes how bed morphology is governed by shear stresses caused by the tidal regime, wave orbital velocities or a combination of both. The relevant parameters for the description of the sediment transport within a coastal environment are therefore based on the following coastal processes:

- Wave conditions at the site and the possible variations over a site
- Current conditions as well as the variations of current over an area
- Water-level conditions, i.e., tide, storm surge and wave set-up
- The sediment characteristics over an area
- The sources and sinks of sediment, such as rivers or tidal inlets.

DPC confirms that on the basis of the site investigation data the proposed dredging has been designed so that it will not impact the level and stability of the mudflats. The stability of dredge slopes has been assessed and the top of the dredge slope will not extend far enough towards land to undermine the mudflats. As shown on drawing CP1901-3FM-RPS-S45-06-DR-C-0609 (submitted with the planning application), the top of the slope is below the level of Mean Low Water Springs meaning that there will not be an impact on the bird feeding area.

As summarised above and described in Chapter 13, given that it has been demonstrated that the 3FM Project will have no significant impact on these processes, it can be concluded that the 3FM Project will not result in a significant impact to the sediment transport regime (i.e., hydromorphology) within Dublin Port, or the wider Dublin Bay area including the nearby mudflats.

Furthermore, given that the wavelength of bow waves generated by passing vessels are significantly lower than those waves generated by longer period storm waves, the change in these wave conditions will be even smaller throughout Dublin Port and surrounding areas. Thus, the potential for these waves to interact with the seabed and impact on seabed morphology is considered negligible.

3.13.2 Conclusions Relevant to Coastal Processes

Three of the issues raised in the three submissions that make reference to Material Assets - Coastal Processes were in relation to the dredging activities and the potential impact on sensitive flora and fauna. In addition to addressing these issues in Section 3.12.1 of this response document, these issues have been fully addressed through reference to:

- Chapter 7 Biodiversity, Section 7.3 Benthic Biodiversity and Fisheries
- Chapter 8 Land, Soils, Geology and Hydrogeology, Section 8.4.13 Capital Dredging
- Chapter 9 Water Quality and Flood Risk Assessment, Section 9.1 Water Quality
- Chapter 13 Material Assets - Coastal Processes
- Appendix 13.1 Hydraulic Modelling Software
- Chapter 21 Summary of Mitigation Measures and Conclusions
- Draft CEMP.

In summary, a robust and comprehensive computational modelling programme was undertaken to support the engineering design and quantify the potential environmental impact of construction activities, including all dredging and disposal operations. The hydraulic models used for this assessment were calibrated using extensive datasets recorded as part of DPC's Environmental Monitoring Programme (ongoing for the ABR &

MP2 Projects) and verified as fit for purpose as reported in Appendix 13.1 of the EIAR and in the Annual Environmental Reports (AER) to the EPA under Dumping at Sea Permit S0024-02.

The hydraulic modelling demonstrated that dredging activities resulted in only relatively small and very local increases in suspended sediments that tended to fall within the natural background range as measured with the Port. Similarly, the resultant levels of localised sediment deposition were considered insignificant relative to the natural sediment load from the upstream Liffey catchment which is estimated at about 200,000 tonnes per annum (DPC Maintenance Dredge AER 2022, Dumping at Sea Permit S0004-02).

Modelling of the movement and settlement of sediments as a result of capital dredging demonstrated that the impact on riverine and coastal environments, including nearby European sites within the Tolka Estuary and mudflat habitats, will also be imperceptible.

Mitigation through engineering design reduced the potential impact of the 3FM Project on coastal processes and the hydromorphological supporting conditions of the Lower Liffey Estuary to an imperceptible level thereby minimising the potential loss of feeding, nursery and spawning grounds for fish.

The third issue raised by ESB was in relation to the potential impact of the 3FM Project on the cooling water intake and outfall for power stations on the Poolbeg peninsula. Through extensive collaboration, ESB were satisfied that environmental factors, including specific sites for water extraction and the capability to disperse heated water within the channel, were carefully examined and valued the adaptation of the designs to align with long-term requirements. ESB noted that they look forward to continued collaboration during the detailed design phase of the project and welcome further exploration and commitments regarding future dredging around the intakes if required due to 3FM Project developments.

3.14 Traffic & Transport

3.14.1 Observations Relevant to Traffic and Transport

The following observations refer to Traffic and Transport and are addressed below.

Number in Index	Party Name
	Dublin City Council
No. 6	National Transport Authority
No. 47	Transport Infrastructure Ireland
No. 49	Department of Transport
No. 13	ESB
No. 34	Amphitheatre Ireland Ltd.
No. 52	Pembroke Beach DAC
No. 8	Councillor Claire Byrne
No. 12	Councillor Hazel Chu
No. 5	Ruth Morgan & Gary Costello, 63 Pigeon House Road
No. 7	Margaret & Gerard Byrne, 44 Pigeon House Road
No. 9	Grainne Hughes, 49 Pigeon House Road
No. 32	Brigid Purcell, 5 Pigeon House Road
No. 36	Michael Curry, 27 Pigeon House Road
No. 37	Joe & Christina Whelan, 15 Pigeon House Road
No. 39	Jason McDonnell, 12 Pigeon House Road
No. 41	Grahan McDonnell, 12 Pigeon House Road
No. 43	Ning Rodgers, 32 Pigeon House Road
No. 44	Sandra Wayne & Marion Ryan, 28 & 29 Pigeon House Road
No. 45	Patrick Smith, 24 Pigeon House Road
No. 15	Sandymount & Merrion Residents Association (SAMRA)
No. 2	Peter Morrogh, 5 St. John's Road
No. 19	David Turner, 155 Strand Road
No. 38	Pete Hogan, 153 Strand Road
No. 51	William Kelly & Others
No. 26	Kevin Enright
No. 29	Alexander Garvey
No. 30	Greg Kavanagh

3.14.1.1 Dublin City Council

DCC are strongly supportive of the 3FM Project as evidenced in the conclusion of DCC's response report (Page 8) which states: *"Dublin City Council support the principles around the 3FM Project on foot of the objectives of the City Development Plan and Poolbeg West Planning Scheme. There is an evident need for improved infrastructure and revisions to specialist land uses to serve the growing port functions in line with national and regional policy."*

In its response report DCC has raised certain matters in respect of which it requires clarification. The observations relevant to traffic and transport are considered below.

Item 1 – SPAR Points 2- 4

Submission

The observations relevant to traffic and transport are in Section 5 Departmental Recommendations, Environment and Transportation Department, SPAR Points 2- 4:

- It is not fully clear how removal of all Port and utility traffic from Public roads can be achieved, on how the SPAR would be restricted to commercial and public transport use only. A comprehensive traffic management plan is requested to address this.*
- There is an opportunity to use the new control room tower proposed by Dublin City Council for the Point Bridge. Dublin City Council would prefer one control room rather than a separate one for the SPAR.*

4. The future impact of the proposed Luas on pedestrian space on SPAR bridge should be considered.

DPC Response

DPC submitted a robust EIAR containing a detailed traffic and transportation assessment (Chapter 14) including a Mobility Management Plan (Appendix 14.2) and a Draft Construction Traffic Management Plan (Draft CEMP) in addition to planning drawings and bridge design reports.

2. Heavy port and utility vehicles will not need to be further incentivised or forced to use the SPAR. The Dublin City HGV Management Strategy already heavily restricts these vehicle movements containing them to the R131, Tom Clarke Bridge and East Wall Road between 0700-1900, and restricting them from travelling south of the Sean Moore Roundabout 24 hours per day. They also queue and are charged at the East-Link toll bridge. By comparison, the SPAR will be relatively free-flowing and does not have a toll.

Section 14.5.5 of the EIAR (*EIAR, Volume 2, Part 4, Chapter 14, Section 14.5.5 on Page 14-26*) confirms the following traffic streams will be permitted to use the SPAR as agreed in pre-application liaisons with NTA and DCC:

- Commercial vehicles going to and from Dublin Port facilities.
- Dublin Port Company vehicles
- OGV1 Commercial Goods Vehicles going to and from the Poolbeg Peninsula. This includes all rigid vehicles over 3.5 tonnes gross vehicle weight with two or three axles.
- OGV2 Commercial Goods Vehicles going to and from the Poolbeg Peninsula. This includes all rigid vehicles with four or more axles and all articulated vehicles.
- Public transport buses of 25+ passenger capacity.
- Emergency Services vehicles

Although these formal definitions may appear jargon-heavy, they translate readily onto typical road signage.

Note that the use of the SPAR has been the subject of extensive discussion between DPC and DCC and the NTA in which the restricted nature of the SPAR has been agreed. The SPAR, as a Public Road, will be taken in charge by DCC on completion and the nature of the legal mechanism to be used to restrict access to the SPAR will be a matter for DCC in the context of its statutory powers.

DPC are happy to accept a Planning Condition for the provision of a Traffic Management Plan relating to the statutory road signage strategy, internal port communication strategy and enforcement procedures for use of the SPAR.

3. During the pre-application process there were bi-monthly meetings with the key stakeholders to ensure synergies between and co-ordination of several infrastructure projects being progressing simultaneously in the environs of the existing Tom Clarke Bridge. These schemes included the proposed SPAR bridge, proposed widening of the Tom Clarke / Point bridge and proposed Dodder Bridge.

As per Table 14.3 of the EIAR (*EIAR Volume 2, Part 4, Chapter 14, Table 14.3 on Page 14-38*) the stakeholders involved in the discussion were DCC and Roughan & O'Donovan (civil engineering consultants progressing the bridge designs on behalf of DCC), DPC and RPS (civil and environmental engineering consultants progressing the bridge designs on behalf of DPC). The possibility of combined control towers for two or more of the bridges was a key discussion point. There was general acknowledgement that the concept of combined controlled towers would have operational advantages, however it was not possible to combine planning applications or have inter-dependant planning applications. Hence the agreed strategy amongst the parties was that each bridge should proceed to planning stage with individual control rooms.

4. The proposed SPAR bridge evolved during consultation resulting in active travel corridors on both the east and west side (the eastern side is 5.5m and the western side is 3.3m).

The proposed designs of the SPAR bridge presented during the initial consultation had one active travel path on the west of the SPAR. The feedback was that the public wanted to be on the eastern side with views out to sea. Therefore, the singular proposed active travel path was moved to the eastern side of the SPAR Bridge and active travel crossings were included on the SPAR.

Subsequently there were pre-application consultations with NTA, who requested that the SPAR be future-proofed as a possible option for the extension of the red-line LUAS in the future. When the bridge designers considered this request, they determined that the best option was a cantilevered section on the western side of the SPAR Bridge. This concept also introduced symmetry to the proposed bridge and therefore became part of the structural integrity of the bridge. i.e. the cantilevered section for the future-

proofing of the SPAR had to be constructed with the main bridge, it could not be constructed at a later stage. To avoid the cantilevered section on the western side being sterile, it was decided that it could be used as an additional active travel corridor in the interim period, until such times as the LUAS would become operational. Hence the western active travel path was always a sacrificial over-provision of active travel.

Should the LUAS future optioneering by NTA utilise the western cantilevered section of the SPAR bridge, the active travel provision will return as originally intended and the remaining 5.5m active travel path on the eastern side will adequately provide the active travel requirements, particularly as the 5.5m design comfortably exceeds the 2.5m absolute minimum width for an active travel path.

Hence, the design of the SPAR bridge purposely includes an over-provision of active travel on the western side. It is only the over-provision portion that would be removed should the LUAS use the bridge in future years, minimising any impact on pedestrian space.

Item 2 – East Wall/Alexandra Proposed Works

Submission

DPC's fifth observation is as follows:

5. *"There is concern regarding the proposed works to the east side of East Wall Road, in particular the removal of the public footpath on the impact of the road widening on the layout of the permitted Liffey Tolka route. The following should be provided:*
 - a. *A clear rationale for the proposed works at East Wall Road and clarification as to the impact on the Project should such works be omitted. A revised Plan should demonstrate how the permitted Liffey Tolka Public Realm Scheme, the East Coast Trail and Point Junction Upgrade are integrated with this proposals. A minimum 2m public in charge footpath is required.*
 - b. *Clarification of the lands under the developer's control."*

DPC Response

5 (a) – Rationale for the proposed works at East wall Road

The rationale for the proposed work is that if this left-slip access into the north port was removed, the vehicles entering the Port on Promenade Road could potentially result in a queue that might reach the Dublin Tunnel. Hence the proposed left-slip from East Wall Road cannot be omitted from the Project. In addition, two entry points into the Port also assists with traffic management should an incident occur within the Port.

Traffic impact assessments have been carried out supporting the Dublin Port Masterplan including:

- The Strategic Transportation Study 2018, to accompany the Dublin Port Masterplan 2040, Revised 2018, carried out in 2017 and 2018;
- EIAR for the MP2 Project application, progressed in 2019 and 2020.

These assessments found the Promenade Road entry to the Dublin Port Estate would exceed vehicular capacity and would require mitigation from the year c2032. If this mitigation was not provided a queue could develop on Promenade Road that could have the potential to extend back into the Dublin Tunnel.

The 3FM Project is the Third and Final Masterplan Project and is the fulfilment of the Dublin Port Masterplan 2040. The mitigation works required for the vehicular capacity issue on the Promenade Road are therefore required to be assessed and delivered as part of the 3FM Project.

Chapter 14 Traffic and Transport of the EIAR (Volume 2, Part 4) provides a detailed assessment of the future year traffic flows and the outcomes of the traffic modelling. Extensive detailed optioneering was considered for the mitigation works required in the north port to find the preferred solution to bring to planning stage. The proposed vehicular accesses into the Port Estate for the 3FM Project will be:

- The existing Promenade Road / Bond roundabout (sometimes referred to as the Circle K roundabout) is proposed to become a signalised junction with associated upgrade and lane reallocation of approach arms. For ease of reference this is referred to as Junction 14 in the EIAR.
- The proposed left slip from East Wall Road into the north port is referred to as Junction 21 in the EIAR for ease of reference.

Section 14.14.6.7 of the EIAR (Volume 2, Part 4, Section 14.14.6.7 at Pages 14-137) shows that when a portion of the port's traffic is assigned to the left-in slip road at Junction 21, the modelling results demonstrate that proposed Junction 14 is predicted to operate within capacity for the 2040 Proposed scenario and for all peak periods. Importantly, the modelling results show that the queue on Promenade Road approaching

Junction 14 is only 127m, comfortably contained within the north part a comfortable distance away from the Dublin Tunnel (M50) southern portals, which are over 1km away (Volume 2, Part 4, Figure 14.91 on Page 14-137).

In the optioneering, if Junction 21 was removed and the entry traffic flows were reassigned to Junction 14, the queues back up and potentially may reach the Tunnel. Hence the proposed left-slip at Junction 21 cannot be omitted from the Project.

5 (a) – Integration of the Liffey Tolka Public Realm, East Coast Trail and Point Junction Upgrade

The proposed 3FM Project team engaged with the Liffey-Tolka team as part of the planning design process. This resulted in an agreement that the 3FM Project, if approved and delivered, would amend the layout of the Liffey-Tolka scheme locally to the north of Alexandra Road in order to accommodate the proposed left-slip lane required as part of the 3FM Project. The proposed amendments would still be in keeping with the general principles of the Liffey-Tolka project layout and would provide a pedestrian route of approximately 10m in width at this location. This layout is represented on all of the Road Network & Upgraded Footways Northern Port drawings (Sheet 4). Reference should be made to CP1901_3FM-RPS_S26-HKF-NP-DR-HE-100-0004 Roads & Footways (Northern) – Proposed Construction Makeup Sheet 4 for further information regarding the proposed footway surfacing in this area.

The East Coast Trail and Point Junction Upgrade will be unaffected by the proposals.

5 (a) – Minimum 2m public in charge footpath

As noted above, the proposed amendments would still be in keeping with the general principles of the Liffey-Tolka project layout and would provide a pedestrian route of approximately 10m in width at this location. On that basis, a minimum 2m public in charge footpath will be provided.

5 (b) - Lands under the developer's control

Drawing Overall General Arrangements – Overall Site Location map Sheet 1 Rev P06 (CP1901_3FM-RPS_S26-PGN-XX-DR-HE-100-0007) includes the blue line confirming the Dublin Port Estate boundary.

Item 3 – South Bank Road

Submission

The fifth and sixth observations of DCC are set out below:

6. *“The proposed development should take cognisance of the Poolbeg West SDZ/Pembroke South development, in particular the requirement to provide a four-arm signalised junction at Whitebank Road/South Bank Road and the new ‘South Link Road’ within the Pembroke South lands.*
7. *Consideration should be given to the provision of continuous footpath, cycle lanes/raised tables along the north side of South Bank Road.”*

DPC Response

DPC understand the importance of adhering to the provisions of the Poolbeg West SDZ and have taken careful cognisance of the rolling its contents and that of the Pembroke South / Glass Bottle development. The four-arm junction has been taken account of in the progression of the proposed General Arrangement for the 3FM Project and the traffic and transport assessment has been considered in this context

There were several pre-applications meetings with various departments of DCC, and this junction in particular was discussed at the meetings with the DCC Transport Planning Division between 2022 to 2024. (See EIAR, Volume 2, Part 4, Table 14.3 on Page 14-39 for dates).

DPC will continue to take cognisance of the Poolbeg West SDZ/Pembroke South development, in particular the requirement to provide a four-arm signalised junction at Whitebank Road/South Bank Road and the new ‘South Link Road’ within the Pembroke South lands / Glass Bottle site. It is proposed to realign the Whitebank Road within the 3FM Project, however the four-arm junction has been maintained within the 3FM proposals with the previous Whitebank Road arm being used to access lands to the north of the South Bank Road. This is consistent with the 2019 SDZ Planning Scheme which states on Page 40 *‘Within lands owned by the port located north of South Bank Road, there is some scope for realignment of access roads including Whitebank Road. The position of the junction between South Bank Road and Whitebank Road must be maintained however, in order to deliver the proposed block layout’.*

In respect of observation #7 above, DPC has indeed proposed an active travel path along the north of the South Bank Road and has had several pre-applications meetings with various departments of DCC with regard to the detailing of the active travel provision, including the DCC Active Travel Unit. (See EIAR, Volume 2, Part 4, Table 14.3 on Page 14-39 for dates).

The current 3FM Project proposals show the active travel path users giving way to vehicular traffic when crossing the accesses. As detailed design progresses, DPC will further consider the provision of continuous footpath, cycle lanes/raised tables along the north side of South Bank Road and liaise with relevant stakeholders to consider if the active travel path should be continuous and have the priority at the access crossing.

The NTA (Section 3.14.1.2 below) has stated that: *"The NTA recommends that, in the event of a grant of permission, a condition is attached requiring consultation with Dublin City Council and the NTA on the tie-ins of the proposed development to the strategic cycle network, in particular to the area close to the Point roundabout / East Wall Road, Alexandra Road and at Pigeon House Road."*

DCC's proposal relating to the detailing of the active travel provision along the South Bank Road can readily be included within this same process.

Item 4 – Architectural Design of SPAR

Submission

The DCC City Architects made the following observation:

- a) *"It is preferable that the SPAR bridge be designed to run parallel to the existing Tom Clarke Bridge, and the southern radius tightened to ensure consistency with other Liffey bridges and better integration with the existing urban geometry and character of the historic Port area."*
- b) *"There is limited information on the vertical alignment of the proposed bridge, specifically, at height & position with regard to the existing Tom Clarke Bridge adjacent. Similarly, there is limited information on the levels and falls of the 'proposed pedestrian link from the active travel route and SPAR bridge, to the Tom Clarke bridge crossing point'"*
- c) *"It is considered that the design of the proposed new SPAR bridge would benefit from the addition of resting points similar to those proposed along the viaduct."*

DPC Response

- a) The horizontal alignment of the SPAR and therefore river crossing are required to comply with relevant road design standards. The alignment options considered varied in terms of skew and radius where the alignment lands on the southern side of the river. Some of the key constraints include design speed, minimum radius, forward visibility and the need for a straight section of deck leading into the lifting span (i.e. not on a curve/radius). It is noted that given the existing R131 runs along the existing southern shoreline, it is not possible to provide a straight alignment for the entire bridge crossing, running parallel to the Tom Clarke Bridge, as there is no scope to accommodate the required bend within the southern lands footprint. As such, the bend required to allow the SPAR to run along the northern side of the R131 on the southern shoreline needs to be located within the river crossing. Noting the other constraints such as the minimum radius and the need for a straight section of deck at the opening span, a slight skew in the alignment of the bridge is inevitable. The design team have been conscious of the need to minimise this skew in terms of appearance and also to minimise the Active Travel desire line distances and connections to other existing/proposed amenities to the West on the southern shoreline e.g. St Patrick's Rowing Club, the Dodder Public Transportation Opening Bridge and the Point Pedestrian and Cycle Bridge. Further information regarding the chosen horizontal alignment of the SPAR at the river crossing is available within the Southern Port Access Route Opening Bridge Preliminary Design Report, Section 3.5.1.
- b) The vertical alignment of the SPAR Bridge is comprehensively covered within the Southern Port Access Route Opening Bridge Preliminary Design Report, Section 3.5.2. One of the main constraints regarding the level of the proposed SPAR Bridge is the requirement to provide flood protection including an allowance for climate change and free board. On that basis, it was ensured that the machinery pier, which houses key lifting components, is protected against foreseeable flooding events (200year return period + 1m climate change + 0.3m freeboard) to ensure continued operation during and after such conditions. The machinery pier is the high point of the bridge. It is not feasible to achieve this same design level at all intermediate piers and abutments, whilst also connecting to adjacent roads and pathways. There is also a

desire to reduce the visual impact of the structure as it nears the riverbanks, particularly from residential properties on Pigeon House Road.

The climate change allowance means that the SPAR Bridge has been designed for more onerous flood levels than those that were used for the Tom Clarke Bridge. This manifests in the soffit of the SPAR bridge sitting higher than that of the Tom Clarke Bridge. Care has been taken to minimise this difference in level.

The cross-section arrangement allows the running surfaces of the SPAR Bridge to stay as close to those of the Tom Clarke Bridge as possible, such that bridge users are at a similar level on both bridges. This helps reduce the perceived difference in level between the SPAR bridge and the Tom Clarke Bridge. The high point of the SPAR Bridge is approximately 5.9m and that of the Tom Clarke which is approximately 5.4m.

A long section of the SPAR Bridge road levels is included in the Planning application: *CP1901_3FM-RPS_S26-HML-SP-DR-HE-100-0002 Roads & Footways (Southern & SPAR) – Proposed SPAR Longsection Sheet 1*.

The proposed Active Travel link from the SPAR to the Tom Clarke Bridge alongside the R131 involves the provision of a piled structure. This is included within the Southern Port Access Route Viaduct Preliminary Design Report and shown on drawings *CP1901-3FM-RPS-C-SBR-Via-DR-C-BR0103-02 SPAR-Proposed Viaduct General Arrangement (Sheet 2 of 10)* and *CP1901-3FM-RPS-C-SBR-Via-DR-C-BR0103-09 SPAR-Proposed Viaduct General Arrangement (Sheet 9 of 10)*. The level difference from the Active Travel path on the SPAR to the tie-in with the existing footway levels on the R131 is approximately 1.42m. This level difference is taken out by a 40m long ramped section with a gradient of 3.5%. This geometry is compliant with TII Publications: *PE-PMG-02045 National Roads – Active Travel Planning*; *DN-GEO-03047 Rural Cycleway Design (Offline & Greenway)*; *DN-GEO-03031 Rural Road Link Design* and the *Cycle Design Manual*.

- c) Resting points on the SPAR Bridge can be considered at detailed design stage, noting that the machinery pier may be a logical location.

3.14.1.2 National Transport Authority (NTA)

NTA has provided a positive response and is satisfied that the proposed development is consistent with the Transport Strategy for the Greater Dublin Area. They provide two recommendations:

Item 1 – Luas

Submission

The observation relevant to traffic and transport is: *"The NTA recommends that, in the event of a grant of permission, a condition is attached requiring consultation on the detailed design of the SPAR bridge in order to ensure that an extension to the Luas Red Line can be accommodated."*

DPC Response

DPC confirms that it will undertake consultation on the detailed design of the SPAR bridge in order to ensure that an extension to the Luas Red Line can be accommodated.

Item 2 – Active Travel

Submission

The observation relevant to traffic and transport is: *"The NTA recommends that, in the event of a grant of permission, a condition is attached requiring consultation with Dublin City Council and the NTA on the tie-ins of the proposed development to the strategic cycle network, in particular to the area close to the Point roundabout / East Wall Road, Alexandra Road and at Pigeon House Road."*

DPC Response

DPC will undertake consultation with DCC and the NTA on the tie-ins of the proposed development to the strategic cycle network, in particular to the area close to the Point roundabout / East Wall Road, Alexandra Road and at Pigeon House Road.

3.14.1.3 Transport Infrastructure Ireland (TII)

TII has provided a positive response and has suggested the following recommendations as post-permission conditions:

Item 1 – National Road Network:

Submission

The observation relevant to traffic and transport is: *“Prior to commencement of development, plans and details of works on, or in the vicinity of the national road network required which shall in accordance with TII Publications shall be submitted for the written agreement of the planning authorities in consultation with TII.”*

DPC Response

DPC confirms that it shall submit the plans and details of works on and in the vicinity of the national road network to TII and DCC for their written agreement.

Item 2 – CEMP

Submission

“Prior to commencement of development, the final Construction Environmental Management Plan (CEMP) shall be submitted for the written agreement of the planning authorities subject to the written agreement of TII. The CEMP will reflect mitigation and monitoring for the national road network.”

DPC Response

DPC confirms that it shall submit the CEMP to TII and DCC reflecting mitigation and monitoring for the national road network for their written agreement.

Item 3 – CTMP

Submission

“A Construction Traffic Management Plan (CTMP) that shall be submitted for the written agreement of the planning authorities subject to the written agreement of TII and shall

- a) *demonstrate prior and ongoing consultation with the Dublin Tunnel management, via TII and the relevant road authorities, and*
- b) *demonstrate consultation with the M50 PPP Contractor via TII and the relevant road authorities, and*
- c) *include detailed information on the traffic management, including signage (static and VMS) to ensure the strategic function of the national road network is protected.”*

DPC Response

DPC confirms that it shall submit the CTMP to TII and DCC for their written agreement.

3.14.1.4 Department for Transport

Item 1 – Accessible public transport for all & Climate Change

Submission

The Department has highlighted the following aspects of the proposed 3FM Project in Section 2 of their submission, which are relevant to ensuring accessible, integrated and sustainable public transport:

- *Southern Port Access Route:*
 - *Extension of the pedestrian and cycle links across the River Liffey Extension by way of new or upgraded footway, and*
 - *Facilitation of public transport users by way of road infrastructure to accommodate bus based public transport.*
- *New public realm and open spaces (Port Park/Wildflower Meadow/Coastal Park/Irishtown Nature Park)*
 - *New or upgraded Footway*
- *Any enhancements and linkages with existing pedestrian and cycle networks.*
- *Active Travel Path Provision and Upgrades.*
- *Proposed road infrastructure*

- Accommodating bus-based public transport.

The Department goes on to say: *"Having regard to these features of the proposed development, the Department suggests that the following key policies and initiatives should be considered by An Bord Pleanála during its assessment of the proposed development:*

- *National Disability Inclusion Strategy (NDIS) 2017-2022*
- *United Nations' Convention on the Rights of Persons with Disabilities (UNCRPD)*
- *Design Manual for Urban Roads and Streets (DMURS) and DMURS Advice Notes*
- *Greater Dublin Area Transport Strategy 2022-2042*
- *Climate Action Plan 2024 (CAP24)"*
- *Transport Chapter of the Climate Action Plan*
- *National Sustainable Mobility Policy (2022)"*

DPC Response

DPC notes and welcomes the support of the Department in respect of the portions of the 3FM Projects that focus on active travel, public realm and accessibility as have been listed in their response and replicated above.

A Mobility Management Plan (MMP) has been appended to the application which sets out the measures which will be adopted by DPC, in liaison with the operators, to ensure that the sustainable transport facilities are made available and are utilised by the users of the 3FM Project. (MMP is located in EIAR, Volume 3, Part 8, Appendix 14.1).

The Board will also note that Section 14.5.5 of the EIAR (EIAR, Volume 2, Part 4, Chapter 14, Section 14.5.5 on Page 14-26) confirms that public transport buses of 25+ passenger capacity will be permitted to use the SPAR as agreed in pre-application liaisons with NTA and DCC.

The design of roads and active travel has been carried out in accordance with the latest guidance and statutory requirements, which inherently incorporate accessible requirements.

DPC therefore considers that the 3FM Project has taken cognisance of the key policies and initiatives listed by the Department for Transport above and are inherently incorporated within the proposed Project. Further detail can be considered in the detailed design post-planning stage, and DPC also concur with the submissions by DCC and NTA with regard to the same.

3.14.1.5 ESB

The ESB submission is generally supportive of the application stating that SPAR route option avoids any potential interference with vital infrastructure projects at Ringsend.

Item 1 – ESB request to continue as a Key Stakeholder

Submission

The ESB's observation relevant to traffic and transport is: *"Due to the nature of ESB operations (incl. three Tier 2 Seveso designations on our sites in Poolbeg), travel times and access for essential services are important for emergency plans and public health and safety. In this regard, it is critical that ESB remains a key stakeholder and is consulted early in the process to implement road design amendments."*

DPC Response

DPC confirms that it will continue to take all steps necessary for ESB to remain as a key stakeholder and further confirms that it shall be consulted at all relevant stages of the process regarding road design.

Item 2 – ESB continued commitment to constructive collaboration with DPC

The observation relevant to traffic and transport is: *"In our recent interactions, ESB and DPC have talked about changes to the existing entrances to the BESS plant and other ESB lands from Shellybanks Road, the proposed repositioning of Whitebank Road through ESB lands at Ringsend, the proposed redesign of the roundabout affecting the entrance to Poolbeg generating station and the provision of emergency access through Poolbeg Station to the new container terminal at Wharf N. ESB recognises the significance of these interventions for the delivery of 3FM and the SPAR Route in particular. ESB pledges to continue its constructive collaboration with the DPC Design Team to implement these interventions as the detailed design progresses."*

DPC Response

DPC welcomes ESB pledge to continue its constructive collaboration with the DPC Design Team to implement these interventions as the detailed design progresses and confirms that DPC's collaboration will continue with the ESB throughout this process.

3.14.1.6 Amphitheatre Ireland Ltd

The Amphitheatre Ireland Limited (3Arena) submission recognised the benefits of the 3FM Project once operational, and their concerns were based on two main themes relating to noise, which will be dealt with under a separate cover, and construction related traffic management. The latter theme is relevant to traffic and transport and the issues highlighted and addressed below are based on that theme.

Item 1 – Access during the construction phase

Submission

Paragraph 3.2 states: *"Of particular operation concern to the operators of the 3Arena is the potential disruption to access during the construction phase of the Southern Port Access Route.*

For the venue to continue to operate safely, it is essential that the access routes, delivery routes and emergency routes around the venue remain clear and open with adequate capacity to cater for the vehicular and pedestrian numbers generated by the venue.

Any road or street closures should be limited to periods when there are no events in the Event Dairy for the 3Arena."

Paragraph 3.6 states with regard to Production Deliveries: *"Production deliverables are a vital and essential part of the operation of the 3Arena. They comprise ten to forty articulated trucks arriving between 6am and 1pm and departing between 11pm and 5am after the event. The existing delivery route is from North Wall Quay, North Wall Avenue and Mayor Street Upper to the service doors at the northwest corner of the venue, this route can be isolated from audience movements, both before and after events.*

It is essential to the operation of the 3Arena that this delivery route be kept open for all productions that require deliveries from Dublin Port or elsewhere on the island of Ireland."

Paragraph 3.7 states with regard to the HGV Restricted zone: *"The existing HGV Restricted Zone is shown in Figure 7. From Figure 7, it will be seen that the only designated HGV Route between Dublin Port and the 3Arena is via East Wall Road, North Wall Quay and North Wall Avenue."*

DPC Response

DPC confirms that there are no road or street closures proposed for the construction of the 3FM Project and there are no constructed related activities associated with the 3FM project that impact on the access, delivery or emergency routes required to cater for the 3Arena.

The cumulative assessment contained within the EIAR (Section 14.16.13) found that the construction activities related the 3FM Project reduces daily traffic flows on the external road network every year between 2026 to 2038 prior to the opening of the SPAR, which will provide a benefit to the roads network in the environs of the 3Arena.

Post 2038, any construction traffic associated with 3FM will be routed onto the SPAR, providing the planning gain to the external road network provided by the SPAR, which has already been recognised by the Amphitheatre Ireland Ltd in their response.

Item 2 – Working Hours

Submission

Paragraph 3.2 states: *"It is possible that the working hours for the proposed development could be 07.00 – 23.00 weekdays and 08.00 – 16.30 on Saturdays. Nighttime and Sunday working are also likely for works that cannot be undertaken during the day.*

The vast bulk of shows at the 3Arena start about 19.00 and finish between 10.30 and 11.00pm after which up to 14,000 persons exit the building in a relatively short period.

Construction works in the late evening up to 23.00 on event days could seriously interfere with the safety of the large number of patrons using North Wall Quay to access the City Centre and the existing Tom Clarke Bridge to access the Ringsend area after an event.

To mitigate this, night works on both bridges which could affect the venue should cease in good time to facilitate the free and safe movement of departing patrons along North Wall Quay.”

DPC Response

Section 5.2.12 of the EIAR (EIAR, Volume 2, Part 1, Section 5.2.12 on Page 5-60) states that the proposed construction times for the 3FM Project are:

- Monday to Friday 07:00 to 19:00
- Saturday 08:00 to 13:00
- Sunday no work.

These construction times are outside of the 3Arena’s normal peak operational times, particularly the 19:30-21:00 peak arrival period for events at the 3Arena.

Item 3 – CEMP and Communications Plan

Submission

Paragraph 4.1 states: *“The mitigation measures for the 3FM Project should include a Construction Environment Management Plan (CEMP) whose purpose is to set out the framework for the delivery of the proposed construction works including construction traffic while safeguarding the surrounding area.”*

Paragraph 3.4 states: *“A communications Plan should be put in place to inform members of the community such as the 3Arena directly affected by the Construction Phase on schedules for any activity of a particularly disruptive nature which is likely to impinge on their property such road closures and diversions. In addition, there should be a commitment to maintain access together with advising what mitigating actions are being taken to minimise such disruption.”*

DPC Response

As advised above, there will be no road closures associated with the 3FM Project and construction activities will occur outside of the 3Arena’s normal peak operational times.

A draft CEMP has been prepared and communication procedures are set out in detail under its terms. The Environmental Facilities Manager point of contact will be made available to Amphitheatre Ireland Limited during the construction process.

The ABR and MP2 schemes have been under construction at Dublin Port since 2016, and in that time only one complaint has ever been received by the Environmental Facilities Manager point of contact, which was readily addressed.

The draft CEMP will be updated as detailed design progresses.

Item 4 – CTMP, Contractor Input and Continued access

Submission

Paragraph 4.2 states: *“The mitigation measures proposed for the 3FM Project should also include a Traffic Management Plan (TMP) whose purpose would be to set out the traffic management framework for general traffic in the surrounding area including how traffic generated by the events at the 3Arena are to be managed.”*

Paragraph 4.3 states: *“The appointed contractor should be obliged to prepare and implement both a comprehensive Construction Traffic Management Plan (CTMP) and a Traffic Management Plan (TMP).”*

In preparing the CTMP and TMP for the proposed works, the appointed contractor should be required to take cognisance of the 14,000 persons travelling to or from shows and events at the 3Arena throughout the Construction Phase.

Access should also be maintained for deliveries, waste collection and emergency vehicles.”

Paragraph 3.5 states: *“Notwithstanding any conditions that may be imposed by Dublin City Council or An Bord Pleanala, the day-to-day management of access during the construction phase is likely to fall on the appointed Contractor who is not party to the planning process. The documentation should require the Contractor to maintain access to the 3Arena to facilitate all events in the Event Diary.”*

DPC Response

A draft CTMP has been included in the application documentation as part of the draft CEMP. DPC will update the CEMP and CTMP, in consultation with relevant stakeholders, as the design progresses (also meeting a similar request by TII). The appointed Contractor will be required to adhere to the Construction Traffic Management Plan (CTMP) to be the subject of a planning condition and hence will be bound by the planning process.

DPC confirms that the appointed Contractor will be instructed to maintain access to the 3Arena to facilitate all events in the Event Diary.

In addition, DPC as requested by the DCC Environment and Transportation Department will provide a Traffic Management Plan relating to the statutory road signage strategy, internal Port communication strategy and enforcement procedures for use of the SPAR

Item 5 – Neighbouring Schemes

Submission

At sections 5 and 6 of their submission Amphitheatre raise issues in respect of several neighbouring projects which have short to medium term construction periods, namely:

- DPC Liffey-Tolka Project
- NTA Bus Connects
- DCC Upgrade of the East Wall Road to include in the signalisation of the Point Roundabout
- DCC Point Active Travel Bridge / Widening of the Tom Clarke

DPC Response

DPC note Amphitheatre Ireland Ltd concerns in relation to the schemes listed above. DPC submit that those schemes, however, that those schemes will not be affected by the 3FM Project as 3FM does not propose any amendments to the adopted road network in the environs of the 3Arena. All infrastructure provision works will be carried out on lands under the control of DPC.

There are no road closures proposed for the construction of the 3FM Project and there are no constructed related activities associated with the 3FM project that impact on the access, delivery or emergency routes required to cater for the 3Arena.

The schemes listed above have been included in the cumulative assessment of the environmental impact of the 3FM Project contained within the EIAR (Section 14.16.13). That assessment has found that the construction activities related the 3FM Project reduces daily traffic flows on the external road network every year between 2026 to 2038 prior to the opening of the SPAR, which will provide a benefit to the roads network in the environs of the 3Arena.

3.14.1.7 Pembroke Beach DAC

Item 1 – Support for the 3FM Project

Submission

Pembroke Beach DAC's submission was supportive of the 3FM application: *"In principle, we wish to express our Client's support for DPC's proposed 3FM Project; PBDAC considers that the infrastructure and amenity improvements proposed within the SID Application will - overall - have a significant positive impact on the population within the Sandymount, Irishtown, Ringsend, Poolbeg and Docklands areas and should receive a favourable grant of permission from An Bord Pleanála."*

DPC Response

DPC welcome the support for the project by Pembroke Beach DAC and acknowledge the confirmation of positive impact that the proposed infrastructure and amenity will provide.

Item 2 – Luas future-proofing on the SPAR

Submission

Pembroke Beach go on to request clarity on the following items: *"In terms of detail, the South Port Access Road {SPAR} Opening Bridge Preliminary Design Report, prepared by RPS, COWI, Maxon, and Eadon Consulting, raises concerns regarding the proposed Luas tramline corridor over the River Liffey."*

While the Report mentions a "possible" future Luas corridor on the western side of the Bridge, it does not form part of the proposal.

Accordingly, this Submission sets out a methodology by which the proposal can be amended prior to the grant of the SID application."

DPC Response

The Luas Red Line extension indeed does not form any part of the 3FM application. The National Transport Authority (the "NTA") are the state agency responsible for the delivery of Luas infrastructure in Dublin. DPC has undertaken a series of meetings with the NTA specifically around the matter of the potential future Luas Red Line extension. The NTA confirmed this in their response to An Bord Pleanála, dated the 25th September 2024, as follows:

"The National Transport Authority (the "NTA") welcomes the opportunity to submit observations on the above Strategic Infrastructure Development application by Dublin Port. The NTA has been consulted with throughout the preparation of this application and has engaged with Dublin Port at various stages of non-statutory consultation which have been undertaken in relation to the proposed development. Based on this engagement, the NTA is satisfied, from a strategic perspective, that the proposed development is consistent with the Transport Strategy for the Greater Dublin Area (the "Transport Strategy"),"

The meetings with the NTA are set out in Chapter 14 Traffic and Transportation of the EIAR in section 14.6 Pre-Application Consultation. Table 14.3 Stakeholder Consultation Schedule list the meetings with NTA between May 2023 and May 2024. Discussions with NTA during those meetings are summarised in section 14.6.1 Pre-application Discussions with NTA.

The NTA indicated at the meetings that it is not known at this stage what the route for the potential extension of the Luas Red Line will be, but wanted to ensure that the design was future-proofed for the possibility of a crossing at the location of the new SPAR bridge. Following discussions and the NTA's internal review of the design, the NTA have confirmed that the SPAR bridge has been designed in such a manner as would accommodate the extension of the Luas Red Line in the future, if required. This was confirmed in their letter as follows:

"The NTA welcomes the full incorporation of the SPAR into the 3FM project in a manner which will facilitate public transport vehicles and active travel. In particular, the NTA notes the consultation undertaken by the applicant with NTA and TII, which has resulted in the design of the SPAR bridge in such a manner as would accommodate the extension of the Luas Red Line in the future, if the need for such is identified."

With regard to routing of the potential Luas line, the route has not yet been determined by the NTA at this stage and there are other routes to Poolbeg that the NTA will also evaluate in the future. For example, it is possible that the route could go south from the bridge crossing, rather than in an easterly direction, or the route may not cross the Liffey in the location of the SPAR bridge.

To alleviate any concerns regarding the detailed design, it should be noted that the NTA have proposed a condition on any grant of permission, to ensure ongoing consultation on the detailed design of the SPAR bridge between the relevant parties. This was outlined by the NTA as follows:

"Notwithstanding this, it is the view of the NTA that as detailed designs for the SPAR are being developed, close consultation will be required between all parties and the City Council in this regard."

NTA Recommendation: The NTA recommends that, in the event of a grant of permission, a condition is attached requiring consultation on the detailed design of the SPAR bridge in order to ensure that an extension to the Luas Red Line can be accommodated."

DPC has confirmed its commitment to engage with and consult with the NTA in the manner requested. DPC trust that this provides the clarity sought by Pembroke Beach DAC.

3.14.1.8 Cllr. Claire Byrne

Cllr. Bryne welcomes many aspects of the 3FM Project including the SPAR removing HGVs from the existing external network and the proposed active travel suit of measures, which she fully supports.

In her submission, Cllr. Byrne stated: *"The proposed end to end high quality walking and cycling routes are very welcome. This will help increase connectivity between north and south and improve our connection with the peninsula and Dublin Bay. In particular, the 5.5 km of active travel facilities on the south peninsula, the*

footpath upgrades and proposed public realm improvements will be of significant benefit to the area helping to make it a real destination for residents and visitors, and I fully support this."

Item 1 – SPAR

Submission

Cllr. Byrne states: "The proposal to build a new road adjacent to Pigeon House Road to facilitate this significant increase in heavy goods vehicle and utility traffic will expose the residents of Pigeon House Road and the wider Ringsend to increased noise and air pollution."

DPC Response

The existing footprint for the SPAR is currently contained within the MTL Lo-Lo operational plot. The Lo-Lo operations are significant with crange / container-lifting infrastructure in view of the residential dwellings and operational activity occurring in close proximity.

The 3FM Project proposals will:

- Repurpose the section of land closest to the residential units as use by the Maritime Village proposals.
- Convert the MTL Lo-Lo facility to a Ro-Ro facility, which has much lower operational envelope. This will remove the crange / container-lifting infrastructure.
- Provide the SPAR, which had an even lower operational envelope, and provide a 4m high noise barrier.

The Project will therefore see the removal of this significant Lo-Lo yard from the immediate environs of Pigeon House Road and its replacement with a an eminently more pleasant Maritime Village and more discrete Ro-Ro facility.

The environmental data set out in the EIAR demonstrates that, in fact, the construction of the new road adjacent to the Pigeon House Road will improve the overall environment for the local residents on Pigeon House Road and the wider Ringsend area.

Item 2 – Rail Freight

Submission

Cllr. Byrne states the following in relation to rail freight: "The plan is entirely focused on Ro-Ro, Lo-Lo and road haulage with little reference to rail freight. In ports across Europe and indeed here in Ireland, the shift from road to rail is a priority. This modal shift is critical if we are to meet our national climate targets of 51% by 2030 and net zero by 2050 under own climate law and to remain in line with our international climate obligations. Continuing with a singular system of road haulage will put reaching those targets in jeopardy and could cost the state more in the long run in climate fines."

DPC Response

Chapter 14 of the EIAR, Section 14.5.11 Proposed Rail Freight Facilities, explains the detailed consideration given by DPC to rail freight. This consideration arose from precisely the matters raised by Ms. Byrne, including Ireland's national climate targets and the Climate Action Plan. The relevant portion of the EIAR reads as follows: *"Dublin Port facilitates freight train movements within the North Port Estate on a daily basis. A detailed consideration was given to rail freight enabling of the 3FM Project. DPC has reviewed options for rail connectivity for the 3FM Project and the port more generally. DPC considers that the preferred option, which is most beneficial from a cost, sustainability and environmental perspective is the servicing of rail freight for the port from a dedicated intermodal rail freight depot at North Wall, accessed by a dedicated bridge over East Wall Road, with 3FM terminals accessing the terminal via shunting through the SPAR."*

An intermodal rail freight depot at this location would ensure the full access to the national rail network of cargo landed at the proposed new 3FM terminals in the South Port Estate, without necessitating the construction of a dedicated rail bridge across the Liffey with the associated financial and carbon costs of such a significant piece of construction. Through the envisaged intermodal freight depot at North Wall, freight from the proposed 3FM facilities would access the national rail network by being shunted across the newly proposed SPAR by electrically powered shunting vehicles, resulting in the proposed 3FM facilities being fully rail-accessible in the most sustainable and economic possible fashion."

The matter of Rail Freight accessibility at Dublin Port is significantly covered in the 3FM Planning Submission and Chapter 4 Assessment of Alternatives, Section 4.3.3 Consideration of Strategic Transport Connectivity Scenarios, sets out the alternatives considered for accessibility to Poolbeg for both the route of the SPAR and the connectivity to the wider rail network. An extract from Section 4.3.3 confirms DPC's ongoing commitment

to the development of rail freight in Dublin Port as follows: “Dublin Port is rail connected and is at the hub of the national rail network. It has been a clear strategic policy objective of DPC to grow rail freight at the port as stated in the Dublin Port Masterplan 2040, reviewed 2018; “Dublin Port is at the heart of the national rail network with direct connections to all major centres of population. DPC believes that there is continuing potential for rail freight to grow over the period of the Masterplan” (Dublin Port Masterplan, 2040, page 10). The Masterplan also expressly has a key strategic objective to maximise the use of rail transport for goods to and from the Port (Ibid, page 17).

DPC remains committed to the development of rail freight in Dublin Port and in furtherance of this objective has engaged extensively with Irish Rail on exploring such potential and has contributed fully to the All Island Strategic Rail Review – a copy of the DPC Submission to the Review is presented in Appendix 4-1.”

Appendix 4-1 of the EIAR Volume 3 Part 1, sets out the options considered by DPC in relation to rail freight connectivity at the port in the case made to the Department of Transport in September 2023. The submission references a range of options that were assessed in detail and concludes that “investment in the North Wall Rail Freight Depot remains the most economic, efficient and sustainable choice, by reference to national and international factors.”

Chapter 3 Project Consultation and Scoping of the EIAR, summarises the wide range of consultations, exchanges and meetings that were held with Iarnród Éireann (Irish Rail). Section 3.4.5.2 Additional Consultation with Prescribed Bodies and Key Stakeholders, under the heading of ‘Iarnród Éireann (Irish Rail)’ covers the extensive consultation with them during the preparation of the EIAR to ensure there was an agreed solution to enhance the existing rail connections to the Irish Rail Network from the entire Dublin Port Estate and to ensure that the 3FM Project does not compromise the agreed solution. Table 3.11 outlines the dates of the primary interactions between DPC and Iarnród Éireann. This covered a period between April 2021 to April 2024.

The SPAR was developed to facilitate HGVs, active travel users (pedestrians, cyclists, wheelers etc), blue light services and public transport users moving to and from the South Port and Poolbeg Peninsula and as part of this approach, the SPAR will allow the 3FM Project to be fully rail enabled through rapid road shunting of freight by electric vehicle from the South Port Estate, across the Liffey, to rail intermodal facilities in the vicinity of the North Port Estate.

The TTA provided in the EIAR assesses the impact of traffic on the road network. The TTA, located in Chapter 14 of the EIAR, concludes that the 3FM Project provides significant planning gain in traffic and transportation terms. Rather than having a negative impact in terms of HGVs on the existing road network, the proposals provide betterment to the existing local road network.

DPC submits that it has given detailed and extensive consideration to rail freight and has designed the 3FM Project to maximise DPCs ability to satisfy the domestic demand for rail freight in Ireland.

3.14.1.9 Cllr. Hazel Chu

Cllr. Chu submits that the development of Dublin Port is essential for the economy of both the city and country and feels that it is vital to plan for future capacity to safeguard the prosperity of Ireland. She also submits that, in her view, there are some aspects of the proposed 3FM Project that are not aligned with the broader policy context.

Item 1 – HGV Access from south of the city

Submission

The observation relevant to traffic and transport is included in Section 3 of Cllr. Chu's submission: “The aim to remove port traffic from public roads in the vicinity of Dublin Port is to be welcomed. To ensure it is effective, access to the South Port lands by HGV should be limited to the new SPAR route i.e. there should be no access to the lands by HGV from the south of the city. The roads on the south side of the city which have traditionally being used for access to the South Port are not suitable for HGV traffic and future plans for this area, including Bus Connects, the extension of the Luas Red Line and the Strand Road Cycle Route will be dependent on removing HGV traffic from the area.”

DPC Response

The Dublin City HGV Management strategy has a 24 hour ban on 5 axle or more HGVs travelling south of the Sean Moore Roundabout. Since March 2022 DCC has implemented a 24 hour cordon in Sandymount, including Strand Road and Tritonville Road, that completely prohibits 5 axle vehicles from travelling through

the village. The numbers, therefore, of HGVs with a destination or point of origin south of the Sean O'Moore roundabout is therefore minimal.

Heavy port and utility vehicles will not need to be further incentivised or forced to use the SPAR. The Dublin City HGV Management Strategy already heavily restricts these vehicle movements containing them to the R131, Tom Clarke Bridge and East Wall Road between 0700-1900, and restricting them from travelling south of the Sean Moore Roundabout 24 hours per day. They also queue and are charged at the Tom Clarke Bridge. By comparison, the SPAR will be relatively free-flowing, given the prohibition on private cars, and will not have a toll. DPC's analysis suggests that these incentives of themselves will see almost the entirety of port traffic removed from the existing public road system.

We trust that the foregoing provides assurance to Cllr. Chu that the 3FM Project will not have any significant impact on the numbers of HGV's travelling on roads in the south part of the city, particularly through Sandymount.

Item 2 – Routing of the SPAR within the SDZ

Submission

Cllr. Chu's goes on to say: *"Routing of the new SPAR within the South Port should be revised to reflect the realistic growth patterns and more sustainable land use. Access along the south of Area K2 and on the Area O in that context is neither necessary nor desirable. HGV traffic should be kept away from residential and amenity areas and a more appropriate route for the SPAR would be to follow the alignment of Pigeon House Road to the north of the ESB Dublin Bay power plant, as identified in the SDZ planning scheme."*

The route as currently proposed will essentially cut off Area K2 from the rest of the SDZ area and make it impossible to integrate this site into the broader SDZ in the future. This separation is further exacerbated by the need for noise barriers along the southern edge of the road. The approved planning scheme for the SDZ shows an integrated road network connecting through the Glass Bottle site and specifically refers to the connectivity via Whitebank Road. It is imperative for the proper planning of the SDZ that this permeable street network is maintained."

DPC Response

Cllr. Chu appears to be referring to a previous concept alignment of the SPAR which was preliminary and is included in the Dublin Port Masterplan 2040, Revised 2018. (Figure 3 on Page 41) dating back to 2018. Note that the reference to Area K2 is terminology from the latest version of the Dublin Port Masterplan. Area K2 is not a reference used in the Poolbeg West SDZ or in the 3FM Project.

In 2019 the SDZ included the same preliminary concept alignment referenced from the Dublin Port Masterplan, labelling it as a Port Access Route to connect to Dublin Port (Page 78 of the Poolbeg West Planning Scheme April 2019). This was simply to recognise that an alternative access to the South Port Estate would be required for HGVs that avoids the South Bank Road.

The SDZ scheme states (Page 40, 6.5 Road Network of the Poolbeg West Planning Scheme April 2019). 'The SPAR Scheme would either terminate at Sean Moore Road roundabout or at a new junction further east. Because the South Port Access route will not be delivered for some time, the matter of heavy traffic on South Bank Road needs to be addressed. In this regard, it is intended to provide in the short term a new access as an 'Alternative (South) Port Access Route' to the south port area north of the proposed new junction of Sean Moore Road/South Bank Road.'

Figure 9.1 Land Use from the SDZ (Page 64 of the Poolbeg West Planning Scheme April 2019) identifies in orange shading the area identified for 'Industrial & Port Zone'. In the detailing of the 3FM Project it was decided to make Area K a single plot to maximise efficiency by carefully realigning the Whitebank Road to the eastern boundary of the orange shaded area and aligning the proposed SPAR to the southern boundary of the orange shaded area. Therefore the HGVs, roads and port uses are contained within the area designated for them.

HGVs are separated from residential and amenity areas by the 'Commercial' buffer zone inherent to the SDZ plan and shown in Figure 9.1. This grey shaded area serves as the buffer between the port and industrial uses within the orange shaded area and the housing with mixed use on the blue shaded area.

The SPAR therefore will be kept away from residential and amenity uses and does not sever an SDZ zone. It is contained within the orange shaded area identified for industrial and port use.

The proposals for the realignment of the Whitebank Road do not impact on the proposed integrated road network connecting through the Glass Bottle site. The SDZ layout is based on the following principle: (Page

77, 11.1 Introduction of the Poolbeg West Planning Scheme April 2019). ‘A grid emerges when the alignment of Whitebank Road is extended south through the site to connect to Sean Moore Park (B). This forms the basis for the development of a highly permeable and easy to navigate urban structure...’

The proposed four-arm signalised junction at Whitebank Road/South Bank Road and the new ‘South Link Road’ within the Pembroke South lands / Glass Bottle site is a key junction to the proposed road layout of the SDZ.

Although it is proposed to realign the Whitebank Road within the 3FM Project, the four-arm junction has been maintained within the 3FM proposals with the previous Whitebank Road arm being used to access the buffer zone commercial lands to the north of the South Bank Road. This is entirely consistent with the 2019 SDZ Planning Scheme which states on Page 40 ‘Within lands owned by the port located north of South Bank Road, there is some scope for realignment of access roads including Whitebank Road. The position of the junction between South Bank Road and Whitebank Road must be maintained however, in order to deliver the proposed block layout’.

Therefore the proposals for the realignment of the Whitebank Road does not impact on the proposed integrated road network connecting through the Glass Bottle site and does not impinge of the permeable street network proposed as part of the SDZ Planning scheme.”

The Section 14.12.1.6 of the EIAR (EIAR, Volume 2, Part 4, Section 14.12.1.6) and Appendix 14.1 (EIAR, Volume 3, Part 8, Appendix 14.1) provides details of the proposed HGV routing for the 3FM Project. It has been demonstrated that all third-party haulier HGVs are routed away from the Glass Bottle site during the nighttime hours of 23:00-07:00 to minimise any potential inconvenience to residents. Also as confirmed in Section 14.12.2.4 of the EIAR, all port shunting vehicles will be electrically powered or similar to provide lower carbon & reduced noise benefits. DPC submits that it has endeavoured to keep HGVs routed as far away from residential areas as possible.

Item 3 – Rail Freight

Submission

Cllr. Chu states: “The plan does not adequately consider existing rail freight strategies and relies entirely on road freight”

“Ireland has the lowest rate of rail freight in the EU, at less than 1% of mode share, despite there being a direct rail connection to Dublin Port. Iarnród Éireann’s Rail Freight 2040 Strategy sets out a plan to increase the market share of rail freight in line with other European Countries. The All-Island Strategic Rail Review sets out a target of 10% modal share which will significantly reduce the reliance on road transport. The future development of Dublin Port must be aligned with this objective.

The current plans for the South Port assume that all of the freight will be transported by road. A plan that reflects current rail strategies should require less R0-Ro provision than is currently proposed. While it is acknowledged that a freight rail connection to the South Port is unlikely, allowance should be made for automating the port operations to allow for freight to be transported on the railhead on the north side of the river.”

DPC Response

Rail Freight has been considered in great detail and at great length by DPC. This has been done in consultation with Irish Rail and with a view to ensuring that DPC adheres fully to its commitments under national climate legislation and takes advantage, to the maximum extent possible, of the demand for rail freight in Ireland. These matters are addressed in the application and Chapter 14 of the EIAR, Section 14.5.11 Proposed Rail Freight Facilities: “Dublin Port facilitates freight train movements within the North Port Estate on a daily basis. A detailed consideration was given to rail freight enabling of the 3FM Project. DPC has reviewed options for rail connectivity for the 3FM Project and the port more generally. DPC considers that the preferred option, which is most beneficial from a cost, sustainability and environmental perspective is the servicing of rail freight for the port from a dedicated intermodal rail freight depot at North Wall, accessed by a dedicated bridge over East Wall Road, with 3FM terminals accessing the terminal via shunting through the SPAR.

An intermodal rail freight depot at this location would ensure the full access to the national rail network of cargo landed at the proposed new 3FM terminals in the South Port Estate, without necessitating the construction of a dedicated rail bridge across the Liffey with the associated financial and carbon costs of such a significant piece of construction. Through the envisaged intermodal freight depot at North Wall, freight from the proposed 3FM facilities would access the national rail network by being shunted across the newly proposed

SPAR by electrically powered shunting vehicles, resulting in the proposed 3FM facilities being fully rail-accessible in the most sustainable and economic possible fashion.”

The matter of Rail Freight accessibility at Dublin Port is significantly covered in the 3FM Planning Submission and Chapter 4 Assessment of Alternatives, Section 4.3.3 Consideration of Strategic Transport Connectivity Scenarios, sets out the alternatives considered for accessibility to Poolbeg for both the route of the SPAR and the connectivity to the wider rail network. An extract from Section 4.3.3 confirms DPC’s ongoing commitment to the development of rail freight in Dublin Port as follows: *“Dublin Port is rail connected and is at the hub of the national rail network. It has been a clear strategic policy objective of DPC to grow rail freight at the port as stated in the Dublin Port Masterplan 2040, reviewed 2018; “Dublin Port is at the heart of the national rail network with direct connections to all major centres of population. DPC believes that there is continuing potential for rail freight to grow over the period of the Masterplan” (Dublin Port Masterplan, 2040, page 10). The Masterplan also expressly has a key strategic objective to maximise the use of rail transport for goods to and from the Port (Ibid, page 17).*

DPC remains committed to the development of rail freight in Dublin Port and in furtherance of this objective has engaged extensively with Irish Rail on exploring such potential and has contributed fully to the All Island Strategic Rail Review – a copy of the DPC Submission to the Review is presented in Appendix 4-1.”

Appendix 4-1 of the EIAR Volume 3 Part 1, sets out the options considered by DPC in relation to rail freight connectivity at the port in the case made to the Department of Transport in September 2023. The submission references a range of options that were assessed in detail and concludes that *“investment in the North Wall Rail Freight Depot remains the most economic, efficient and sustainable choice, by reference to national and international factors.”*

Chapter 3 Project Consultation and Scoping of the EIAR, summarises the wide range of consultations, exchanges and meetings that were held with Iarnród Éireann (Irish Rail). Section 3.4.5.2 Additional Consultation with Prescribed Bodies and Key Stakeholders, under the heading of ‘Iarnród Éireann (Irish Rail)’ covers the extensive consultation with them during the preparation of the EIAR to ensure there was an agreed solution to enhance the existing rail connections to the Irish Rail Network from the entire Dublin Port Estate and to ensure that the 3FM Project does not compromise the agreed solution. Table 3.11 outlines the dates of the primary interactions between DPC and Iarnród Éireann. This covered a period between April 2021 to April 2024.

The Southern Port Access Route (SPAR), was developed to facilitate HGVs, active travel users (pedestrians, cyclists, wheelers etc), blue light services and public transport users moving to and from the South Port and Poolbeg Peninsula and as part of this approach, the SPAR will allow the 3FM Project to be fully rail enabled through rapid road shunting of freight by electric vehicle from the South Port Estate, across the Liffey, to rail intermodal facilities in the vicinity of the North Port Estate.

DPC respectfully disagrees, therefore, that the 3FM Project is either solely or excessively focused on road freight. The 3FM Project will ensure that the South Port Estate’s connectivity to the national rail network for the purposes of distributing freight is streamlined, made more efficient via the SPAR. The maximisation of freight capacity by the proposed intermodal rail freight depot is an integral part of DPC’s future plans, albeit outside of the scope of the particular parameters of the 3FM Project.

3.14.1.10 Pigeon House Road Residents

The submissions from Pigeon House Road residents are Nos.5,7,9,31,32,33,36,37,39,41,42,43,44,45. They contain common themes and have been considered thematically below.

Item 1 – SPAR will increase HGV Traffic

Submission

Concerns regarding an increase in HGV traffic on the SPAR were raised by a number of parties residing in the Pigeon House Road area including:

- Ruth Morgan & Gary Costello;
- Margaret and Gerard Byrne;
- Grainne Hughes;
- Brigid Purcell;
- Michael Curry;
- Joe and Christina Whelan;

- Jason McDonnell;
- Grahan McDonnell;
- Ning Rodgers;
- Sandra and Wayne and Marion Ryan; and
- Patrick Smith

This theme is relevant to traffic and transport and appears in many of the submissions from residents on Pigeon House Road: The residents are of the understanding that the SPAR will bring about an increase in traffic and particularly HGV traffic, raising concerns from the residents relating to impacts on road traffic capacity, noise, air quality, vibrations, wear & tear on the carriageway and the need for traffic speed controls.

DPC Response

As detailed in the EIAR (Section 14.13.1) the SPAR removes up to 95% of HGVs from the Tom Clarke Bridge and up to 50% of HGVs from the East Wall Road per day. The provision of the SPAR reduces the overall daily traffic on the Tom Clarke Bridge by 30% and by 20% on East Wall Road. In addition to providing capacity benefits to the external road network, there are additional benefits associated with noise, vibration & air quality, and reduction in the wear & tear of the in-charge carriageway.

The SPAR is located further away from the residential dwellings which results in a decrease in the noise & air quality as detailed in the responses under a separate cover.

The construction of the new road adjacent to the Pigeon House Road in the environs of the Coastguard Cottages will improve the overall environment for the local residents.

The existing footprint for the SPAR is currently contained within the MTL Lo-Lo operational plot. The Lo-Lo operations are significant, with high stacks and cranage / container-lifting infrastructure in view of the residential dwellings and operational activity occurring in close proximity.

The 3FM Project proposals will:

- Repurpose the section of land closest to the residential units as use by the Maritime Village proposals.
- Convert the MTL Lo-Lo facility to a Ro-Ro facility, which has much lower operational envelope. This will remove the cranage / container-lifting infrastructure.
- Provide the SPAR, which had an even lower operational envelope, and provide a 4m high noise barrier.

The Project will therefore see the removal of this significant Lo-Lo yard from the immediate environs of Pigeon House Road and its replacement with a an eminently more pleasant Maritime Village and more discrete Ro-Ro facility.

The speed limit of the SPAR is proposed to be 50km/h and all active travel crossings of the SPAR will be controlled with push-button on demand traffic signals.

Additionally, the cumulative assessment contained within the EIAR (Section 14.16.13) found that the construction activities related the 3FM Project reduces daily traffic flows on the external road network every year between 2026 to 2038 prior to the opening of the SPAR.

For the foregoing reasons it is DPC's view, based on the environmental data set out in the EIAR, that the SPAR will in fact reduce traffic in the immediate vicinity of residents and that the 3FM Project as a whole will radically improve the amenity of the surrounding area.

Item 2 – Incinerator Traffic

Submission

Concerns regarding an increase in incinerator traffic were raised by a number of parties residing in the Pigeon House Road area including:

- Grainne Hughes;
- Brigid Purcell;
- Michael Curry;
- Joe and Christina Whelan; and
- Graham McDonnell

This theme is relevant to traffic and transport and appears in many of the submissions from residents on Pigeon House Road:

DPC Response

The 3FM Project does not include any proposal to increase traffic flows generated by the Reworld (previously named Covanta) Waste-to-Energy site.

Section 14.5.5 of the EIAR (*EIAR, Volume 2, Part 4, Chapter 14, Section 14.5.5 on Page 14-26*) confirms that HGVs from the Reworld site will be permitted to use the SPAR as agreed in pre-application liaisons with NTA and DCC. This provides benefit and planning gain to the residents of Pigeon House Road as currently the traffic generated by Reworld travels along the R131. Within the 3FM Project the same vehicles will travel on the SPAR, will free up extra vehicular capacity on the R131 and be relocated an additional c17.8m away from the Pigeon House residential dwellings.

Item 3 – Eastern Bypass Project

Submission

Grainne Hughes and Brigid Purcell both expressed in their submissions that “*the new SPAR is just a re-hash of the Eastern Bypass project.*”

DPC Response

The Dublin Eastern By-pass has been removed from planning policy. The NTA Transport Strategy 2022-2042 and the Dublin City Development Plan 2022-2028 does not support the delivery of the Dublin Eastern By-pass. The proposed SPAR bears no resemblance to the previously proposed Eastern By-pass in design.

Item 4 – Green Buffer Area

Submission

Grainne Hughes and Brigid Purcell both expressed in their submissions that “*the use of the ‘Green Buffer Area’ along the Great South Wall in front of the Pigeon House Road as a transport route is not acceptable.*”

DPC Response

The 3FM Project does not include any proposals to use the green buffer area described above as a transport route.

Item 5 – Rail freight

Submission

Grainne Hughes and Brigid Purcell both expressed in their submissions that there is “*not enough consideration of the rail in the proposals.*”

Rail connectively exists on the north side of the Port, so putting the container terminal on the southern side of the Port lands doesn’t make sense.”

DPC Response

The responses regarding rail freight above are repeated.

The SPAR will allow the 3FM Project to be fully rail-enabled through rapid road shunting of freight by electric vehicle from the South Port Estate, across the Liffey, to rail intermodal facilities in the vicinity of the North Port Estate.

3.14.1.11 Sandymount & Merrion Residents Association

Item 1 – Drainage Concerns

Submission

The observation relevant to traffic and transport is: “*SAMRA is concerned to ensure that all surface water run-off at construction and operational phases of the Ro-Ro Terminal Yard (if permitted) is treated and does not end up untreated in Dublin Bay. The proposed attenuation tanks at Area O would involve additional open excavations and risk of contaminated surface water run-off.*”

SAMRA is not convinced that existing storm water outfalls are sufficient and/or are an acceptable way to address surface water run-off from the Ro-Ro Terminal Yard. Nowhere in the applicant documentation, including in the Natura Impact Statement, is sufficient detail provided in this regard.

The proposal is at odds with Dublin City Development Plan 2022-2028 and its climate, sustainable drainage, flood management, and environmental policies.

Increased drainage discharge from the Poolbeg Peninsula into Dublin Bay which may adversely impact water quality in Dublin Bay and that serving Sandymount Strand. Fig. 32 illustrates the significant number of new drainage outfall locations proposed by the applicant.

It is not clear that the NIS has fully addressed these new drainage outfalls. ABP may wish to review this."

DPC Response

DPC respectfully refutes the allegation that there is any divergence between the 3FM Project proposals and the Dublin City Development Plan 2022-2028, or any other relevant policy documents.

Surface water captured in Area O will be attenuated using underground storage systems and treated via full retention separators prior to discharge into the sea via an existing drainage outfall. Above ground (or surface based) SuDS was deemed inappropriate due to the industrial nature of the locations, the existing presence of shallow utilities, the level of contamination present within the existing ground and the limited space available.

The purpose of the attenuation is to:

- limit the rate of flow discharging from Area O so that there is no nett increase discharging to the estuary via the existing outfall
- limit the rate of flow requiring treatment via the oil interceptor, therefore reducing the size of the interceptor required

Control measures will be put in place to ensure that in the event of a spillage the source can be readily identified and that section of the network isolated. The receiving environment will be protected through the installation of petrol/oil interceptors and control valves that prevent contaminated runoff or spills reaching the sea.

The drainage proposals in Area O are based on SuDS principles and align with the Dublin City Development Plan 2022-2028, TII publications (e.g. DN-DNG-03066), DMURS and DCC's Sustainable Drainage Design & Evaluation Guide 2021.

Surface water captured across the remainder of the proposed 3FM development area on the Poolbeg Peninsula will be attenuated and treated via either full retention separators (operational areas i.e. Areas K, L and N) or bypass separators (road network) prior to discharge into the sea. Underground SuDS attenuation measures will be provided to limit the run-off to 10 - 20l/s/ha. Full greenfield run-off attenuation is not required as discharge is direct to the estuary / sea (as per P66 of DCC's Sustainable Drainage Design & Evaluation Guide 2021).

As with Area O, above ground (or surface based) SuDS was deemed inappropriate due to the limited space available, the industrial nature of the locations, the existing presence of shallow utilities and the level of contamination present within the existing ground. Control measures will be put in place to ensure that in the event of a spillage the source can be readily identified and that section of the network isolated. The receiving environment will be protected through the installation of petrol/oil interceptors and control valves that prevent contaminated runoff or spills reaching the sea.

The drainage infrastructure will consist of non-perforated drainage pipe on account of the tidal nature of the location and the nature of the ground.

The drainage proposals across the 3FM development area on the Poolbeg Peninsula are based on SuDS principles and align with the Dublin City Development Plan 2022-2028, TII publications (e.g. DN-DNG-03066), DMURS and DCC's Sustainable Drainage Design & Evaluation Guide 2021. Discharge consents for new outfalls will be sought as detailed design progresses.

Item 2 – Observations regarding cycle infrastructure proposals

Submission

SAMRA also state: *"The cycle infrastructure proposals are incomplete: SAMRA has reviewed the submitted cycle infrastructure proposals and acknowledges how some consideration has been given to the needs of existing and future cyclists. However, "Joined up," segregated, and safe cycling infrastructure proposals are required. This has not been provided. The north and south ends of the proposed Active Travel Path do not 'Join up". The north end of the SPAR bridge's cycle lanes end in a public square which is incompatible with fact segregated cycle lanes which go nowhere. The south end of the "Active Travel Path" is not segregated (and so is unsafe) and does not connect or even try to connect to and/or into the Beach Road carriageway.*

The proposals for the "Active Travel Path" are premature as they are only submitted "pending agreement". The South Bank Rd cycle path section crosses too many dangerous entrances. Sandymount & Merrion cyclists will continue to use the R131 'on road' route as it would be safer, faster, and a more complete route, than the applicant's proposed cycle route. The movement proposals do not fully match Poolbeg SDZ requirements and do not appear unduly environmentally friendly. It is not clear if the paths have been assessed by the NIS despite coming within metres of the waters of Dublin Bay. In all, SAMRA members consider that, as submitted, the cycling proposal offer no benefit to the existing north-south passage of cyclists toward and across the Liffey. Few 'Share and Care' when they are travelling home from work cycling in the rain, etc."

DPC Response

- **North & south ends of the proposed Active Travel Path do not "join up"**

At the north end of the proposed SPAR bridge: A number of active travel and road improvement schemes intersect in this area as indicated in the EIAR Chapter 14, Table 14.4, namely:

- The Liffey-Tolka Project which includes North Wall Square Public Realm and an active travel route along East Wall Road, providing connectivity in a North-South direction
- North Wall Quay and Point Junction Improvement Scheme, providing improved connectivity across this junction in an East-West direction along the northern quays
- Point Pedestrian and Cycle Bridge, providing enhanced active travel connectivity between the northern and southern quays to the west of the Tom Clarke bridge
- The Dodder Public Transportation Opening Bridge, providing active travel connectivity in an East-West direction along the southern quays
- Berth 18 Access, providing active travel connections from the SPAR ATP to the Cruise Ship berth

The realisation of the proposed schemes identified will contribute to enhancing the active travel and public transport connections to the 3FM Project and the wider Dublin Port. DPC are cognisant of the various schemes in the vicinity of the 3FM proposals, and have liaised with NTA, TII and DCC to ensure that the detailed planning drawings for all projects and policies are compatible

The SPAR ATP is sited on the eastern side of the SPAR Bridge based on feedback from previous community consultations where it was evident that views of the bay from the ATP would be most desirable. It is noted that the SPAR ATP will cross the SPAR at the northern end of the scheme via a controlled Toucan Crossing – this is not uncommon for ATPs within an urban environment where it can be challenging to provide an uninterrupted route. The form and layout of the proposed junctions for the active travel users are compliant with relevant design standards. It is inevitable that all modes of transport have to navigate junctions especially at connection points in urban environments. It should be noted that ATPs are not solely designed for use by commuting cyclists, but also need to cater for recreational users.

At the northern tie into the Tom Clarke Bridge ("Western Tie in"): The connection being referred to is a 5m wide shared ATP. It is designed to be used by both cyclists and pedestrians providing a connection to St Patricks Rowing Club, the southern end of the Point Pedestrian and Cycle Bridge and the southern quays via the proposed Dodder Bridge scheme. It is considered that this is an important active travel connection on the southern side of the river. The bollards are not designed to prevent cyclists from using this route, but are a form of vehicle restraint at these openings in the otherwise continuous vehicle restraint system on the SPAR Bridge. A controlled Toucan Crossing is provided to connect to the SPAR ATP and another controlled Toucan Crossing will be provided across the southern end of the Tom Clarke Bridge. As noted above, junctions in an urban environment are inevitable and ATPs are not solely designed for use by commuting cyclists, but also need to cater for recreational users. A Stage 1 Road Safety Audit has been carried out and did not raise any concerns regarding this arrangement.

At the south end: It is deemed that the access point from Beach Road to Sean Moore Park and the Active Travel path, as well as the upgrading of the existing coastal path along the southern perimeter of the Poolbeg Peninsula would require more detailed consideration and that this would be best led by Dublin City Council. As such, DPC have confirmed that they will provide Dublin City Council with a €5million contribution for future upgrading of these areas.

The lack of adequate lighting of the cycle path at the south end: The lighting proposals referred to by SAMRA is only feature lighting. Route lighting of this section is included on drawings CP1901_3FM-RPS_S26-HLG-XX-DR-LE-1300-0016 - South & SPAR - Proposed Lighting - Sh16 and CP1901_3FM-RPS_S26-HLG-XX-DR-LE-1300-0008 - South & SPAR - Proposed Lighting - Sh8. An adequate level of lighting will be provided along this section.

- **Significant gap between Beach Road & the start of the "Active Travel Path"**

The access point from Beach Road to Sean Moore Park and the Active Travel path, as well as the upgrading of the existing coastal path along the southern perimeter of the Poolbeg Peninsula would require more detailed consideration and that this would be best led by Dublin City Council. As such, DPC have confirmed that they will provide Dublin City Council with a €5million contribution for future upgrading of these areas.

It is noted that DCC Parks Division insisted that the section of active travel path from South Bank Road to Sean Moore Park should be designated as shared as that is standard through park areas. The Project Team recognise that there may be a desire to modify this in future to a segregated path and therefore notes were added to inform readers that this could be done within the cross-section provided.

- **Proposals are premature as they are only submitted "pending agreement"**

The access point from Beach Road to Sean Moore Park and the Active Travel path, as well as the upgrading of the existing coastal path along the southern perimeter of the Poolbeg Peninsula would require more detailed consideration and that this would be best led by Dublin City Council. As such, DPC have confirmed that they will provide Dublin City Council with a €5million contribution for future upgrading of these areas.

A Stage 1 Road Safety Audit has been carried out and did not raise any concerns regarding the proposed arrangement.

- **South Bank Rd cycle path section crosses too many dangerous entrances**

DPC have engaged with the operators of these sites and been told the access points are essential for site operation and cannot be removed/relocated. Consideration was given to relocating one access to the redundant Whitebank Rd, but the site operator rejected this proposal as it would conflict with a current planning application for the site.

As part of the planning application for the site, the western access is exit only and the central access is entrance only. This layout should reduce the potential for conflicts for vulnerable users and vehicles.

The risk to vulnerable users will be reduced as vehicles should be travelling slowly as they enter/ exit the sites during operation. The increased set back of the path from the road will also provide good visibility for both vehicles and vulnerable users.

It is noted that there is no change to the current number of access points, therefore there should not be an increased likelihood of vehicle conflicts. In fact, Whitebank Road is being realigned and will intersect with South Bank Road in the form of a signalised junction. The redundant Whitebank Road will be a cul-de-sac providing a service access to a future development area, therefore the traffic flows at this access will be significantly reduced.

Consideration was given to retaining the ATP as contiguous to the SPAR along this section which would have reduced the number of crossings, however it was deemed more appropriate to bring the ATP along South Bank Road to provide enhanced integration with the Glass Bottle SDZ site.

- **Sandymount & Merrion cyclists will continue to use the R131 'on road' route**

Cyclists can choose to use the R131 'on road' route if they wish, but the scheme proposals will provide an off-road option, which many may prefer.

- **The movement proposals do not fully match Poolbeg West SDZ requirements**

The 3FM Project proposes to provide a Key Pedestrian/Cycle Route from South Bank Road towards Beach Road, within the confines of the site boundary. The other Key Pedestrian/Cycle Route is to be provided within the SDZ site boundary as part of Coastal Park. Linkages between these routes have been allowed for. A meeting was held with the SDZ developer to ensure consistency in this approach.

- **Cycling proposals would not replace existing route options**

Cyclists can choose to use the R131 'on road' route if they wish, but the scheme proposals will provide an off-road option, which many may prefer. It is noted that the existing on-road route involves navigating a large complex signalised intersection between Beach Road and Sean Moore Road, The Sean Moore Road roundabout and a toll station. It is considered that although the off-road route may have to navigate some road crossing via dedicated controlled toucan crossing points (which caters for both pedestrians and cyclists) and some at-grade accesses, it would be a more comfortable and safer route.

- **A detailed analysis of how achieve environmentally friendly paths is needed**

Widening of the proposed path is on the land side of the existing path and is above existing path levels in order to minimise environmental impact. During construction, it will be the contractor's responsibility to manage environmental impacts in accordance with the CEMP and any of the mitigation measures outlined in Chapter 21 of the EIAR. The cross-sectional width of the path has been designed in accordance with industry standards including:

- TII Publication DN-GEO-03036 Cross Sections and Headroom
- TII Publication PE-PMG-02045 National Roads – Active Travel Planning
- TII Publication DN-GEO-03047 Rural Cycleway Design (offline)

Whilst the commitment of SAMRA and other local residents to ensuring the maximisation of active travel and cycling infrastructure in the locality is to be welcomed, with respect it is submitted that the concerns expressed above do not account for the actual content of the 3FM Project or the manner in which it will actually be utilised by cyclists and active travel users.

3.14.1.12 Sandymount Residents

The submissions from other Sandymount residents Peter Morrogh, David Turner and Pete Hogan are addressed below. They have been considered thematically.

Item 1 – HGV Traffic

Submission

In their submissions, Peter Morrogh, David Turner and Pete Hogan expressed concern that: *“the 3FM Project will increase HGV traffic in and around Dublin including the motorways. The SPAR Bridge will only facilitate DPC traffic and won't ease any traffic congestion east of the River.”*

DPC Response

The responses relating to HGV volumes above are repeated.

The 3FM Project will result in an increase in HGV traffic, however as detailed in the EIAR (Section 14.13.1) the SPAR is a significant mitigation measure for the 3FM Project and removes up to 95% of HGVs from the Tom Clarke bridge and up to 50% of HGVs from the East Wall Road per day. The provision of the SPAR reduces the overall daily traffic on the Tom Clarke by 30% and by 20% on East Wall Road (Units PCUs). In addition to providing capacity benefits to the external road network, there are additional benefits associated with noise, vibration & air quality, and reduction in the wear & tear of the in-charge carriageway.

The Dublin Port Tunnel will have sufficient capacity at 2040 when the 3FM Project is complete and operational. It has been demonstrated in Section 14.14.7 the EIAR (EIAR, Volume 2, Part 4, Chapter 14, Section 14.14.7 on Page 14-141) that proposed demand for travel through the Dublin Tunnel (M50) will remain within the nominal capacity of 3,800 PCUs per hour throughout the day, with a maximum of 3,009 PCUs occurring the midday peak hour in 2040. The total of 80,193 PCUs per day does not exceed the 182,400 daily PCU capacity of the Tunnel, or the capacity of 91,200 PCUs per direction.

Section 14.2.6 of the EIAR (EIAR, Volume 2, Part 4, Section 14.2.6), across the length of the M50 from Junction 17 (M11) to Junction 3 (M1), HGV traffic to and from the port makes up 1.7% of total vehicle numbers. To put this in some context, vehicle numbers of all types on the M50 reach c. 150,000 per day at the busiest point on the network. This low proportion of Port-related traffic on the M50 will continue when the 3FM project is delivered and the Masterplan is fulfilled.

The SPAR bridge will not solely facilitate DPC traffic and Section 14.5.5 of the EIAR (EIAR, Volume 2, Part 4, Chapter 14, Section 14.5.5 on Page 14-26) confirms the following traffic streams will be permitted to use the SPAR as agreed in pre-application liaisons with NTA and DCC:

- Commercial vehicles going to and from Dublin Port facilities.
- Dublin Port Company vehicles
- OGV1 Commercial Goods Vehicles going to and from the Poolbeg Peninsula. This includes all rigid vehicles over 3.5 tonnes gross vehicle weight with two or three axles.
- OGV2 Commercial Goods Vehicles going to and from the Poolbeg Peninsula. This includes all rigid vehicles with four or more axles and all articulated vehicles.
- Public transport buses of 25+ passenger capacity.
- Emergency Services vehicles

As the list demonstrates HGVs from the Poolbeg Peninsula will be permitted to use SPAR, including Reworld (previously named Covanta) Waste-to-Energy site and any other non-Port users on the peninsula. The Dublin City HGV Management Strategy already heavily restricts HGV movements in this area containing them to the R131, Tom Clarke Bridge and East Wall Road between 0700-1900, and restricting them from travelling south of the Sean Moore Roundabout 24 hours per day. Therefore the vast majority of existing HGV vehicles in the area are generated by either Dublin Port or the other non-Port users on the Poolbeg Peninsula, and subsequently it will be the vast majority of HGVs on the surrounding road network will be reallocated onto the SPAR. Public transport will also be permitted onto the SPAR, along with emergency vehicles.

Item 2 – LUAS

Submission

In their submissions, Peter Morrogh, David Turner and Pete Hogan expressed concern that the *“LUAS link is not shown on DPC proposal and is left to NTA/DCC to deliver.”*

DPC Response

The responses above in relation to the proposed Luas Red Line extension are repeated.

Following discussions and the NTA’s internal review of the 3FM design, the NTA has confirmed that the SPAR bridge has been designed in such a manner as would accommodate the extension of the Luas Red Line in the future, if required.

Item 3 –Sandymount Traffic

Submission

The residents expressed concern that the *“cumulative impact of 3FM Project and Glass Bottle Site will greatly intensify traffic in Sandymount area.”*

DPC Response

The 3FM Project primarily is focused on the movement of HGVs. The Dublin City HGV Management Strategy already heavily restricts HGV movements, restricting them from travelling south of the Sean Moore Roundabout 24 hours per day. As the routing diagrams contained within the Appendix 14.1 of EIAR show (EIAR, Volume III, Part 8, Appendix 14.1) the movement of HGVs generated by the 3FM Project are contained to the SPAR, the North Port Estate and the Dublin Tunnel. 3FM will not intensify traffic in the Sandymount Area.

The EIAR contains a detailed traffic impact assessment within Chapter 14. The traffic flows to be generated by the Glass Bottle site has been considered along with all other committed schemes within the detailed assessment. The percentage impacts for each peak hour of the Do-Nothing 2040 and Proposed 2040 are shown in Table 14.36 of the EIAR (EIAR, Volume 2, Part 4, Chapter 14, Section 14.13.3, Table 14.36 on Page 14-120). The percentage impact shows that for each peak hour there is reduction in traffic flows on the Sean Moore Road. There is a 2% reduction during the early morning peak (AM1) and a 1% reduction for morning peak hour (AM2). The midday peak hour (MD) has a 4% reduction and there is a 2% reduction during the PM peak hour.

Additionally, the cumulative assessment contained within the EIAR (Section 14.16.13) found that the construction activities related the 3FM Project reduces daily traffic flows on the external road network every year between 2026 to 2038 prior to the opening of the SPAR.

Hence the cumulative impact of 3FM Project will be to reduce traffic in the Sandymount area in peak times compared to the Do-Nothing scenario.

Submission

Item 4 – Independent Traffic Study

The residents highlighted that *“an independent traffic study should be carried out modelling the cumulative effect of the DPC proposal development in relation to other developments that have been approved in the last 5 years.”*

DPC Response

DPC has indeed carried out just such a cumulative assessment of the 3FM Project. During the pre-application meetings with the DCC Transport Planning Division (TPD), it was noted that South Bank Road will be the only

access to the Poolbeg Peninsula until the opening of the SPAR in 2039. DCC TPD therefore requested consideration be given to the cumulative traffic impact on South Bank Road for construction and operational traffic for existing and committed schemes during the construction of the 3FM Project but prior to the opening of the SPAR (i.e. 2026-2038). The TTA provides a detailed assessment to address this request based on daily two-way traffic flows (Unit: Vehicles) along South Bank Road.

The cumulative assessment found that the construction activities related the 3FM Project reduces daily traffic flows on South Bank Road every year between 2026 to 2038 prior to the opening of the SPAR with a minimum 4% reduction in two-way daily flows in 2028 and 2029 and a maximum reduction of 23% in 2033. Post 2038, any construction traffic associated with 3FM will be routed onto the SPAR, relieving South Bank Road of construction vehicles generated by the 3FM Project and providing the planning gain to the external road network provided by the SPAR.

The assessment therefore demonstrated that when the construction and operational cumulative traffic impact is considered from third party schemes (e.g. NTA Bus Connects & Dodder Bridge, ESB Ringsend OCGT, ESB Poolbeg OCGT, Glass Bottle scheme & Ecocem Extension) along with the construction of the 3FM Project and the continuation of the Dublin Port activities (at a reduced level due to the construction activities) there is a reduction in traffic flows along the South Bank Road in the years 2026-2038 prior to the opening of the SPAR in 2039.

The details of the assessment are included in EIAR Section 14.1.3 (EIAR, Volume 2, Part 4, Section 14.16.3 on Page 14-146)

Item 5 – Bicycle Lane

Submission

The residents expressed concern that a “*bicycle lane is needed on Strand Road to link Booterstown with R131 Road.*”

DPC Response

Such a connection is outside of the footprint of the 3FM Project and outside of the control of DPC

However, the 3FM active travel proposals are significant and provide planning gain to Port users and the public. They have been carefully designed to take cognizance of the surrounding existing, committed, and potential surrounding schemes, and provide connectivity between the public realm areas, the port’s operational plots and the external active travel network. Inter-modal connectivity between public transport and end-users using active travel is demonstrated, and the NTA BusConnects Ringsend scheme provides enhanced services to the area. The 3FM Project includes 7km of new or upgraded Active Travel Path (cycle, pedestrian, wheelers etc.) and 4.9km of new or upgraded footway across the North Port, SPAR and Poolbeg Peninsula, which will link with the 1.4km Liffey-Tolka Greenway in the North Port Estate, and from there to the 3.2km Tolka Estuary Greenway currently under construction by Dublin Port. DPC will also provide Dublin City Council with a €5 million contribution for future upgrading of the existing coastal path along the southern perimeter of the Poolbeg Peninsula.

3.14.1.13 William Kelly and Others

A further submission was received from William Kelly, Eoin Barkely and Tara Duchaussoy which is collectively addressed below.

Item 1 – HGVs Abnormal Loads in Tunnel

Submission

The observation relevant to traffic and transport is: “*The thrust of the 3FM Project is to route the main flow of HGV traffic via the Port Tunnel, which is already totally inadequate for current Port cargo traffic, in that it does not consistently operate 24/7, has a hi-frequency of planned and disrupted full and part closures, and also excludes all vehicles loads exceeding a height of 4.65m. There is a high proportion of Port traffic which is excluded due to this height limitation, which is officially diverted through the above listed city roads.*”

DPC Response

Within the NTA Regional Transport Model for the Greater Dublin Area, the Port Tunnel is coded with a capacity of 3,800 PCUs per hour per direction. The 3,800 PCU capacity per direction is not reached during any of the four peak hour scenarios considered in Chapter 14 of the submitted EIAR, with the maximum peak flow being

3,009 PCUs southbound in the PM peak hour. Figure 14.96 from Section 14.14.7 shows the daily profile of proposed traffic flows through the Tunnel in 2040, which will be well within the nominal capacity of 3,800 PCUs per hour throughout the day. The total of 80,193 PCUs per day expected in 2040 does not exceed the 182,400 daily PCU capacity of the Tunnel, or the capacity of 91,200 PCUs per direction.

Measure ROAD7 of Transport Strategy for Greater Dublin Area 2022-2042 relates to the agreed routing of the port vehicles when the Tunnel is closed. DPC are progressing this Measure in liaison with TII and other key stakeholders. This is an existing ongoing matter and not directly related to the 3FM Project planning application process.

Abnormal loads with a height greater than 4.65m are not permitted to use Dublin Port Tunnel. The transport of such abnormal loads is relatively rare and subject to case-by-case Abnormal Load Permit procedure with DCC and notification to An Garda Síochána. The 3FM Project is not expected to generate any such abnormal loads.

Item 2 – Hazardous Cargo through the Tunnel

Submission

The observation continues: *“Critically, the Tunnel safety operating regulations prohibit a range of hazardous cargo categories entirely, which are directed via the above listed roads, unmonitored, through general traffic, 24/7, with inadequate regulation, segregation, or monitoring. So traffic unsafe to use the tunnel, is not just allowed, but is officially rerouted via densely busy city roads! The undersigned request that this 3FM project and the general Port traffics be subjected to strict conditions that ensure that 100% adequate ancillary rail and or road provision be made for the excluded tunnel traffic volume, and which provides for exclusion of all HGV traffics from the above listed city roads, as has already been applied to the road system adjoining the South Bank Quay Port by the Sandymount/Merrion HGV exclusion zone since 2007.”*

DPC Response

This is an existing arrangement and is not related to the 3FM Project planning application process. The manner in which hazardous loads are conveyed on the national and local road network, including tunnels, is outside of the control of DPC and outside of the scope of this proposal.

3.14.1.14 Kevin Enright

Item 1 – Rail Freight Bridge across the Liffey

Submission

Mr. Enright submits: *“Further development of Dublin Port under the 3FM Project is to be strongly welcomed. Provision of another bridge across the Liffey linking the North and South Port areas is a vital element of this infrastructure. However, the absence of a heavy rail freight line on this bridge is not in compliance with Irish Government climate policy or with the EU's Trans-European Transport Network (TEN-T) policy (which specifically requires a rail freight connection). It also goes against the government's policy of shifting freight from road to rail. This is a significant gap in an otherwise excellent project. Such lifting bridges for rail lines are common in other EU countries and should not present an engineering problem.”*

DPC Response

The support for the project from Kevin Enright is appreciated. In respect of his submission relating to rail freight, the relevant responses above are repeated.

It should be noted that there is no requirement for a heavy rail freight line on the SPAR bridge. The SPAR will allow the 3FM Project to be fully rail enabled through rapid road shunting of freight by electric vehicle from the South Port Estate, across the Liffey, to rail intermodal facilities in the vicinity of the North Port Estate.

Item 2 – TEN-T Policy

Submission

Mr. Enright continues: *“The latest TEN-T policy document refers to Dublin Port (uniquely amongst EU ports) as a “cluster”. The term “cluster” is not defined in the document and therefore rail connectivity requirements to a “cluster” requires clarification from the EU Commission. Should Dublin Port argue that the existing rail connection to the north terminal fulfils TEN-T requirements and that a connection to the proposed south terminal is not required, An Bord Pleanála should seek clarification on the issue from the EU Commission.”*

DPC Response

The latest EU instrument dealing with TEN-T and referencing Dublin Port is Regulation (EU 2024/1679) 34) in which there is a specific recital 34) Regulation (EU) No 913/2010 (concerning a European rail network for competitive freight) supports the organisation and the management of international rail corridors for competitive rail freight. Given its insularity, Ireland is not connected to other Member States by rail. Moreover, under that Regulation, Member States having a rail network with a track gauge different from that of the main rail network within the Union were not obliged to participate in the establishment of freight corridors or the prolongation of existing corridors. Ireland availed of that exemption. Accordingly, no rail freight corridor was established in the State.

In the legal provisions of the Ten-T regulation there are also specific exemptions granted for “*isolated networks*”, which are defined as; “*a rail network of a Member State, or part thereof, with a track gauge different from that of the European standard nominal track gauge of 1 435 mm;*”

The Irish track gauge is 1,600mm.

Consequently, the specific provisions that Mr Enright cites on rail connectivity do not apply to Ireland in relation to the organisation and the management of international rail corridors for competitive rail freight. Therefore, there is nothing for ABP to seek clarification on from the EU Commission in that regard. Additionally, the proposals that are advanced in 3FM do provide for rail connectivity for the 3FM project sites, albeit through shunting to the North Wall Depot.

Although Ireland has an exemption from the creation of freight corridors due to the isolated network status and gauge, Ireland and Dublin Port are committed to providing an enhanced level of connectivity within the context of the Trans-European Transport Network as per Regulation (EU 2024/1679). This extends to connecting Dublin Port and the Greater Dublin Area (GDA) Cluster to rail as per clause 24.

“The core network has been identified on the basis of an objective planning methodology. That methodology has identified the most important urban nodes, ports and airports, as well as border crossing points. Wherever possible, those nodes are to be connected by rail or road, or both, to the trans-European transport network as long as they are economically viable and feasible. The methodology has ensured the interconnection of all Member States and the integration of the main islands into the core network.”

Regulation (EU) No 913/2010 applies to the management of freight corridors and ensuring that physical and administrative barriers are controlled and mitigated to ensure that freight can flow reasonably easily and that there is capacity on the rail network to do so. The new facility proposed by DPC allows Dublin Port to fulfil this obligation contained within Regulation (EU 2024/1679), enhancing the current rail provision. The North Wall site is within the footprint of Dublin Port and Greater Dublin Area (GDA). The GDA Port cluster is specifically noted in the EU Reg (Annex ii) and therefore, with respect, there is no need for ABP to consult the EU Commission on matters which are abundantly clear in law.

Item 3 – Rail Freight Comparisons with Other Ports/HGVs

Submission

Mr. Enright continues: “*Dublin Port's projected capacity is 77.2 million gross tonnes by 2040. By comparison Southampton Port currently handles about 52 million tonnes per year of which 1,000 containers per day go by rail*. Felixstowe handles 17.6 million tonnes per year of containerised traffic of which about 700 containers per day go by rail on 22 freight trains*. Despite the geographic and industrial differences between Great Britain and Ireland, it is reasonable to assume that a significant proportion of Lo-Lo containerised traffic could be diverted to rail as is the current practice in the North terminal of Dublin Port, Waterford Port and will be the case in Foynes. This would provide a more climate friendly solution and would reduce congestion on the M50 and its feeder roads (which in places are currently at or above capacity). It should also be borne in mind that an articulated HGV does the same damage to the road surface as approximately 136,000 cars** and that each freight train can take up to 50 HGVs off the roads. This is an economic cost that should if possible be avoided.*”

DPC Response

Dublin Port is connected by rail and currently c1% of it's freight is moved by rail. The details of existing rail freight activity at Dublin Port is included in Chapter 4 of the EIAR on Page 4.-26 within Section 4.3.3.

Mr. Enright makes comparison to other ports as outlined above, however DPC have carried out a similar exercise in their submission to the Department of Transport. Appendix 4-1 of the EIAR Volume 3 Part 1, sets out the case made by DPC in relation to rail freight connectivity at the port in the letter to the Department of Transport in September 2023. In this submission, DPC explain the specifics relating to Dublin Port and sets

out six factors to consider in understanding Rail Freight demand. Section 8 Comparative rail intermodal terminals at major international ports, sets out the commonality across the example ports, which includes Southampton and Felixstowe as raised by Mr. Enright. The factors set out explain why these are not good comparisons to Dublin Port and helps to explain the preferred solution set out above in terms of linkage to the rail network.

It should be noted that the project capacity quoted by Mr. Enright is inaccurate. As set out in Section 4.3 Strategic Level Options in EIAR Chapter 4 Assessment of Alternatives, *“The Dublin Port Masterplan 2040, reviewed 2018, determined that the port’s ultimate capacity was 77.2m tonnes of cargo throughput annually by 2040 based on the brownfield land available to the port. Since then, however, there has been a permanent loss of 7ha of port land to State Services in the North Port, primarily for Customs as a result of Brexit. The consequence of this loss of land has been to reduce the port’s ultimate capacity to 73.8m tonnes of cargo throughput annually by 2040.”*

In relation to the points raised about HGVs, the design of the roads cater for the expected HGV loading and the TTA provided in the EIAR assesses the impact of traffic on the road network. The TTA, located in Chapter 14 of the EIAR concludes that the 3FM Project provides significant planning gain in traffic and transportation terms and in relation to HGVs the following extract illustrates the positive contribution in delivering the SPAR:

“The SPAR removes up to 95% of HGVs from the Tom Clarke bridge and up to 50% of HGVs from the East Wall Road per day. The provision of the SPAR reduces the overall daily traffic on the Tom Clarke bridge by 30% and by 20% on East Wall Road (Units PCUs) delivering the additional benefits associated with noise, vibration and air quality and reduction in the wear and tear of the in-charge carriageway.”

3.14.1.15 Alexander Garvey

Item 1 – Rail Connectivity

Submission

Mr. Garvey makes the following submission: *“The plan “3FM” has clearly ignored this and guidance on developments in the national planning framework and EU legislation that tier 1 ports must have a rail connection and must increase rail freight share of traffic in tier 1 ports (Dublin port being a tier 1 port).*

The expansion in volume and share of “RO-RO” traffic in an already highly congested area makes no sense. This goes against all environmental planning rules the noise pollution, light pollution and air pollution by the trucks alone should be more than enough to have these expansions rejected. Never mind the aforementioned national and EU level planning rules and guidance which this plan does not abide by.

I very much understand the economic need of the port expansion but can see no reason why when legislation, planning and support of the port to run clean, quiet and land efficient electric rail freight to and from the port is not been developed seriously. When Irish rail and the government of the time are in full support. Clearly the port company is actively pushing against this needed transition. There plans also aim to cement the removal of any reasonable rail freight connection in the future. That should be clear regardless of what is been said.

“LO-LO” should be directly connected to a rail line and sent out to a sorting terminal(s) outside the M50 where space is more freely available rather than loaded off to a truck before been loaded back on as rail freight at another location within the port again very poor use of space. I raise this as that would be the only avenue for rail freight in the future at Dublin port should the current expansion plans proceed. The only way forward is the direct rail connection to “LO-LO” for the port to stay within regulations. it is more than possible to run a rail connection to the port from East wall rail yard.”

DPC Response

The responses above relating to the manner in which the 3FM Project supports the development of rail freight within Ireland are repeated.

Appendix 4-1 of the EIAR Volume 3 Part 1, sets out the options considered by DPC in relation to rail freight connectivity at the port in the case made to the Department of Transport in September 2023. The submission references a range of options that were assessed in detail and concludes that *“investment in the North Wall Rail Freight Depot remains the most economic, efficient and sustainable choice, by reference to national and international factors.”*

The Trans-European Transport Network (TEN-T) Policy is covered in Section 2 of the EIAR and DPC recognise their status as a Core Port of the TEN-T network.

Chapter 3 Project Consultation and Scoping of the EIAR, summarises the wide range of consultations, exchanges and meetings that were held with Iarnród Éireann (Irish Rail). Section 3.4.5.2 Additional Consultation with Prescribed Bodies and Key Stakeholders, under the heading of 'Iarnród Éireann (Irish Rail)' covers the extensive consultation with them during the preparation of the EIAR to ensure there was an agreed solution to enhance the existing rail connections to the Irish Rail Network from the entire Dublin Port Estate and to ensure that the 3FM Project does not compromise the agreed solution. Table 3.11 outlines the dates of the primary interactions between DPC and Iarnród Éireann. This covered a period between April 2021 to April 2024.

The Southern Port Access Route (SPAR), was developed to facilitate HGVs, active travel users (pedestrians, cyclists, wheelers etc), blue light services and public transport users moving to and from the South Port and Poolbeg Peninsula and as part of this approach, the SPAR will allow the 3FM Project to be fully rail enabled through rapid road shunting of freight by electric vehicle from the South Port Estate, across the Liffey, to rail intermodal facilities in the vicinity of the North Port Estate.

The TTA provided in the EIAR assesses the impact of traffic on the road network. The TTA, located in Chapter 14 of the EIAR, concludes that the 3FM Project provides significant planning gain in traffic and transportation terms.

3.14.1.16 Greg Kavanagh

Item 1 – Suggested outer ring road N2 Dublin Airport to M4 Leixlip

Submission

Mr Kavanagh's submission relates to the provision of a suggested 13km outer ring road connecting the N2 at Dublin Airport to the M4 at Leixlip. The submission concludes with *"I am making this submission as An Bord Pleanála has the powers to force the Local Authorities to come up with a coherent and long term traffic management plan as part of the expansion of Dublin Port. It is clear that the existing infrastructure is not sufficient to handle the extra traffic numbers and that a new route is needed. The State should build and own this road."*

DPC Response

The development of the national road network is outside of the statutory remit of DPC and outside of the scope of this application.

3.14.2 Conclusions

There are 16 (grouped and individual) parties that make reference to Traffic and Transport and are addressed in Section 3.14.1 of this response document.

DPC trusts that the detailed responses outlined above are sufficient to address the concerns raised and provide the clarity sought by observers. In particular DPC wishes to reiterate the contents of the EIAR and the detailed assessment given to traffic and transport, alternatives, and the amenity of the local area in its Chapters.

DPC concur with submissions by TII, NTA and DCC relating to CEMP, CTMP, Traffic Management Plan, detailing of active travel designs and the rolling of the Poolbeg West SDZ / Glass Bottle site.

DPC will continue to liaise with all stakeholders, statutory bodies and local residents in relation to the 3FM Project and other transport-related infrastructure schemes within the environs of Dublin Port.

3.15 Cultural Heritage

3.15.1 Observations Relevant to Cultural Heritage

The following observations refer to Cultural Heritage and are addressed below.

Number in Index	Party Name
	Dublin City Council
No. 23	Development Applications Unit – NMS/Built Heritage
No. 14	Dublin Stevedores Ltd.
No. 8	Councillor Claire Byrne
No. 22	Ringsend & District Historical Society
No. 7	Margaret & Gerard Byrne, 44 Pigeon House Road
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No. 15	Sandymount & Merrion Residents Association (SAMRA)

3.15.1.1 Dublin City Council

DCC's submission recognises the importance of the 3FM Project for Dublin Port and the wider city. DCC supports the principles around the 3FM Project on foot of the objectives of the Dublin City Development Plan and the Poolbeg West Planning Scheme. DCC makes a series of recommendations regarding cultural heritage that includes recommendations relating to impacts on protected structures and on archaeology.

Item 1 – Protected Structures/Conservation

Submission

DCC's submission in Protected Structures and Conservation is summarised below:

Pigeon House Precinct:

The construction of a carriageway in close proximity to the former Pigeon House Hotel and former Poolbeg Power Station may have a significant impact on their setting, and may have a further impact on the potential for development of the site as a public/cultural amenity.

North Wall Quay Extension:

A record is needed of all visible historic ground surfaces. Record rectified photographs should be provided of the North Quay Wall.

There should be clarity as to what alterations are required to the existing stones to be reinstated following the construction of the new bridge landing. It is noted that the ladder and fixings should be reinstated in an alternative location. Cut stone steps should be relocated in their original position.

Mitigation measures should be considered in relation to piles proposed in close proximity to the historic foundation to the quay walls.

Other:

The proposed free-standing totems should be omitted from the proposal.

A detailed condition survey of the structure and the historic fabric of the historic sea wall (South Wall) should be provided to inform a programme of conservation and structural repairs.

A schedule of all proposed repairs to the South Wall is recommended.

DPC Response

DPC has set out a detailed impact assessment and mitigation strategy relating to cultural heritage in Chapter 16, Sections 16.7 and 16.8, which address Pigeon House Harbour and Precinct; the North Wall Quay Extension and the extent of the proposed 3FM Project area. The planning application is also supported by the Dublin Port Heritage Conservation Strategy and a Draft CEMP.

There is already an existing carriageway (Pigeon House Road) to the south of the former Pigeon House Hotel and Poolbeg Power Station with a proposed new access road proposed to serve Area N, the new Lo-Lo Terminal which has been proposed since November 2016 when DPC first released the 'Poolbeg Peninsula: A review of possible transport and traffic configurations and public realm enhancements relating to prospective port operations on the Peninsula'.

The proposed access road was subsequently incorporated into Dublin Port Masterplan 2040, Reviewed 2018, and in the 3FM Project pre-application consultation process carried from since 2021. It has been ensured that there is a buffer distance of minimum 3.66m between the proposed access road and the former Poolbeg Power Station. (See drawing CP1901_3FM-RPS_S26-SSP-PN-DR-HE-2500-00001 Rev P02, Roads & Footways (Southern & SPAR) – Proposed Area N Access Road with Scanners). The application, was supported by a 3FM Project team incorporating heritage expertise, including specialist architectural conservation advice in the context of the proximity of the road to the historic setting and buildings within Pigeon House fort and precinct. The application includes the level of detail necessary for the planning application stage; however, it is anticipated that the final details of the buffer treatment can be agreed upon with DCC and the relevant statutory bodies during the compliance stage, following the grant of permission and the imposition of a planning condition by ABP.

The proposed access road was subsequently incorporated into Dublin Port Masterplan 2040, Reviewed 2018, and in the 3FM Project pre-application consultation process carried from since 2021. It has been ensured that there is a buffer distance of minimum 3.66m between the proposed access road and the former Poolbeg Power Station. (See drawing CP1901_3FM-RPS_S26-SSP-PN-DR-HE-2500-00001 Rev P02, Roads & Footways (Southern & SPAR) – Proposed Area N Access Road with Scanners).

Construction of the carriageway that crosses Pigeon House precinct along its eastern boundary to the proposed new wharf Area N is designed with consideration of fencing design, and road surfaces of the access road and the access bridge to Area N, conscious of the heritage importance of the precinct area. The design of the boundary fencing/treatment is of high quality and considers impact (visual, noise) on future use and users of the adjacent Pigeon House Precinct lands, including the former Fort, Power Station and Hotel. The proposed landscape and public realm design treatment of the carriageway as it runs within the Pigeon House Precinct area is confined to the lands within control of DPC. The design approach allows for future refurbishment and regeneration of this significant heritage area and would benefit from a collaborative approach from the municipal, utilities and port stakeholders. The design approach has been detailed in the *Great South Wall Overview of Impacts, Mitigation & Interpretation*, Darmody Architecture, 2024, submitted as a supporting document to the EIAR and 3FM Project planning application.

Measured survey of the North Wall Quay Extension has been carried out as part of the Underwater Archaeological Impact Assessment completed for the proposed project, as reported in EIAR Appendix 16-5. Additional survey, including rectified photographs, will be carried out in advance of construction that will absorb the recommendations of DCC at this location. Mitigation measures appropriate to historic structures in terms of vibration monitoring are covered in EIAR Chapter 16.8.3.2. Archaeological monitoring will carefully establish the position of the quay walls where they are buried, not only to ensure piling avoids the historic structures, but also to inform hard landscaping proposals.

DPC notes that DCC has stated that the proposed free-standing totems be omitted from the proposal. The totems have been proposed to provide interpretation and wayfinding along the full length of the Great South Wall (GSW) within the 3FM Project area, which will aid in the renaissance of the GSW along much of Pigeon House Road, where the presence of this archaeological site has been largely lost from view. It is considered a heritage gain initiative that DPC is keen to develop, however, the proposed free-standing totems are a conceptual strategy and subject to further design development and consultation with DCC and other statutory bodies. DPC would be amenable to finalising a strategy for the free-standing totems with DCC post grant of planning permission.

DPC has carried out annual condition surveys of the GSW as it stands east of Pigeon House Harbour and Precinct since 2015, and is currently developing a programme of repair works required on this stretch. DPC will carry out a schedule of proposed repairs to the GSW as it extends under Pigeon House Road within the proposed 3FM Project area.

DCC's observations and recommendations relating to building conservation are welcomed and are addressed in Chapter 16 of the EIAR. The final details of the buffer treatment for the access road through Pigeon House precinct can be agreed upon with DCC and the relevant statutory bodies during the compliance stage, following the grant of permission and the imposition of a planning condition by ABP. DPC is keen to develop the free-standing totems as a heritage gain initiative, and welcomes further design development and consultation with DCC and other statutory bodies.

Item 2 – Archaeology

Submission

With regard to archaeology, DCC's submission states that clarification is required regarding the location, extent and rationale for the proposed breaches to the Great South Wall listed in the EIAR Appendix 16, pp 26-27. The content of the submission in that regard is set out below:

A buffer should be provided between the proposed new road and the redbrick electricity works building, in order to provide a suitable separation between the military fort and harbour (RMP) and the new development.

A project archaeologist should prepare and oversee the implementation and delivery of the archaeological strategy outlined in the chapter 16 and Appendix 16.1 of the EIAR.

Archaeological mitigation should be completed in advance of the commencement of construction where feasible.

The Project Archaeologist should provide a regular briefing note / hold briefing meetings / site visits over the duration of the project, updating the city archaeologist on the implementation of the archaeological strategy. The archaeologist should ensure that Dublin City Council Archaeology Section is copied with any archaeological Method Statements and Reports prepared for submission to the NMS.

The primary archaeological paper archive to be prepared and deposited with the Dublin City Archaeological Archives, unless otherwise agreed, within a timeframe to be agreed with the planning authority.

DPC Response

The location of the six proposed breaches to the GSW are presented in Chapter 16, Table 16-7. The proposed breaches will be at:

Breach 1: The existing breach of the GSW where the R131 crosses it will be upgraded to provide pedestrian access across the R131 from Ringsend Park to the Maritime Village, as presented in the *Great South Wall Overview of Impacts, Mitigation & Interpretation*, p. 28.

Breach 2: A new breach is required to the northern parapet location where vehicular access to the Maritime Village is proposed. The GSW at this location does not currently present any upstanding remains. The extent of the works is presented in the *Great South Wall Overview of Impacts, Mitigation & Interpretation*, p. 29.

Breach 3: A new breach is required where the SPAR will cross over the route of the GSW in the MTL Yard. The breach will facilitate traffic along the SPAR. The southern parapet of the GSW is upstanding at this location. The extent of the works may encounter buried levels of the GSW at this location. The proposed works will improve access to this location as part of the Active Travel package, which includes for re-use of GSW wall elements, as presented in the *Great South Wall Overview of Impacts, Mitigation & Interpretation*, p. 32.

Breach 4: A new breach is required at Murphy's Yard where the SPAR turns south. The southern parapet of the GSW is upstanding in this location for a length of c. 50m, and has been subject to detailed archaeological survey. It will be necessary to remove a length of the southern parapet wall to facilitate the SPAR. In addition, ground works will require excavation below Pigeon House Road, and may encounter the buried surface of the GSW at this location. The proposed works are presented in the *Great South Wall Overview of Impacts, Mitigation & Interpretation*, p. 33.

Breach 5: A new breach is required at the access road into EcoCem, where demolition of a short length of the north parapet wall is necessary to permit widening of the junction. The works may encounter buried levels of the GSW. The proposed works are presented in the *Great South Wall Overview of Impacts, Mitigation & Interpretation*, p. 34.

Breach 6: A new breach is required at the junction of Shellybanks Road with Pigeon House Road. There is no upstanding element of the GSW at the breach location. Works may, however, encounter buried levels of the GSW. The proposed works are presented in the *Great South Wall Overview of Impacts, Mitigation & Interpretation*, p. 35.

DPC proposes a buffer between the proposed new road and the redbrick electricity works building. The minimum clearance between the redbrick building and proposed new fenceline is approximately 3.66m, and that is only at a single particular pinch point. Elsewhere the separation distances are greater, as presented on Drawing CP1901_3FM-RPS_S26-SSP-PN-DR-HE-2500-00001: Roads & Footways (Southern & SPAR) - Proposed Area N Access Road with scanners. The proposed new fenceline will stand 3.5m from the road.

DPC has appointed an experienced project archaeologist to deliver its capital projects ABR (Alexandra Basin Redevelopment) and MP2 (Masterplan 2), and will continue to do so with regard to the proposed 3FM Project. The project archaeologist is an integral design team member and is responsible for preparing, overseeing and implementing the archaeological strategy.

Since 2016 and the ABR project, DPC has maintained Liaison Group meetings with the officers of DCC and associated regulators. The meetings take place on a quarterly basis and provide a forum for capital project updates and discussion. DPC will continue this initiative for the proposed 3FM Project.

All archaeological reporting for licensed interventions conducted by DPC are prepared and deposited with the Dublin City Archaeological Archives, the National Monuments Service and the National Museum of Ireland, in fulfilment of archaeological licensing requirements.

DCC's observations and recommendations relating to archaeology are welcomed and are aligned with the archaeological mitigation strategy proposed in chapter 16 of the EIAR

3.15.1.2 Development Applications Unit – NMS/Built Heritage

Item 1 – Conditions of any Grant of Permission

Submission

In its submission, the Department of Housing, Local Government and Heritage is broadly in agreement with the findings in relation to Cultural Heritage (including archaeological, architectural & industrial) and attendant mitigation recommendations, and advises a series of measures to be included as conditions of any grant of permission should be included. Relevant excerpts of the recommendations include:

1. *All recommendations and mitigation measures as set out in EIAR Chapter 16: Cultural Heritage (including archaeological, architectural & industrial) and Chapter 21: Summary of Mitigation Measures and Conclusions shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order. Compliance with this Condition shall require a formal statement in writing from the Department to An Bord Pleanála that all mitigation measures have been implemented and approved.*
2. *A Project Archaeologist shall be appointed to oversee and advise on all aspects of the Project, including at detailed design and construction stages.*
3. *The developer shall commission an Archaeological Impact Assessment (AIA), as follows:*
 - a. *The AIA shall include licenced test-excavations at areas of the development where ground disturbances that may impact on sub-surface/underwater archaeology are proposed. The scope of archaeological testing shall be agreed with the Department. Archaeological test-excavation shall be carried out under a Section 26 (National Monuments Act 1930) licence from the National Monuments Service and in accordance with an approved method statement. Licensed metal detection shall be undertaken in tandem with the test excavations. All test-excavations that have the potential to uncover human skeletal remains shall be undertaken in conjunction with a suitably qualified osteo-archaeologist. A Detection Device consent (Section 2 1987 National Monuments Act) will be required for the metal detection survey. Licenses should be applied for to the National Monuments Service and should be accompanied by a detailed method statement that sets out the proposed project design. Note a period of 3-4 weeks should be allowed to facilitate processing and approval of the licence application and method statement.*
 - b. *The outcome of the assessment shall inform recommendations, to be agreed with the Department, that prioritise the preservation in situ of identified archaeological structures and features and shall also inform the preparation, as required, of specifications (prepared in liaison with a conservation architect/engineer, as appropriate) that provide for their stabilisation, conservation and repair. Where identified historic features and structures are proposed for removal or part removal as part of the proposed development, its rationale and justification shall be described and attendant mitigation measures shall be recommended and agreed with the Department. These may include, as appropriate, further archaeological investigations (including test-excavations aimed at securing a greater understanding of a feature or structure), archaeological surveys, conservation and engineering interventions, monitoring, preservation by record, and interpretation.*

c. A final AIA report that details the results of the assessment shall be furnished to the Department for review and comment. The report shall include a comprehensive Archaeological Impact Statement that comments on the degree to which the extents, locations and levels of all proposed works (structures, ground disturbances, foundations, service trenches and other sub-surface works including Site Investigation works) required for the development will impact upon any cultural heritage, archaeological materials, objects and/or areas of archaeological potential that have been identified. The AIS shall be illustrated with appropriate plans, sections and photographs that clearly describe any adverse impacts and effect(s) of the development on cultural heritage and proposals for their mitigation. Mitigation shall prioritise recommendations for redesign to allow for full or partial preservation in situ, the institution of archaeological exclusion zones, design modifications to enhance setting, and may also include for test-excavations, excavations ('preservation by record') and/or monitoring, as deemed appropriate and agreed with the Department. No construction works should commence until after the AIA has been submitted and reviewed. All recommendations will require the agreement of the Department. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

4. Archaeological monitoring shall be undertaken as follows:

a. The services of a suitably qualified and experienced, to the satisfaction of the Department, maritime archaeologist shall be engaged to carry out full-time onboard/terrestrial based archaeological monitoring of all construction activities that give rise to ground disturbances, including those that impact on the riverbed, intertidal/foreshore zone and/or on underwater cultural heritage and any works where material of archaeological importance may be uncovered.

b. The archaeological monitoring shall be carried out by a suitably qualified and experienced, to the satisfaction of the Department, maritime archaeologist, under a Section 26 (National Monuments Act 1930) excavation licence and in accordance with an approved method statement.

c. A Finds Retrieval Strategy shall be implemented and agreed with the Department, as part of the archaeological licence application. This shall include metal detection for finds retrieval, which shall be undertaken by a suitably qualified and experienced archaeologist working under a Detection Device consent (Section 2 1987 National Monuments Act). All monitoring works shall include archaeological metal detection and those that have the potential to uncover human skeletal remains shall be undertaken in conjunction with a suitably qualified and experienced osteo archaeologist. Secure finds storage that ensures the protection and conservation of wet and dry finds, including human skeletal remains, shall be provided within the construction site compound or another appropriate venue.

d. Sufficient, suitably experienced and qualified, to the satisfaction of the Department, maritime archaeologists shall be in place to ensure continuous archaeological monitoring works, including 24-hour onboard /terrestrial-based archaeological monitoring of construction activities. An archaeological team shall be on standby to deal with any rescue excavation and may be augmented as required. An archaeological dive team shall be on standby in the event that underwater archaeological inspection is required by means of archaeological diving. All dive surveys shall be licenced (Section 3 1987 National Monuments Act) and shall include handheld metal detection survey, which shall also be licenced (Section 2 1987 National Monuments Act). All archaeological diving shall comply with the Health and Safety Authority's Safety, Health and Welfare at Work (Diving) Regulations 2018/2019.

e. In order to ensure full communication is in place between the monitoring archaeologist(s) and the works contractor(s) at all times, a communication strategy shall be implemented that facilitates direct archaeological monitoring of all construction activities that give rise to ground disturbances, including those that impact on the river bed, intertidal/foreshore zone and/or potentially upon on underwater cultural heritage, and provides the former with adequate notice (minimum eight weeks) of all forthcoming works that require their attendance.

f. Should suspected/verified archaeological and/or underwater cultural heritage materials, including wrecks, palaeolandscape materials, archaeological features or sites and/or archaeological objects be identified during the course of the archaeological monitoring activities, the monitoring archaeologist shall be authorised by the Developer to suspend all construction activities on the affected area (as defined by the monitoring archaeologist). The Developer shall immediately institute a Temporary Exclusion Zone to the proposed find location and its environs (as defined by the monitoring archaeologist) and all construction activities shall immediately cease within it in order to facilitate investigative assessment, protection and prompt notification to the Department and other statutory authorities, as required.

g. The Developer shall undertake any ensuing mitigating action as is required by the Department. Mitigation shall prioritise redesign or partial redesign to facilitate full or partial preservation in situ by the institution of permanent Archaeological Exclusion Zones. Mitigation may also include further archaeological investigations,

including underwater archaeological inspection by means of archaeological diving, underwater/terrestrial archaeological surveys (geophysical, ROV, measured/photogrammetric), underwater/terrestrial archaeological test-excavations, underwater/terrestrial archaeological excavations ('preservation by record'), stabilisation works and/or archaeological monitoring, or any combination of the above or any other mitigation measures as may be recommended by the Department. No construction activities shall recommence within the Archaeological Exclusion Zone until formally agreed in writing with the Department. Where ensuing mitigation is required, no archaeological works shall be undertaken until after an amended method statement that describes the mitigation strategy has been submitted, reviewed and agreed in writing by the Department. All resulting and associated archaeological costs shall be borne by the Developer.

h. The planning authority and the Department shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavations required, following the completion of all archaeological works and any post-excavation analysis, scientific dating programmes, palaeoenvironmental analysis, geoarchaeological analysis and conservation of archaeological objects, as required by the Department and the National Museum of Ireland, with all resulting and associated archaeological costs to be borne by the Developer. Compliance with this condition requires a formal statement in writing, from the Department to An Bord Pleanála, approving the final report submission.

5. Following the completion of all geotechnical works, the Developer shall furnish the Project Archaeologist with the results of all site investigation works and shall provide access to site investigation cores and physical samples for archaeological and geoarchaeological review by a qualified geoarchaeologist. Where potential submerged palaeolandscape deposits or other anthropogenic materials are identified, they shall be subject to geoarchaeological and palaeoenvironmental analysis and scientific dating, in agreement with the Department and subject to approval of Licences to Alter and Export from the National Museum of Ireland. Following the completion of all geotechnical and archaeological works and any necessary post-excavation specialist analysis, the Department shall be furnished with a final archaeological report describing the results of the works. Compliance with this condition requires a formal statement in writing, from the Department to An Bord Pleanála, approving the submitted report.

6. The Construction Environment Management Plan (CEMP) shall be updated to include the location of any and all archaeological or underwater/terrestrial cultural heritage constraints relevant to the proposed development as set out in the final design and EIAR. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or underwater cultural heritage environment during all phases of site preparation and construction activity.

7. In default of agreement on any requirements of the Department, the matter shall be referred to An Bord Pleanála for determination.

DPC Response

DPC welcomes the Department's endorsement of DPC's proposals set out in Chapters 16 and 21 of the 3FM Project EIAR. The planning application is also supported by the Dublin Port Heritage Conservation Strategy and a Draft CEMP.

DPC agrees with the conditions proposed by Department in its submission.

DPC has appointed an experienced project archaeologist to deliver its capital projects ABR and MP2, and will continue to do so with regard to the proposed 3FM Project. The project archaeologist is an integral design team member and is responsible for preparing, overseeing and implementing the archaeological strategy. An RIAI Grade 1 Conservation Architect and a Conservation Engineer will be retained by DPC for the duration of the relevant works, to advise specifically in relation to works associated with the Great South Wall and Pigeon House precinct, as presented in EIAR Chapter 16.8.3.2.

DPC will commission the Archaeological Impact Assessment (AIA) recommended as item 3 by the DAU, to further inform the archaeological risk ahead of construction commencing where pre-construction test excavation is feasible

DPC will require archaeological monitoring during construction works as described in Chapters 16 and 21 and accept all of the recommendations in accordance with item 4 by the Department.

DPC will ensure that the project archaeologist is involved in and has access to geotechnical investigations results, and that the archaeologist has the facility to include for geoarchaeological assessment, analysis and reporting where required.

Under Chapter 6.1–6.3 of the *Dublin Port Heritage Conservation Strategy*, DPC provides for the review of policies relating to cultural heritage within the Port area, to ensure their safeguarding over time. Within this context, DPC will update the proposed 3FM Project CEMP where needed, as per item 6 of the DAU observations, to include the locations of archaeological cultural heritage constraints on land and underwater within the project area, as set out in the EIAR. Such updates will also apply to mitigation strategies to protect the sites and features during all phases of site preparation and construction activity.

DPC actively participates in the Dublin Bay Biosphere Partnership and fully recognises the importance of the Dublin Biosphere which at its core seeks to celebrate and promote a wider appreciation of the natural and cultural heritage of Dublin Bay.

The National Monuments Service's observations and recommendations relating to archaeology are welcomed and are aligned with the archaeological mitigation strategy proposed in Chapter 16 of the EIAR.

3.15.1.3 Dublin Stevedores Ltd.

Item 1 – Wider Context of Cultural Heritage Element

Submission

In its submission Dublin Stevedores Ltd (DSL), specifically at pages 22-23 sections 6.17-6.26, acknowledge that Chapter 16 of the EIAR focuses on cultural heritage in terms of archaeological, architectural and industrial elements, but asserts that the wider context is not addressed insofar as the historic role of dock workers within Dublin Port is overlooked.

DPC Response

DPC has set out a detailed impact assessment and mitigation strategy relating to cultural heritage in Chapter 16 of the 3FM Project EIAR. The planning application is also supported by the Dublin Port Heritage Conservation Strategy and a Draft CEMP. It is further supported by the emerging Dublin Port distributed Museum network, cultural programming activities undertaken to date, its Oral History project and direct engagement with the custodians of Docker memory and tradition. The multifaceted port city integration strategy is presented in <https://www.dublinport.ie/port-city-integration/> and in Chapter 8 of the Dublin Port Masterplan "Social, Community and Economic Impacts"

DPC acknowledges that the intangible aspects of cultural heritage form a vital part of Dublin Port's history. In setting out DPC's conservation policy for the 3FM Project (EIAR Chapter 16 section 7), DPC identifies Policy 10 – 'Policies to address the intangible cultural heritage of the Port' as the measure for interpreting and delivering the cultural story of the development of the port. The Heritage Conservation Strategy, includes policies relating to the intangible cultural heritage of Dublin Port and has been submitted with the EIAR as part of mitigation strategy measures. The *Conservation Strategy* addresses the context of the wider port estate as a whole and also deals with the intangible aspects of cultural heritage including dock workers (pages 72-73 and 129).

The Dublin Stevedores Ltd observations relating to cultural heritage are welcomed and are aligned with the DPC's existing record in recording this data, and as addressed in chapter 16 of the EIAR and in the Dublin Port Heritage Conservation Strategy. DPC commits to ensuring that the historic role of dock workers on the Dublin docks will not be overlooked in DPC's efforts to convey the history of Dublin Port to the city and the wider public.

3.15.1.4 Councillor Claire Byrne

Item 1 – Heritage and the Sea Wall

Submission

Councillor Byrne makes reference to the submission made by the Ringsend Historical and District Society (RHDS) on impacts that may occur on the sea walls associated with Ringsend village, and highlights the RHDS comments made in relation to another project (NTS Ringsend Bus Connects project) that refer to the 'Point' or 'Jets' location.

DPC Response

DPC acknowledges the historical importance of the Great South Wall (GSW) as it extends from the confluence of the Rivers Dodder and Liffey eastwards to Poolbeg Lighthouse, and has carried out detailed inspections to record those lengths of upstanding portions of the GSW right along its course. Where the record of registered monuments refer to different sections using different numeration, DPC regards all sections as the one coherent monument, to emphasise the importance of the GSW and to help ensure that its visibility is not lost. The most upstream element of the GSW, namely the Point / Jets, lies outside the proposed 3FM Project area. It is proposed to place a GSW wayfinding totem at this location and at St Patrick's Rowing Club, as part of the measures to restore the historical route and legibility of the GSW along its length, as presented in the *Great South Wall Overview of Impacts, Mitigation & Interpretation*, pp 24, 26.

Councillor Byrne's comments relate to details that lie outside the proposed 3FM Project area. Consequently, whilst DPC is cognisant of these concerns they do not fall for consideration in the context of this application for development consent.

3.15.1.5 Ringsend & District Historical Society

Item 1 – Any Remaining Historical Structures along York Road, Pigeon House Road and up to and within Pigeon House Harbour will be Preserved, Fixed and Maintained

Submission

The Ringsend Historical and District Society (RHDS) has identified elements of the Great South Wall along its length from St Patrick's Rowing Club upstream to Pigeon House Harbour downstream, and other structures within and adjacent to Pigeon House Harbour and precinct.

DPC Response

DPC has undertaken to minimise impacts on cultural heritage, and the project teams (engineering, heritage and architectural teams) have worked closely together to ensure that impacts are avoided where feasible and minimised where unavoidable. Chapter 16 of the EIAR identifies those locations where impacts with heritage features will occur, as summarised in Table 16-7, and Table 16-8 summarises proposed mitigation measures, which are devised to safeguard the cultural heritage record. Detailed archaeological record will be carried out in advance of construction under licence from the Department of Housing, Local Government and Heritage, and will accord with the recommendations of the National Monuments Service to undertake advance archaeological testing interventions where necessary. Architectural and engineering conservation inputs will also guide construction works, which include designing inputs to facilitate legibility of the historic elements where possible. Archaeological monitoring and recording will take place during such works to recover additional data that may be exposed at this point.

The Ringsend and District Historical Society's observations relating to historical structures are aligned with the archaeological mitigation strategy proposed in Chapter 16 of the EIAR.

3.15.1.6 Residents of Pigeon House Road

Item 1 – Concern with Proposed Piling in Proximity to Historic Houses

Submission

The following parties who reside in the Pigeon House Road area, raised concerns regarding proposed piling in proximity to their houses which are over 100 years old:

- Margaret & Gerard Byrne;
- Grainne Hughes;
- Phyllis Clarke;
- Brigid Purcell;
- Robert Nealon;
- Joe & Christina Whelan;
- Jason McDonnell;
- Michela Anoffo;
- Ning Rodgers; and
- Sandra Wayne & Marion Ryan.

DPC Response

DPC's heritage team has considered the location of the houses on Pigeon House Road, as presented in Chapter 16 Cultural Heritage, and summarised in Table 16-3, 16-7 and 16-8 with reference to the protected structures, RPS 6782–RPS 6792 (Coastguard Cottages, 70–79 Pigeon House Road).

The 3FM Project heritage team comprised a Conservation Architect, Conservation Engineer, Archaeologist and an Architect. The heritage team concluded that the impacts from the proposed 3FM Project on the Pigeon House Road houses, will result in a reduction in noise due to changed use profile of DPC container area opposite; and a likely increase in recreational traffic using new Maritime Village, but that there will be no physical impacts on the houses. The team assessed the impact level as being low. The significance of the low impacts are deemed to be indirect, and the noise reduction is considered a positive impact. The potential impact of vibration on the Pigeon House Road dwellings is addressed in Section 3.5.1.4 Engineering Design Response and Section 3.12.1.1 Noise & Vibration Response.

Item 2 – concern with diminution of the historic sea wall

Submission

The following residents also raised concerns regarding the diminution of the historic sea wall and associated features, including Pigeon House Harbour and precinct, advocating for the protection of same:

- Grainne Hughes;
- Brigid Purcell; and
- Sandra Wayne & Marion Ryan.

DPC Response

DPC has endeavoured at every stage to minimise the impact of the proposed development on cultural heritage. The project teams (planning, environmental, engineering, heritage and architectural teams) have worked closely together to ensure that impacts are avoided where feasible and minimised where unavoidable. Chapter 16 of the EIAR identifies those locations where impacts with heritage features will occur, as summarised in Table 16-7, and Table 16-8 summarises proposed mitigation measures, which are devised to safeguard the cultural heritage record. Detailed archaeological record will be carried out in advance of construction under licence from the Department of Housing, Local Government and Heritage, and will accord with the recommendations of the National Monuments Service to undertake advance archaeological testing interventions where necessary. Architectural and engineering conservation inputs will also guide construction works, which include designing inputs to facilitate legibility of the historic elements where possible. Archaeological monitoring and recording will take place during such works to recover additional data that may be exposed at this point.

Item 3 – Protected Structures/Conservation

Submission

Grainne Hughes, Brigid Purcell and Jason McDonnell expressed concern regarding the protection of historical features. The submissions refer to a press release statement from Mr Barry O'Connell which states: *"Ringsend harbour an historical feature, its historical hotel and the harbours old military installations and features must be protected and this must be clearly stated in any granted permissions affecting these features."*

DPC Response

As outlined in response to the submission from DCC (Item 1), DPC has set out a detailed impact assessment and mitigation strategy relating to cultural heritage in Chapter 16, Sections 16.7 and 16.8, which address Pigeon House Harbour and Precinct; the North Wall Quay Extension and the extent of the proposed 3FM Project area. The planning application is also supported by the Dublin Port Heritage Conservation Strategy and a Draft CEMP.

There is already an existing carriageway (Pigeon House Road) to the south of the former Pigeon House Hotel and Poolbeg Power Station with a proposed new access road proposed to serve Area N, the new Lo-Lo Terminal which has been proposed since November 2016 when DPC first released the 'Poolbeg Peninsula: A review of possible transport and traffic configurations and public realm enhancements relating to prospective port operations on the Peninsula'.

The proposed access road was subsequently incorporated into Dublin Port Masterplan 2040, Reviewed 2018, and in the 3FM Project pre-application consultation process carried from since 2021. It has been ensured that there is a buffer distance of minimum 3.66m between the proposed access road and the former Poolbeg Power Station. (See drawing CP1901_3FM-RPS_S26-SSP-PN-DR-HE-2500-00001 Rev P02, Roads & Footways

(Southern & SPAR) – Proposed Area N Access Road with Scanners). The application includes the necessary level of detail for the planning application stage; however, it is anticipated that the final details of the buffer treatment can be agreed upon with DCC and the relevant statutory bodies during the compliance stage, following the grant of permission and the imposition of a planning condition by ABP.

Construction of the carriageway that crosses Pigeon House precinct along its eastern boundary to the proposed new wharf Area N is designed with consideration of fencing design, road surfaces of access road, and the access bridge to Area N, conscious of the heritage importance of the precinct area. The design of the boundary fencing/treatment is of high quality and considers impact (visual, noise) on future use and users of the adjacent Pigeon House Precinct lands, including the former Fort, Power Station and Hotel. The proposed landscape and public realm design treatment of the carriageway as it runs within the Pigeon House Precinct area is confined to the lands within control of DPC. The design approach allows for future refurbishment and regeneration of this significant heritage area and has been detailed in the *Great South Wall Overview of Impacts, Mitigation & Interpretation*, Darmody Architecture, 2024, submitted as a supporting document to the EIAR and 3FM Project planning application.

The Pigeon House Road resident's observations relating to historical structures are aligned with the project design to minimise impacts where possible and with the archaeological mitigation strategy proposed in Chapter 16 of the EIAR.

3.15.1.7 Sandymount & Merrion Residents Association (SAMRA)

Item 1 – Recognises Positive Community Gains from the Maritime Village Proposal

Submission

The submission made by the SAMRA recognises the Maritime Village proposal as a positive community gain.

DPC Response

DPC welcomes the acknowledgement by SAMRA of the Maritime Village, which DPC proposes is a major heritage gain that will further its commitment to Port-City integration as the second but equally important strategic objective of the Dublin Port Masterplan 2040, while drawing attention to the maritime heritage and character of the city. The proposal is also in line with *Dublin Port Masterplan 2040* and the *Dublin Port Heritage Conservation Strategy* (2024), which places *the Port City Concept* as the second of its twelve policies developed in accordance with international principles of best practice, where the aim is to protect Dublin Port as a cultural (historic, urban, maritime, industrial) landscape.

3.15.2 Conclusions Relevant to Cultural Heritage

DPC notes there are seven grouped observations that reference cultural heritage in the context of the 3FM Project.

There is a concern, which features in the majority of the observations, to ensure the protection of the upstanding elements of historic structures where possible. The significance of the GSW and Pigeon House Precinct are particularly articulated in these observations.

As set out in Chapter 16 of the 3FM Project EIAR and its supporting appendices, DPC has carried out extensive research and survey to document the historic structures on land and underwater within the project area. DPC has ensured interdisciplinary discussion across the design team to understand any impacts, to reduce the extent of such impacts where possible, and to ensure a robust and comprehensive programme of mitigation and resolution where required. The assessment and mitigation strategy are in keeping with international best practice, the Dublin Port Heritage Conservation Strategy (2024), and the expectations of the National Monuments Service and Dublin City Council.

Certain impacts on historic structures are however required to implement the project design, and these will present some opportunities to better understand and record such structures across a landscape where archaeological and appropriate landscaping to date has been spartan. In addition, the community design initiatives will ensure that the story of the historic features will be sign-posted and reinvigorated following construction, with the development of appropriate wayfinding and associated interpretative planning and design to communicate to the general public in an engaging way.

The mitigation measures, in particular those relating to the proposed landscaping and public realm interventions along the proposed route, have been developed to provide coherence and legibility to the cultural

heritage layers which this route passes through and engages with. These can support DPC's wider Port-City integration initiatives and combine with potential future redevelopment projects within adjoining heritage areas, to recover and make more accessible this important cultural heritage landscape of the Port City of Dublin.

3.16 Landscape & Visual

3.16.1 Observations Relevant to Landscape and Visual

The following observations refer to Landscape and Visual and are addressed below.

Number in Index	Party Name
	Dublin City Council
No. 7	Margaret & Gerard Byrne, 44 Pigeon House Road
No. 9	Grainne Hughes, 49 Pigeon House Road
No. 31	Phyllis Clarke, 1A Pigeon House Road
No. 32	Brigid Purcell, 5 Pigeon House Road
No. 37	Joe & Christina Whelan, 15 Pigeon House Road
No. 39	Jason McDonnell, 12 Pigeon House Road
No. 43	Ning Rodgers, 32 Pigeon House Road
No. 8	Councillor Claire Byrne
No. 15	Sandymount & Merrion Residents Association (SAMRA)
No. 17	Deirdre Tracey, 15 Londonbridge Road
No. 18	Dr. Kristin Hadfield, 81A Strand Road
No. 28	Ceanna Walsh, 121 Strand Road
No. 40	Drs. Philip Murphy and Ann O'Doherty, 22 Durham Road

3.16.1.1 Dublin City Council

Item 1 – Views of South Wall

Submission

The submission from DCC states that: “A number of additional montages should be provided from closer vantage points to facilitate a greater understanding of the visual impact of the proposed development.”

DPC Response

The 3FM Project planning application is accompanied by a comprehensive EIAR. Specifically, Volume 2, Part 5, Chapter 17, titled "Landscape and Visual," provides an in-depth landscape and visual impact assessment. We acknowledge DCC's request for additional montages to understand the visual impact better; however, we would like to emphasise that the landscape and visual assessment presented in Chapter 17 has been prepared in accordance with the methodology employed for the Landscape and Visual Impact Assessment (LVIA), adhering to the Environmental Protection Agency (EPA) (2022) Guidelines and the UK Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3), ensuring a robust and standardised approach for carrying out an assessment of visual impact of the 3FM Project.

In connection with the above, it is important to note that the assessment presented in Chapter 17 encompasses 13 selected viewpoints, each representing a range of perspectives that facilitate a comprehensive visual assessment of the proposed development. The selected viewpoints, including Viewpoint 4 (Bull Wall) and Viewpoint 11 (Great South Wall), effectively capture the visual context and potential impacts of the 3FM Project from various angles and distances. Moreover, as shown in EIAR Chapter 17, Viewpoint 13 was also considered as part of the landscape and visual impact assessment. This viewpoint, which was included following a request from DCC, provides closer views of the 3FM Project from the vicinity of the former Pigeon House Hotel.

DPC considers that the information and visual impacts of the proposed development have already been adequately captured and assessed from the selected viewpoints within the EIAR. Nevertheless, with a view to doing everything it can to provide clarity to DCC, DPC has provided an additional computer generated image from a closer vantage point shown in Figure 3.16.1 as a direct response to this query.



Figure 3.16.1 Additional CGI Showing Recently Consented Bridges and the Proposed 3FM SPAR Bridge

Item 2 – Visual impact of SPAR bridge

Submission

DCC go on to state: “A visual impact assessment is required for the SPAR bridge and viaduct in the context of existing, permitted and planned bridges including the Dodder Bridge, which was recently granted permission and the Point Pedestrian and Cycle Bridge currently at preliminary design stage”.

DPC Response

The potential visual impact of the SPAR bridge has been set out in detail in Chapter 17 Landscape and Visual of the submitted EIAR accommodated by photomontages for Viewpoint 7 – Samuel Beckett Bridge and Viewpoint 8a – Pigeon House Road.

In addition, Section 17.2.10 Cumulative Landscape & Visual Effects of the EIAR confirms that the methodology for assessment of cumulative visual impacts has been derived from Guidelines for Landscape and Visual Impact Assessment, Third Edition (The Landscape Institute and Institute of Environmental Management & Assessment, 2013) (GLVIA3). The purpose of the Cumulative Landscape and Visual Impact Assessment (CLVIA) is to consider the landscape and visual impacts of the proposed development when viewed in context with other similar development. The assessment within the EIAR considered the information available at time of submission, however details were not available regarding the now permitted Dodder and proposed Point Pedestrian and Cycle Bridge Bridges.

The SPAR will be a new feature in views to the east from along the Quays between Samuel Beckett Bridge and Tom Clarke Bridge and from the views to the west from Pigeon House Road and R131. Traffic on the SPAR will be read with traffic on the existing R131. The SPAR Bridge will be a new feature read in front of and at a similar deck level to the Tom Clarke Bridge with little change in the visual resource. Similarly, the permitted Dodder Bridge and proposed Point Pedestrian and Cycle Bridge are also planned to be at the same deck level as the SPAR.

The proposed Point Pedestrian and Cycle Bridge if constructed is to be located across the River Liffey immediately adjacent to the SPAR bridge. At this proximity the Point Pedestrian and Cycle Bridge will be read together with the SPAR bridge from locations upstream and downstream from where the bridges will blend as one and will be very difficult to discern apart from the existing Tom Clarke Bridge.

The permitted Dodder Bridge is only visible in the same view with the SPAR bridge in views from North Quay Wall, but the Dodder Bridge is low and read within the urban context of Sir John Rogerson’s Quay and Ringsend and not prominent in views.

The SPAR Bridge like the Tom Clarke Bridge and proposed Point Pedestrian and Cycle Bridge will be a lifting bridge that open to allow larger vessels to gain access up and downstream. The lifting of all three bridges is a very temporary feature when it occurs, and the default appearance of the bridges is in the lowered position. The port infrastructure and operations on the northern and southern side of the river along with traffic on the R131 and the built form along the North Wall Quay and Sir John Rogerson’s Quay will remain the dominant visible features in views in proximity to the existing and proposed bridges.

As a direct response to DCC’s submission, the cumulative impact of the recently permitted and proposed bridges with regard to the information now available has been updated and assessed, as described within this response, subsequently and the predicted significance of visual impact will be minor adverse and not significant.

3.16.1.2 Pigeon House Road Residents

Item 1 – Loss of river/sea view

Submission

A number of residents expressed concern regarding a loss of sea view. These included:

- Margaret & Gerard Byrne;
- Grainne Hughes;
- Phyllis Clarke;
- Brigid Purcell;
- Robert Nealon;
- Joe & Christina Whelan;

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT

- Jason McDonnell;
- Ning Rodgers; and
- Patrick Smith.

This loss of view item was expressed in the numbered observations as follows:

- Margaret & Gerard Byrne stated “*Loss of river view.*”
- Grainne Hughes and Brigid Purcell stated “*Closer visual ties are needed with the river.*”
- Phyllis Clarke stated “*Loss of our sea view*”
- Joe & Christina Whelan stated “*the new road will diminish our view of the sea*”.
- Jason McDonnell stated “*The new SPAR road will take away my view of the Port and the River Liffey.*”
- Ning Rodgers stated “*Loss of sea view from the cottage.*”

DPC Response

In response to these residents’ observations regarding the loss of view, DPC would like to note that the proposed SPAR is the result of an in-depth process which considered and assessed different options, in particular, the road level in the context of the view from Pigeon House Road. The 3FM Project planning application’s accompanying a detailed EIAR. Volume 2, Part 1, Chapter 4 contains a very detailed Assessment of Alternatives for the Project which has been prepared in accordance with the following guidance documents;

- The EU Commission’s Environmental Impact Assessment of Projects Guidance on the Preparation of the Environmental Impact Assessment Report (Directive 2011/92/EU as amended by 2014 /52/EU), 2017;
- The EU Commission’s Guidance on the implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, 2022;
- The Department of Housing, Planning and Local Government (DHPLG) Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, 2018; and
- Guidelines on the Information to be Contained in Environmental Impact Assessment Reports, Environmental Protection Agency (EPA), 2022.

The consideration of alternatives in the EIAR is substantive and addresses the legal obligations on the developer to provide “*a description of the reasonable alternatives studied by the developer which are relevant to the project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, taking into account the environmental effects.*” (Article 5 (1) (d) EIA Directive (2014/52/EU) (emphasis added).

The Assessment of Alternatives in Chapter 4 reviewed different options for the design and configuration of the Project and sets out in considerable detail, the design evolution directed at ensuring that the best environmental option is selected mindful of the positive potential benefits, combined with the least negative potential impacts.

In Section 4.4.2 Summary of Project Design and Process Design Alternative Assessments, the EIAR identifies the following design evolution for Option 3 (and subsequently retained within Option 4) in relation to the SPAR road level (emphasis added):

- *A new public road and bridge called the **Southern Port Access Route (SPAR)** to link the north and south port areas, via a new opening bridge structure across the River Liffey immediately east of the Tom Clarke Bridge (presented in Appendix 4-2), an embankment along the shoreline adjacent to the east link toll plaza, a refined series of existing road upgrades and new roads and access junctions. Alternative road designs considered road levels, active travel and potential future light rail configurations and junction type/configuration details. The active travel requirements were improved on this section by moving the pathways and cycleways to the water side of the cross section.*

In Section 4.5 Summary of Consideration of Alternative Options, the EIAR confirms that the road level was lowered in consideration of the potential visual impact (emphasis added): *The key design evolutions, which were supported by environmental considerations under the assessment of alternatives for the 3FM Project elements, are set out below:*

1. **Southern Port Access Route (SPAR)** *a new opening bridge across the River Liffey was developed along with new and upgraded roads and junctions that considered a range of operational, construction and environmental factors. The route will facilitate HGVs, active travel users (pedestrians, cyclists, wheelers etc), blue light services and public transport users moving to and from the South Port and Poolbeg Peninsula. The SPAR will allow the 3FM Project to be rail enabled through rapid road shunting of freight from the South Port, across the Liffey, to rail intermodal facilities in the North Port vicinity. The SPAR will*

have a direct connection to the Dublin Tunnel (aka Dublin Port Tunnel) via the North Port road system. The bridge is elevated above design flood levels, aesthetically considered, and importantly links the north and south port areas affording capacity for Port growth. The SPAR section along the shoreline adjacent to the east link toll plaza changed in form from an embankment to a viaduct offering reduced construction time and environmental benefits due to minimisation of infill and permanent loss of habitat. Road vertical alignments also considered environmental factors, visual considerations meant a section was reduced in elevation to retain existing views of the seascape, and noise mitigations and low carbon alternative construction methods and materials were introduced into the final design iteration. A refined series of access junctions also considered movements within the Port. Alternative designs considered active travel provision and potential future light rail configurations again to improve the amenity of the 3FM Project. Consideration of the crossing of the Great South Wall led to the proposals to restore stretches elsewhere within the Port owned lands and to develop a conservation management plan and vision for the Great South Wall through the 3FM Project.

In addition to the above, regarding concerns expressed about the visual impact, i.e., loss of view, DPC wishes to refer to Chapter 17 Landscape and Visual of the submitted EIAR (Sections 17.4.1.4; and 17.4.2 – Viewpoints 8a and 8b) contains the detailed landscape and visual impact assessment in relation to the properties at Pigeon House Road.

Chapter 17 sets out that the properties at Pigeon House Road have an existing view that includes the existing Dublin Port and the busy East Link Toll Plaza. The majority of properties are single storey with fewer properties being of two storey type dwellings. In views north from all such properties the existing harbour and its activities are prominent including the existing container terminal and traffic on the road network. However, under the proposed 3FM Project, the container terminal will be relocated to Area L and the proposed Maritime Village will be the main component of the view to the east for these properties rather than the container terminal removing visibility of the existing ship to shore cranes and stacked containers. The Maritime Village development proposes high quality buildings and external public realm and will have less of a detrimental impact upon the view.

In view from properties at Pigeon House Road the SPAR will be a new feature in the foreground extending the visible road network. Traffic on the SPAR will be read with traffic on the existing R131 and busy East Link Toll Plaza. Traffic on the SPAR will be located further away than traffic on the existing R131 and not as prominent in views from properties at Pigeon House Road. The SPAR Bridge will be a new feature visible in front of and at a similar level to the Tom Clarke Bridge with little change in the visual resource. The SPAR Bridge like the Tom Clarke Bridge will be a lifting bridge that is opened to allow larger vessels to gain access upstream. The lifting of both bridges is a very temporary feature when it occurs, and the default appearance of the bridges is in the lowered position. The port infrastructure and operations on the northern side of the river along with traffic on the R131 and the built form along the North Quay will remain the dominant visible features in this view.

The existing berths at the Poolbeg Yacht and boat Club will be relocated with little change in the visual resource. The port infrastructure and operations on the northern side of the river along with traffic on the R131 will remain the dominant visible features in this view along with existing traffic on the R131.

While the proportion of the sea/River Liffey visible in view will reduce it will still be possible to observe the surface of the River Liffey and vessels coming and going as at present along with the port itself.

The predicted significance of visual impact for the residential properties at Pigeon House Road will be moderate adverse.

Item 2 – Areas O and K lacks visual screening

Submission

Grainne Hughes and Brigid Purcell also raised concerns with regard to the lack of visual screening at Areas O and K, stating “*New Lo Lo Terminal lacks visual screening... Area O will be high stacked.... Area K will be left as a visually nasty intrusive industrial site.*”

DPC Response

Chapter 17 Landscape and Visual of the submitted EIAR (Sections 17.4.1.4; and 17.4.2 – Viewpoints 8a and 8b) contains the detailed landscape and visual impact assessment in relation to the properties at Pigeon House Road. Under the proposed 3FM Project, the container terminal has been relocated to Area L and the proposed Maritime Village will be the main component of the view to the east for properties at Pigeon House Road rather than the container terminal therefore removing visibility of the existing ship to shore cranes and stacked containers. The Maritime Village development proposes high quality buildings and external public realm and

will have less of a detrimental impact upon the view. The existing green area between the properties at Pigeon House Road and the R131 will be retained.

The predicted significance of visual impact will be moderate adverse and not significant.

3.16.1.3 Councillor Claire Byrne

Item 1 – Area O visual impact

Councillor Byrne states: “...even with the stack height reduction and proposed planting to provide screening the container store will have a significant, very negative visual impact for the Sandymount, Irishtown and Ringsend residents and those who use the wonderful amenities that are Sandymount Strand and the Irishtown Nature Reserve”.

DPC Response

Chapter 17 Landscape and Visual of the submitted EIAR (Sections 17.4.1.4; and 17.4.2 – Viewpoints 9 and 10) contains the detailed landscape and visual impact assessment in relation to the properties at Sandymount, Irishtown and Ringsend as well as amenities at Sandymount Strand and Irishtown Nature Reserve.

The landscape treatment on the southern boundary of the 3FM project is set out in drawings; 33-P-044 and 005 – Community Gain Port Park Proposed Planting Area O Tree Screening (Sheets 1 and 2); and 33-P-200 – Community Gain Port Park Proposed Landscape Site Sections.

The proposed Port Park will form a linkage to the existing Coastal Park along its southern boundary at Pembroke Cove. The Coastal Park at this location lies adjacent to a coastal path which comprises a raised berm that is planted with trees and shrubs and is of biodiversity significance. This feature will be retained under the 3FM Project except for a small section to strengthen the linkage between Port Park and Pembroke Cove to the south. An area between the existing berm and a proposed retaining wall along the southern boundary of the proposed Ro-Ro Terminal (Area O) will be landscaped and planted to enhance the existing features and increase the biodiversity value of this habitat on the southern boundary of the port.

No containers will be visible at Area O from properties at Sandymount, Irishtown or Ringsend. The 5.3ha site will be operated across 354 trailer ground slots, with single height containers or trailers only.

Although high mast lighting will be partly visible in the view it will be barely noticeable and read with existing lights.

The predicted significance of visual impact will be minor to moderate adverse and not significant.

3.16.1.4 Sandymount & Merrion Residents Association (SAMRA)

Item 1 – Cumulative adverse visual impact within the peninsula

Submission

SAMRA's submission states that: “The facility (Area O) whose appearance is prison-like, would be visually adverse and contribute to the significantly cumulative adverse visual impact that port and industrial development within the peninsula has caused”.

DPC Response

Chapter 17 Landscape and Visual of the submitted EIAR (Sections 17.4.1.4; and 17.4.2 – Viewpoints 9 and 10) contains the detailed landscape and visual impact assessment in relation to the properties at Sandymount as well as amenities at Sandymount Strand and Irishtown Nature Reserve.

The landscape treatment on the southern boundary of the 3FM project is set out in drawings; 33-P-044 and 005 – Community Gain Port Park Proposed Planting Area O Tree Screening (Sheets 1 and 2); and 33-P-200 – Community Gain Port Park Proposed Landscape Site Sections.

The points relating to Port Park and the new biodiversity to be established in the area made above are repeated.

No containers will be visible at Area O from Sandymount, including from Sandymount Strand. The 5.3ha site will be operated across 354 trailer ground slots, with single height containers or trailers only.

Although high mast lighting will be partly visible in the view it will be barely noticeable and read with existing lights.

The predicted significance of visual impact will be minor to moderate adverse and not significant. Area O therefore will not result in any significant cumulative landscape or visual effects. Whilst DPC understands the strength of feeling in respect of some aspects of this project, given the almost total screening of Area O from sensitive areas, to describe its appearance as “prison-like” is, with respect, inaccurate.

Item 2 – Finished levels at Ro-Ro Terminal Yard – Area K

Submission

SAMRA submits that “the final proposed finished level of the Ro-Ro Terminal Yard as any increase in ground levels will cause the facility to be more visible generally and any development or activity therein to be more visible from Sandymount”.

DPC Response

Chapter 17 Landscape and Visual of the submitted EIAR (Sections 17.4.1.4; and 17.4.2 – Viewpoints 9 and 10) contains the detailed landscape and visual impact assessment in relation to the properties at Sandymount.

While the eastern portion of Area K is proposed to be raised slightly, any minor increase in level this will not result in the Ro-Ro Terminal being noticeable in views from Sandymount. The proposed levels at Area K have been represented in the submitted photomontages and assessed as part of Chapter 17.

As illustrated in Viewpoints 9 and 10 containers stacked six high at Area K will be partly visible in views through vegetation and existing infrastructure but read against the existing backdrop and foreground of industrial buildings and infrastructure will result in little change in visual resource. It is proposed to provide additional landscape planting as an integral part of the 3FM Project on the existing berm on the southern side of Area O as part of a Coastal Park that will enhance the southern boundary of the port. The relocated Area K will not substantially alter the existing visual resource available in views from Sandymount with a large portion screened by the large existing fuel storage tanks and the additional screening to be provided on the southern side of Area O.

Item 3 – Viewpoints 9 & 10 and visibility of Area O

Submission

SAMRA go on in their submission to say that: “In Viewpoints 9 & 10, the assessor accepts that the viewer sensitivity is high for those who experience this view. However, the assessor’s description of the view is such that, as noted above, any proposal set within the view would just be noted as more port-related development. The Ro-Ro Terminal Yard (Area O) is described as likely to be barely noticeable. SAMRA does not consider that this will be the case. The significant southern boundary wall and fence with high mast lighting will be visible in the view during the daytime. When the mast lighting is lit - every night – it will cause visual impacts. It will add to the visual clutter and excessive port-related night lighting in the view. The concern for the community is increasing development adds up over time, cumulatively.”

DPC Response

Chapter 17 Landscape and Visual of the submitted EIAR (Sections 17.4.1.4; and 17.4.2 – Viewpoints 9 and 10) contains the detailed landscape and visual impact assessment in relation to the properties at Sandymount.

The landscape treatment on the southern boundary of the 3FM project is set out in drawings; 33-P-044 and 005 – Community Gain Port Park Proposed Planting Area O Tree Screening (Sheets 1 and 2); and 33-P-200 – Community Gain Port Park Proposed Landscape Site Sections.

Again, the points made above regarding the positive impact of Port Park and the new planted areas are repeated here. No containers will be visible at Area O from properties at Sandymount. The 5.3ha site will be operated across 354 trailer ground slots, with single height containers or trailers only as illustrated in Viewpoints 9 and 10.

Although high mast lighting will be partly visible in the view it will be barely noticeable and read with existing lights that are widespread in views towards the port area.

The predicted significance of visual impact, which assesses the cumulative potential visual impact, will be minor to moderate adverse and not significant. Area O will not result in any significant cumulative landscape or visual effects.

Item 4 – Impact on shoreline coastal path

Submission

SAMRA state that *“It is proposed to provide additional landscape planting as an integral part of the 3FM Project on the existing berm on the southern side of Area O that will provide visual enhancement and screening in views from the direction of Sandymount,” yet the setback from the southern boundary of the Ro-Ro Terminal Yard is less than 50m which is the minimum setback from the shoreline acceptable under the Poolbeg West SDZ Planning Scheme. The assessor appears to take it on faith that new planting will offer a level of screening it may not. This is a modest coastal strip of land that may receive some limited planting. This is not sufficient.*

DPC Response

Chapter 17 Landscape and Visual of the submitted EIAR (Sections 17.4.1.4; and 17.4.2 – Viewpoints 9 and 10) contains the detailed landscape and visual impact assessment in relation to the properties at Sandymount.

The landscape treatment on the southern boundary of the 3FM project is set out in drawings; 33-P-044 and 005 – Community Gain Port Park Proposed Planting Area O Tree Screening (Sheets 1 and 2); and 33-P-200 – Community Gain Port Park Proposed Landscape Site Sections.

No containers will be visible at Area O from properties at Sandymount. The 5.3ha site will be operated across 354 trailer ground slots, with single height containers or trailers only.

SAMRA have not identified any basis to doubt the data set out in the EIAR in respect of the landscaping and planting screening Area O other than to raise general doubts. DPC can offer reassurance that the landscaping and planting in this area will be executed conscientiously and sensitively. DPC notes that SAMRA accepts that the setback from the shoreline is in line with the terms of the relevant SDZ.

This approach will prevent visual impact from Area O on the Sandymount area.

Item 5 – Consideration of UNESCO Dublin Bay Biosphere Reserve

Submission

SAMRA submit that: *“The submitted LVIA fails to acknowledge and/or give adequate weight to how the proposed development is sited adjoining and essentially forming part of the UNESCO Dublin Bay Biosphere Reserve.”*

DPC Response

The lands within the UNESCO Dublin Bay Biosphere Reserve that are located within the study area for the 3FM Project have been included within the baseline context set out in Sections 17.3.1 and 17.3.2 of Chapter 17 Landscape and Visual of the submitted EIAR and the landscape and visual impacts assessed in section 17.4. These lands have both been acknowledged and given adequate weight in respect of the design of the proposed development and the assessment of its visual impact.

Item 6 – Landscape Mitigation

Submission

At a further point in their submission SAMRA submit that *“SAMRA cannot understand why it is that a project which will cause adverse visual impacts – argued by the applicant not to be “significant” – cause “no requirement for specific landscape mitigation or monitoring measures.” That slight, moderate, or moderate significant visual impacts or adverse combined visual impacts do not need any mitigation is not accepted”.*

DPC Response

Chapter 17 Landscape and Visual of the submitted EIAR (Sections 17.2.9) describes in detail the methodology used to determine the significance of landscape and visual effects.

Effects of ‘Moderate’ and lesser significance have been identified in the assessment but are not considered significant based upon the character and quality of the landscape and on context of available views although they remain worthy of consideration throughout the decision-making process and have been described in detail. This is a qualitative assessment arrived at by the authors of the Landscape and Visual Chapter of the EIAR. Ultimately the context of the development on the Poolbeg peninsula is that of a working container port, in the environs of other heavy industry. The 3FM Project, particularly in respect of Port Park and the landscaped berm on the southern side of Area O has been designed as far as possible to improve that visual context, and to mitigate the impact of the new areas of the proposed development.

The design of the development has been amended on multiple occasions to seek to assuage the concerns of observers in respect of its visual impact, most recently by converting Area O into a Ro-Ro yard with single height containers that will not be visible. DPC submits that this active and responsive community engagement has resulted in a configuration of this project which is as visually sensitive as it could be whilst still achieving the necessary goals of the 2040 Masterplan.

Item 7 – Impact of Ro-Ro Terminal Yard boundary

Submission

SAMRA's submission states that *"A 5.5m tall unbroken boundary wall in the prison-like appearance shown is excessive at this location and would be visually adverse."*

DPC Response

Chapter 17 Landscape and Visual of the submitted EIAR (Sections 17.4.1.4; and 17.4.2 – Viewpoints 9 and 10) contains the detailed landscape and visual impact assessment in relation to the properties at Sandymount.

The landscape treatment on the southern boundary of the 3FM project is set out in drawings; 33-P-044 and 005 – Community Gain Port Park Proposed Planting Area O Tree Screening (Sheets 1 and 2); and 33-P-200 – Community Gain Port Park Proposed Landscape Site Sections.

Whilst DPC understands the strength of feeling in respect of some aspects of this project, given the almost total screening of Area O from sensitive areas, to describe its appearance as *"prison-like"* is, with respect, inaccurate.

As illustrated in drawing 33-P-200 – Community Gain Port Park Proposed Landscape Site Sections – the proposed 2.9m high ISPS fence will be positioned at the same level as Area O and will be well separated and screened from the coastal path by retention of the existing berm, vegetation on the berm and proposed additional tree planting. This approach will prevent visual impact on the Bay.

3.16.1.5 Residents from Sandymount

Item 1 – Fencing and Lighting

Submission

The following residents from Sandymount expressed concern regarding fencing and lighting:

- Deirdre Tracey;
- Kristin Hadfield
- Ceanna Walsh; and
- Philip Murphy & Ann O'Doherty.

This item was expressed in these submissions as follows: *"5.5m reinforced retaining wall with security fencing which will have a prison-like style close to the path to the nature reserve impacting on the Bay" and "the light pollution from the 15 metre (circa 4 storeys high) lights which will be on permanently at night around the trailer park."*

Kristin Hadfield noted that *"the impact on local wildlife, potential light and noise pollution, and the proximity to residential areas are deeply troubling."*

DPC Response

Chapter 17 Landscape and Visual of the submitted EIAR (Sections 17.4.1.4; and 17.4.2 – Viewpoints 9 and 10) contains the detailed landscape and visual impact assessment in relation to the properties at Sandymount as well as amenities at Sandymount Strand and Irishtown Nature Reserve.

Whilst DPC understands the strength of feeling in respect of some aspects of this project, given the almost total screening of Area O from sensitive areas, to describe its appearance as *"prison-like"* is, with respect, inaccurate. As illustrated in drawing 33-P-200 – Community Gain Port Park Proposed Landscape Site Sections – the proposed 2.9m high ISPS fence will be positioned at the same level as Area O and will be well separated and screened from the coastal path by retention of the existing berm, vegetation on the berm and proposed additional tree planting. This approach will prevent visual impact on the Bay.

Although high mast lighting will be partly visible in views from Sandymount they will be barely noticeable and be read distantly with similar existing lights with no noticeable change in the night-time visual resource.

3.16.2 Conclusions Relevant to Landscape and Visual

DPC notes that there are five individual or grouped observations that refer to Landscape and Visual in the context of 3FM; Section 3.16.1 contains responses to the various submissions from Dublin City Council, residents at Pigeon House Road, Councillor Claire Byrne, the Sandymount and Merrion Residents Association (SAMRA) and in the Sandymount residents' area.

A robust Landscape and Visual Impact Assessment (LVIA) of the 3FM Project at Dublin Port during both the construction and operational stages has been completed.

The 3FM Project is located within a landscape character area identified as Harbour-Based Industrial Landscape. This landscape character area has been identified as having a low sensitivity to change. The magnitude of landscape resource change will be medium, and the significance of landscape impact will be minor adverse and not significant. The 3FM Project consists of proposals that reflect the existing character of its surroundings resulting in low change in landscape resource.

Areas with potential direct views include Ringsend to the southwest, Sandymount to the south and the Clontarf to Howth coast road to the north. The existing port facilities including ships and cranes and traffic are all features of the existing views from such locations, and it will be difficult to discern the new features from existing features from within the wider landscape setting. For residential properties with potential views in the direction of the 3FM Project at Ringsend to the southwest, Sandymount to the south and the Clontarf to Howth coast road to the north the predicted significance of visual effect will vary from moderate to minor adverse and not significant.

The broader landscape character area and visual context around Dublin Port area has the capacity to absorb a development of this scale.

3.17 Population & Human Health

3.17.1 Observations Relevant to Population and Human Health

The following observations refer to Population and Human Health and are addressed below.

Number in Index	Party Name
No. 14	Dublin Stevedores Ltd.
No. 1	Rushfleet
No.16	IBEC
No. 25	Dublin Chamber
No. 8	Councillor Claire Byrne
No. 15	Sandymount & Merrion Residents Association (SAMRA)
No. 40	Drs. Philip Murphy & Ann O'Doherty, 22 Durham Road
No. 5	Ruth Morgan & Gary Costello, 63 Pigeon House Road
No. 7	Margaret & Gerard Byrne, 44 Pigeon House Road
No. 9	Grainne Hughes, 49 Pigeon House Road
No. 31	Phyllis Clarke, 1A Pigeon House Road
No. 32	Brigid Purcell, 5 Pigeon House Road
No. 33	Robert Nealon, 103 Ringsend Park
No. 36	Michael Curry, 27 Pigeon House Road
No. 37	Joe & Christina Whelan, 15 Pigeon House Road
No. 39	Jason McDonnell, 12 Pigeon House Road
No. 41	Graham McDonnell, 12 Pigeon House Road
No. 42	Michela Anoffo, 11 Pigeon House Road
No. 43	Ning Rodgers, 32 Pigeon House Road
No. 44	Sandra Wayne & Marion Ryan, 28 & 29 Pigeon House Road
No. 45	Patrick Smith, 24 Pigeon House Road

3.17.1.1 Dublin Stevedores Ltd.

Item 1 – Employment and Socio-economic Factors of Stakeholders

Submission

In paragraph 6.27 and paragraph 6.28 of their response, Dublin Stevedores Ltd (DSL) state that although Chapter 18 (Population and Human Health) “addresses broad employment and socio-economic factors, there is no reference to the potential effects of the proposal on employment levels and the commercial viability of stakeholders and businesses operating within the port arising from the proposed development”, including those on DSL.

DSL state that “this is a highly significant and unacceptable omission given the employment levels within DSL and their contribution, economically and socially, to the surrounding communities”.

DPC Response

DPC has considered the important concerns raised by DSL and acknowledge DSL’s historic contribution to Dublin Port and the surrounding area. Chapter 18: Population and Human Health of the submitted EIAR has been prepared in accordance with the EIA Directive and contains the detailed and robust impact assessment in relation to all aspects of the proposed 3FM Project where there is potential for construction or operational phase activities to result in potential population and human health impacts.

Its overarching focus is to assess the potential impacts of the project at the population level. While it is understood that there would be some displacement of a small number of Port tenants, there would be a substantial net increase in operational employment associated with the proposals, with associated net benefits to human health and wellbeing.

Construction employment is addressed In Chapter 18 of the EIAR under sub-section 18.4.1.4. It is noted that construction activities associated with the 3FM Project are anticipated to span 15 years, beginning in 2026 and ending in 2040. The construction of the 3FM Project would generate an annual average of 92 direct Full Time Equivalent (FTE) jobs to deliver the project. Direct employment is expected to peak at 203 FTE in Year 13 of

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT

construction (2038). In addition, expenditure by DPC on the 3FM Project would result in increased employment in the wider supply chain, this is classified as indirect employment effects. The additional construction employees would be expected to spend some of their increased income, and thereby increase employment in local shops and services, this is classified as induced employment effects.

The construction phase of the 3FM Project will also have positive effects on the local economy:

Construction GVA

GVA measures the contribution to an economy of an individual producer, industry, sector or region. In this instance, this contribution is from a proposed development, and is calculated by output minus intermediate consumption.

The capital cost of the 3FM Project is expected to be approximately €1.1 billion. Based on data provided by CSO Ireland (CSO Ireland, 2019), it is estimated that 34% of turnover within the construction industry would be GVA. As such, it is estimated that approximately €374 million of total construction costs over the 15-year construction period would be GVA, which would equate to approximately €25 million per annum.

Most recent regional statistics (2021) show that Dublin's GVA was valued at approximately €187 billion and since 2017 has increased by approximately €13 billion per year (CSO Ireland, 2021).

The annual GVA associated with construction of the 3FM Project (€25 million) would increase Dublin's annual GVA by approximately 0.2% per annum for a long-term duration of 15 years. Such a sustained contribution to regional GVA would result in population and health benefits regionally.

Operational Employment is addressed in In Chapter 18 of the EIAR under sub-section 18.4.2.4. Based on OECD research, the 3FM Project's contribution to the growth in throughput from levels in 2026 (approximately 6.8 million tonnes) has the potential to generate an additional 2,027 jobs (direct and indirect). While five Dublin Port tenants will be displaced as a result of the 3FM Project, the majority are likely to remain within Dublin Port itself and therefore, this would not materially alter the direct employment generation.

The operational phase of the 3FM Project will also have positive effects on the local economy:

Operational GVA

In 2022, Dublin Port had a turnover of approximately €101.5 million (Dublin Port Company, 2022). Using the Bernard Cox (1979) method of calculating GVA (cited in Hossain, 2017), it is estimated that approximately €79.3 million of this was GVA (direct only).

Applying the year-on-year growth rates outlined in the Dublin Port Masterplan 2040 (Reviewed 2018) (Dublin Port Company, 2018), the future baseline direct GVA for all port activities (in 2026, i.e. the commencement of the 3FM Project) is estimated to be €92 million. This is anticipated to gradually increase year on year to €114.4 million by 2040.

On the basis that the 3FM Project will deliver 20% of the capacity required by 2040 (Dublin Port Company, 2021), the total direct GVA which can be attributed to the 3FM Project between 2026 and 2040 equates to €11.1 million (an average of €736,377 per annum).

Applying the multiplier for indirect GVA effects of the shipping & maritime transport sector, which is estimated to be 1.42 (Norton, et al., 2023)⁴², the total indirect GVA which can be attributed to the 3FM Project between 2026 and 2040 equates to a further €15.7 million (an average of €1.05 million per annum).

Overall, a total addition of approximately €26.7 million direct and indirect GVA (an average of €1.8 million per annum) can be attributed to the 3FM Project.

DPC intends to negotiate with each of the affected tenants, and to give as much notice as possible, to reach a settlement prior to the sites being vacated.

3.17.1.2 Rushfleet

Item 1 – Employment and Socio-economic Factors of Stakeholders

Submission

⁴² Calculated using figures in Table 3: Ocean Economy Multipliers, within Ireland's Ocean Economy (2023)

Rushfleet state that the 3FM Project would have “*significant implications for the existing business.*”

DPC Response

Chapter 18: Population and Human Health of the submitted EIAR contains the detailed and robust impact assessment in relation to all aspects of the proposed 3FM Project where there is potential for construction or operational phase activities to result in potential population and human health impacts.

While it is understood that the 3FM Project involves some displacement of a small number of Port tenants, there would be a substantial net increase in operational employment associated with the proposals, with associated net benefits to human health and wellbeing.

DPC’s detailed response to this Item is addressed under DSL Item 1 above who raised the same observation and is summarised below:

The long-term construction phase has the potential to result in benefits to population and health from changes in socio-economic determinants. An annual average of 92 construction jobs would be required to deliver the project, with a peak of 203 construction jobs required in Year 13 of construction (2038). It is worth noting that there is potential for cumulative population and health benefits via means of job retention for port construction workers as the MP2 Project is due to finish being constructed in 2032 and the construction employment for the 3FM Project generally ramps up from 2032 (Year 7) to 2038 (Year 13).

Socio-economic benefits associated with the operational 3FM Project would be generated through employment, GVA, tax and community gain. The increase in throughput associated with the 3FM Project would deliver 2,027 direct and indirect jobs in Dublin and into some of the surrounding counties, which is considered to be significant from a population and health perspective. GVA and tax would see a comparable increase.

DPC intends to negotiate with each of the affected tenants, and to give as much notice as possible, to reach a settlement prior to the sites being vacated.

3.17.1.3 IBEC

Item 1 – In favour of the 3FM Project

Submission

The IBEC submission is fully supportive of the 3FM Project, in terms of balancing the requirements of the natural environment with growing economic resilience and providing community gain.

IBEC state the following “*The 3FM balances respect for the natural environment with growing our economic resilience and makes use of underutilised land bank to provide community gain and while providing greater trading capacity. The project will deliver close to 20% of port capacity required by 2040 by providing essential infrastructure for utilised cargo as demand for freight services from Continental Europe grows steadily.*”

DPC Response

DPC welcomes the support for 3FM Project from Ireland’s overarching business community.

3.17.1.4 Dublin Chamber

Item 1 – Economic Benefits of the 3FM Project

Submission

The Dublin Chamber submission is fully supportive of the 3FM Project, in terms Enhanced Trade Efficiency; Job Creation; Increased Revenue and Boost to Local Businesses.

Dublin Chamber state the following “*The expansion of Dublin Port is an imperative step to address the growing population’s demands, alleviate capacity constraints, and strengthen Ireland’s trade economy. By investing in port infrastructure, Ireland can ensure the continued growth of its international trade, support economic development, and maintain its position as a key player in the global market.*”

DPC Response

DPC welcomes the support for 3FM Project from Dublin’s overarching business community.

3.17.1.5 Councillor Claire Byrne

Councillor Byrne confirms her support for the proposed Maritime Village as part of the 3FM Project Community Gain.

Councillor Byrne states: *“I am supportive of the proposed Maritime Village as a means to improve access to and our relationship with the River Liffey and the bay. However, it is important that this is developed by co-creation with the existing clubs to ensure that their heritage and character is not lost”*.

DPC Response

DPC welcomes Councillor Byrne’s support for the proposed Maritime Village. DPC consulted widely on the proposed Maritime Village as set out in Chapter 3 of the EIAR (Consultation and Project Scoping), Section 3.4.4.4. To aid the consultation process, the Ringsend River User Groups organised themselves such that their views would be represented by the following three organisations:

- Stella Maris Rowing Club;
- Poolbeg Yacht and Boat Club; and
- Ringsend Registered Fishermen and Privation Boat Owners Clubs.

This approach was effective in delivering a Maritime Village footprint acceptable to all parties.

3.17.1.6 Sandymount & Merrion Residents Association (SAMRA)

Item 1 – Construction Traffic Volume

Submission

SAMRA state that they are very concerned over the volume of HGVs required at construction phase which is to last 15 years.

SAMRA make reference to Section 18.4.1.3 of the EIAR submitted with the application ‘Health effects from changes in transport nature and flow rate’ of the EIAR states: *“Over the entire 15-year construction phase, the average HGV generation would be 55 two-way daily movements. The peak HGV generation would be 177 two-way daily movements, occurring in the second half of 2038 where there would be concurrent construction of the Maritime Village (Phase 2), Ro-Ro terminal, SPAR, and Lo-Lo terminal”*.

SAMRA rephrase this impact using one-way movements, stating that the project would add 110 to 354 one-way truck movements a day for 15 years to this area’s traffic. SAMRA go on to state that they cannot support this, and suggest that the project needs to be reduced in scale and/or parts relocated e.g. the Ro-Ro Terminal Yard.

DPC Response

DPC has noted and given due consideration to SAMRA’s concerns with regard to construction traffic. We draw the Board’s attention to the following portions of the EIAR that relate to these concerns.

Chapter 18: Population and Human Health of the submitted EIAR contains the detailed impact assessment in relation to the potential population and human health impacts of the proposed 3FM Project. While SAMRA make reference to Chapter 18: Population and Human Health, they raise no specific traffic concerns in relation to human health, do not establish any deficiency in Chapter 18 or otherwise contradict the findings of that assessment.

Traffic and transportation items are addressed in the relevant response (Section 3.14.1.11) and comment in this section is provided from a population and health perspective. Whilst a 15-year construction period is long, it will be temporary. The impact during construction of the 3FM Project on the local road network will be minimal given the exclusive reliance on the national road network by 3FM Project construction traffic.

Item 2 – Construction and Operational Traffic Noise

Submission

SAMRA is concerned with operational noise from traffic, stating that EIAR Chapter 18 ‘states: *“Changes in noise exposure during operation is also shown to be largely positive”* and *“all predicted noise levels are below*

existing ambient noise levels (LAeq) in all areas, and at or below existing background noise levels (LA90) for all periods of day in all areas” yet when the proposed operational phase details are reviewed, concerns do arise.

SAMRA note that “details of the proposed HGV routing (entry, exit and between Areas) for Areas K & O (the Ro-Ro terminal and terminal yard) have been provided. Notably, recognising their adverse impacts, HGVs are routed away from the Glass Bottle site during the nighttime hours of 23:00-07:00. Because the noise generated is far above background nighttime noise levels. The bottom line is that noise levels will be high from the HGV traffic”.

SAMRA also notes that EIAR Chapter states: “Regarding traffic noise, the highest concentration of construction traffic during construction will be in the second half of 2038, and primarily related to construction vehicles movements to the works at areas K, L and O. It is estimated 17,088 construction vehicles (two-way movements) will take place during this 6-month period, which equates to less than 140 construction vehicles (two-way movements) per day”. Again, SAMRA rephrase this impact using one-way movements, stating that this equates to 34,176 HGV movements into or from the 3FM Project in just six months with all associated noise.

DPC Response

Chapter 18: Population and Human Health of the submitted EIAR contains the detailed impact assessment in relation to the potential population and human health impacts of the proposed 3FM Project.

Section 12.1.4.2 of the EIAR contains detailed modelling of worst-case construction noise levels associated with the 3FM Project. Figure 12.1.10 illustrates that worst-case construction noise levels in the direction of Sandymount will be below 50dB(A) at Sandymount, which is significantly below the most onerous construction phase noise threshold limit of 65dB(A) included in BS5228:2009+A1:2014. These worst-case predicted construction noise levels are also substantially below existing ambient noise levels (LAeq) and below existing background noise levels (LA90) currently experienced in the Sandymount area as summarised in Table 12.1.11 of the EIAR. On this basis, construction phase noise impacts at Sandymount are considered to be negligible.

Section 12.1.5.6 of the EIAR contains detailed noise modelled predictions of proposed port operational activities in Area O as a result of the 3FM Project at the nearest noise sensitive properties in the Sandymount area (see property references 24-27 in Figure 12.1.23 of the EIAR). Table 12.1.23 of the EIAR contains predicted noise levels from worst-case operational activities from the 3FM Project at the nearest noise sensitive properties at Sandymount. All predicted noise levels are below guideline limits included in the EPA NG4 guidance document for daytime (55dB LAeqT), evening (50dB LAeqT) and night-time (45 LAeqT) periods. All predicted noise levels are below existing ambient noise levels (LAeq) in this area and below existing background noise levels (LA90) for all periods of day also. On this basis, the noise impact is considered to be negligible/minor in this area.

Similar to Item 1, while SAMRA provide reference to text provided in Chapter 18: Population and Human Health, the item relates to the magnitude of noise impacts, rather than the associated impact on human health. Responses on Noise and Vibration and Traffic and Transportation are dealt with in elsewhere in Sections 3.12.1.4 and 3.14.1.11. As the conclusion of the traffic noise assessment is that there is no significant noise impact, it therefore is considered that there is no associated significant human health impact.

We trust that the foregoing data will assuage the concerns raised by SAMRA in relation to traffic noise. The analysis provides data that specifically addresses the concerns regarding the impact of HGV traffic noise during both traffic and operational phases of the project, showing the impact to be negligible/minor.

Item 3 – Dust Concerns and Exposure to Asbestos during Construction and Operation

Submission

SAMRA’s submission makes reference to dust generated during construction and operation.

Regarding the construction phase, SAMRA notes that the EIAR states “Dust Deposition Continuous over project duration” and according to the Draft Construction and Environmental Management Plan (“CEMP”) “dust monitoring is proposed at the construction phase ... Towards Sandymount ... using Bergerhoff Dust Deposition Gauges Deposition jars to be replaced monthly.”

SAMRA question the sufficiency of monthly monitoring, asking instead for continuous monitoring on a weekly basis, expressing a particular concern regarding asbestos. SAMRA also does not consider the CEMP to be adequate or that the dust minimisation and monitoring proposals are adequately cross referenced with the

'Human Health' section of the EIAR. SAMRA cite the presence of asbestos in the proposed Ro-Ro Terminal Yard and Port Park as a reason to avoid excavation in those areas.

SAMRA would prefer for the site of the Ro-Ro Terminal Yard to act as a dust buffer to the community to the south and southwest, submitting that a large park would result in significant benefits to the community's health.

DPC Response

Chapter 18: Population and Human Health of the submitted EIAR contains the detailed impact assessment in relation to the potential population and human health impacts of the proposed 3FM Project. A Draft CEMP was also submitted which set out air quality, including dust, monitoring proposals during both the construction and operational phases of the 3FM Project.

DPC has taken careful note of the concerns raised by SAMRA in relation to dust and asbestos. The safety of the public, of construction workers, and of port employees, was at the forefront of the consideration of those issues in Chapter 18 of the EIAR and the Draft CEMP.

Public health is best protected by robust preventative measures. Mitigation and monitoring should focus on environmental precursors to health outcomes such as changes to air quality (allowing the means for intervention before any adverse health outcome). On this basis, the design of the mitigation and monitoring of dust (including asbestos) is not solely a population and human health monitoring or mitigation matter, but a contaminated land and potentially an air quality one.

While the hazard source (asbestos) has been established to be present in soil samples in Area O and the Port Park (refer to Table 8.11), the pathway of exposure between the source and the receptor will be effectively managed to an acceptable level through mitigation, including by the raising of ground levels. On the basis that measures will be undertaken during the construction and operation phases of the proposed 3FM Project the potential for exposure and associated impacts on human health would be negligible.

As a result, DPC can provide robust assurance that construction in Area O and Port Park can take place safely, notwithstanding the presence of asbestos, through the implementation of these robust and proven mitigation measures.

3.17.1.7 Drs. Philip Murphy & Ann O'Doherty

Item 1 – Noise and Air Pollution from Trucks in Area O

Submission

In their submission, Dr. Philip Murphy and Dr. Ann O'Doherty expressed concerns regarding the alleged air pollution and industrial noise that would result from trucks in the proposed trailer park, which, in their view, would contribute to air pollution for those walking to the nature reserve and residents living in Sandymount.

DPC Response

Chapter 18: Population and Human Health of the submitted EIAR contains the detailed impact assessment in relation to the potential population and human health impacts of the proposed 3FM Project.

It is assumed that the reference in the submission to "*industrial noise and pollution from the trucks in proposed trailer park*" is in reference to the operation of Area O.

Regarding industrial noise, an assessment of the population and health impacts from plant/equipment at proposed Areas K, N, L & O was undertaken in Chapter 18 of the EIAR. DPC has addressed concerns regarding noise, vibration, and related issues in Section 18.4.1.2.1 of Chapter 18.

The results presented in Table 12.1.23 of the EIAR demonstrate that noise levels at all receptors remain well below guideline limits for daytime (55dB LAeqT), evening (50dB LAeqT) and night-time (45 LAeqT) periods, which are set to be protective of the environment and human health. Furthermore, all predicted noise levels are below existing ambient noise levels (LAeq) in all areas, and at or below existing background noise levels (LA90) for all periods of day in all areas. As a result, the change in noise exposure is considered negligible/minor in noise terms, and the associated effect on population and health would be negligible.

Regarding changes in air pollution Appendix 10.2 of Chapter 18 provides detailed dispersion model inputs and outputs, showing that every receptor assessed in the operational year of 2030 would see an improvement in NO₂, PM₁₀ and PM_{2.5} concentrations. These improvements are associated with the closure of businesses within the Port area to make room for the 3FM Project.

DPC can therefore give assurance to Mr. Murphy and Ms. O'Doherty that the operation of the development will not give rise to any significant noise or air pollution, based on the robust data set out in the EIAR.

Item 2 – Exposure to Asbestos and Heavy Metals

Submission

Mr. Murphy and Ms. O'Doherty also expressed concern regarding the asbestos and heavy metals on the site during its development damaging human health and directly causing lung cancer.

DPC Response

Chapter 18: Population and Human Health of the submitted EIAR contains the detailed impact assessment in relation to the potential population and human health impacts of the proposed 3FM Project.

As previously stated in Section 3.17.1.6, response to Item 3, a hazard source by itself does not constitute a health risk: it is only when there is a hazard source, a sensitive receptor and a credible pathway of exposure that there is any potential risk to human health.

Asbestos hazard and mitigation is addressed in Chapter 8 of the EIAR: Land, Soils, Geology and Hydrogeology and responded to in Section 3.17.1.6.

Heavy Metal contamination is also addressed in Chapter 8 of the EIAR: Land, Soils, Geology and Hydrogeology. The environmental assessment contained therein shows that concentrations of heavy metals were found to exceed the appropriate screening values in surface water samples at Area O & Port Park, and in groundwater samples at Area L. However, as stated in Chapter 8, groundwater and surface water in the vicinity of the site is not used as a potable water supply.

Therefore, while the contamination hazard (for asbestos and heavy metals) has been established to be present, the pathway of exposure between the source and the receptor does not exist, and on this basis there is no credible risk to human health. The pathway of exposure between the source and the receptor will be effectively managed through mitigation, including by the raising of ground levels. On the basis that measures will be undertaken during the construction and operation phases of the proposed 3FM Project the potential for exposure and associated impacts on human health will be negligible.

3.17.1.8 Residents of Pigeon House Road

Item 1 – Operational Air Quality Impacts on Health

Submission

The submission from Michael Curry states that *“Post-construction, the ongoing operations will generate long-term pollution, contributing to the degradation of air quality and negatively impacting residents' health”*.

DPC Response

Chapter 18: Population and Human Health assesses the potential for health effects from changes to local air quality during the operation phase. The assessment focusses on traffic movements and excludes shipping emissions as these would primarily impact offshore air quality, with no significant exposure pathway.

The detailed dispersion model used in that assessment demonstrates that every receptor assessed in the operational year of 2030 would see an improvement in NO₂, PM₁₀ and PM_{2.5} concentrations.

As such, it is not the case that there would be any diminution of air quality during the operational phase of the development. In reality, the 3FM Project will positively contribute to improvements in air quality and associated benefits to population health.

Item 2 – Cumulative Effects on Health and Wellbeing of Residents

Submission

Michael Curry states that *“The cumulative effects of noise, traffic, and pollution will inevitably have a detrimental effect on the health and well-being of residents, many of whom are already experiencing high levels of stress and anxiety due to the noise and congestion associated with the East Link Bridge. Studies have consistently shown the negative health impacts of living in areas with high levels of pollution, including respiratory issues, cardiovascular problems, and mental health concerns. It is unacceptable to place further strain on the physical*

and mental health of residents by allowing this development to proceed without proper consideration of its human cost”

DPC Response

Chapter 18: Population and Human Health of the submitted EIAR contains the detailed impact assessment in relation to the potential population and human health impacts of the proposed 3FM Project.

The cumulative impact of the noise, traffic and pollution likely to be caused by the development has been thoroughly assessed in Chapter 18 of the EIAR (and throughout DPC’s environmental analysis). As set out above, there is no data to suggest that the 3FM Project will have any significant negative impacts on human health. The Board will note that Mr. Curry has not cited any data or evidence to call the findings set out in the EIAR into question. DPC stands over those findings and the detailed data, accumulated over many years of observations and measurements within Dublin Port and elsewhere. There is no evidence that the 3FM Project will negatively affect the cardiovascular health, mental health, or respiratory health of any local residents.

Item 3 – Health Risk from Traffic Pollution (Air and Noise)

Submission

The submission from Ning Rodgers states that *“the new road will increase more traffic and pollution. Two roads, double traffic, double pollution. It poses a risk to health. Has this been considered?”*

Sandra Wayne & Marion Ryan state that *“The impact that this increase in traffic will have on my and my children’s health should not be written off or ignored by no means. I also object to this project on the grounds of the pollution, noise pollution and air pollution that will impact on me and my family for the foreseeable future.”*

Grainne Hughes, Brigid Purcell and Jason McDonnell all state that *“Despite the threat to the health and quality of life that a major urban road, like the type proposed, there is no evidence that any protective measures, such as a low speed limit and traffic speed ramps will be imposed (or enforced).”*

DPC Response

Chapter 18: Population and Human Health of the submitted EIAR contains the detailed impact assessment in relation to the potential population and human health impacts of the proposed 3FM Project.

Appendix 10.2 of the EIAR provides detailed dispersion model inputs and outputs (associated with traffic emission), showing that all receptors in the vicinity of Pigeon House Road assessed in the operational year of 2030 would see an improvement in air quality.

In addition, Chapter 12 Noise & Vibration of the submitted EIAR, Sub-section 12.1 Terrestrial Noise & Vibration contains the detailed noise and vibration impact assessment in relation to the nearest noise sensitive properties to the proposed 3FM Project. Section 12.1.5.6 contains detailed noise modelled predictions of proposed operational port activities (including the vehicle movements on the SPAR) as a result of the 3FM Project at the nearest noise sensitive properties. Predicted noise levels from the proposed port activities, with mitigation measures in place, will be below existing ambient (L_{Aeq}) and background (L_{A90}) noise levels at properties along Pigeon House Road. On this basis, DPC can say with some certainty that the proposed 3FM Project will not result in increased noise levels at these properties. Section 12.1.4 contains a detailed assessment of construction noise at the nearest sensitive properties along Pigeon House Road. With all of the proposed noise mitigation measures included in the EIAR Chapter 12.1 and the Draft CEMP, there will be no significant construction phase noise impact at the nearest noise sensitive properties.

While no mitigation measures relating to air quality are proposed during operation (as there would be an air quality improvement), to mitigate noise levels a low noise road surface and 4m noise barrier in the vicinity of Coastguard Cottages would be implemented. On this basis, DPC confirms that changes in local environmental conditions have been assessed, including the consideration of relative sensitivity; conditions will remain within objective thresholds protective of health, and the relative changes are orders of magnitude lower than is required to quantify any measurable health outcome.

As detailed in Response 3.14.1.10, the speed limit of the SPAR is proposed to be 50km/h and all active travel crossings of the SPAR will be controlled with push-button on demand traffic signals.

Item 4 – Concerns Related to Property Value

Submission

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT

Residents of the Pigeon House Road area, including Ringsend Park Cottages, have raised concerns regarding the potential impact of the 3FM Project on their properties, particularly in relation to property values. The submissions and observations received in this regard originate from the following residents:

- Ruth Morgan & Gary Costello,
- Margaret & Gerard Byrne,
- Grainne Hughes,
- Phyllis Clarke,
- Brigid Purcell,
- Robert Nealon,
- Michael Curry,
- Joe & Christina Whelan,
- Jason McDonnell,
- Graham McDonnell,
- Michela Anoffo,
- Ning Rodgers,
- Sandra Wayne & Marion Ryan, and
- Patrick Smith.

DPC Response

Within some of the submissions and observations made by the aforementioned residents, it is contended that the proposed 3FM Project will adversely affect their properties' value due to the alleged adverse increase in traffic levels, noise, or dust pollution associated with the project. In this regard, DPC notes that many factors, including market trends, buyer demand, and the overall economic climate influence property values. It is also vital to stress that the planning system is designed to facilitate sustainable development rather than serve as a mechanism for protecting property values. Consequently, any concerns regarding property value depreciation are not, in DPC's respectful submission, either a principle of proper planning or sustainable development relevant to the consideration of this application.

Notwithstanding the above, DPC would like to take this opportunity to reaffirm that the 3FM Project will introduce additional infrastructure and amenities to the area (including greenways, a new park, the boat club redevelopment and the removal of heavy traffic from the exiting the Tom Clarke Bridge etc.), many of which will benefit the residents of Pigeon House Road. The residents appear to overlook these additional positive developments, which are likely to enhance their quality of life.

DPC would also like to reaffirm that the 3FM Project has been meticulously designed to comply with relevant planning policies, as evidenced in the application documentation, particularly in the Planning Report prepared by RPS. The proposed 3FM Project aims not only to enhance infrastructure and increase port capacity but also to protect existing residential amenity while providing new and improved community facilities and mobility infrastructure, as detailed in Chapter 5 of the Environmental Impact Assessment Report (EIAR).

Finally, DPC acknowledges the residents' concerns regarding traffic, noise, and dust pollution associated with the project. It is important to understand that any construction project inherently generates some level of traffic, noise, and dust; these are fundamental aspects of construction activities. However, it is crucial to remember that such impacts are temporary. Despite the temporary nature of the construction activities, the application is accompanied by a comprehensive EIAR that thoroughly evaluates the potential significant effects on the environment, including traffic, dust, and noise pollution during both the construction and operational phases. A suite of appropriate mitigation measures has been identified and summarised in Chapter 21 of the EIAR to ensure that no significant impacts arise. In addition, the application includes a Draft CEMP, which further assures that mitigation measures will be implemented throughout the construction process, including for any construction activities near Pigeon House Road. The EIAR, the Draft CEMP, and the rest of the application documentation substantiate that the Pigeon House Road residents' concerns regarding alleged adverse traffic, dust, and noise pollution are unfounded. Therefore, their concerns about how these factors could potentially damage their property values are also unsubstantiated and should not be considered valid arguments in assessing the planning application.

In light of the information presented and the documentation included with the application, we conclude that the residents of Pigeon House Road's concerns regarding the impact of the proposed development on their properties' value are wholly immaterial and unsubstantiated. These claims do not constitute valid grounds for objection.

Item 5 – Concerns of a Lack of Environmental and Heritage Improvements

Submission

The submissions from Grainne Hughes, Jason McDonnell and Brigid Purcell state that *“There is no environmental improvements or respect for local heritage. It should be noted that Dublin Port Company and Dublin City Council have shown scant regard for local heritage and amenities”*.

DPC Response

Protecting the heritage of Dublin Port and the surrounding Docklands area, and integrating Dublin Port with Dublin City and its people are both core objectives of the Masterplan for Dublin Port. Development of proposed new public amenities on the Poolbeg Peninsula as part of the 3FM Project will provide significant community gain, including significant enhancements to the appreciation of local heritage.

DPC is proposing significant community gain as an integral part of the 3FM Project as set out in Chapter 1 of the EIAR, Section 1.6. This includes the following biodiversity and heritage elements:

Community support through:

- Establishment of a new €2 million Community Benefit Fund for Education, Heritage & Maritime Training Skills projects within the Poolbeg area. The initial capital for the Fund will be administered by DPC in consultation with local stakeholders.

Heritage & Biodiversity enhancements through:

- Commissioning a new Public Access Feasibility Study regarding the Great South Wall so as to identify improved public interpretation, accessibility, facilities and conservation possibilities,
- Provision of up to €1 million funding to implement the study recommendations.
- Provision of an additional permanent marine structure (dolphin) to expand the available habitat and range of the Dublin Port Tern Colonies.
- Provision of Interpretative Markers to delineate the alignment of the Great South Wall (GSW)

Other community gain elements comprise enhanced recreational amenity through:

- 7km of new or upgraded Active Travel Path (cycle, pedestrian, wheelers etc.) and 4.9km of new or upgraded footway for the North Port Estate, SPAR and Poolbeg Peninsula, which will link with the 1.4km Liffey Tolka Greenway in the North Port Estate, and from there to the 4.0km Tolka Estuary Greenway currently under construction by Dublin Port. DPC will also provide Dublin City Council with a €5 million contribution for future upgrading of the existing coastal path along the southern perimeter of the Poolbeg Peninsula
- Development of a sailing, rowing and maritime campus (Maritime Village) adjacent to the existing Poolbeg Yacht and Boat Club in conjunction with local yacht and boating clubs, including a public slipway and facilities for maritime skills training.
- Provision of Recreational Space
 - Port Park and Wildflower Meadow (2.5ha)
 - Coastal Park (1.6ha)
- Provision of 1.1ha extension to Irishtown Nature Park.

Enhanced public realm through:

- Development of a new public plaza as a key part of the Maritime Village.
- Extensive boundary softening works adjacent to the development sites forming part of the 3FM Project.

DPC welcome the concern of local residents with regard to the protection and appreciation of our local heritage. This is a concern shared by Dublin Port and one which sits at the heart both of the Dublin Port Masterplan and the 3FM Project.

3.17.2 Conclusions Relevant to Population and Human Health

Chapter 18: Population and Human Health draws from and builds upon key outputs from the relevant inter-related technical disciplines to assess the potential impacts of the 3FM Project at the population level. While it is acknowledged that there would be adverse impacts at some receptors, these are managed on a case-by-case basis through the necessary mitigation, and the overarching focus is on the balance of impacts and whether the direction is adverse or beneficial, and in the case of adverse impacts, whether these are significant or not.

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT

Submissions were received from eight parties, or groups of residents. Each of these submissions and the individual concerns raised within them have been addressed in Section 3.17.1 above.

A key theme raised was the potential impact on employment. The long-term construction phase has the potential to result in benefits to population and health from changes in socio-economic determinants. An annual average of 92 construction jobs would be required to deliver the project, with a peak of 203 construction jobs required in Year 13 of construction (2038). It is worth noting that there is potential for cumulative population and health benefits via means of job retention for port construction workers as the MP2 Project is due to finish being constructed in 2032 and the construction employment for the 3FM Project generally ramps up from 2032 (Year 7) to 2038 (Year 13).

Socio-economic benefits associated with the operational 3FM Project would be generated through employment, GVA, tax and community gain. The increase in throughput associated with the 3FM Project would deliver 2,027 direct and indirect jobs in Dublin and into some of the surrounding counties, which is considered to be significant from a population and health perspective. GVA and tax would see a comparable increase.

Another key theme is the potential impact from construction and operational traffic (HGVs), and the associated air quality and noise impacts. Overall, there is a clear misconception that the additional traffic will have a significant impact on the external road network, without taking into consideration baseline circumstance. The data shows that in fact the impact of the 3FM Project on local air quality and noise will be net positive.

A further key theme is exposure to asbestos. The hazardous nature of asbestos is well known and understood. However, a hazard source by itself does not constitute a health risk: it is only when there is a hazard source, a sensitive receptor and a credible pathway of exposure that there is any potential risk to human health. While the hazard source has been established to be present in soil samples in certain areas of the port, the pathway of exposure between the source and the receptor will be effectively managed through mitigation measures to reduce the potential for exposure to asbestos to negligible levels.

The construction and operation of the 3FM Project will have beneficial impacts in many circumstances, particularly on construction/operational employment and operational air quality (and their associated health benefits). Noise impacts have been carefully considered and mitigated where necessary (e.g. through implementation of a noise barrier and low noise road surface) with the residual effect being largely beneficial in nature; where the direction of effect is adverse in nature, such impacts are deemed acceptable on the environment and human health.

3.18 Risk of Major Accidents & Disasters

3.18.1 Observations Relevant to the Risk of Major Accidents and Disasters

The following observations refer to the Risk of Major Accidents and Disasters and are addressed below.

Number in Index	Party Name
No. 4	Health & Safety Authority (HSA)

3.18.1.1 Health & Safety Authority (HSA)

Item 1 – HSA has insufficient information to provide technical advice on the 3FM Project application

Submission

The Health & Safety Authority's submission seeks additional information with regard to Risk of Major Accidents & Disasters stating:

"The Authority currently has insufficient information to provide technical advice on this application, therefore the Authority requests the Planning Authority to seek further information in accordance with regulation 24(10) from the applicant in relation to this application.

With regard to the Control Of Major Accident Hazards (COMAH) Land Use Planning Assessment:

- 1. Provide details regarding the proposed public amenity areas including the Port Park and Wildflower Meadow, Coastal Park, extension to the Irishtown Nature Park and active travel developments with regard to expected occupancy by members of the public, intended activities and event types. This information is required to determine the appropriate Sensitivity Levels according to the Authority's Guidance on Technical Land-Use Planning (TLUP).*
- 2. The consultation distances associated with the COMAH establishments located at the North Port appear to extend into the proposed planning boundary. Impacts, if any, from these establishments should be considered.*
- 3. Identify how dangerous substances will be stored at the proposed developments. Include the hazard categories, means of containment, dwell times and relative amounts of dangerous substances expected to be stored at the terminals, support storage areas and transit storage areas. These dangerous substances, if present, should be assessed in line with TLUP.*
- 4. Provide an assessment of the proposed oil manifold and above ground pipelines intended to replace the existing Poolbeg Oil Jetty supplying the National Oil Reserves Agency (NORA) establishment at Poolbeg. Similarly, provide a review of the proposed development and associated works in the vicinity of the jetty supplying the NORA establishment at Ringsend.*
- 5. Clarifications on Sections 4 & 6, and subsequent risk contours in Appendix 5, in the above assessment:
Note: All sections should reference the most recent version of TLUP*

a. Section 4

i. This section does not contain details regarding consequence analysis assumptions and results (e.g. levels of thermal radiation or overpressure as a function of distance) for each scenario or the precise accident frequencies actually used in the risk assessment (taking into account number of tanks, lengths of pipeline, etc). The software models and versions used for the consequence and risk analysis should also be specified.

ii. Pool fires:

- 1. The modelling of pool fires from bund overtopping needs to be clarified/improved.*
- 2. A reasonable pragmatic risk-based approach for LUP purposes would be to assume that a 100m diameter circular pool forms adjacent to the bund in the direction of the receptor, with the wind (either D5 or F2) blowing directly towards the receptor.*
- 3. If the spill could reach uncontrolled off-site areas, the pool fire frequency should be taken as 5x10⁻⁷/yr. per tank (i.e. a 10% ignition probability) for Category 3 substances.*

4. The assessment (Table 11) appears to assume a 1% probability of ignition for a large unbundled spill of Category 3 flammable liquid going offsite to uncontrolled areas. A value of 10% is considered to be more appropriate for LUP purposes.

iii. In relation to natural gas; fireballs following significant pipeline failures, such as a pipeline rupture, are also a significant risk and should be considered.

b. Section 6

i. It is unclear precisely what assumptions have been used for the risk contours. The risks contours should be for a hypothetical member of a residential population with an occupancy of 100% who is outdoors 10% of the time and indoors for 90% of the time in a building with indoor overpressure vulnerability characterised by the CIA Category 3 relationship, and thermal radiation vulnerability as described in TLUP.

ii. Given the complex multi-use nature of the development, it would be helpful to have a marked-up plan of the entire development which characterises every part of the development in terms of the relevant HSA Development Type (DT) (e.g. with colour codes for each DT). This should be overlaid with the predicted risk contours. This would help demonstrate compliance with TLUP requirements.

6. An associated planning document in the 3FM planning file, titled 'Planning Report' (Section 5.1.2), refers to two proposed structures at Area N intended to support the proposed Lo-Lo terminal: an administration and a maintenance building. Clarify the occupancy for both of these buildings and whether either will be three or more occupied storeys in height."

DPC Response

We refer the HSA and the Board to the Technical Note 2 prepared by Byrne Ó Cléirigh and dated 4th February 2025 on behalf of DPC in specific response to the HSA's queries. Those responses are summarised below but set out in full in the Technical Note 2.

1. Public Amenity Areas

There are three main areas of public amenity development as part of the 3FM Project, together with the active travel elements:

- the Port Park and Wildflower Meadow, to the west of Area O
- the Coastal Park, to the south of Area O
- the Extension to Irishtown Nature Park, to the east of Area O

These three areas currently comprise a mixture of existing amenity areas and existing developed / hardstanding areas, primarily serving as storage / laydown areas. The southern part of the Port Park and Wildflower Meadow, the majority of the Coastal Park, and the eastern part of the Extension to the Nature Park comprise publicly accessible footpaths providing access to / from Irishtown Nature Park (which lies to the east of these areas and is outside the area of the 3FM development) from Sean Moore Park / Beach Road. The Port Park and Wildflower Meadow comprises several individual areas, namely:

- a sports pitch for use by the local community
- pedestrian routes and pathways
- a pavilion building with public toilets
- a public square area and urban realm treatment
- a children's play tower
- a wildflower meadow to the east

The entrance to the Port Park is from the south and west, with the sports pitch, open grass area, play tower and pavilion building generally to the west, south, and southwest, furthest from the COMAH and other establishments, with the meadow being the closest part of the Park to the Port activities.

It is reasonable to characterise the area of the sports pitch as development sensitivity level 3, which is compatible with lying inside the outer risk zone (or outside the outer risk zone). The individual risk contours associated with the COMAH establishments in the south port do not extend to the sports pitch.

If the overall area of the Port Park, Coastal Park, and extension to Irishtown Nature Park is considered a single area (excluding the sports pitch as this area has a distinct use), the total population that may be present is

estimated at 500. As set out in this response, and described in the application for planning permission, the types of activity that are likely within the public amenity areas are accommodated under the HSA's development type DT2.5 and DT2.5.1, falling broadly within the example activities including

- sports fields / pitches
- country parks
- nature reserves
- picnic sites

As the public amenity area is likely to have (peak) occupancies greater than 100 people, but less than 1,000 people, it is equivalent to a sensitivity level 3 development (DT2.5.1). The majority of this area lies outside the outer zone, and therefore is compatible with the HSA's land use planning criteria. The part of this area that lies within the outer zone – part of the Wildflower Meadow – is also compatible with the HSA's land use planning criteria, as sensitivity level 3 developments can be accommodated within the outer zone.

The active travel areas within the 3FM Project comprise cycle paths / cycles tracks and pedestrian walkways and paths that integrate with the public amenity spaces. While it is equally difficult to estimate the occupancy of the active travel areas at any one time, the post-development use of these facilities is expected to be in the order of 2,600 to 3,000 non-motorised users (NMTU – cyclists and pedestrians) per week, equivalent to approximately 370 to 430 per day over the entire length of the active travel routes. While there is no direct equivalent development type under the HSA's land use planning guidance, the active travel areas are broadly consistent with either development type DT2.3 (similar to roads) or DT2.5.1 (similar to outdoor areas for use by the public), corresponding to sensitivity level 2 and sensitivity level 3, respectively. As shown in Attachment 2, these areas lie largely outside the outer zone, or within the outer zone, and are therefore compatible with the HSA's land use planning criteria.

2. North Port

The 3FM Project is primarily located in the south of Dublin Port (south of the River Liffey). However, parts of the 3FM Project – parts of the road network – lie within the north of Dublin Port (north of the River Liffey, primarily in the vicinity of the western part of the Circle K establishment. These parts of the 3FM Project lie within the consultation distance for the Circle K, Tedcastle Oil Products, and Valero establishments. While the nature of these elements of the 3FM Project fall generally within the scope of development type DT2.3.1 (sensitivity level 1), with only a small part of the road development (along Promenade Road) falling within the scope of development type DT2.3 (sensitivity level 2), in light of the HSA's request the COMAH land use planning contours for the north of the Port associated with the Circle K, Tedcastle Oil Products, and Valero establishments have been added to the overall contour.

3. Dangerous Substances

Overall, the presence of dangerous goods within the Port is carefully controlled and managed by Dublin Port Company, to facilitate the transit of all goods through the Port, to minimise the overall quantity of dangerous goods temporarily held within the Port, and to allow the Port to respond to any incidents involving dangerous goods, whether in transit or temporarily held at a Port terminal. From a COMAH perspective, the handling of dangerous goods within / through the Port falls outside the scope of the Regulations by virtue of Regulation 3(3)(c),

While the dangerous goods that are present at the Dublin Port terminals fall outside the scope of COMAH, their presence has been considered as part of the overall COMAH land use planning assessment in terms of acting as potential external initiating events at any of the COMAH establishments. In this context, the underlying probability data for the loss of containment scenarios and end events set out in the HSA's guidance is considered to be suitably representative, and conservative, and need not be adjusted to account for other external factors.

In light of the overall conservative approach set out in the HSA's guidance for COMAH land use planning, and the nature and location of the COMAH establishments in the Port, the HSA's probability data is considered to be appropriate and conservative for the overall assessment of the 3FM Project.

4. Poolbeg Oil Jetty

Both the existing manifold serving the Ringsend facility and the jetty serving the Poolbeg facility lie within the area of the 3FM Project. Therefore, as part of the 3FM Project, the existing Poolbeg Oil Jetty will be demolished and replaced by new berthage, a new oil manifold, and new above ground oil pipework and access for maintenance. While the new manifold and new pipework represents new infrastructure, it is replacing existing

infrastructure currently used to transfer oil from tankers at either the ESB Jetty or Deep Water Berths 46 or 47 to the NORA Poolbeg and NORA Ringsend facilities, respectively.

As in the case of the dangerous substances that may be present within the Port terminals, the change to the oil pipework serving the two NORA facilities was considered as part of the overall COMAH land use planning assessment. However, based on the following, we consider that the overall COMAH land use planning assessment is representative of the overall risk:

- The potential major accident hazards associated with the storage tanks include several large scale loss of containment events, and these tanks are in turn fed from the pipelines.
- The new manifold and aboveground pipework represent modifications to existing infrastructure, rather than the addition of new infrastructure (and a potential new hazard source).
- The manifold and pipelines will convey only ignition category 3 substances.
- The NORA facilities are used for the long-term storage of Ireland's oil reserves and therefore the frequency of product movement is very low compared to a commercial oil terminal.
- The HSA's land use planning guidance sets out the types of scenario relevant to oil storage facilities, which are primarily related to the storage tanks and, where applicable, to road tanker activities, rather than to losses of containment from tankers (ships), manifolds, or pipelines.

5. Consequence Analysis and Risk Contours

A – Underlying Assumptions

(i) Pool Fires

In the absence of specific guidance on the ignition probability of an overtop pool fire for ignition category 3 substances, the COMAH land use planning assessment has adopted the ignition probability for ignition category 2 substances (as indicated in Section 3.6.4 of the guidance), which advises that: Ignition probabilities for Category 2 substances are very low... An overtop pool fire is also modelled at a frequency of 5×10^{-8} per tank.

This ignition probability for overtopping pool fires of category 3 substances is both conservative and consistent with the HSA's guidance. It is considered to be more appropriate than an ignition probability of 5×10^{-7} per tank as indicated in the HSA's request for further information. Based on the review of the HSA's guidance, we have not identified any reference to a 10% probability of ignition of a overtopped pool of ignition category 3 material, and from our understanding of the HSA's guidance, such a probability of ignition (10%) suggests that ignition category 3 substances are more likely to ignite than ignition category 2 substances.

(ii) Natural Gas Pipelines

Section 4.3.2 of the COMAH Land Use Planning Assessment summarises the scenarios that have been accounted for, Table 10 lists the establishments (and other sites) that have been included together with the dangerous substances, and Table 12 summarises the major accident scenarios that have been include for aboveground natural gas pipelines.

Section 3.5 of the HSA's guidance describes the approach to be taken for establishments where there is a significant major accident risk associated with releases from on-site natural gas pipelines, with the specific loss of containment scenarios and corresponding frequencies set out in Table 40 in Section 3.5.1. The loss of containment scenarios set out in the HSA's guidance – a pipeline rupture (event #087) and pipeline leak (event #088) – and the corresponding end events – a fireball / jet fire, flash fire, and vapour cloud explosion – have been included in the assessment.

B. Risk Contours

1. Underlying Assumptions

Individual risk contours were developed using the population data for the Port and surrounding area, as described in Section 3.5. For the residential areas in the vicinity of the Port and the 3FM project, people were assumed to be present 100% of the time, with the population also assumed to be indoors 90% of the time and outdoors 10% of the time.

For the other populations at and in the vicinity of the Port, the occupancy was based on a combination of typical working hours, an analysis of ship berthing data and ship crew and passenger complements, and an analysis of traffic data.

For the assessment of the vulnerability of people located indoors, the approach from the HSA's land use planning guidance was adopted, as described in Section 4.4.2 for thermal effects. For overpressure effects, the correlation from the Chemical Industry Association's Guidance for the location and design of occupied buildings on chemical manufacturing sites for building type (category) 3 has been applied.

2. HSA Development Types

Attachment 2 to Technical Note 2 shows the layout of the 3FM development, with each element of the development classified under the corresponding development type and sensitivity level together with the individual risk contours. In assigning the development types and sensitivity levels to the different elements of the 3FM Project, all parts of each element are assigned the most conservative sensitivity level. For example, as noted in the response to item (6) (see Section 8), Area N is assigned sensitivity level 2 by virtue of part of Area N – the administration building – falling within this sensitivity level (exclusion DT1.1.1), albeit that the majority of Area N could be considered as sensitivity level 1.

6. New Buildings in Area N

These two buildings will be a maintenance building and administration building. The administration building in Area N is a three-storey building and therefore this part of Area N falls within the scope of exclusion DT1.1.1 (sensitivity level 2), namely workplaces (non-retail) providing for 100 or more occupants in any building or 3 or more occupied storeys in height.

In practice, it is unlikely that there would be more than 100 people inside the administration building at any one time given that the overall occupancy of Area N is estimated at 108 across the entire area. Nonetheless, given that the administration building is three storeys, it falls within exclusion DT1.1.1 and is therefore a sensitivity level 2 area. Similarly, it is unlikely that there would be more than 100 people inside the maintenance building in Area N, or more than 100 people inside the administration building in Area L (the administration building in Area L is significantly smaller than at Area N) at any one time.

Based on the HSA's matrix for land use planning advice – whether development sensitivity types are compatible with the risk zone in which they lie, shown in Table 1 – both the administration building and the maintenance building in Area N, and the administration building in Area L, satisfy the land use planning criteria. Both areas are located partly in the outer zone, while the two buildings in Area N and the single building in Area L all lie outside the outer zone.

3.18.2 Conclusions Relevant to Risk of Major Accidents and Disasters

There is one party that make reference to Risk of Major Accidents & Disasters and are addressed in Section 3.18.1 of this response document, including the attached Technical Note 2.

Chapter 6 of the EIAR Risk of Major Accidents and Disasters assesses the potential individual and societal risk relevant to the 3FM Project. It also describes other events (natural and other external events) that could contribute to, cause, or exacerbate a major accident at an establishment covered by the Chemicals Act (Control of Major Accident Hazards) Regulations 2015 (S.I. 209/2015) ("COMAH Regulations") within Dublin Port, or that could directly impact on the 3FM Project, as well as the potential for a major accident at the 3FM Project site to impact on the adjacent parts of Dublin Port and the COMAH establishments.

In light of the nature of the activities that will take place at the 3FM Project site, and the nature of the surrounding environment, the most significant risks of major accidents and disasters are associated with the COMAH establishments and the ESB Poolbeg generating station (which does not qualify as a COMAH establishment).

The 3FM Project is within the vicinity of several establishments that fall within the scope of the COMAH Regulations, namely the National Oil Reserve Agency (NORA) petroleum product tank farms and the Dublin Bay Power establishments on the Poolbeg Peninsula.

Byrne Ó Cléirigh conducted a COMAH land use planning assessment for the 3FM Project, the purpose of which was to examine the development in the context of the Health and Safety Authority's COMAH land use planning guidance, and to identify the types of development that may be compatible with the COMAH risk zones around the COMAH (and similar) establishments. Byrne Ó Cléirigh's analysis was guided by an

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assessment of the likelihood of the occurrence of each perceived risk, supported by general and systemic risk assessments.

The submission from the HSA seeks technical information to test the robustness of the COMAH land use planning assessment set out in the EIAR. DPC's response, in the form of Technical Note 2, confirms that the potential major accident risks associated with the proposed 3FM Project as set out in Chapter 6 of the EIAR is robust satisfying the Health and Safety Authority's COMAH land use planning guidance. In the opinion of Byrne Ó Cléirigh, the additional information provided in Technical Note 2 further demonstrates compliance with the Health and Safety Authority's COMAH land use planning guidance.

The assessment of the risk of major accidents and disasters thereby concludes that, from a COMAH perspective, the potential direct and indirect risks arising from the 3FM Project satisfy the Health and Safety Authority's COMAH land use planning guidance. It is also concluded that other, non-COMAH direct and indirect major accident and disaster risks arising from the 3FM Project are not significantly different from the current risks.

DPC has developed a comprehensive emergency management plan that caters for the range of accident and emergency events that may occur within its estate (or that may occur outside the estate and that have a direct, knock-on effect), and this plan is provided to the other relevant stakeholders, including An Garda Síochána, Dublin City Council, Transport Infrastructure Ireland, and the Principal Response Agencies. In the event of an incident at a COMAH establishment that could impact on people at other facilities in the port, or on road traffic entering or exiting the port, DPC will activate its Emergency Management Plan, in which case people would be directed away from the source of the hazard.

As set out in Section 8 of the COMAH Land Use Planning Assessment of Dublin Port Company's 3FM Project, in DPC's opinion the potential major accident risks associated with the proposed project satisfy the HSA's COMAH land use planning guidance. The additional information provided in Technical Note 2 further demonstrate that the 3FM Project satisfies that guidance.

3.19 Cumulative Effects & Environmental Interactions

3.19.1 Observations Relevant to Cumulative Effects and Environmental Interactions

The following observations refer to the Cumulative Effects and Environmental Interactions and are addressed below.

Number in Index	Party Name
	Dublin City Council
No. 10	Birdwatch Ireland
No. 20	Peter and Mary Carvill
No. 34	Amphitheatre Ireland Ltd.

3.19.1.1 Dublin City Council

Item 1 – Visual Impact Assessment

Submission

The submission from Dublin City Council (DCC) states that: “A *Visual Impact Assessment is required for the SPAR bridge and viaduct in the context of existing, permitted and planned bridges including the Dodder Bridge, which was recently granted planning permission under ABP-317679-23, and the Point Pedestrian and Cycle Bridge currently at preliminary design stage.*”

DPC Response

The assessment of cumulative effects that may arise from existing and/or approved projects in the same area as the proposed 3FM Project is set out in Chapter 20, Cumulative Effects and Environmental Interactions of the submitted EIAR. The assessment was undertaken following the Planning Inspectorate Advice Note 17 version 2 (2019) methodology and as such, considered the information available at the time of submission. However, at that time, details were not available regarding the now permitted Dodder Bridge and proposed Point Pedestrian and Cycle Bridge in order to enable a visual impact assessment to be prepared.

In response to the request from DCC to undertake a visual impact assessment for the SPAR bridge and viaduct in the context of existing, permitted and planned bridges, the cumulative impact of the recently permitted and proposed bridges with regard to the information now available has been updated and assessed. The visual assessment requested by DCC has been described in detail within the Landscape and Visual Response to Observations in Section 3.16.1.1 and is included as Figure 3.16.1.

As a direct response to DCC’s submission, the cumulative impact of the recently permitted and proposed bridges with regard to the information now available has been updated and assessed subsequently and, as set out in Landscape and Visual Response to Observations in Section 3.16.1.1, the predicted significance of visual impact will be minor adverse and not significant.

Item 2 – Poolbeg West SDZ/Pembroke South Development

Submission

The DCC submission states that: “*The proposed development should take cognisance of the Poolbeg West SDZ/Pembroke South development, in particular the requirement to provide a four arm signalised junction at Whitebank Road/South Bank Road and the new ‘South Link Road’ within the Pembroke South lands.*”

DPC Response

The assessment of cumulative effects which may arise from existing and/or approved projects, including the Poolbeg West SDZ/Pembroke South/Glass Bottle development, is set out in Chapter 20 Cumulative Effects and Environmental Interactions of the submitted EIAR. The cumulative impact assessment of these third-party schemes noted that positive cumulative impacts are anticipated in relation to effects on traffic and transportation. This conclusion was based on careful consideration of the impacts of these third-party schemes during the progression of the General Arrangement for the proposed 3FM Project and within the traffic and transport assessment.

Further detail on the consideration of these schemes and consultation with various departments within DCC is provided within the Traffic and Transportation Response to Observations in Section 3.14.1.1 of this Response Document.

3.19.1.2 Birdwatch Ireland

Item 1 – Codling Wind Park and the SPA Platform

Submission

The submission from BirdWatch Ireland states that *“a planning application recently lodged by Codling Wind Park (An Bord Pleanála Case reference: OA29N.320768) involving the construction of a new building (onshore substation) on land facing the CDL Dolphin, and in very close proximity to it, will be another notable landscape change in the immediate vicinity of the tern colony. Some consideration should be given to the potential in-combination effects of the changed landscape due to:”*

- a new building at the Codling Wind Park site plus
- the new quay and terminal positioned in front of the SPA Platform.
- the large vessels utilising the turning circle between the CDL Dolphin and the SPA Platform plus

DPC Response

The 3FM Project Planning Application was submitted to the Board on 23rd July 2024 and the Codling Wind Park Planning Application was submitted to the Board on 6th September 2024. Therefore, at the time of submission of the 3FM Project Planning Application, the detailed design relating to the onshore elements of the Codling Wind Park Planning Application was not available to the public, so this could not be considered part of the cumulative assessment.

Upon review of the Codling Wind Park Planning Application, Chapter 10 (Ornithology) of the Codling Wind Park EIAR notes that potential impacts as a result of the new building (onshore substation) on land facing the CDL dolphin include the potential for in-combination overshadowing. The potential for the onshore substation buildings to cast a shadow on the CDL dolphin was assessed using a shadow assessment model. The results from this model showed that there will be no shadow cast by the onshore substation buildings during the breeding tern period (May to August).

In order to address the item raised by Birdwatch Ireland with respect to the Codling Wind Park planning application which was submitted to the Board after the 3FM Project by DPC, in January 2025, RPS reviewed this shadow assessment undertaken by Codling Wind Park using the design detail for the substation building. The detail was input into RPS Computer Generated Imagery (CGI) and the conclusion of the shadow assessment was verified. The CGI is included in Section 3.16.1.1, Figure 3.16.1. It is concluded that potential in-combination effects will not arise.

In addition, in order to address the concern raised by Birdwatch Ireland regarding the new quay and terminal positioned in front of the SPA Platform, the overshadowing study undertaken by RPS also considered the 3FM Project's proposed new quay (wharf N) and terminal positioned in front of the SPA Platform. The results of the shadow assessment are described within the Terrestrial Ecology and Ornithology Response to Observations in Section 3.6.1.5 and in Appendix 6. The study indicated that shadowing of infrastructure (i.e., ship to shore gantry cranes) will be cast over the SPA Platform during the early morning on certain days during the breeding season – on those occasions when the cranes are at the extent of the western limits of their rails i.e., closest to the colony. However, the shadow cast will be temporary, lasting approximately 1 hour in April and May and approximately 30 minutes in June and July (when suitable sunlight conditions occur). The shadow will also be slow moving, caused by the rising sun. In addition, as noted in Chapter 7 Biodiversity of the submitted EIAR, in Section 7.5 Avian Biodiversity, sub-section 7.5.3 notes that worst-case predicted construction noise levels will be less than 75dB(A) at the tern colony on the SPA Platform, which is substantially below the 85 dB(A) threshold likely to result in disturbance.

Regarding large vessels utilising the turning circle between the CDL Dolphin and the SPA Platform, the potential for in-combination effects is noted in Chapter 20 Cumulative Effects and Environmental Interactions of the submitted EIAR. No in-combination effects were identified with regard to the turning circle and CDL dolphin and SPA platform, given that this is not a landscape change as vessels currently do turn and manoeuvre in the area in which it is proposed to locate the turning circle. The proposed turning circle as part of the 3FM Project will not see a major encroachment of vessel movements in proximity to the tern colonies, compared to existing levels with vessels already passing within 40m of the dolphins during turning

manoeuvres. Ships manoeuvring within the circle, performing a relatively slow swing movement, enabling the ship to move into the appropriate berth, will be temporary and short in duration.

In order to address the issue raised by Birdwatch Ireland, DPC include these studies which highlight the presence of successful colonies at Dublin Port and Leith Docks (refer to Appendix 3 of the Terrestrial Biodiversity and Ornithology Response to Observations included in Section 3.6.1.5 of this Response Document) where ships pass close by (and also case studies for Montrose⁴³ and Ringaskiddy ports⁴⁴ is indicative that terns have shown they are tolerant of vessel movements and there is no detrimental effect on the terns breeding success.

It has been concluded, on the basis of the Terrestrial Biodiversity and Ornithology Response to Observations (Section 3.6.1.5), that the effects of the 3FM Project will not result in a significant change in the existing conditions in relation to overshadowing or movement of vessels within Dublin Port. Therefore, there will not be any significant in-combination effects either as a result of the 3FM Project itself, or the 3FM Project in combination with Codling Wind Park.

3.19.1.3 Peter and Mary Carvill

Item 1 – Cumulative impact assessment - MP2 Project and proposals by ESB

Submission

The submission from Peter and Mary Carvill states that: *“The Birds Directive and the Habitats Directive require that not only the impacts of a project on its own require to be assessed. It is necessary to consider the cumulative impacts with other projects, for example the MP2 project (in respect of which this would be a good opportunity to address and mitigate the deficiencies in the data submitted for the Appropriate Assessment of that project) and proposals by the ESB to carry out work on the outflow channel. There are likely other projects within and adjoining the SPAs and SACs in Dublin Bay that need to be taken into account in regard to cumulative impacts”.*

DPC Response

The assessment of cumulative effects which may arise from existing and/or approved projects, including the MP2 Project and the ESB proposals, is set out in Chapter 20 Cumulative Effects and Environmental Interactions of the submitted EIAR.

As noted in Table 20.2, Chapter 20 of the submitted EIAR, with regard to the MP2 Project, the remaining work elements which will overlap with the proposed 3FM Project construction programme entail marine works, such as capital dredging. The 3FM Project dredging has been programmed to ensure that there will be no overlap with either the MP2 Project capital dredging programme or DPC maintenance dredging campaigns and therefore it was concluded that cumulative impacts on avian biodiversity are therefore unlikely.

As noted in Table 20.2, Chapter 20 of the submitted EIAR, with regard to the ESB proposals, the works to repair and upgrade the UWWT plant discharge channel adjacent to the ESB Poolbeg Generating Station are expected to be completed prior to the commencement of the 3FM Project. Nonetheless, ESB's repair and upgrade works are likely to result in scour and redistribution of soft, organic rich sediments that have accumulated in recent years at the damaged outfall weir. This will result in some loss of muddy habitat and replacement with habitats of coarser sediments, however given the extent of soft muddy benthic habitat within harbour area, the cumulative impacts are likely to be minor negative and not significant. It should also be noted that this area has been artificially created due to a failure in the ESB cooling water channel. As this issue will be rectified by Uisce Éireann, this area will no longer be available to the avian community and therefore will cease to be a foraging / roosting site, even in the absence of the 3FM Project.

Regarding the likelihood of other projects in Dublin Bay to be taken into account in regard to cumulative impacts, the assessment within Chapter 20 of the EIAR was undertaken following the Planning Inspectorate Advice Note 17 version 2 (2019) methodology. This method followed a tiered approach to assign a level of certainty associated with implementation. Those projects which are under construction, permitted but not yet developed, submitted but not yet determined, or refused but subject to an appeals process are assigned the highest level of certainty. Where available, detailed information relating to the project was used to identify

⁴³ <https://scottishwildlifetrust.org.uk/2011/07/a-tale-of-two-colonies/>.

⁴⁴ ABP Ref: 04.PA0035

possible impact pathways. The cumulative assessment undertaken in Chapter 20 of the EIAR considered all appropriate projects and information available at the time of submission.

With regard to the potential for cumulative or in-combination effects with other projects on adjoining SPAs and SACs, these have been considered in detail within the Appropriate Assessment Screening Report and NIS enclosed with the application, where appropriate. Table 4.1 of the NIS states that likely significant effects as a result of the proposed 3FM Project acting in combination with other projects cannot be excluded for qualifying interests of North Dublin Bay SAC, South Dublin Bay SAC, Rockabill to Dalkey Island SAC, Lambay Island SAC and Codling Fault Zone SAC; and also for special conservation interests of South Dublin Bay & River Tolka Estuary SPA, North Bull Island SPA, Howth Head Coast SPA, Dalkey Islands SPA and the North-West Irish Sea SPA.

Section 4.6 of the Appropriate Assessment Screening Report describes the range of projects where in-combination effects can occur, noting that they cannot be excluded for the following projects in-combination with the proposed 3FM Project:

- MP2 Project;
- Dublin Harbour Capital Dredging Project;
- Ringsend WwTP Upgrade project;
- ESB Cooling Water Channel Remediation Works; and
- Poolbeg West SDZ & Former Irish Glass Bottle Site.

Section 3 of the NIS also addresses two future projects for which an application for development consent had not been submitted at the time planning permission was sought for the proposed 3FM Project:

- The provision of a 0.62 ha site within Dublin Port Masterplan Area O to accommodate the infrastructure required to deliver District Heating from the Dublin Waste to Energy Scheme.
- The provision of a 1.5 ha site within Dublin Port Masterplan Area M for a substation to facilitate the onshoring and transmission of Offshore Renewable Energy by Codling Wind Park offshore wind farm.

With regard to the ESB proposals, the works to repair and upgrade the UWWT plant discharge channel adjacent to the ESB Poolbeg Generating Station are expected to be completed prior to the commencement of the 3FM Project. Nonetheless, ESB's repair and upgrade works are likely to result in scour and redistribution of soft, organic rich sediments that have accumulated in recent years at the damaged outfall weir. This will result in some loss of muddy habitat and replacement with habitats of coarser sediments, however given the extent of soft muddy benthic habitat within harbour area, the cumulative impacts are likely to be minor negative and not significant. It should also be noted that this area has been artificially created due to a failure in the ESB cooling water channel. As this issue will be rectified by Uisce Éireann, this area will no longer be available to the avian community and therefore will cease to be a foraging / roosting site, even in the absence of the 3FM Project.

In summary, a range of other projects have been considered in the DPC Article 6(3) Habitats Directive appraisal for their potential to result in significant effects on the European sites of Dublin Bay along with the proposed 3FM Project. Those projects have been clearly identified and described in the documents submitted, and the impact pathways and qualifying interest and special conservation interest features where in-combination effects could occur have been clearly identified and described in the documents submitted. Please refer to the Terrestrial Biodiversity and Ornithology Response to Observations included in Section 3.6.1.6 of this Response Document.

3.19.1.4 Amphitheatre Ireland Ltd.

Item 1 – Ringsend to City Centre BusConnects Corridor and the Point Bridge and Tom Clarke Bridge Widening Project

Submission

The submission from Amphitheatre Ireland Ltd. states that: *"It is important to consider the impact of the proposed scheme alongside the Ringsend to City Centre BusConnects Corridor and the Tom Clarke Bridge Widening Project, both of which include works to the road network surrounding The 3Arena. It is vital that the operations of The 3Arena are not disrupted as a result of the construction and operation of these three significant infrastructure projects. ... The planning application for the Ringsend to City Centre Core Bus Corridor was lodged by Bus Connects with An Bord Pleanála in 2023 (ABP 317679-23). A decision is likely in the near future.*

At the time of writing in July 2024, the operators of the 3Arena are not aware of the program or the final traffic management proposals for the construction of the Corridor.

However, construction of the Corridor and the two bridges could be concurrent and if this were to happen, the construction phase of the Corridor would need to be integrated with the construction phase of both bridges so that any impact on the 3Arena is mitigated. ... In June 2024, the operators of the 3Arena responded to the non-statutory consultation initiated by Dublin City Council for the proposed Point Bridge and Tom Clarke Bridge Widening Project. ...At the time of writing in July 2024, the operators of the 3Arena are not aware of the program or the final traffic management proposals for the construction of either or both bridges.

However, construction of the Ringsend to City Centre Core Bus Corridor, the two bridges and the 3FM Project at Dublin Port could be concurrent and if this were to happen, the construction phase of the 3FM Project would need to be integrated with the construction phase of the Corridor both bridges so that any impact on the 3Arena is mitigated."

DPC Response

The assessment of cumulative effects which may arise from existing and/or approved projects, including the Ringsend to City Centre Core Bus Corridor and the proposed Point Bridge and Tom Clarke widening project, is set out in Chapter 20 Cumulative Effects and Environmental Interactions of the submitted EIAR.

As outlined Chapter 20 of the EIAR, a Traffic and Transport Assessment (TTA) was undertaken (detailed in Chapter 14, Section 14.16 of the submitted EIAR) which considered the cumulative traffic impact from third party schemes. The TTA considered the construction and operation of these schemes (and others) alongside the construction of the 3FM Project and continued operation of Dublin Port activities. The assessment concluded that there is a reduction in traffic flows along the South Bank Road in the years 2026-2038 prior to the opening of the SPAR in 2039. This removal of traffic from the external road network provides benefits to the schemes being progressed by others in the port environs. It should be noted that there are no road closures proposed for the construction of the proposed 3FM Project and there are no constructed related activities associated with the proposed 3FM Project that impact on the access, delivery or emergency routes required to cater for the 3Arena.

Further detail specific to potential effects on traffic and transport with neighbouring schemes is provided within the Traffic and Transportation Response to Observations included in Section 3.14.1.6 of this Response Document.

3.19.2 Conclusions Relevant to Cumulative Effects and Environmental Interactions

There are four parties that make reference to cumulative effects and environmental interactions and are addressed in Section 3.19.1 of this response document.

Where there are issues raised relevant to cumulative effects and environmental interactions and the 3FM Project; these have been addressed through reference to, inter alia:

- Chapter 7 Biodiversity, Section 7.5 Avian Biodiversity of the EIAR
- Chapter 14 Traffic, Section 14.16 Cumulative Impacts of the EIAR
- Chapter 20 Cumulative Effects and Environmental Interactions of the EIAR
- Section 3 of the NIS
- Table 4.6 of the Appropriate Assessment Screening Report

A comprehensive assessment of potential cumulative effects and environmental interactions of the 3FM Project's construction and operational stages is included in Chapter 20 of the submitted EIAR and, where relevant, in the NIS. All mitigation measures for the 3FM Project resulting from the individual assessments, and the cumulative effects and environmental assessment are listed in detail in Chapter 21 and the draft CEMP. Provided the suggested mitigation measures as listed in the environmental chapters are employed during construction and/or operation the overall impact to the environment, even considered in combination, is considered not significant.

In addition, the cumulative assessment within the EIAR and NIS considered the information available at time of submission, however, details were not available regarding the proposed Codling Wind Park or the recently permitted Dodder Bridge and proposed Point Pedestrian and Cycle Bridge to permit a visual impact assessment. The cumulative visual impact of this proposed development regarding the information now available, has been updated and assessed subsequently, and it is concluded that there is no in combination

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT

impact. This visual assessment requested by DCC has been described in detail within the Landscape and Visual Response to Observations in Section 3.16.1.1 and is included as Figure 3.16.1.

4 Conclusions

This document provides DPC's response to the 53 submissions and observations received by the Board following DPC's submission of the planning application for the 3FM Project (Case Ref PA29N.320250).

This document comprehensively addresses all matters raised in the submissions and observations. While a number of concerns were expressed, these have been reviewed in detail, and appropriate responses have been provided. Where relevant, DPC's responses refer to documentation submitted with the original planning application, and where necessary, appendices and technical and explanatory notes are provided as part of this response in order to fully address specific matters raised by observers. These appendices and technical and explanatory notes should be read in conjunction with the response to the relevant item and the original application documentation.

It is submitted to the Board that this submission demonstrates that the 3FM Project planning application was prepared to ensure all planning and environmental items have been fully considered and addressed.

In conclusion, DPC submits that the responses provided fully address the matters raised under individual submissions and observations made to the Board.

APPENDIX 3.5.1 REVIEW OF PRE-CONNECTION ENQUIRIES RECEIVED FROM UISCE ÉIREANN & UISCE ÉIREANN BUILD NEAR APPLICATIONS

CONFIRMATION OF FEASIBILITY

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RPS Consulting
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Cork City

www.water.ie

9 October 2024

Our Ref: CDS24005664 Pre-Connection Enquiry
Dublin Port 3FM area 0, South Bank Road, Dublin 4

Dear Applicant/Agent,

We have completed the review of the Pre-Connection Enquiry.

Uisce Éireann has reviewed the pre-connection enquiry in relation to a Water & Wastewater connection for a Business Connection of 1 unit(s) at Dublin Port 3FM area 0, South Bank Road, Dublin 4, (the **Development**).

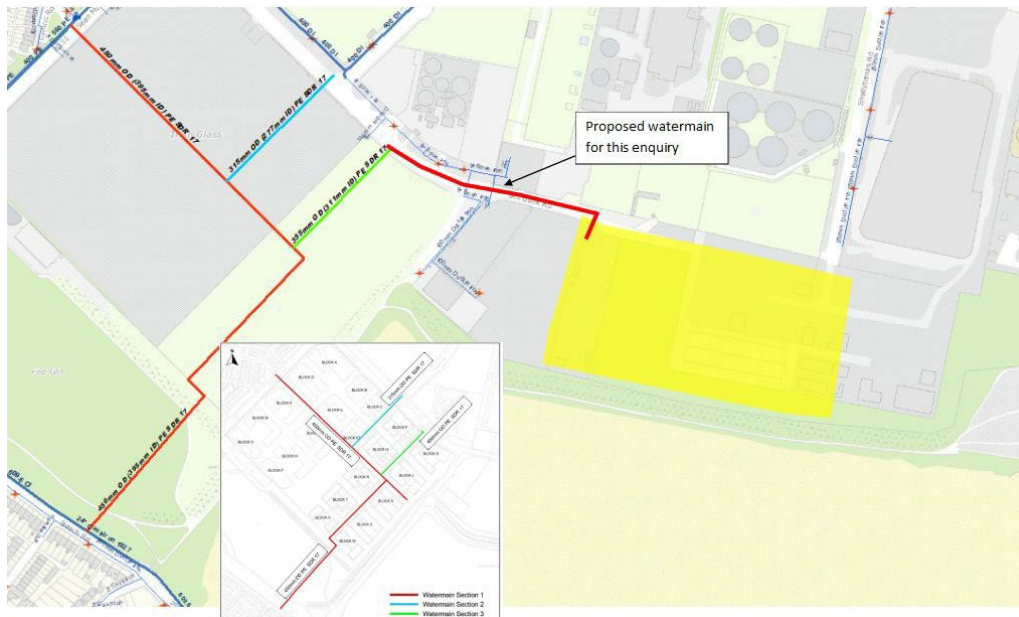
Based upon the details provided we can advise the following regarding connecting to the networks;

- **Water Connection** - Feasible Subject to upgrades
 - The Development site is within the Poolbeg West SDZ and prior to agreeing to the proposed connection, all relevant core water infrastructure within the Zone must be completed, of adequate capacity and integrity, connected to the Uisce Éireann networks and in operation.
 - Approx. 300m of a new 300mm ID pipe is to be laid to connect the Development to the new 355m PE main proposed as a part of Poolbeg SDZ (shown in green in figure below). Upgrade contribution and connection fees will be calculated at a connection application stage.
 - There is capacity to provide fire flow to the proposed development through the existing network.

Stiúrthóirí / Directors: Tony Keohane (Cathaoirleach / Chairman), Niall Gleeson (POF / CEO), Christopher Banks, Fred Barry, Gerard Britchfield, Liz Joyce, Patricia King, Eileen Maher, Cathy Mannion, Michael Walsh.

Oifig Chláraithe / Registered Office: Teach Colvill, 24-26 Sráid Thalbóid, Baile Átha Cliath 1, D01 NP86 / Colvill House, 24-26 Talbot Street, Dublin, Ireland D01NP86

Is cuideachta ghníomhaíochta ainmnithe atá faoi theorainn scaireanna é Uisce Éireann / Uisce Éireann is a design activity company, limited by shares. Cláraithe in Éirinn Uimh.: 530363 / Registered in Ireland No.: 530363.



- **Wastewater Connection** - Feasible without infrastructure upgrade by Uisce Éireann
- Storm water from the Dublin Port 3FM Project area (sites and roads) must be separated and discharged into storm water network that does not discharge to Uisce Éireann network. Any existing misconnections must be removed.

This letter does not constitute an offer, in whole or in part, to provide a connection to any Uisce Éireann infrastructure. Before the Development can be connected to our network(s) you must submit a connection application and be granted and sign a connection agreement with Uisce Éireann.

As the network capacity changes constantly, this review is only valid at the time of its completion. As soon as planning permission has been granted for the Development, a completed connection application should be submitted. The connection application is available at www.water.ie/connections/get-connected/

Where can you find more information?

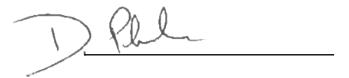
- **Section A** - What is important to know?
- **Section B** - Details of Uisce Éireann's Network(s)

This letter is issued to provide information about the current feasibility of the proposed connection(s) to Uisce Éireann's network(s). This is not

a connection offer and capacity in Uisce Éireann's network(s) may only be secured by entering into a connection agreement with Uisce Éireann.

For any further information, visit www.water.ie/connections, email newconnections@water.ie or contact 1800 278 278.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'D. Phelan', is written over a horizontal line.

Dermot Phelan
Connections Delivery Manager

Section A - What is important to know?

What is important to know?	Why is this important?
Do you need a contract to connect?	<ul style="list-style-type: none"> • Yes, a contract is required to connect. This letter does not constitute a contract or an offer in whole or in part to provide a connection to Uisce Éireann's network(s). • Before the Development can connect to Uisce Éireann's network(s), you must submit a connection application <u>and be granted and sign</u> a connection agreement with Uisce Éireann.
When should I submit a Connection Application?	<ul style="list-style-type: none"> • A connection application should only be submitted after planning permission has been granted.
Where can I find information on connection charges?	<ul style="list-style-type: none"> • Uisce Éireann connection charges can be found at: https://www.water.ie/connections/information/charges/
Who will carry out the connection work?	<ul style="list-style-type: none"> • All works to Uisce Éireann's network(s), including works in the public space, must be carried out by Uisce Éireann*. <p>*Where a Developer has been granted specific permission and has been issued a connection offer for Self-Lay in the Public Road/Area, they may complete the relevant connection works</p>
Fire flow Requirements	<ul style="list-style-type: none"> • The Confirmation of Feasibility does not extend to fire flow requirements for the Development. Fire flow requirements are a matter for the Developer to determine. • What to do? - Contact the relevant Local Fire Authority
Plan for disposal of storm water	<ul style="list-style-type: none"> • The Confirmation of Feasibility does not extend to the management or disposal of storm water or ground waters. • What to do? - Contact the relevant Local Authority to discuss the management or disposal of proposed storm water or ground water discharges.
Where do I find details of Uisce Éireann's network(s)?	<ul style="list-style-type: none"> • Requests for maps showing Uisce Éireann's network(s) can be submitted to: datarequests@water.ie

<p>What are the design requirements for the connection(s)?</p>	<ul style="list-style-type: none"> • The design and construction of the Water & Wastewater pipes and related infrastructure to be installed in this Development shall comply with <i>the Uisce Éireann Connections and Developer Services Standard Details and Codes of Practice</i>, available at www.water.ie/connections
<p>Trade Effluent Licensing</p>	<ul style="list-style-type: none"> • Any person discharging trade effluent** to a sewer, must have a Trade Effluent Licence issued pursuant to section 16 of the Local Government (Water Pollution) Act, 1977 (as amended). • More information and an application form for a Trade Effluent License can be found at the following link: https://www.water.ie/business/trade-effluent/about/ <p>**trade effluent is defined in the Local Government (Water Pollution) Act, 1977 (as amended)</p>

Section B – Details of Uisce Éireann’s Network(s)

The map included below outlines the current Uisce Éireann infrastructure adjacent the Development: To access Uisce Éireann Maps email

datarequests@water.ie



Reproduced from the Ordnance Survey of Ireland by Permission of the Government. License No. 3-3-34

Note: The information provided on the included maps as to the position of Uisce Éireann’s underground network(s) is provided as a general guide only. The information is based on the best available information provided by each Local Authority in Ireland to Uisce Éireann.

Whilst every care has been taken in respect of the information on Uisce Éireann’s network(s), Uisce Éireann assumes no responsibility for and gives no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided, nor does it accept any liability whatsoever arising from or out of any errors or omissions. This information should not be solely relied upon in the event of excavations or any other works being carried out in the vicinity of Uisce Éireann’s underground network(s). The onus is on the parties carrying out excavations or any other works to ensure the exact location of Uisce Éireann’s underground network(s) is identified prior to excavations or any other works being carried out. Service connection pipes are not generally shown but their presence should be anticipated.

CONFIRMATION OF FEASIBILITY

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10 October 2024

**Our Ref: CDS24005668 Pre-Connection Enquiry
Dublin Port 3FM Maritime, Village, Dublin 4**

Dear Applicant/Agent,

We have completed the review of the Pre-Connection Enquiry.

Uisce Éireann has reviewed the pre-connection enquiry in relation to a Water & Wastewater connection for a Multi/Mixed Use Development of 5 unit(s) at Dublin Port 3FM Maritime, Village, Dublin 4, (the **Development**).

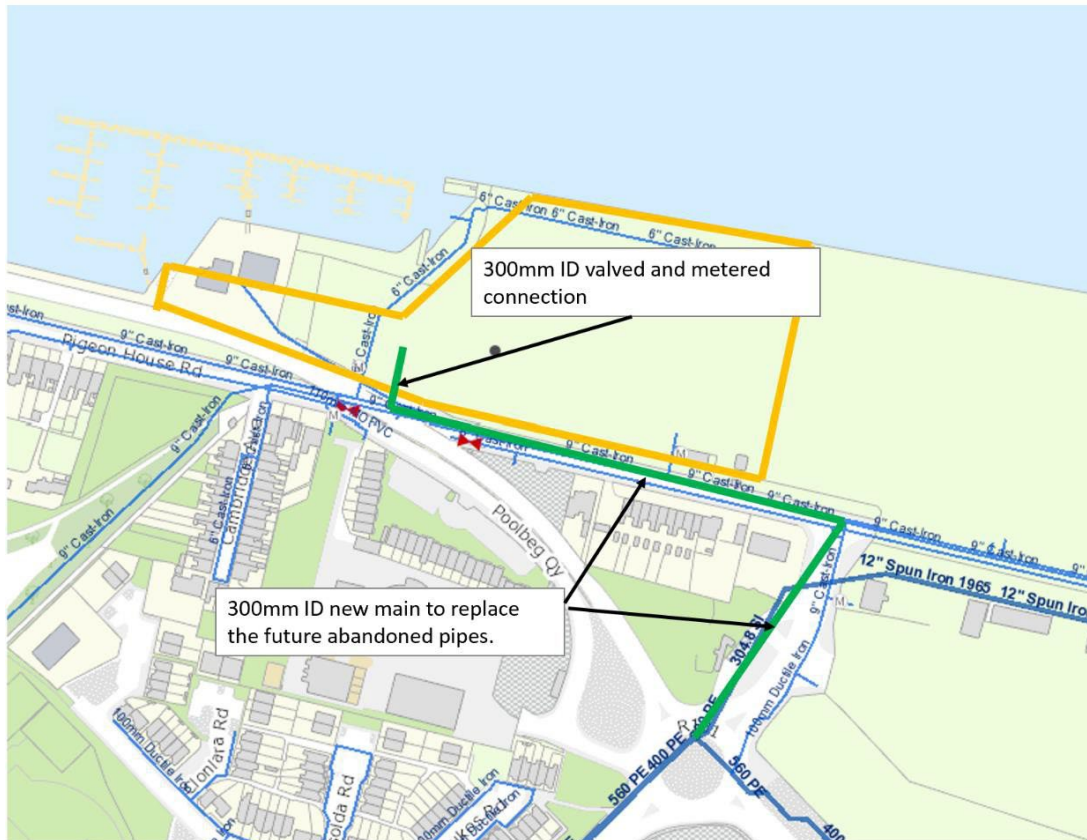
Based upon the details provided we can advise the following regarding connecting to the networks;

- **Water Connection** - Feasible Subject to upgrades
- The Developer must provide a water supply Masterplan for the Dublin Port 3FM Project area, with complete daily demand (Industrial use and Office use) and firewater demand for each site. Diversion and/or distribution main rationalisations may be required. The Masterplan must be reviewed and agreed with Uisce Éireann in advance of submitting a full planning application.
- Indicative network upgrades are proposed, to be confirmed with the Masterplan: approximately 380m of a new 300mm ID main is required from the existing 560mm PE main to the development site. The Developer will be required to fund the network upgrade works. The fee will be calculated at a connection application stage.

Stiúrthóirí / Directors: Tony Keohane (Cathaoirleach / Chairman), Niall Gleeson (POF / CEO), Christopher Banks, Fred Barry, Gerard Britchfield, Liz Joyce, Patricia King, Eileen Maher, Cathy Mannion, Michael Walsh.

Oifig Chláraithe / Registered Office: Teach Colvill, 24-26 Sráid Thalbóid, Baile Átha Cliath 1, D01 NP86 / Colvill House, 24-26 Talbot Street, Dublin, Ireland D01NP86

Is cuideachta ghníomhaíochta ainmnithe atá faoi theorainn scaireanna é Uisce Éireann / Uisce Éireann is a design activity company, limited by shares. Cláraithe in Éirinn Uimh.: 530363 / Registered in Ireland No.: 530363.



- Internal watermain layout, dimensions and metered connection points to UÉ water supply network, must be agreed prior to a connection application.
 - A bulk meter with associated telemetry system to be installed on the site development side of the connection main.
 - There is capacity to provide fire flow to the proposed developments through the existing network.
- **Wastewater Connection** - Feasible without infrastructure upgrade by Uisce Éireann
 - There is capacity in the wastewater network for the additional load. Proposed connection to the private combined sewer is not acceptable due to inadequate integrity and discharge point of the sewer. Further surveys of the private network in the area are required to determine most suitable connection point.
 - Storm water from the Dublin Port 3FM Project area (sites and roads) must be separated and discharged into storm water network that does not discharge to Uisce Éireann network. Any existing misconnections must be removed.

This letter does not constitute an offer, in whole or in part, to provide a connection to any Uisce Éireann infrastructure. Before the Development can be connected to our network(s) you must submit a connection application and be granted and sign a connection agreement with Uisce Éireann.

As the network capacity changes constantly, this review is only valid at the time of its completion. As soon as planning permission has been granted for the Development, a completed connection application should be submitted. The connection application is available at www.water.ie/connections/get-connected/

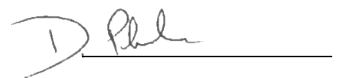
Where can you find more information?

- **Section A** - What is important to know?
- **Section B** - Details of Uisce Éireann's Network(s)

This letter is issued to provide information about the current feasibility of the proposed connection(s) to Uisce Éireann's network(s). This is not a connection offer and capacity in Uisce Éireann's network(s) may only be secured by entering into a connection agreement with Uisce Éireann.

For any further information, visit www.water.ie/connections, email newconnections@water.ie or contact 1800 278 278.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'D. Phelan', is written over a horizontal line.

Dermot Phelan
Connections Delivery Manager

Section A - What is important to know?

What is important to know?	Why is this important?
Do you need a contract to connect?	<ul style="list-style-type: none"> • Yes, a contract is required to connect. This letter does not constitute a contract or an offer in whole or in part to provide a connection to Uisce Éireann's network(s). • Before the Development can connect to Uisce Éireann's network(s), you must submit a connection application <u>and be granted and sign</u> a connection agreement with Uisce Éireann.
When should I submit a Connection Application?	<ul style="list-style-type: none"> • A connection application should only be submitted after planning permission has been granted.
Where can I find information on connection charges?	<ul style="list-style-type: none"> • Uisce Éireann connection charges can be found at: https://www.water.ie/connections/information/charges/
Who will carry out the connection work?	<ul style="list-style-type: none"> • All works to Uisce Éireann's network(s), including works in the public space, must be carried out by Uisce Éireann*. <p>*Where a Developer has been granted specific permission and has been issued a connection offer for Self-Lay in the Public Road/Area, they may complete the relevant connection works</p>
Fire flow Requirements	<ul style="list-style-type: none"> • The Confirmation of Feasibility does not extend to fire flow requirements for the Development. Fire flow requirements are a matter for the Developer to determine. • What to do? - Contact the relevant Local Fire Authority
Plan for disposal of storm water	<ul style="list-style-type: none"> • The Confirmation of Feasibility does not extend to the management or disposal of storm water or ground waters. • What to do? - Contact the relevant Local Authority to discuss the management or disposal of proposed storm water or ground water discharges.
Where do I find details of Uisce Éireann's network(s)?	<ul style="list-style-type: none"> • Requests for maps showing Uisce Éireann's network(s) can be submitted to: datarequests@water.ie

<p>What are the design requirements for the connection(s)?</p>	<ul style="list-style-type: none"> • The design and construction of the Water & Wastewater pipes and related infrastructure to be installed in this Development shall comply with <i>the Uisce Éireann Connections and Developer Services Standard Details and Codes of Practice</i>, available at www.water.ie/connections
<p>Trade Effluent Licensing</p>	<ul style="list-style-type: none"> • Any person discharging trade effluent** to a sewer, must have a Trade Effluent Licence issued pursuant to section 16 of the Local Government (Water Pollution) Act, 1977 (as amended). • More information and an application form for a Trade Effluent License can be found at the following link: https://www.water.ie/business/trade-effluent/about/ <p>**trade effluent is defined in the Local Government (Water Pollution) Act, 1977 (as amended)</p>

datarequests@water.ie

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CONFIRMATION OF FEASIBILITY

Daniel Hodnett
RPS Consulting
Innishmore
Ballincollig
Cork
P31KR68

10 October 2024

Uisce Éireann
Bosca OP 448
Oifig Sheachadta na
Cathrach Theas
Cathair Chorcaí

Uisce Éireann
PO Box 448
South City
Delivery Office
Cork City

www.water.ie

Our Ref: CDS24005669 Pre-Connection Enquiry
Dublin Port 3FM Area L, Pigeon House Road, Dublin 4

Dear Applicant/Agent,

We have completed the review of the Pre-Connection Enquiry.

Uisce Éireann has reviewed the pre-connection enquiry in relation to a Water & Wastewater connection for a Business Connection of 1 unit(s) at Dublin Port 3FM Area L, Pigeon House Road, Dublin 4, (the **Development**).

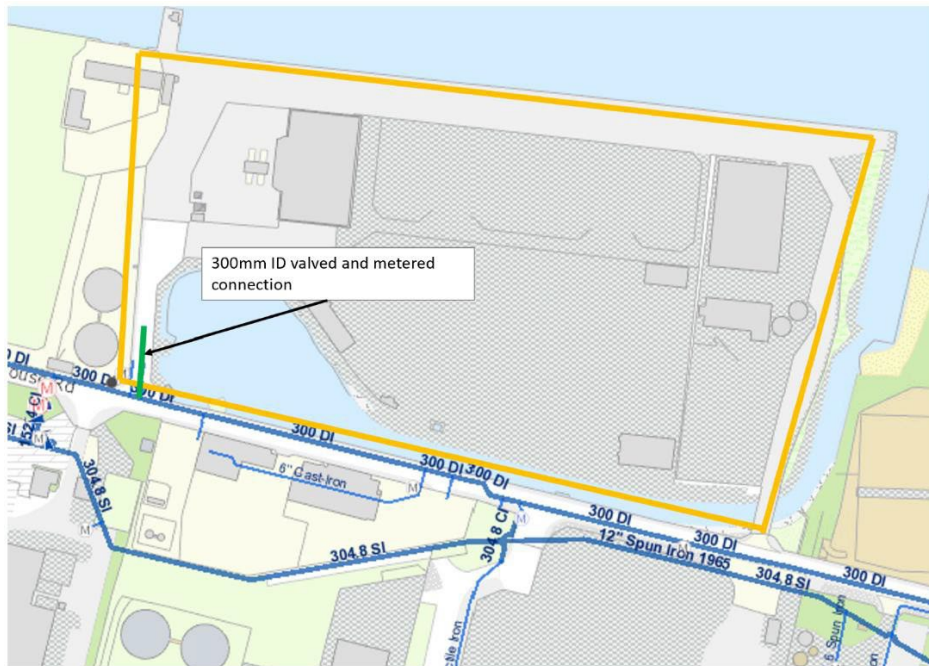
Based upon the details provided we can advise the following regarding connecting to the networks;

- **Water Connection** - Feasible without infrastructure upgrade by Uisce Éireann
- The Developer must provide a water supply Masterplan for the Dublin Port 3FM Project area, with complete daily demand (Industrial use and Office use) and firewater demand for each site. Diversion and/or distribution main rationalisations may be required. The Masterplan must be reviewed and agreed with Uisce Éireann in advance of submitting a full planning application.
- Internal watermain layout, dimensions and metered connection points to UÉ water supply network, must be agreed prior to a connection application.
- A bulk meter with associated telemetry system to be installed on the site development side of the connection main.
- There is capacity to provide fire flow to the proposed developments through the existing network.

Stiúrthóirí / Directors: Tony Keohane (Cathaoirleach / Chairman), Niall Gleeson (POF / CEO), Christopher Banks, Fred Barry, Gerard Britchfield, Liz Joyce, Patricia King, Eileen Maher, Cathy Mannion, Michael Walsh.

Oifig Chláraithe / Registered Office: Teach Colvill, 24-26 Sráid Thalbóid, Baile Átha Cliath 1, D01 NP86 / Colvill House, 24-26 Talbot Street, Dublin, Ireland D01NP86

Is cuideachta ghníomhaíochta ainmnithe atá faoi theorainn scaireanna é Uisce Éireann / Uisce Éireann is a design activity company, limited by shares. Cláraithe in Éirinn Uimh.: 530363 / Registered in Ireland No.: 530363.



- **Wastewater Connection** - Feasible Subject to upgrades
 - The proposed on-site pumping station and associated rising main must be designed such to avoid septicity. Fee associated with the connection will be calculated at a connection application stage.
 - Storm water from the Dublin Port 3FM Project area (sites and roads) must be separated and discharged into storm water network that does not discharge to Uisce Éireann network. Any existing misconconnections must be removed.

This letter does not constitute an offer, in whole or in part, to provide a connection to any Uisce Éireann infrastructure. Before the Development can be connected to our network(s) you must submit a connection application and be granted and sign a connection agreement with Uisce Éireann.

As the network capacity changes constantly, this review is only valid at the time of its completion. As soon as planning permission has been granted for the Development, a completed connection application should be submitted. The connection application is available at www.water.ie/connections/get-connected/

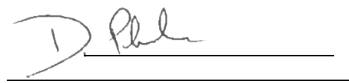
Where can you find more information?

- **Section A** - What is important to know?
- **Section B** - Details of Uisce Éireann's Network(s)

This letter is issued to provide information about the current feasibility of the proposed connection(s) to Uisce Éireann's network(s). This is not a connection offer and capacity in Uisce Éireann's network(s) may only be secured by entering into a connection agreement with Uisce Éireann.

For any further information, visit www.water.ie/connections, email newconnections@water.ie or contact 1800 278 278.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'D. Phelan', is written over a horizontal line.

Dermot Phelan
Connections Delivery Manager

Section A - What is important to know?

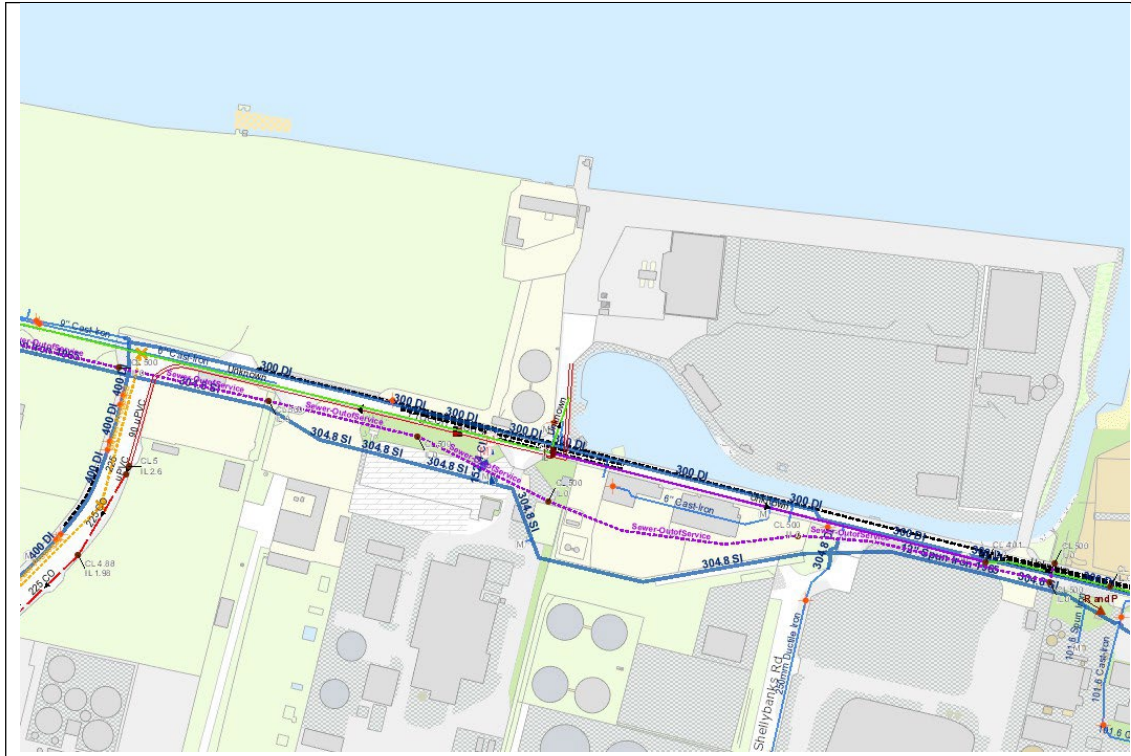
What is important to know?	Why is this important?
Do you need a contract to connect?	<ul style="list-style-type: none"> • Yes, a contract is required to connect. This letter does not constitute a contract or an offer in whole or in part to provide a connection to Uisce Éireann's network(s). • Before the Development can connect to Uisce Éireann's network(s), you must submit a connection application <u>and be granted and sign</u> a connection agreement with Uisce Éireann.
When should I submit a Connection Application?	<ul style="list-style-type: none"> • A connection application should only be submitted after planning permission has been granted.
Where can I find information on connection charges?	<ul style="list-style-type: none"> • Uisce Éireann connection charges can be found at: https://www.water.ie/connections/information/charges/
Who will carry out the connection work?	<ul style="list-style-type: none"> • All works to Uisce Éireann's network(s), including works in the public space, must be carried out by Uisce Éireann*. <p>*Where a Developer has been granted specific permission and has been issued a connection offer for Self-Lay in the Public Road/Area, they may complete the relevant connection works</p>
Fire flow Requirements	<ul style="list-style-type: none"> • The Confirmation of Feasibility does not extend to fire flow requirements for the Development. Fire flow requirements are a matter for the Developer to determine. • What to do? - Contact the relevant Local Fire Authority
Plan for disposal of storm water	<ul style="list-style-type: none"> • The Confirmation of Feasibility does not extend to the management or disposal of storm water or ground waters. • What to do? - Contact the relevant Local Authority to discuss the management or disposal of proposed storm water or ground water discharges.
Where do I find details of Uisce Éireann's network(s)?	<ul style="list-style-type: none"> • Requests for maps showing Uisce Éireann's network(s) can be submitted to: datarequests@water.ie

<p>What are the design requirements for the connection(s)?</p>	<ul style="list-style-type: none"> • The design and construction of the Water & Wastewater pipes and related infrastructure to be installed in this Development shall comply with <i>the Uisce Éireann Connections and Developer Services Standard Details and Codes of Practice</i>, available at www.water.ie/connections
<p>Trade Effluent Licensing</p>	<ul style="list-style-type: none"> • Any person discharging trade effluent** to a sewer, must have a Trade Effluent Licence issued pursuant to section 16 of the Local Government (Water Pollution) Act, 1977 (as amended). • More information and an application form for a Trade Effluent License can be found at the following link: https://www.water.ie/business/trade-effluent/about/ <p>**trade effluent is defined in the Local Government (Water Pollution) Act, 1977 (as amended)</p>

Section B – Details of Uisce Éireann’s Network(s)

The map included below outlines the current Uisce Éireann infrastructure adjacent the Development: To access Uisce Éireann Maps email

datarequests@water.ie



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CONFIRMATION OF FEASIBILITY

Daniel Hodnett
RPS Consulting
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10 October 2024

Uisce Éireann
Bosca OP 448
Oifig Sheachadta na
Cathrach Theas
Cathair Chorcaí

Uisce Éireann
PO Box 448
South City
Delivery Office
Cork City

www.water.ie

Our Ref: CDS24005670 Pre-Connection Enquiry
Dublin Port3FM Area K, South Bank Road, Dublin 4

Dear Applicant/Agent,

We have completed the review of the Pre-Connection Enquiry.

Uisce Éireann has reviewed the pre-connection enquiry in relation to a Water & Wastewater connection for a Multi/Mixed Use Development of 2 unit(s) at Dublin Port3FM Area K, South Bank Road, Dublin 4, (the **Development**).

Based upon the details provided we can advise the following regarding connecting to the networks;

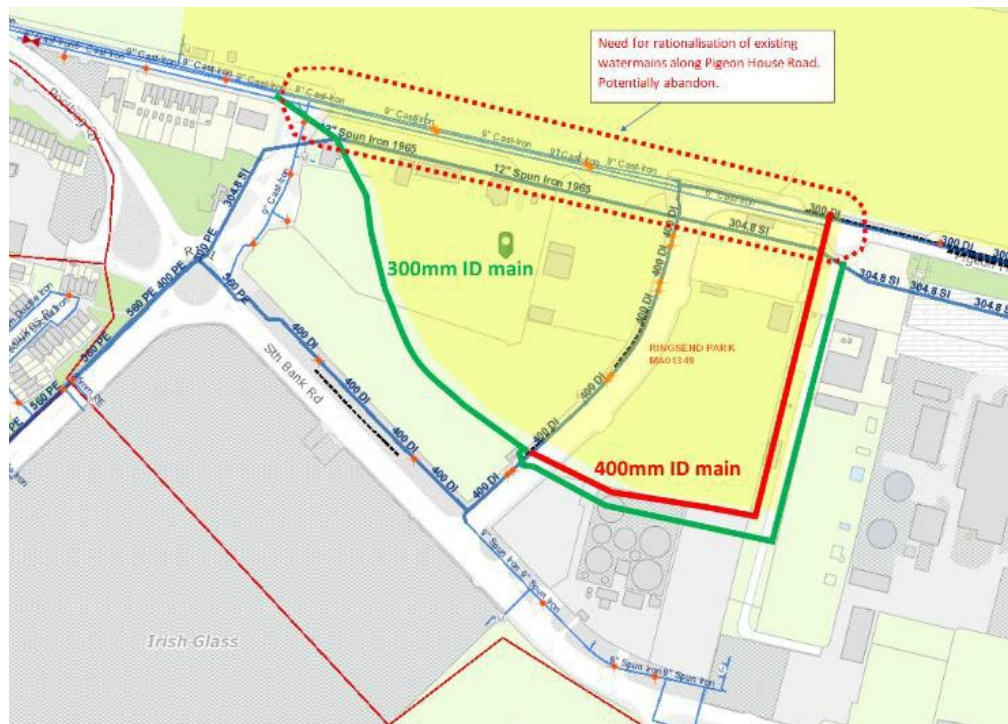
- **Water Connection** - Feasible Subject to upgrades
- The Developer must provide a water supply Masterplan for the Dublin Port 3FM Project area, with complete daily demand (Industrial use and Office use) and firewater demand for each site. Diversion and/or distribution main rationalisations may be required. The Masterplan must be reviewed and agreed with Uisce Éireann in advance of submitting a full planning application.
- Indicative network upgrades are proposed, to be confirmed with the Masterplan:
 1. Approx. 640m of new 300mm ID pipe to be laid to connect the existing 400mm DI main remaining on initial position and existing 9" CI and existing 300 SI (figure 1). Note: Connection mains may be changed due to rationalisation as part of Maritime enquiry.
 2. Approx. 390m of new 400mm ID pipe to be laid to reconnect the existing 400mm DI main remaining on initial position and existing 300mm DI

Stiúrthóirí / Directors: Tony Keohane (Cathaoirleach / Chairman), Niall Gleeson (POF / CEO), Christopher Banks, Fred Barry, Gerard Britchfield, Liz Joyce, Patricia King, Eileen Maher, Cathy Mannion, Michael Walsh.

Oifig Chláraithe / Registered Office: Teach Colvill, 24-26 Sráid Thalbóid, Baile Átha Cliath 1, D01 NP86 / Colvill House, 24-26 Talbot Street, Dublin, Ireland D01NP86

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- The Developer will be required to fund the network upgrade works. The fee will be calculated at a connection application stage.



- Internal watermain layout, dimensions and metered connection points to UÉ water supply network, must be agreed prior to a connection application.
 - A bulk meter with associated telemetry system to be installed on the site development side of the connection main.
 - There is capacity to provide fire flow to the proposed developments through the existing network.
- **Wastewater Connection** - Feasible without infrastructure upgrade by Uisce Éireann
 - Proposed diversion must be approved by Uisce Éireann Diversion Team, prior to any works on the site. For design submissions and queries related to diversion/build near or over, please contact UÉ Diversion Team via email address diversions@water.ie
 - Storm water from the Dublin Port 3FM Project area (sites and roads) must be separated and discharged into storm water network that does not discharge to Uisce Éireann network. Any existing misconceptions must be removed.

This letter does not constitute an offer, in whole or in part, to provide a connection to any Uisce Éireann infrastructure. Before the Development can be connected to our network(s) you must submit a connection application and be granted and sign a connection agreement with Uisce Éireann.

As the network capacity changes constantly, this review is only valid at the time of its completion. As soon as planning permission has been granted for the Development, a completed connection application should be submitted. The connection application is available at www.water.ie/connections/get-connected/

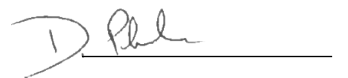
Where can you find more information?

- **Section A** - What is important to know?
- **Section B** - Details of Uisce Éireann's Network(s)

This letter is issued to provide information about the current feasibility of the proposed connection(s) to Uisce Éireann's network(s). This is not a connection offer and capacity in Uisce Éireann's network(s) may only be secured by entering into a connection agreement with Uisce Éireann.

For any further information, visit www.water.ie/connections, email newconnections@water.ie or contact 1800 278 278.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'D. Phelan', is written over a horizontal line.

Dermot Phelan
Connections Delivery Manager

Section A - What is important to know?

What is important to know?	Why is this important?
Do you need a contract to connect?	<ul style="list-style-type: none"> • Yes, a contract is required to connect. This letter does not constitute a contract or an offer in whole or in part to provide a connection to Uisce Éireann's network(s). • Before the Development can connect to Uisce Éireann's network(s), you must submit a connection application <u>and be granted and sign</u> a connection agreement with Uisce Éireann.
When should I submit a Connection Application?	<ul style="list-style-type: none"> • A connection application should only be submitted after planning permission has been granted.
Where can I find information on connection charges?	<ul style="list-style-type: none"> • Uisce Éireann connection charges can be found at: https://www.water.ie/connections/information/charges/
Who will carry out the connection work?	<ul style="list-style-type: none"> • All works to Uisce Éireann's network(s), including works in the public space, must be carried out by Uisce Éireann*. <p>*Where a Developer has been granted specific permission and has been issued a connection offer for Self-Lay in the Public Road/Area, they may complete the relevant connection works</p>
Fire flow Requirements	<ul style="list-style-type: none"> • The Confirmation of Feasibility does not extend to fire flow requirements for the Development. Fire flow requirements are a matter for the Developer to determine. • What to do? - Contact the relevant Local Fire Authority
Plan for disposal of storm water	<ul style="list-style-type: none"> • The Confirmation of Feasibility does not extend to the management or disposal of storm water or ground waters. • What to do? - Contact the relevant Local Authority to discuss the management or disposal of proposed storm water or ground water discharges.
Where do I find details of Uisce Éireann's network(s)?	<ul style="list-style-type: none"> • Requests for maps showing Uisce Éireann's network(s) can be submitted to: datarequests@water.ie

<p>What are the design requirements for the connection(s)?</p>	<ul style="list-style-type: none"> • The design and construction of the Water & Wastewater pipes and related infrastructure to be installed in this Development shall comply with <i>the Uisce Éireann Connections and Developer Services Standard Details and Codes of Practice</i>, available at www.water.ie/connections
<p>Trade Effluent Licensing</p>	<ul style="list-style-type: none"> • Any person discharging trade effluent** to a sewer, must have a Trade Effluent Licence issued pursuant to section 16 of the Local Government (Water Pollution) Act, 1977 (as amended). • More information and an application form for a Trade Effluent License can be found at the following link: https://www.water.ie/business/trade-effluent/about/ <p>**trade effluent is defined in the Local Government (Water Pollution) Act, 1977 (as amended)</p>

Section B – Details of Uisce Éireann’s Network(s)

The map included below outlines the current Uisce Éireann infrastructure adjacent the Development: To access Uisce Éireann Maps email

datarequests@water.ie



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CONFIRMATION OF FEASIBILITY

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Uisce Éireann
PO Box 448
South City
Delivery Office
Cork City

www.water.ie

10 October 2024

**Our Ref: CDS24005672 Pre-Connection Enquiry
Dublin Port 3FM Area N, Pigeon House Road, Dublin 4**

Dear Applicant/Agent,

We have completed the review of the Pre-Connection Enquiry.

Uisce Éireann has reviewed the pre-connection enquiry in relation to a Water & Wastewater connection for a Multi/Mixed Use Development of 2 unit(s) at Dublin Port 3FM Area N, Pigeon House Road, Dublin 4, (the **Development**).

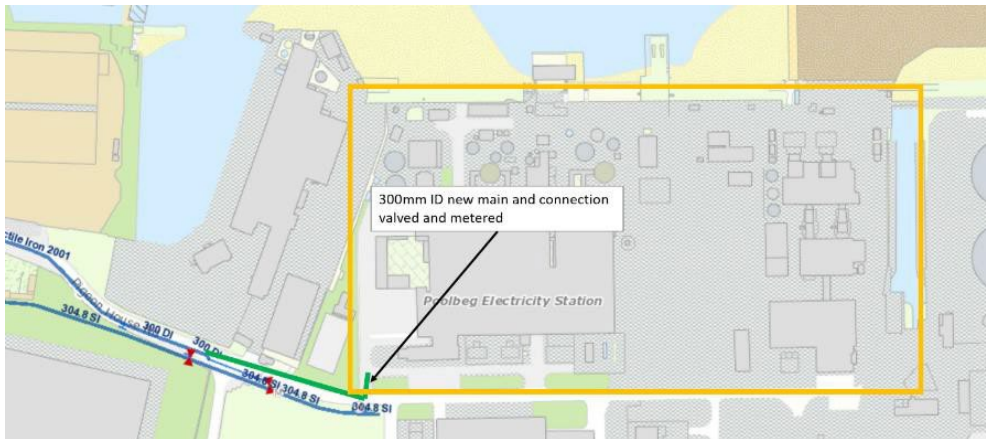
Based upon the details provided we can advise the following regarding connecting to the networks;

- **Water Connection** - Feasible Subject to upgrades
- The Developer must provide a water supply Masterplan for the Dublin Port 3FM Project area, with complete daily demand (Industrial use and Office use) and firewater demand for each site. Diversion and/or distribution main rationalisations may be required. The Masterplan must be reviewed and agreed with Uisce Éireann in advance of submitting a full planning application.
- Indicative network upgrades are proposed, to be confirmed with the Masterplan: approx. 125m of a new 300mm ID pipe to be laid to connect the site developments to the existing 300mm ID main.

Stiúrthóirí / Directors: Tony Keohane (Cathaoirleach / Chairman), Niall Gleeson (POF / CEO), Christopher Banks, Fred Barry, Gerard Britchfield, Liz Joyce, Patricia King, Eileen Maher, Cathy Mannion, Michael Walsh.

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- Internal watermain layout, dimensions and metered connection points to UÉ water supply network, must be agreed prior to a connection application.
- A bulk meter with associated telemetry system to be installed on the site development side of the connection main.
- There is capacity to provide fire flow to the proposed developments through the existing network.

• **Wastewater Connection** - Feasible Subject to upgrades

- The proposed on-site pumping station and associated rising main must be designed such to avoid septicity. Fee associated with the connection will be calculated at a connection application stage.
- Uisce Éireann GIS records indicate that Uisce Éireann asset is present on the site (discharge pipe from Ringsend WWTP). the Developer must demonstrate that proposed structures and works will not inhibit access for maintenance or endanger structural or functional integrity of the assets during and after the works.
- Storm water from the Dublin Port 3FM Project area (sites and roads) must be separated and discharged into storm water network that does not discharge to Uisce Éireann network. Any existing misconnections must be removed.

This letter does not constitute an offer, in whole or in part, to provide a connection to any Uisce Éireann infrastructure. Before the Development can be connected to our network(s) you must submit a connection application and be granted and sign a connection agreement with Uisce Éireann.

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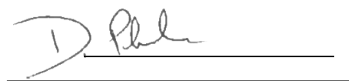
Where can you find more information?

- **Section A** - What is important to know?
- **Section B** - Details of Uisce Éireann's Network(s)

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For any further information, visit www.water.ie/connections, email newconnections@water.ie or contact 1800 278 278.

Yours sincerely,

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Dermot Phelan
Connections Delivery Manager

Section A - What is important to know?

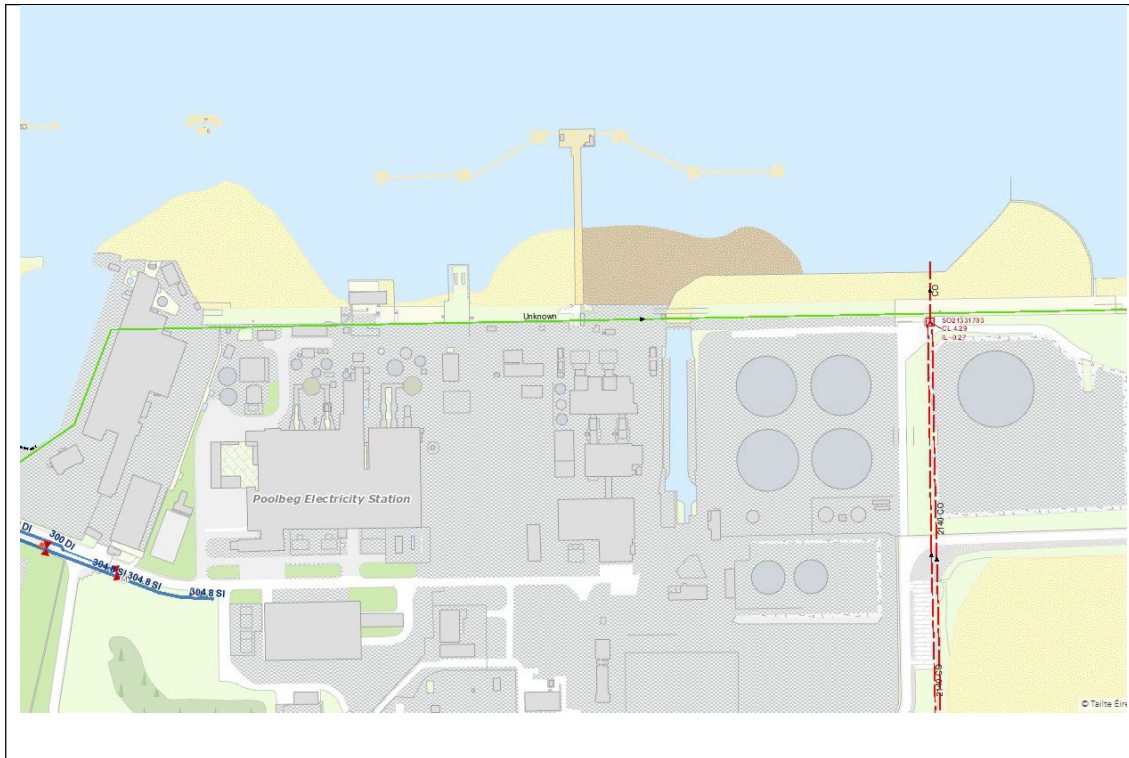
What is important to know?	Why is this important?
Do you need a contract to connect?	<ul style="list-style-type: none"> • Yes, a contract is required to connect. This letter does not constitute a contract or an offer in whole or in part to provide a connection to Uisce Éireann's network(s). • Before the Development can connect to Uisce Éireann's network(s), you must submit a connection application <u>and be granted and sign</u> a connection agreement with Uisce Éireann.
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<p>Trade Effluent Licensing</p>	<ul style="list-style-type: none"> • Any person discharging trade effluent** to a sewer, must have a Trade Effluent Licence issued pursuant to section 16 of the Local Government (Water Pollution) Act, 1977 (as amended). • More information and an application form for a Trade Effluent License can be found at the following link: https://www.water.ie/business/trade-effluent/about/ <p>**trade effluent is defined in the Local Government (Water Pollution) Act, 1977 (as amended)</p>

Section B – Details of Uisce Éireann’s Network(s)

The map included below outlines the current Uisce Éireann infrastructure adjacent the Development: To access Uisce Éireann Maps email

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Application Form for Area O

Accompanied by Drawings:

CP1901_3FM-RPS_S26-PGN-XX-DR-HE-100-0005 - Proposed Site Layout Plan-Sheet 1

CP1901_3FM-RPS_S26-HKF-XX-DR-HE-100-0009 - South & SPAR - Proposed Construction Makeup - Sh9

CP1901_3FM-RPS_S26-HKF-XX-DR-HE-100-0010 - South & SPAR - Proposed Construction Makeup – Sh10

CP1901-3FM-RPS-S45-07-DR-C-0735 (Area O) Rev S4

Building-over or Near an Irish Water Asset Application Form Water and/or Wastewater Assets



This form should be completed by a person or organisation who wishes to apply to Irish Water to build-over/near a water and/or a wastewater asset. If completing this form by hand, please use BLOCK CAPITALS and black ink.

* Denotes mandatory/required fields. Please note, if mandatory fields are not completed the application will be returned.

In accordance with Irish Water Connections Charging Policy and as approved by the Commission for Regulation of Utilities, the Applicant will be liable for all costs associated with building-over/near Irish Water's water/wastewater assets.

Irish Water will only permit building-over of its assets in **very limited circumstances**.

Building-over an Irish Water Sewer will **only** be considered if the proposed development is an extension to an existing house **and** if the Sewer has either (i) a maximum diameter of 150mm; or (ii) has a diameter of 225mm while serving less than thirteen (13) houses upstream of the proposed build-over works.

If you plan to build a structure near an Irish Water asset, and the proposed structure will be within the separation distances specified <https://water.ie/connections/developer-services/diversions/>, Applicants are required to complete this application form.

Section A | Applicant Details

1 *Applicant details:

Registered company name (if applicable):

D U B L I N P O R T

C O M P A N Y

Trading name (if applicable):

Company registration number (if applicable):

If you are not a registered company/business, please provide the Applicant's name:

*Contact name:

B R E N D A N C O N S I D I N E

*Postal address:

D U B L I N P O R T C O M P A N Y

P O R T C E N T R E , A L E X A N D R A R O A D

D U B L I N P O R T , D U B L I N P O R T

Eircode:

D 0 1 H 4 3 6

*Telephone:

+ 3 5 3 1 8 8 7 6 0 0 0

*Email:

b	c	o	n	s	i	d	i	n	e	@	d	u	b	l	i	n	p	o	r	t	.	i	e
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2 Agent details (if applicable):

Contact name: G A R Y M c C O R M A C K

[illegible][illegible][illegible][illegible]

Eircode:

P	3	1	K	R	6	8
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Telephone:

+	3	5	3	2	1	4	6	6	5	9	0	0		
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Email:

g	a	r	y	.	m	c	c	o	r	m	a	c	k	@	t	e	t	r	a	t	e	c	h	.	com
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3 Please indicate whether it is the Applicant or the agent who should receive future correspondence in relation to the build-over or near application:

Applicant ☐

Agent ☐

4 *Type of application: Build-Over ☐ Build Near ☒

[illegible]

Site Eircode:

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6 *IrishGrid-co-ordinates of site: E(X)

3	1	9	5	3	0
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 N(Y)

2	3	3	4	6	9
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E.g. co-ordinates of GPO, O'Connell St., Dublin: E(X) 315,878 N(Y) 234,619

7 Brief description of development and reason why it will involve building-over or building near Irish Water Assets:

New Roll On Roll Off Terminal for the use of Dublin Port. The existing twin 2290mm dia syphons from Ringsend Pump Station to Ringsend WWTP pass by the northern boundary of the site area. The Dodder Valley Trunk sewer twin syphon supplying Ringsend WWTP pass by the eastern boundary of the site.

8 Local Authority:
Local Authority that granted planning permission (if applicable):

[illegible]

9 Planning reference (current reference and any previous planning reference that may be applicable):

Date of grant of planning permission:

Note: Enter "EXEMPT" for exempted developments.

10 Associated Irish Water New Connection Application Reference Number: (if applicable)

[illegible]

11 *Confirmation of Land Ownership:

Please confirm the name and address of the landowner and provide the folio details of the land where the build-over or build near works are proposed:

Dublin Port owned land

Note:

1. Enter "My Land" if this is the case.

2. If land is in ownership of a third-party, a letter of consent to the proposed diversion works is required to be provided by the third-party landowner as part of this application. A formal easement will be required from the third-party landowner should the diversion progress.

12 *Are there potential contaminated land issues? Yes ☐ No ☒

Section C | Build-over or Build near details

- 13 *Type of Asset to be built over/near? Watermain ☐ Wastewater Sewer ☐ Other ☒
Twin Wastewater syphons from Ringsend PS to Ringsend WWTP, Dodder Valley twin syphons to Ringsend WWTP
- 14 Material of Asset to be built over/near? (If known)
Ductile Iron ☐ uPVC ☐ PE ☐ Cast Iron ☐ AC ☐ Concrete ☐ Clay ☐ Brick ☐ Other ☒
Not Known
- 15 Diameter of existing asset? 2 x 2290mm 2 x Dodder Valley syphons unknown
- 16 Depth to invert of existing asset? Unknownmm
- 17 If build near, what is the proposed horizontal separation distance to IW asset? ^{*} See belowm
- 18 Approximate date works are due to commence: 01 / 06 / 2026

*17. Ringsend PS Twin Syphons:

The majority of the asset in this area is outside of the works boundary.

No buildings will be constructed near the existing Ringsend PS syphons. Instead, it will be crossed by a new Shellybank Road crossing. At this location, the final levels of Shellybank Road will be higher than existing levels, due to road geometry requirements.

There will also be some minor alterations to the car park to Covanta but all reinstated levels will typically match existing levels.

In addition, these syphons will be crossed by the realigned Whitebank Road crossing. At this location, the final levels of Whitebank Road will be similar to the existing levels, due to road geometry requirements.

Dodder Valley Twin Syphons:

The nearest building to this asset will be 65m away. The lands in the vicinity of this asset are not subject to any proposed construction works

Section D | Supporting documentation

The following documentation to be submitted with the application form:

- * Site location map: A site location map to a scale of 1:1000, which clearly identifies the land or structure to which the application relates. The map shall also include the following details:
 - a) The scale shall be clearly indicated on the map.
 - b) The site boundaries shall be delineated in red.
 - c) Irish Grid site co-ordinates shall be marked on the site location map.
 - d) Details of Planning Permission or Planning Exemption for the development (if applicable).
 - e) Details of wayleaves, easements, covenants, etc. for pipework on the site.

- * Site layout map: A site layout map to a scale of 1:500, which clearly identifies the land or structure to which the application relates. The map shall also include the following details:
 - f) The Irish Water Asset you propose to build-over or near.
 - g) The line and invert level of the existing IW asset.
 - h) Separation distances between the proposed build near and existing/proposed infrastructure and structures on the site. Please note separation distances are to be measured from the face of the asset.
 - i) Details of any easements or covenants which may affect the site. (if applicable)
 - j) Topographical levels shown of the site.

- * Cross Sections drawings of the build-over or build near proposal identifying existing and proposed infrastructure and structures. The Cross Sections shall include the following details:
 - k) The location and invert level of the existing infrastructure on the site that is to be built over or near.
 - l) The location and level of any existing/proposed infrastructure that is within the proposed zone of influence and notifications in accordance with Irish Water's Codes of Practice and to demonstrate compliance with separation distance requirements in Irish Water's Codes of Practice.
 - m) Existing and Proposed Foundation details.
 - n) Existing and Proposed Ground Level.
 - o) Details of measures to protect the Irish Water asset subject to the build-over or build near.
 - p) Details of measures to provide access to the Irish Water asset subject to the build-over or build near.
 - q) Any other information that might assist Irish Water to assess this application.

- * Details of site investigation e.g. CCTV, slit trenches etc.

NOTE: Irish Water reserves that right to request additional information from the Applicant to assist the assessment of the build-over/near application.

IMPORTANT TO NOTE:

- In accordance with Irish Water Connections Charging Policy and as approved by the Commission for Regulation of Utilities, the Applicant will be liable for the full cost of all build-over works.
- If the site also requires a connection to the public water or wastewater infrastructure please ensure that the appropriate application is made in tandem with this build-over or Build near application on <https://www.water.ie/connections/get-connected/>. No connection(s) to the public water or wastewater infrastructure will be possible without a valid connection agreement between the parties.
- If the build-over or build near proposal relates to a wastewater sewer, a CCTV survey of the existing wastewater sewer to be built over or built near is required to assess the application.
- Please submit all information set out in Section D – Supporting Documentation with the application including details of surveys carried out. The application cannot be assessed without the supporting documentation.

Building-over an Irish Water asset is not permitted to commence until a Build-over Agreement is fully agreed with and executed by Irish Water.

Any interference with Irish Water Asset prior to a Build-Over Agreement being signed by the parties may result in an offence being committed

Section E | Declaration

I/We hereby make this application to Irish Water to build-over/near Irish Water water and/or wastewater asset as detailed on this form. I/We understand that any alterations made to this application must be declared to Irish Water immediately and, in any event, prior to any works being carried out.

The details that I/we have given with this application are accurate.

I/We have enclosed all the necessary supporting documentation.

Any personal data you provide will be processed by Irish Water in accordance with its Privacy Notice, please see <https://www.water.ie/privacy-notice/>. Our legal basis for collecting and using this information is set out in our Privacy Policy and includes (i) processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract; and (ii) it is necessary for the performance of tasks that we carry out in the public interest or in the exercise of official authority vested in us by law (including the Water Services Acts 2007 to 2018). If you have any questions regarding the use of your personal data, please contact dataprotection@ervia.ie.

Signature:

Raymond

Date:

19 / 09 / 2024

Your full name (in BLOCK CAPITALS):

[illegible]

Irish Water will carry out a formal assessment based on the information provided on this form.

Any determination made by Irish Water will be based on the information that has been provided here.

Please submit the completed form to diversions@water.ie

For office use only:

Customer Number

[illegible]

Guide to completing the application form

This form should be completed by a person or organisation who wishes to apply to Irish Water to build-over/near a water and/or wastewater asset. The Irish Water Codes of Practice are available at www.water.ie for reference.

Section A | Applicant details

- Question 1:** This question requires the Applicant or company applying for a connection to identify themselves, their postal address, and to provide their contact details.
- Question 2:** If the Applicant has employed a consulting engineer or an agent to manage the application on their behalf, the agent's address and contact details should be recorded here.
- Question 3:** Please indicate whether it is the Applicant or the agent who should receive future correspondence in relation to the build-over/near application.

Section B | Site details for the proposed build-over/near

- Question 4:** This question relates to the type of application is being applied for, a Build-over or Build Near
- Question 5:** This is the address of the site requiring the build-over/near and for which this application is being made.
- Question 6:** Please provide the Irish Grid co-ordinates of the proposed site. Irish grid positions on maps are expressed in two dimensions as Eastings (E or X) and Northings (N or Y) relative to an origin. You will find these coordinates on your Ordnance Survey map which is required to be submitted with the application.
- Question 7:** Please provide a brief description of the development, description of the proposed build-over/near and description of why the build-over/near is required.
- Question 8:** Please identify the Local Authority that is dealing with your planning application if applicable, for example Cork City Council.
- Question 9:** Please provide the planning reference number granting your proposed development and date of grant of planning permission if applicable.
- Question 10:** Please provide the new connection application reference number associated with the development if applicable.
- Question 11:** Please identify the name and address of the landowner where the build-over/build near is to be completed.
- Question 12:** Please verify if there are any land contamination issues in the vicinity of your proposed build-over/near works.

Section C | Build-over or near details

- Question 13:** Please identify the type of asset to be built over/near.
- Question 14:** Please specify the material of the asset to be built over/near.
- Question 15:** Please specify the diameter of the asset to be built over/near.
- Question 16:** Please specify the depth to invert of the asset to be built over/near
- Question 17:** Please specify the proposed horizontal separation distance from the existing asset to the proposed structure.
- Question 18:** Please provide an approximate date for when the build-over/near is to commence.

Section D | Supporting documentation

Please provide additional information as listed.

Section E | Declaration

Please review the declaration, sign, and return the completed application form to Irish Water by email or by post using the contact details provided in Section E.

Application Form for Area K

Accompanied by Drawings:

CP1901_3FM-RPS_S26-HGN-XX-DR-C-100-0001 - South & SPAR - Proposed Construction Details - Sh1

CP1901_3FM-RPS_S26-HGN-XX-DR-C-100-0002 - South & SPAR - Proposed Construction Details - Sh2

CP1901_3FM-RPS_S26-HKF-XX-DR-HE-100-0007 - South & SPAR - Proposed Construction Makeup - Sh7

CP1901-3FM-RPS-S45-04-DR-C-0432 (Area K) S4 P04

Building-over or Near an Irish Water Asset Application Form Water and/or Wastewater Assets



This form should be completed by a person or organisation who wishes to apply to Irish Water to build-over/near a water and/or a wastewater asset. If completing this form by hand, please use BLOCK CAPITALS and black ink.

* Denotes mandatory/required fields. Please note, if mandatory fields are not completed the application will be returned.

In accordance with Irish Water Connections Charging Policy and as approved by the Commission for Regulation of Utilities, the Applicant will be liable for all costs associated with building-over/near Irish Water's water/wastewater assets.

Irish Water will only permit building-over of its assets in **very limited circumstances**.

Building-over an Irish Water Sewer will **only** be considered if the proposed development is an extension to an existing house **and** if the Sewer has either (i) a maximum diameter of 150mm; or (ii) has a diameter of 225mm while serving less than thirteen (13) houses upstream of the proposed build-over works.

If you plan to build a structure near an Irish Water asset, and the proposed structure will be within the separation distances specified <https://water.ie/connections/developer-services/diversions/>, Applicants are required to complete this application form.

Section A | Applicant Details

1 *Applicant details:

Registered company name (if applicable):

D U B L I N P O R T

C O M P A N Y

Trading name (if applicable):

Company registration number (if applicable):

If you are not a registered company/business, please provide the Applicant's name:

*Contact name:

B R E N D A N C O N S I D I N E

*Postal address:

D U B L I N P O R T C O M P A N Y

P O R T C E N T R E , A L E X A N D R A R O A D

D U B L I N P O R T , D U B L I N P O R T

Eircode:

D 0 1 H 4 3 6

*Telephone:

+ 3 5 3 1 8 8 7 6 0 0 0

*Email:

b	c	o	n	s	i	d	i	n	e	@	d	u	b	l	i	n	p	o	r	t	.	i	e
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2 Agent details (if applicable):

Contact name: G A R Y M c C O R M A C K

[illegible][illegible][illegible][illegible]

Eircode:

P	3	1	K	R	6	8
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Telephone:

+	3	5	3	2	1	4	6	6	5	9	0	0		
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Email:

g	a	r	y	.	m	c	c	o	r	m	a	c	k	@	t	e	t	r	a	t	e	c	h	.	com
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3 Please indicate whether it is the Applicant or the agent who should receive future correspondence in relation to the build-over or near application:

Applicant ☐

Agent ☐

4 *Type of application: Build-Over ☐ Build Near ☒

5 *Site address: D U B L I N P O R T 3 F M A R E A K ,
 S O U T H B A N K R O A D ,
 D U B L I N 4

Site Eircode:

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6 *IrishGridco-ordinates of site: E(X)

3	1	9	6	7	9
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 N(Y)

2	3	3	8	1	0
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E.g. co-ordinates of GPO, O'Connell St., Dublin: E(X) 315,878 N(Y) 234,619

7 Brief description of development and reason why it will involve building-over or building near Irish Water

Assets:

New Roll On Roll Off Terminal for the use of Dublin Port. The existing twin 2290mm dia syphons from Ringsend Pump Station to Ringsend WWTP pass by the southern boundary of the site area

8 Local Authority:

Local Authority that granted planning permission (if applicable):

[illegible]

9 Planning reference (current reference and any previous planning reference that may be applicable):

Date of grant of planning permission:

Note: Enter "EXEMPT" for exempted developments.

10 Associated Irish Water New Connection Application Reference Number: (if applicable)

[illegible]

11 *Confirmation of Land Ownership:

Please confirm the name and address of the landowner and provide the folio details of the land where the build-over or build near works are proposed:

Dublin Port owned land

Note:

1. Enter "My Land" if this is the case.
2. If land is in ownership of a third-party, a letter of consent to the proposed diversion works is required to be provided by the third-party landowner as part of this application. A formal easement will be required from the third-party landowner should the diversion progress.

12 *Are there potential contaminated land issues? Yes ☐ No ☒

Section C | Build-over or Build near details

- 13 *Type of Asset to be built over/near? Watermain ☐ Wastewater Sewer ☐ Other ☒
2290mm dia Twin Wastewater syphons from Ringsend PS to Ringsend WWTP
- 14 Material of Asset to be built over/near? (If known)
Ductile Iron ☐ uPVC ☐ PE ☐ Cast Iron ☐ AC ☐ Concrete ☐ Clay ☐ Brick ☐ Other ☒
Not Known
- 15 Diameter of existing asset? _____mm
- 16 Depth to invert of existing asset? Unknownmm
- 17 If build near, what is the proposed horizontal separation distance to IW asset? _____m ^{* See below}
- 18 Approximate date works are due to commence: 01 / 06 / 2026

*17. No buildings will be constructed near this existing Rathmines and Pembroke Sewer asset. Instead, localised areas of Pigeon House Road will be resurfaced at junctions and other discreet locations to improve the existing infrastructure. At these areas, the final levels of Pigeon House Road will be similar to the existing levels, due to road geometry requirements.

The existing outfall from the Ringsend WWTP is located at the Area N location. The 3FM Project will require the construction of a Lo-Lo Container Terminal at Area N and therefore has the potential to alter the dispersal characteristics of the main sewage discharge from Ringsend WwTP. The potential for this alteration has been mitigated through engineering design by making the form of construction of the Lo-Lo Terminal an open-piled wharf. This avoids any need to carry out infilling works and ensures that there will be no significant change to the existing tidal flow regime. The main outfall channel for treated wastewater will remain in place, largely unaffected by the construction of the wharf. Mitigation by avoidance can be achieved to ensure that the 3FM Project will have no significant impact on the hydraulic characteristics of the main treated sewage discharge.

Section D | Supporting documentation

The following documentation to be submitted with the application form:

- * Site location map: A site location map to a scale of 1:1000, which clearly identifies the land or structure to which the application relates. The map shall also include the following details:
 - a) The scale shall be clearly indicated on the map.
 - b) The site boundaries shall be delineated in red.
 - c) Irish Grid site co-ordinates shall be marked on the site location map.
 - d) Details of Planning Permission or Planning Exemption for the development (if applicable).
 - e) Details of wayleaves, easements, covenants, etc. for pipework on the site.

- * Site layout map: A site layout map to a scale of 1:500, which clearly identifies the land or structure to which the application relates. The map shall also include the following details:
 - f) The Irish Water Asset you propose to build-over or near.
 - g) The line and invert level of the existing IW asset.
 - h) Separation distances between the proposed build near and existing/proposed infrastructure and structures on the site. Please note separation distances are to be measured from the face of the asset.
 - i) Details of any easements or covenants which may affect the site. (if applicable)
 - j) Topographical levels shown of the site.

- * Cross Sections drawings of the build-over or build near proposal identifying existing and proposed infrastructure and structures. The Cross Sections shall include the following details:
 - k) The location and invert level of the existing infrastructure on the site that is to be built over or near.
 - l) The location and level of any existing/proposed infrastructure that is within the proposed zone of influence and notifications in accordance with Irish Water's Codes of Practice and to demonstrate compliance with separation distance requirements in Irish Water's Codes of Practice.
 - m) Existing and Proposed Foundation details.
 - n) Existing and Proposed Ground Level.
 - o) Details of measures to protect the Irish Water asset subject to the build-over or build near.
 - p) Details of measures to provide access to the Irish Water asset subject to the build-over or build near.
 - q) Any other information that might assist Irish Water to assess this application.

- * Details of site investigation e.g. CCTV, slit trenches etc.

NOTE: Irish Water reserves that right to request additional information from the Applicant to assist the assessment of the build-over/near application.

IMPORTANT TO NOTE:

- In accordance with Irish Water Connections Charging Policy and as approved by the Commission for Regulation of Utilities, the Applicant will be liable for the full cost of all build-over works.
- If the site also requires a connection to the public water or wastewater infrastructure please ensure that the appropriate application is made in tandem with this build-over or Build near application on <https://www.water.ie/connections/get-connected/>. No connection(s) to the public water or wastewater infrastructure will be possible without a valid connection agreement between the parties.
- If the build-over or build near proposal relates to a wastewater sewer, a CCTV survey of the existing wastewater sewer to be built over or built near is required to assess the application.
- Please submit all information set out in Section D – Supporting Documentation with the application including details of surveys carried out. The application cannot be assessed without the supporting documentation.

Building-over an Irish Water asset is not permitted to commence until a Build-over Agreement is fully agreed with and executed by Irish Water.

Any interference with Irish Water Asset prior to a Build-Over Agreement being signed by the parties may result in an offence being committed

Section E | Declaration

I/We hereby make this application to Irish Water to build-over/near Irish Water water and/or wastewater asset as detailed on this form. I/We understand that any alterations made to this application must be declared to Irish Water immediately and, in any event, prior to any works being carried out.

The details that I/we have given with this application are accurate.

I/We have enclosed all the necessary supporting documentation.

Any personal data you provide will be processed by Irish Water in accordance with its Privacy Notice, please see <https://www.water.ie/privacy-notice/>. Our legal basis for collecting and using this information is set out in our Privacy Policy and includes (i) processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract; and (ii) it is necessary for the performance of tasks that we carry out in the public interest or in the exercise of official authority vested in us by law (including the Water Services Acts 2007 to 2018). If you have any questions regarding the use of your personal data, please contact dataprotection@ervia.ie.

Signature:

Page 16 of 16

Date:

1	9	/	0	9	/	2	0	2	4
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Your full name (in BLOCK CAPITALS):

[illegible]

Irish Water will carry out a formal assessment based on the information provided on this form.

Any determination made by Irish Water will be based on the information that has been provided here.

Please submit the completed form to diversions@water.ie

For office use only:

Customer Number

[illegible]

Guide to completing the application form

This form should be completed by a person or organisation who wishes to apply to Irish Water to build-over/near a water and/or wastewater asset. The Irish Water Codes of Practice are available at www.water.ie for reference.

Section A | Applicant details

- Question 1:** This question requires the Applicant or company applying for a connection to identify themselves, their postal address, and to provide their contact details.
- Question 2:** If the Applicant has employed a consulting engineer or an agent to manage the application on their behalf, the agent's address and contact details should be recorded here.
- Question 3:** Please indicate whether it is the Applicant or the agent who should receive future correspondence in relation to the build-over/near application.

Section B | Site details for the proposed build-over/near

- Question 4:** This question relates to the type of application is being applied for, a Build-over or Build Near
- Question 5:** This is the address of the site requiring the build-over/near and for which this application is being made.
- Question 6:** Please provide the Irish Grid co-ordinates of the proposed site. Irish grid positions on maps are expressed in two dimensions as Eastings (E or X) and Northings (N or Y) relative to an origin. You will find these coordinates on your Ordnance Survey map which is required to be submitted with the application.
- Question 7:** Please provide a brief description of the development, description of the proposed build-over/near and description of why the build-over/near is required.
- Question 8:** Please identify the Local Authority that is dealing with your planning application if applicable, for example Cork City Council.
- Question 9:** Please provide the planning reference number granting your proposed development and date of grant of planning permission if applicable.
- Question 10:** Please provide the new connection application reference number associated with the development if applicable.
- Question 11:** Please identify the name and address of the landowner where the build-over/build near is to be completed.
- Question 12:** Please verify if there are any land contamination issues in the vicinity of your proposed build-over/near works.

Section C | Build-over or near details

- Question 13:** Please identify the type of asset to be built over/near.
- Question 14:** Please specify the material of the asset to be built over/near.
- Question 15:** Please specify the diameter of the asset to be built over/near.
- Question 16:** Please specify the depth to invert of the asset to be built over/near
- Question 17:** Please specify the proposed horizontal separation distance from the existing asset to the proposed structure.
- Question 18:** Please provide an approximate date for when the build-over/near is to commence.

Section D | Supporting documentation

Please provide additional information as listed.

Section E | Declaration

Please review the declaration, sign, and return the completed application form to Irish Water by email or by post using the contact details provided in Section E.

APPENDIX 3.6.1 LOCATION OF IMPERIAL DOCK SPA FOR COMMON TERN & NEW TERN RAFTS IN LEITH DOCKS

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT



SiteLink Map About

leith



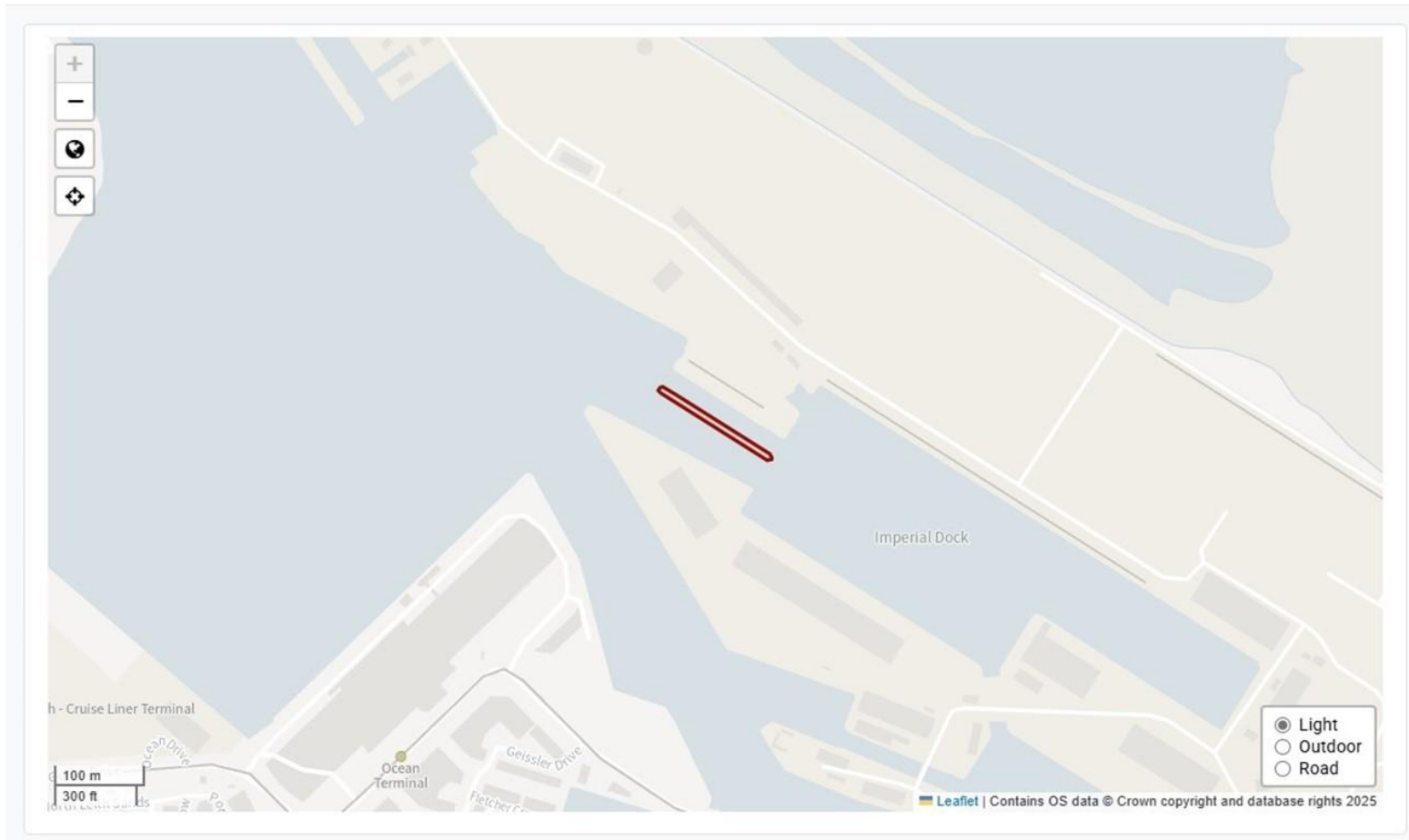
Overview

Features

Agreements

Casework

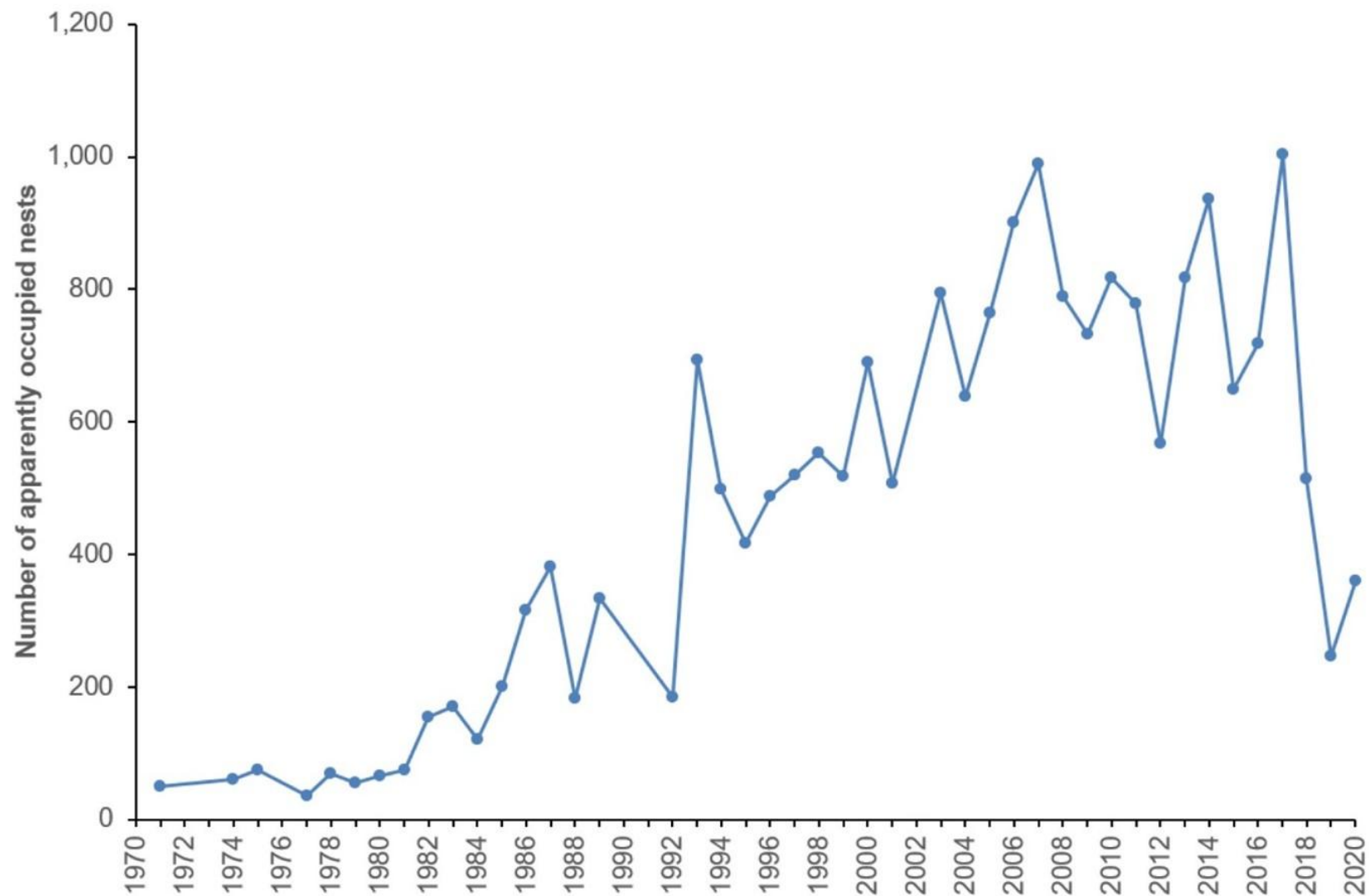
Imperial Dock Lock, Leith SPA



DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT



APPENDIX 3.6.2 LONG-TERM TREND IN BREEDING TERN DATA AT LEITH DOCKS



APPENDIX 3.6.3 IMPERIAL DOCK SPA TERN COLONY IN LEITH DOCKS



APPENDIX 3.6.4 OVERSHADOWING STUDY

APRIL



April – 6.30am



April – 7.00am



April – 7.30am



April – 8.00am



April – 8.30am



April – 9.00am

MAY



May – 6.30am



May – 7.00am



May – 7.30am



May – 8.00am

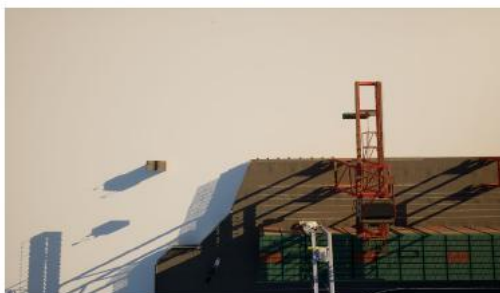


May – 8.30am

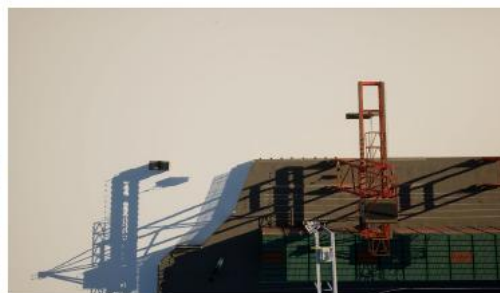


May – 9.00am

JUNE



June – 6.30am



June – 7.00am



June – 7.30am



June – 8.00am



June – 8.30am



June – 9.00am

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT

JULY



July – 6.30am



July – 7.00am



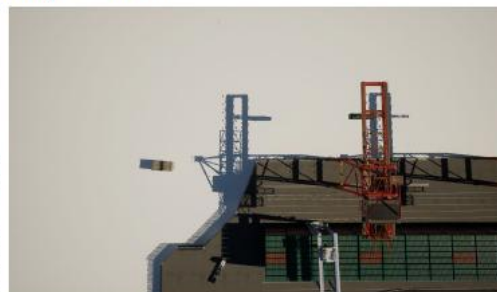
July – 7.30am



July – 8.00am



July – 8.30am

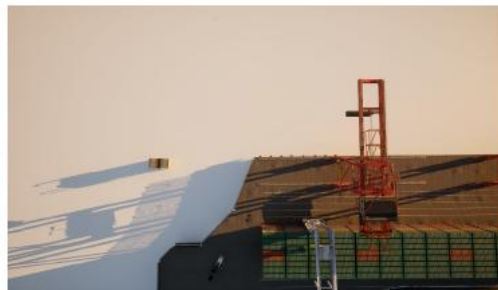


July – 9.00am

AUGUST



Aug – 6.30am



Aug – 7.00am



Aug – 7.30am



Aug – 8.00am



Aug – 8.30am



Aug – 9.00am

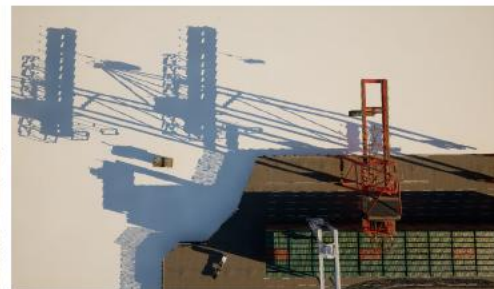
SEPTEMBER



Sept – 7.30am



Sept – 8.00am



Sept – 8.30am



Sept – 9.00am



Sept – 9.30am



Sept – 10.00am

APPENDIX 3.6.5 VISUALISATIONS FROM TERN NESTING SITES



ESB Tern Colony (SPA Designation) Existing view from tern colony looking East

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT



ESB Tern Colony (SPA Designation) Post 3FM Project view from tern colony looking East

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT



ESB Tern Colony (SPA Designation) Existing view from tern colony looking West

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT



ESB Tern Colony (SPA Designation) Post 3FM Project view from tern colony looking West

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT



ESB Tern Colony (SPA Designation) Existing view from tern colony looking North. This view remains unchanged Post 3FM Project.

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT



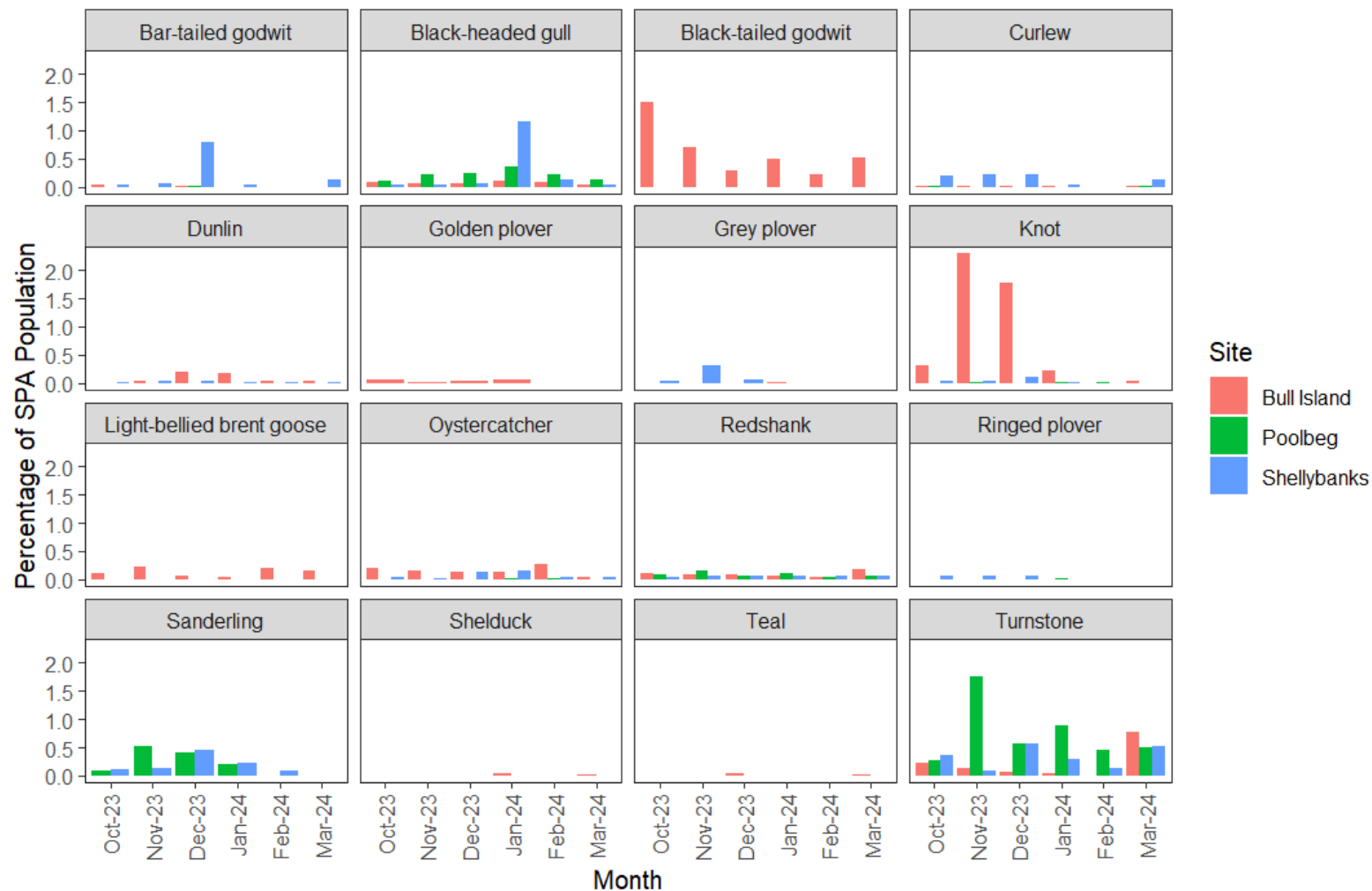
CDL Tern Colony (NHA Designation) Existing view from tern colony looking East

DPC RESPONSE TO SUBMISSIONS & OBSERVATIONS ON PROPOSED 3FM PROJECT



CDL Tern Colony (NHA Designation) Post 3FM Project view from tern colony looking East

APPENDIX 3.6.6 PERCENTAGE OF QUALIFYING SPECIES PER SITE, PER MONTH



APPENDIX 3.6.7 CONSTRUCTION PHASE AIRBORNE NOISE CONTOUR MAPS



3FM – Ornithology – Construction Noise Model Outputs

[For all model scenarios, the plant has been placed at the nearest portion of the activity to the sensitive area in question]

Area A

Relevant Construction Sequence:

A1 – Year 4 (New ESB jetty & dolphin jetty structure)

A2 – Year 6 (Dredging)

A3 – Year 7-11 (Plot N piling & infill)

Assumptions:

A1 – Piling rig x2, demolition (concrete breaking) x1

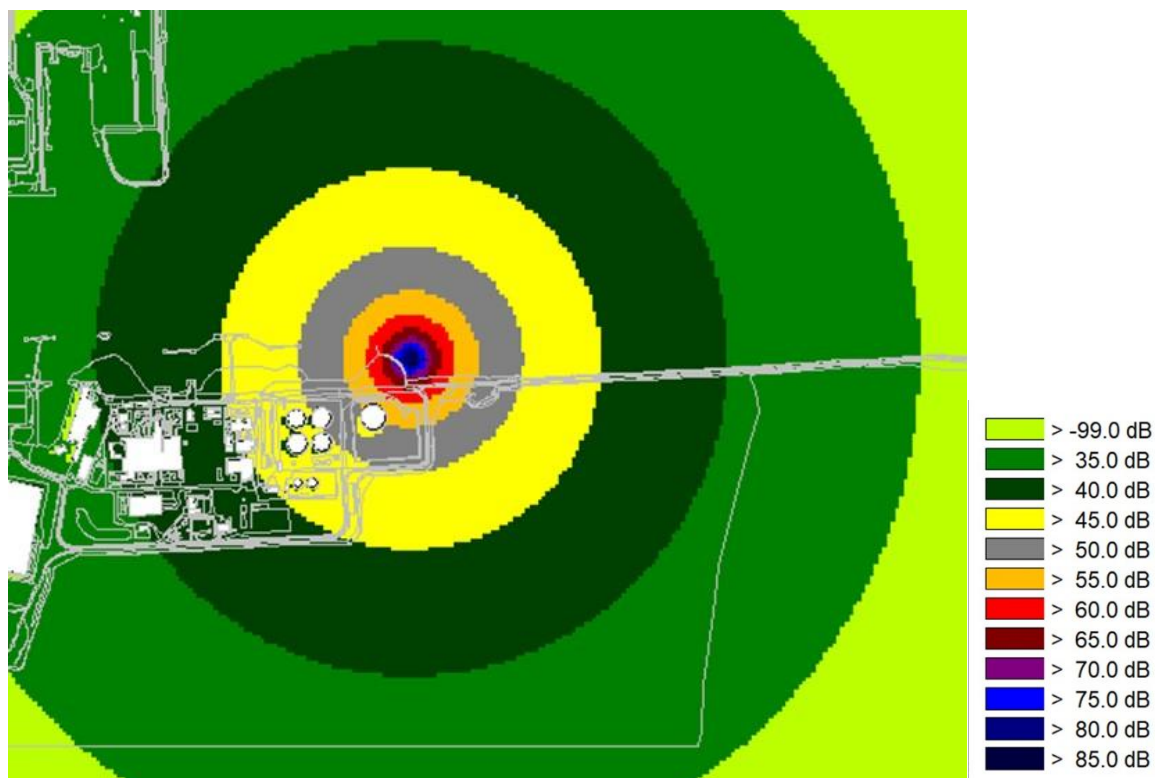
A2 – Dredging vessel x1

A3 – Piling rig x2, dozer x2, excavator x2, loader x2, tipper lorry x2

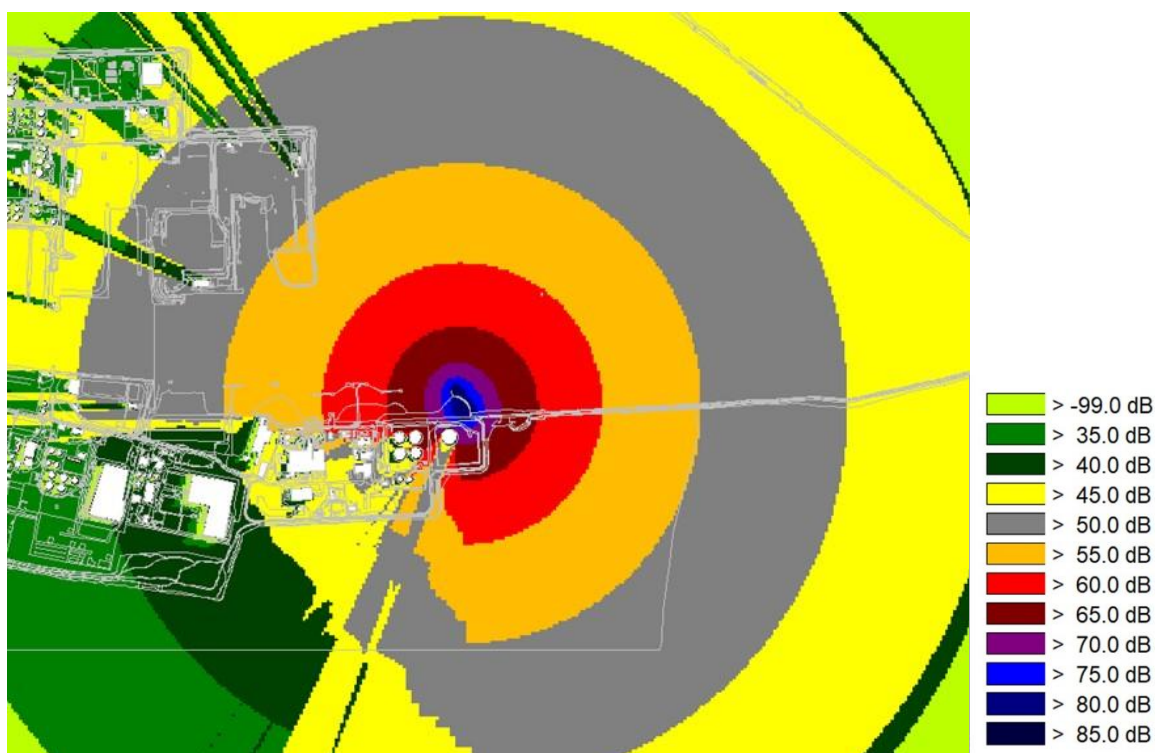
A1 - Output



A2- Output



A3 - Output



Area B

Relevant Construction Sequence:

B1 – Year 3 (Demolition & dredging)

B2 – Year 6 (Dredging)

B3 – Year 7-11 (Plot N piling & infill)

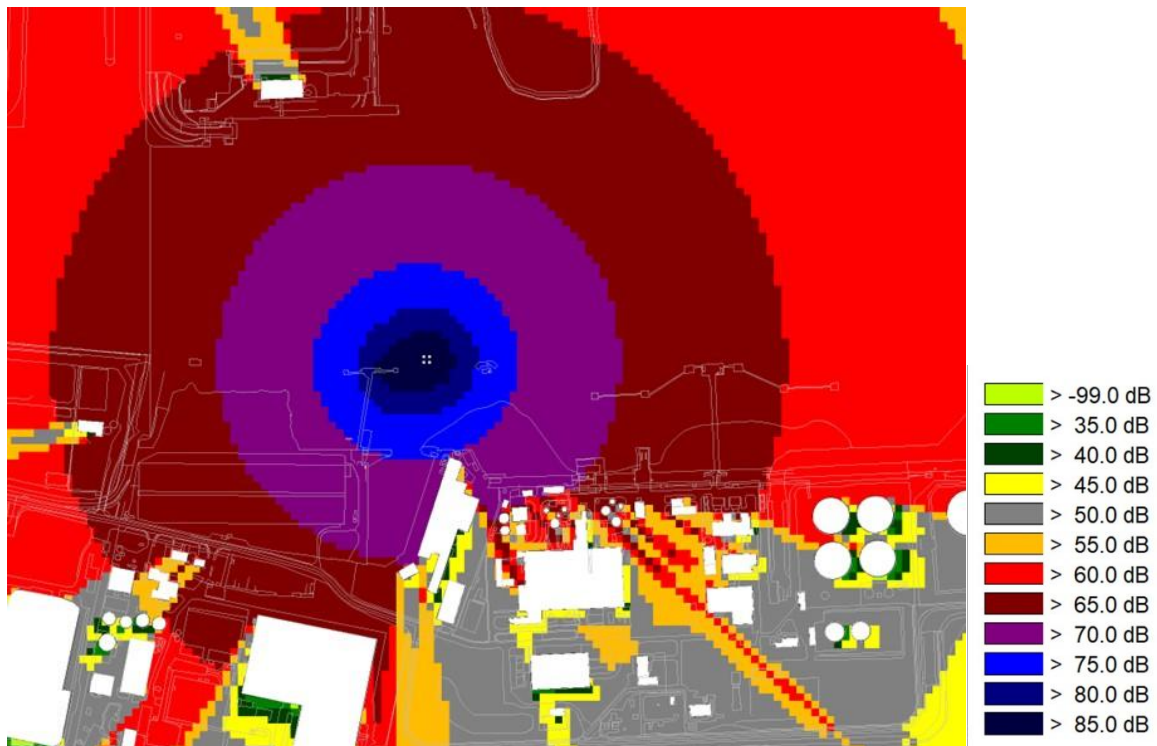
Assumptions:

B1 – Dredging vessel x1, demolition (concrete breaking) x1

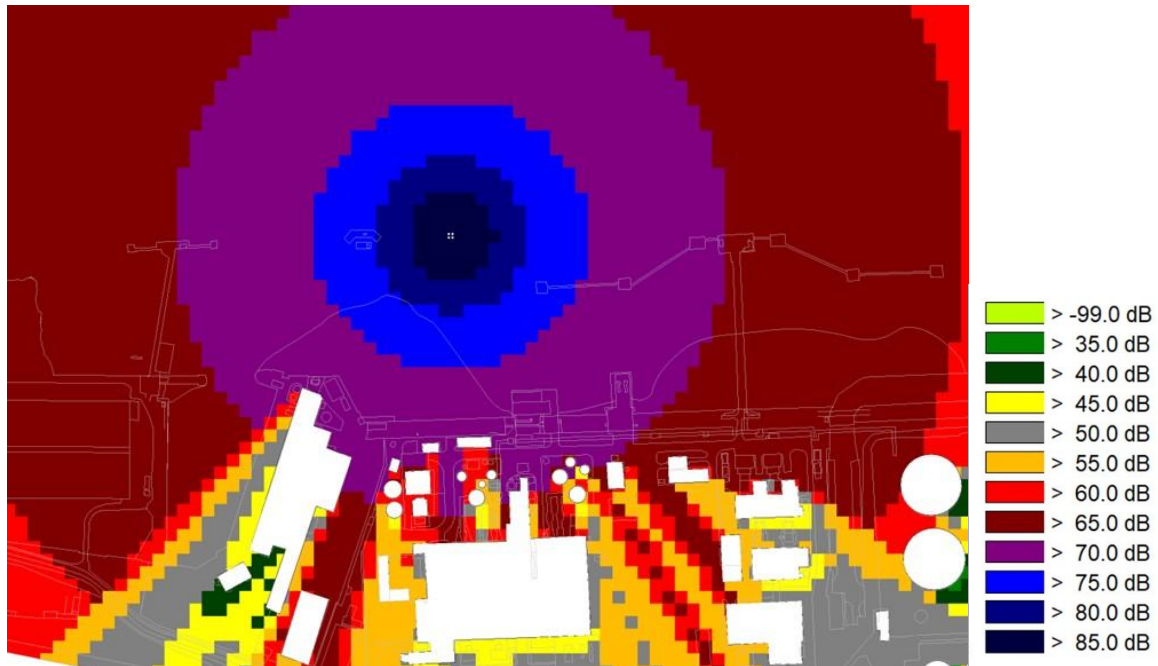
B2 – Dredging vessel x1

B3 – Piling rig x2, dozer x2, excavator x2, loader x2, tipper lorry x2

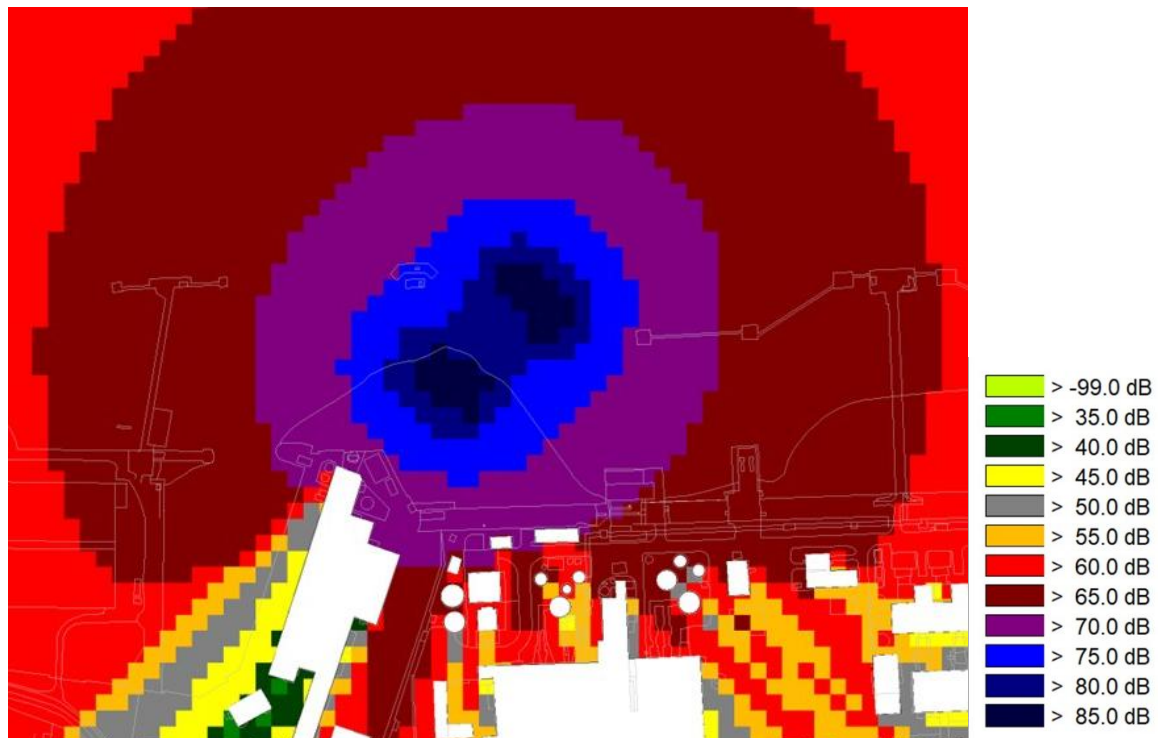
B1 – Model outputs



B2 – Model outputs



B3 – Model outputs



Area C

Relevant Construction Sequence:

C1 – Year 3 (Demolition & dredging)

C2 – Year 6 (Dredging, road construction)

C3 – Year 7-11 (Plot N piling & infill)

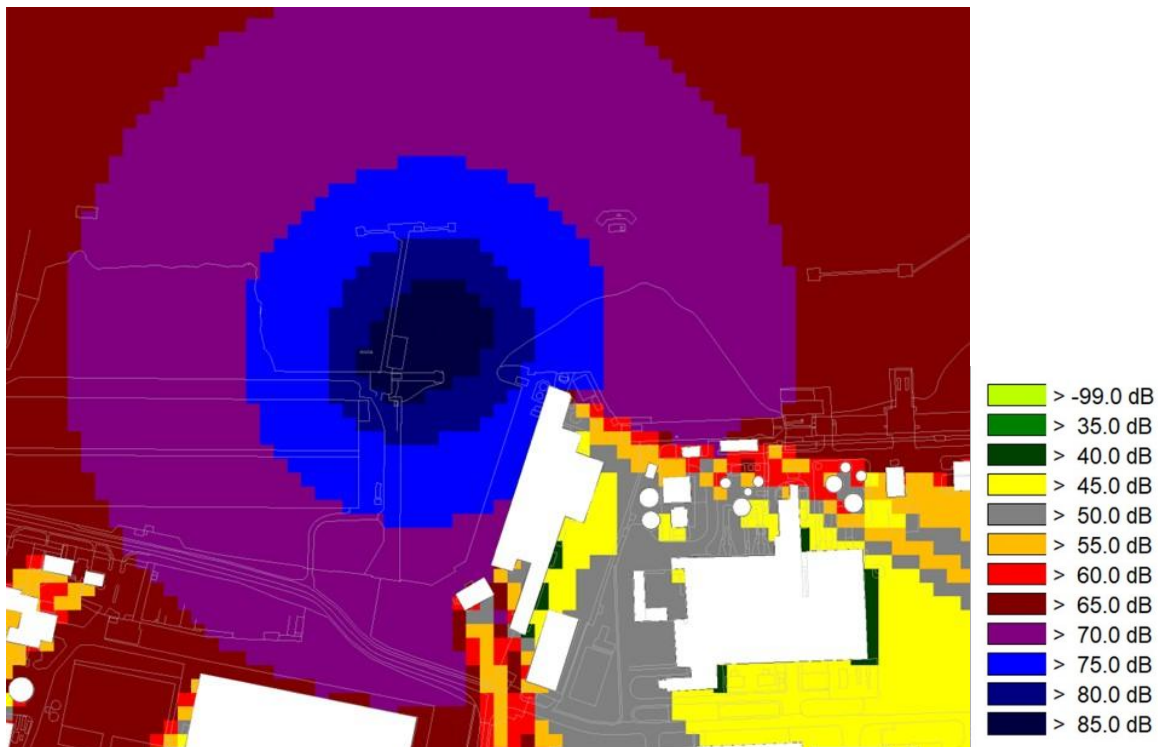
Assumptions:

C1 – Dredging vessel x1, demolition (concrete breaking) x1

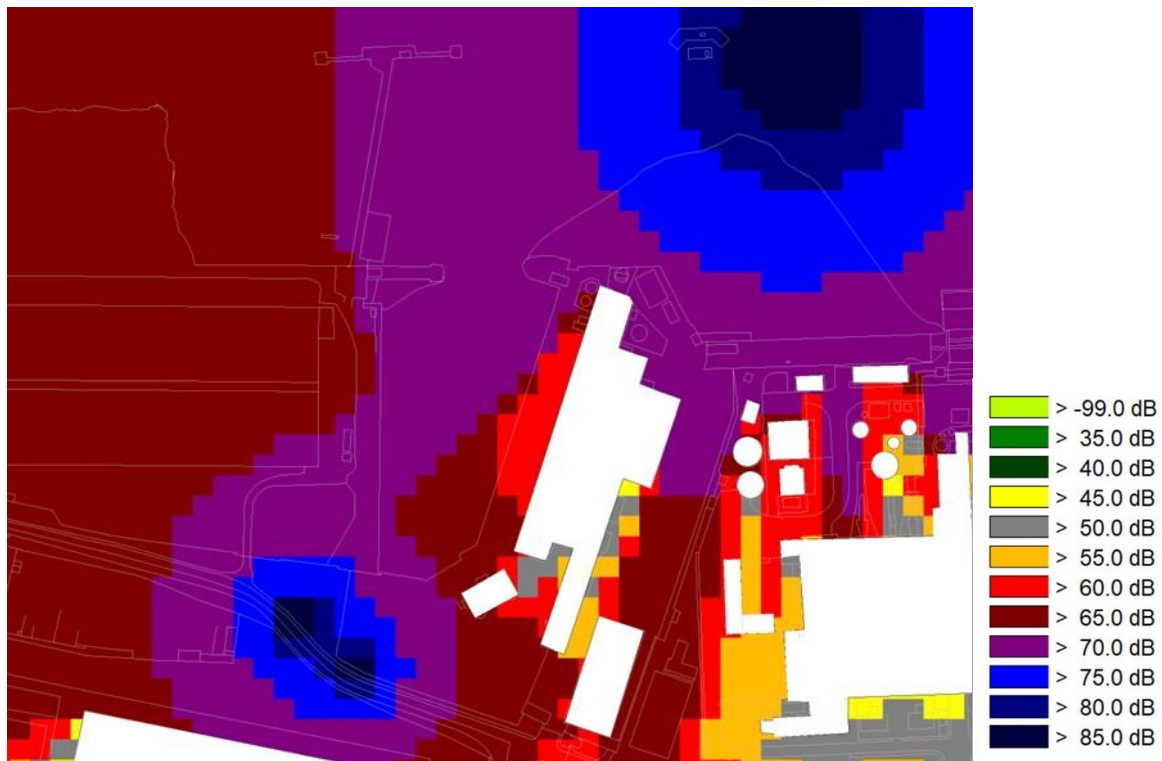
C2 – Dredging vessel x1, road construction preparation (mini excavator with hydraulic breaker x1, road planer x1, wheeled excavator x1, tipper lorry x1)

C3 – Piling rig x2, dozer x2, excavator x2, loader x2, tipper lorry x2

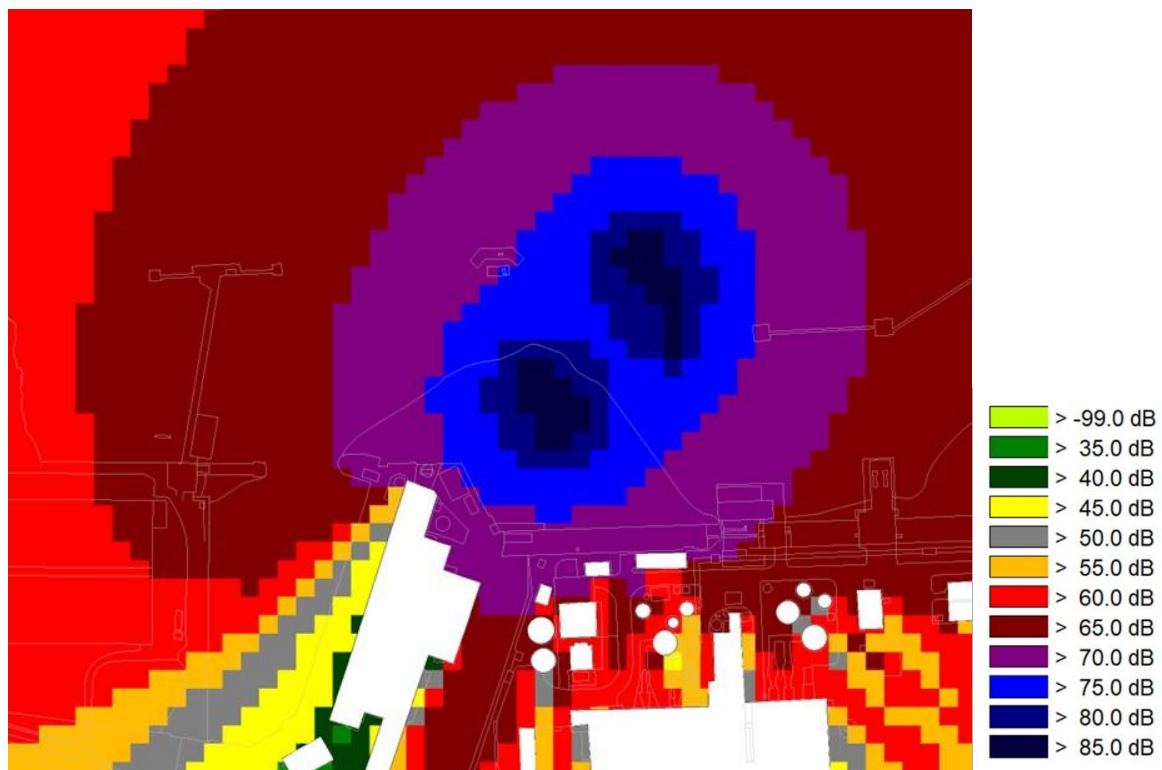
C1 – Model outputs



C2 – Model outputs



C3 – Model outputs



Area D

Relevant Construction Sequence:

D1 – Year 3 (Demolition & dredging)

D2 – Year 6 (Dredging, road construction)

D3 – Year 7-11 (Plot N piling & infill)

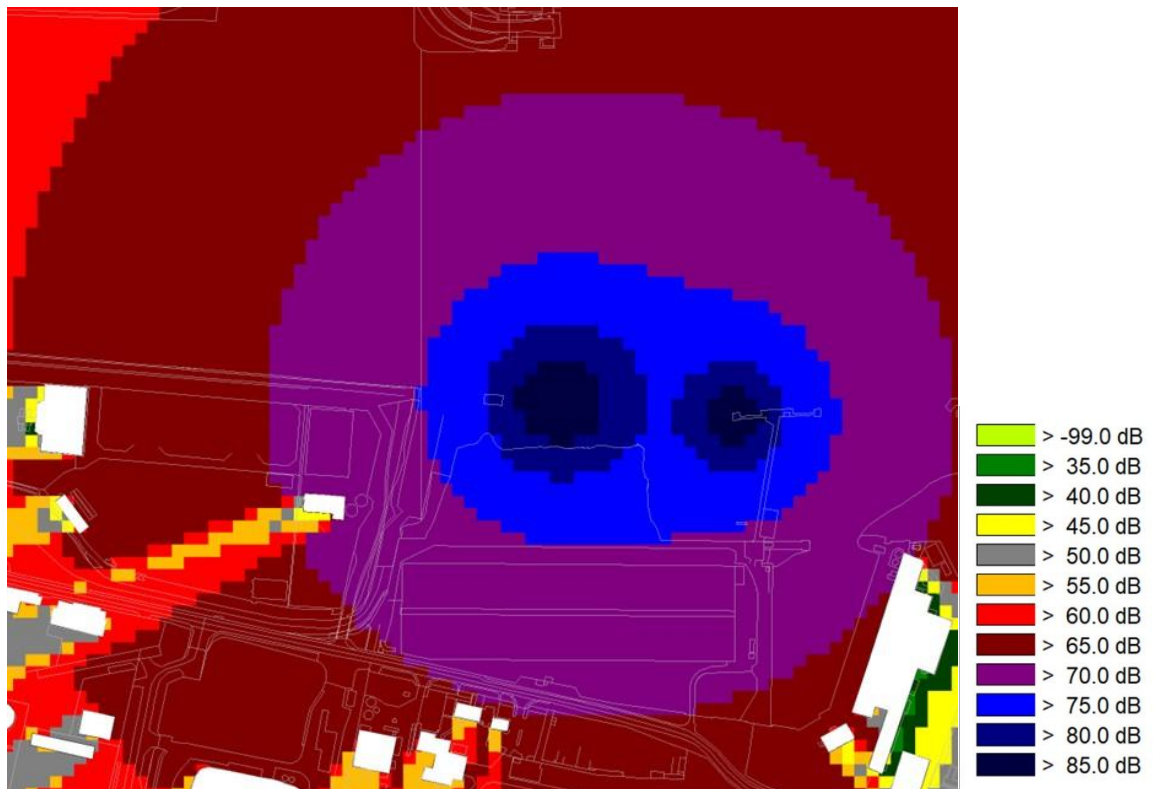
Assumptions:

D1 – Dredging vessel x1, demolition (concrete breaking) x1

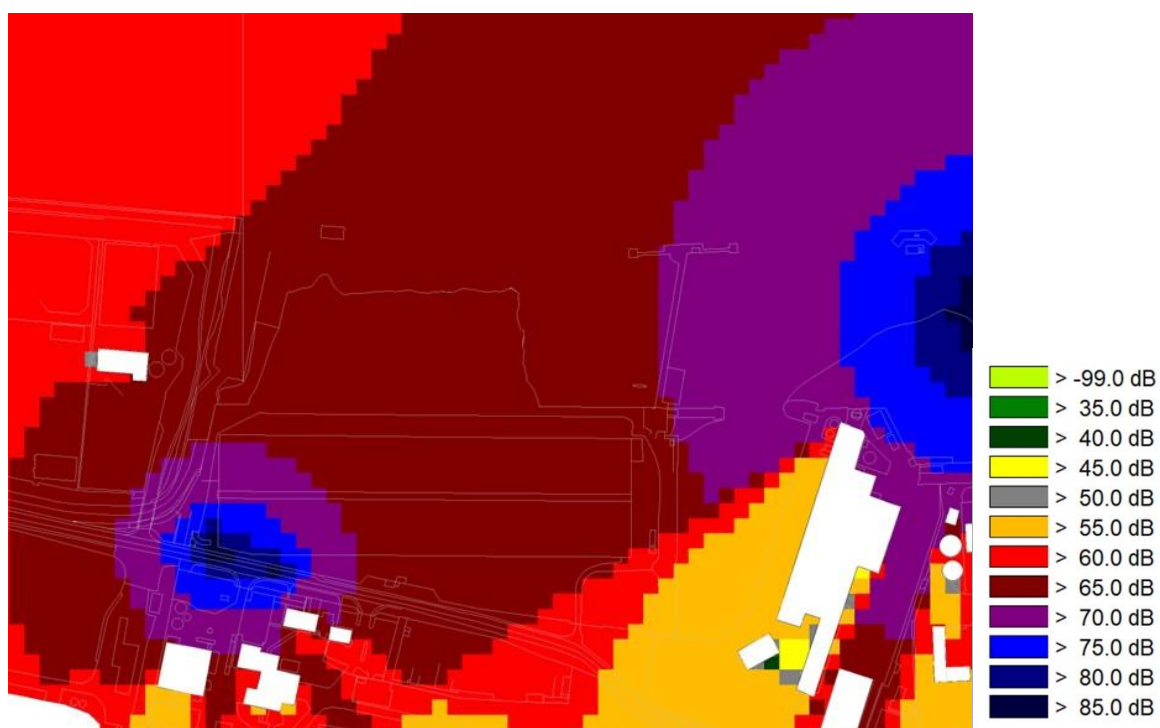
D2 – Dredging vessel x1, road construction preparation (mini excavator with hydraulic breaker x1, road planer x1, wheeled excavator x1, tipper lorry x1)

D3 – Piling rig x2, dozer x2, excavator x2, loader x2, tipper lorry x2

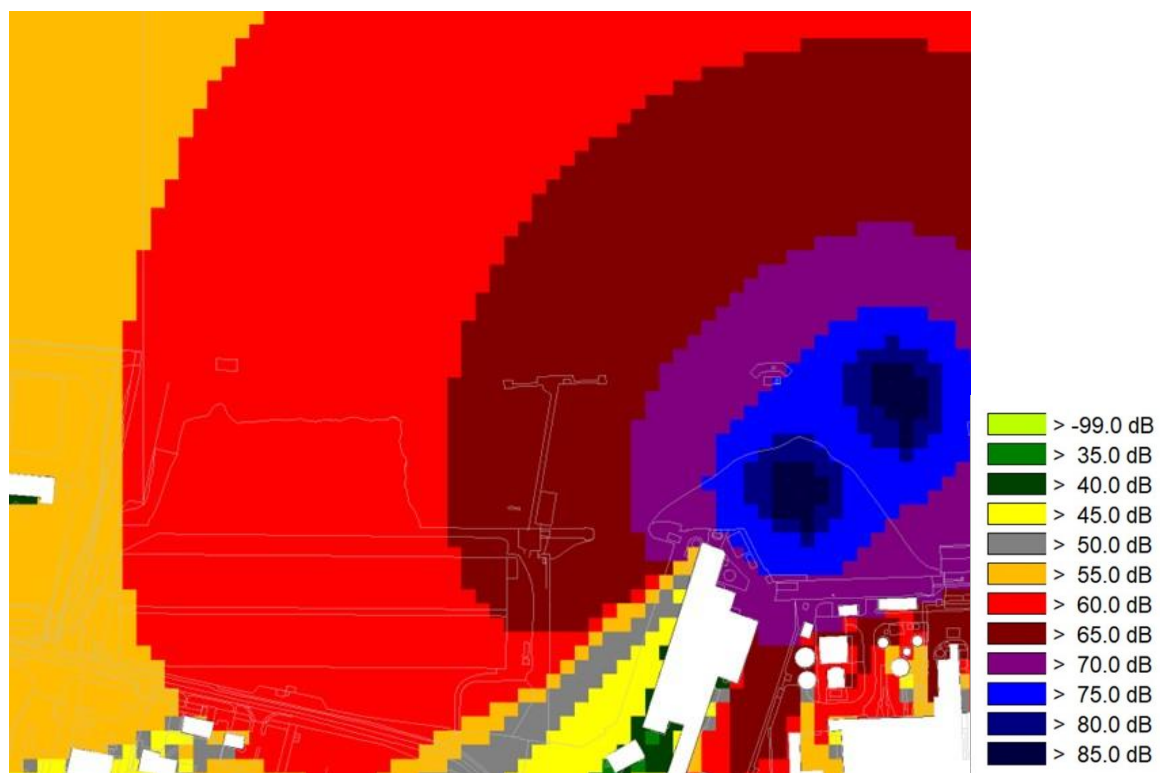
D1 – Model outputs



D2 – Model outputs



D3 – Model outputs



Area E

Relevant Construction Sequence:

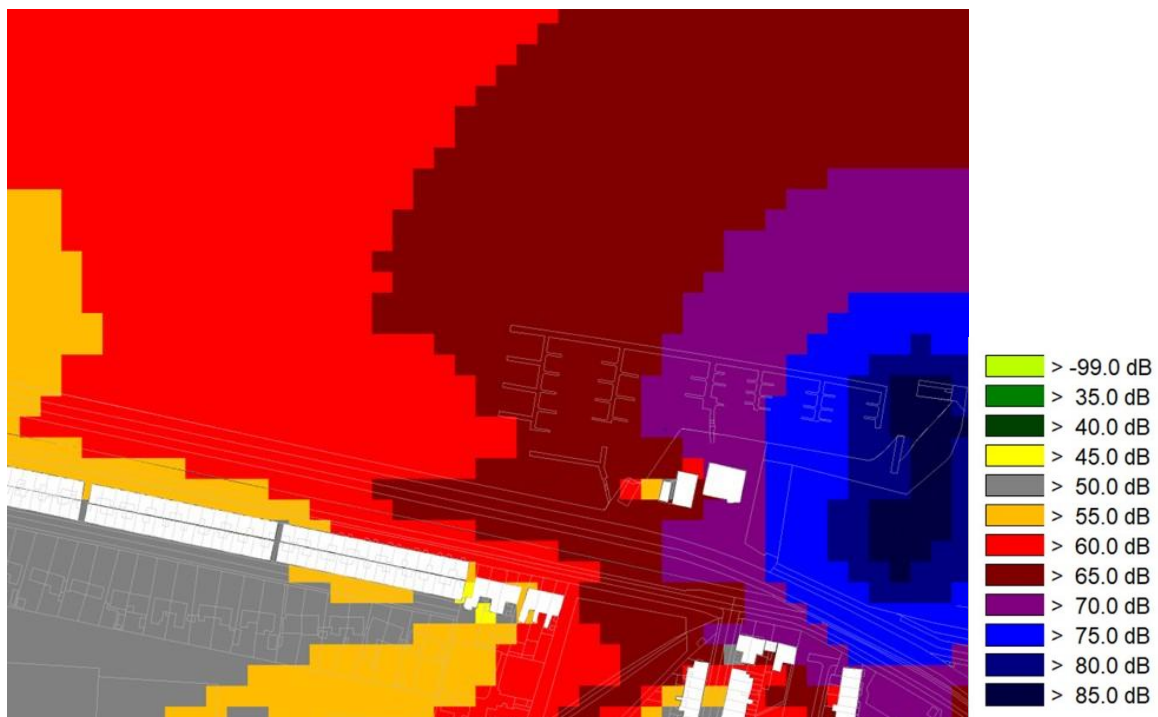
E1 – Year 4-5 (new yard / berth works)

NOTE – Year 6-7 (new yard / berth works) - New yard / berth works take place in the area highlighted in JMC email

Assumptions:

E1 – Piling rig x2, dozer x2, excavator x2, loader x2, tipper lorry x2

E1 – Model outputs



Area F

Relevant Construction Sequence:

F1 – Year 6 (Dredging)

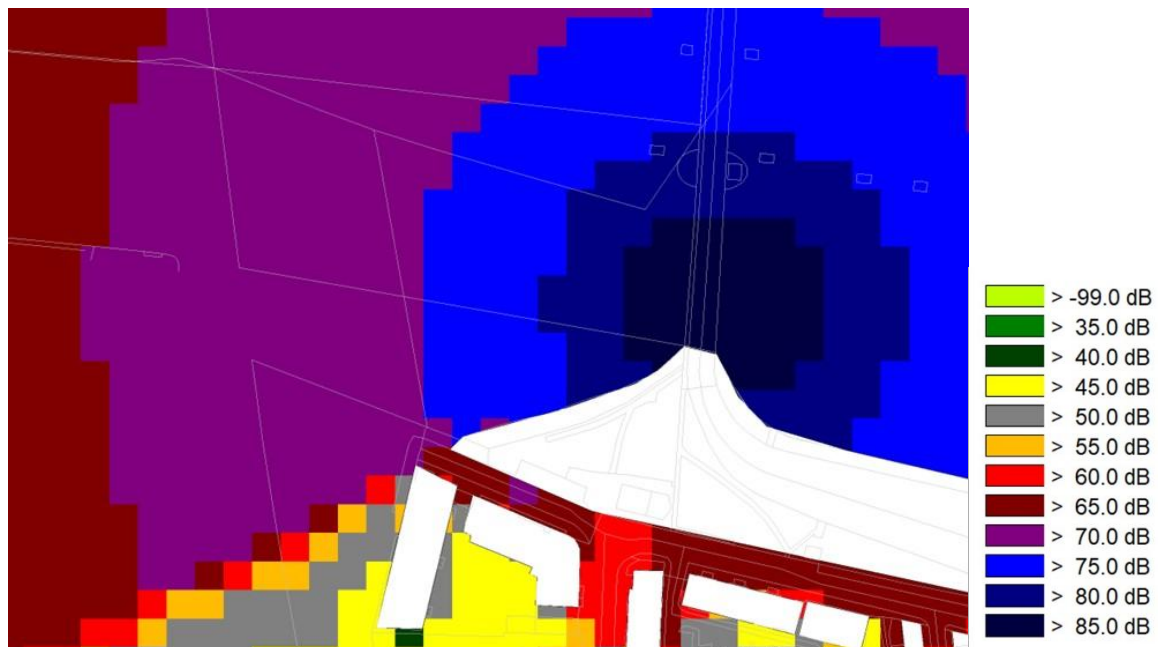
F2 – Year 6-8 (Road construction)

Assumptions:

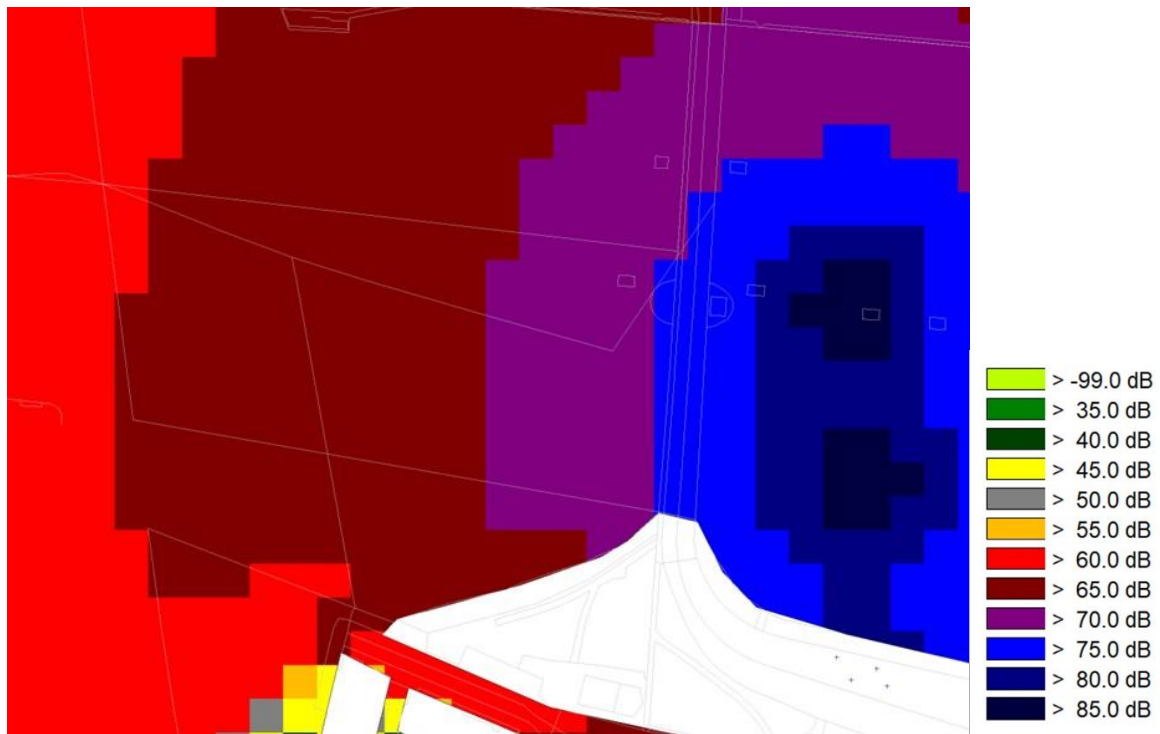
F1 – Dredging vessel x1

F2 – Piling x2, Road construction preparation (mini excavator with hydraulic breaker x1, road planer x1, wheeled excavator x1, tipper lorry x1)

F1 – Model outputs



F2 – Model outputs



Area G

Relevant Construction Sequence:

G1 – Year 2-4 (Road construction)

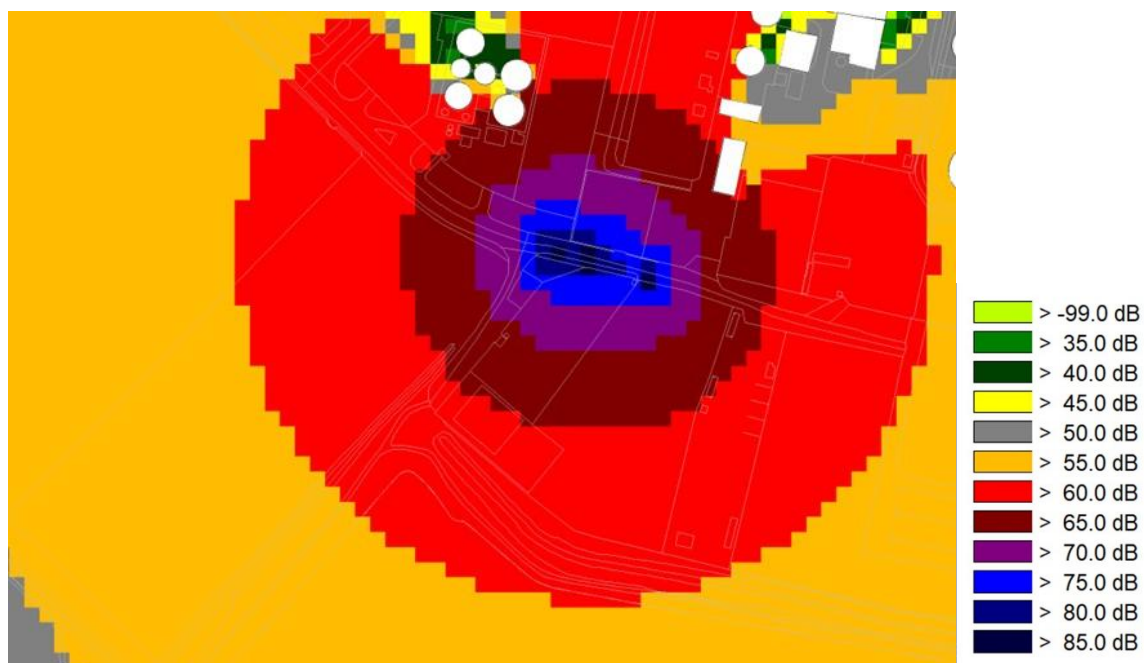
G2 – Year 7-11 (Works at Plot O)

Assumptions:

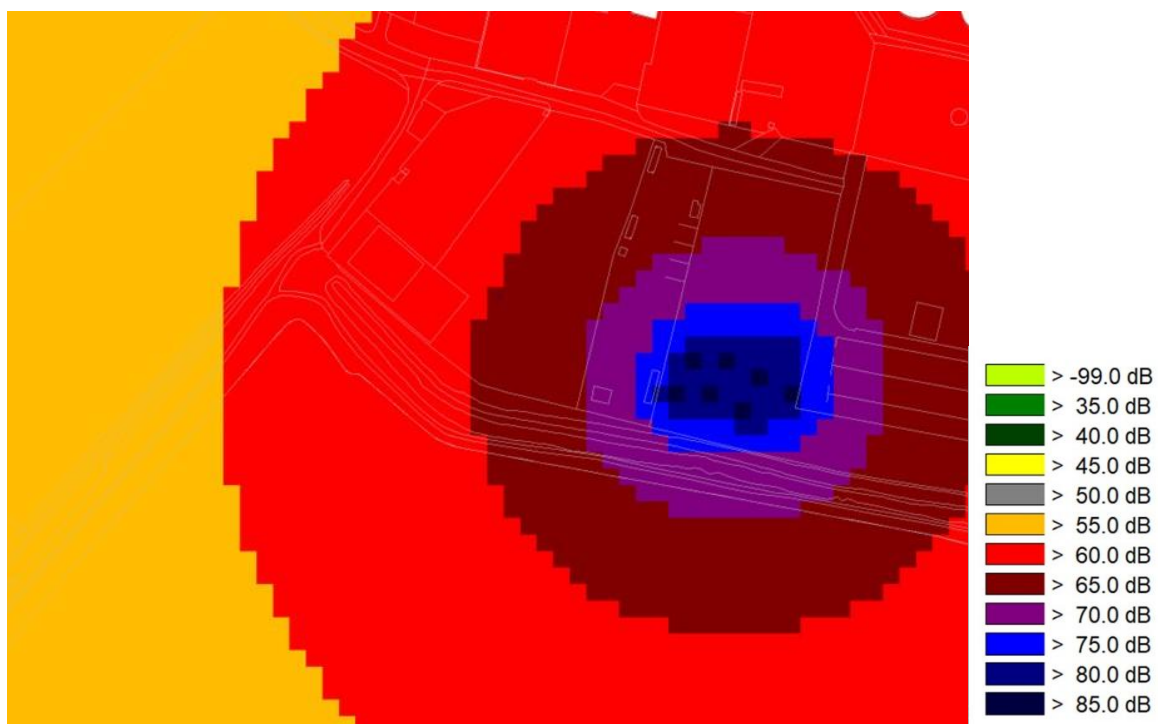
G1 – Road construction preparation (mini excavator with hydraulic breaker x1, road planer x1, wheeled excavator x1, tipper lorry x1)

G2 – Dozer x2, excavator x2, loader x2, tipper lorry x2

G1 – Model outputs



G2 – Model outputs



Area H

Relevant Construction Sequence:

H1 – Year 2-4 (Road construction)

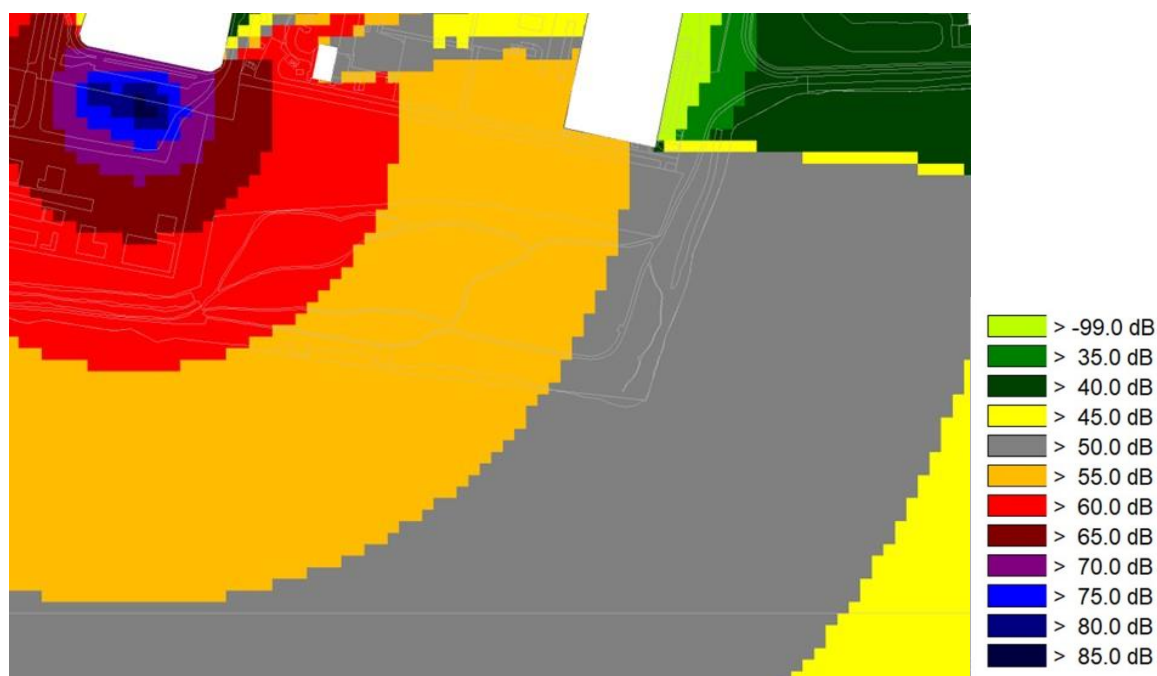
H2 – Year 7-11 (Works at Plot O)

Assumptions:

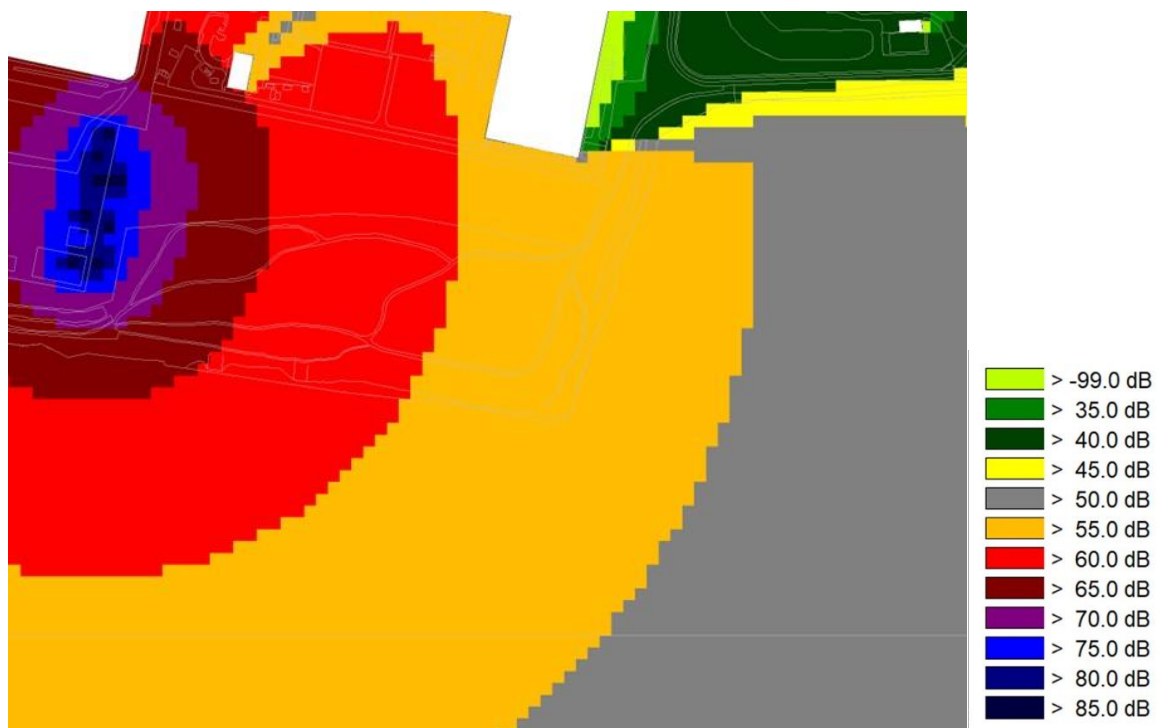
H1 – Road construction preparation (mini excavator with hydraulic breaker x1, road planer x1, wheeled excavator x1, tipper lorry x1)

H2 – Dozer x2, excavator x2, loader x2, tipper lorry x2

H1 – Model outputs



H2 – Model outputs



Area I

Relevant Construction Sequence:

I1 – Year 4-5 (Works at Plot N)

I2 – Year 6 (Dredging, demolition)

I3 – Year 7-11 (Plot N piling & infill)

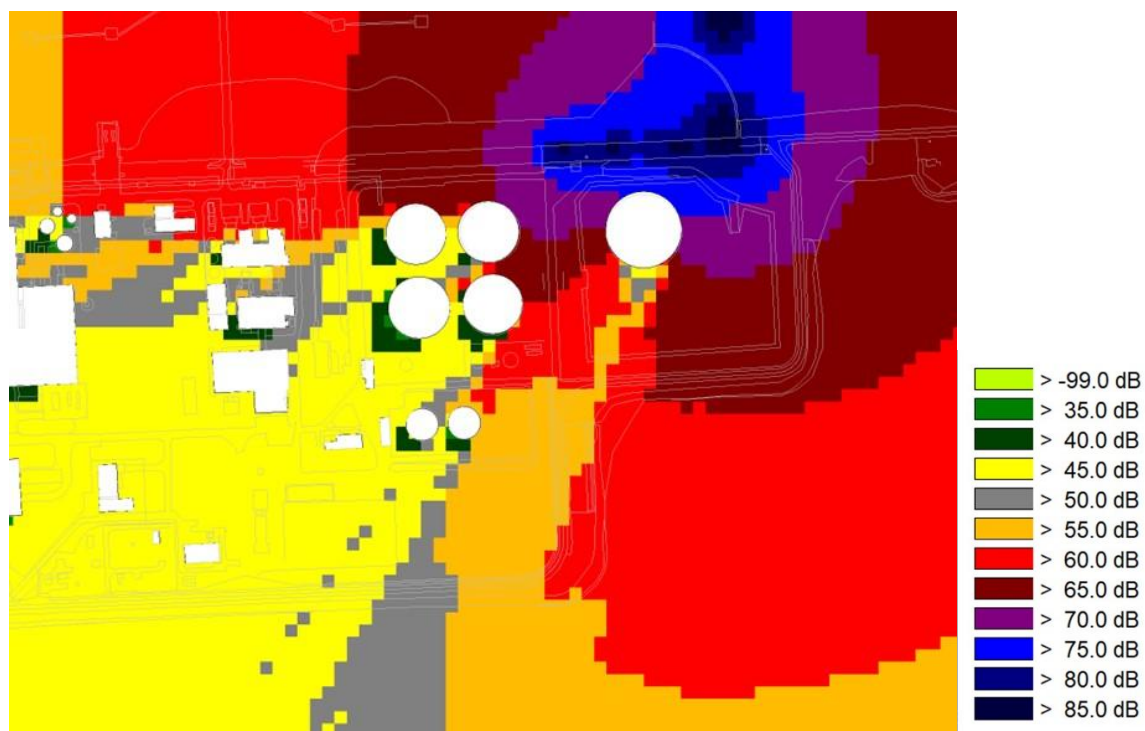
Assumptions:

I1 – Piling rig x2, dozer x2, excavator x2, loader x2, tipper lorry x2

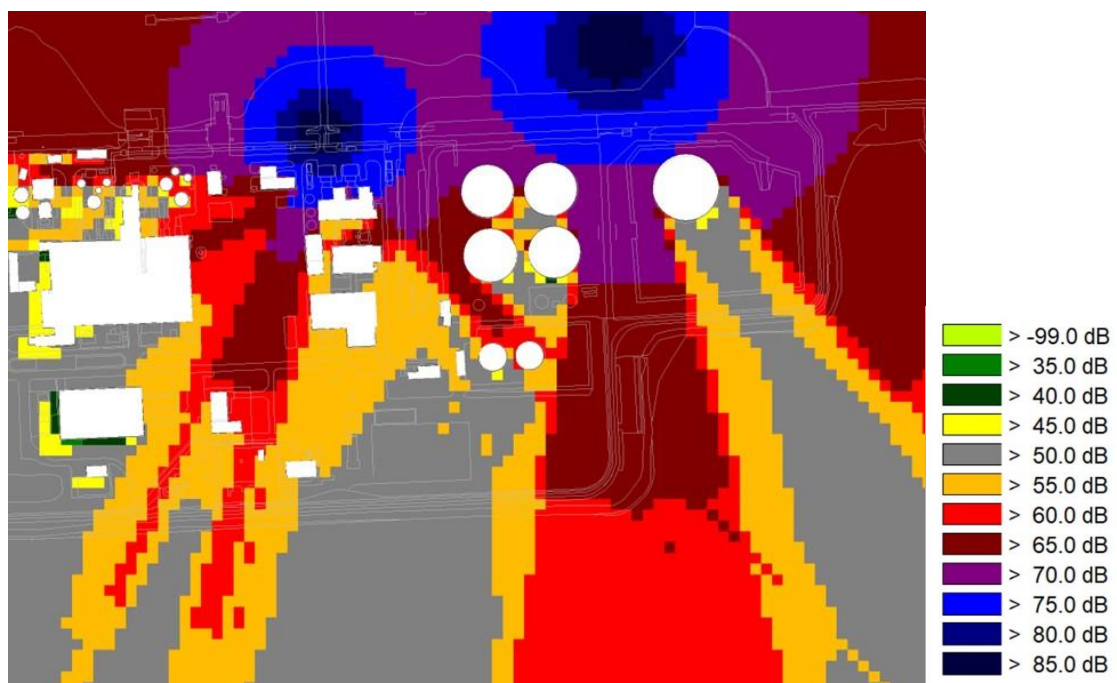
I2 – Dredging vessel x1, concrete breaking

I3 – Piling rig x2, dozer x2, excavator x2, loader x2, tipper lorry x2

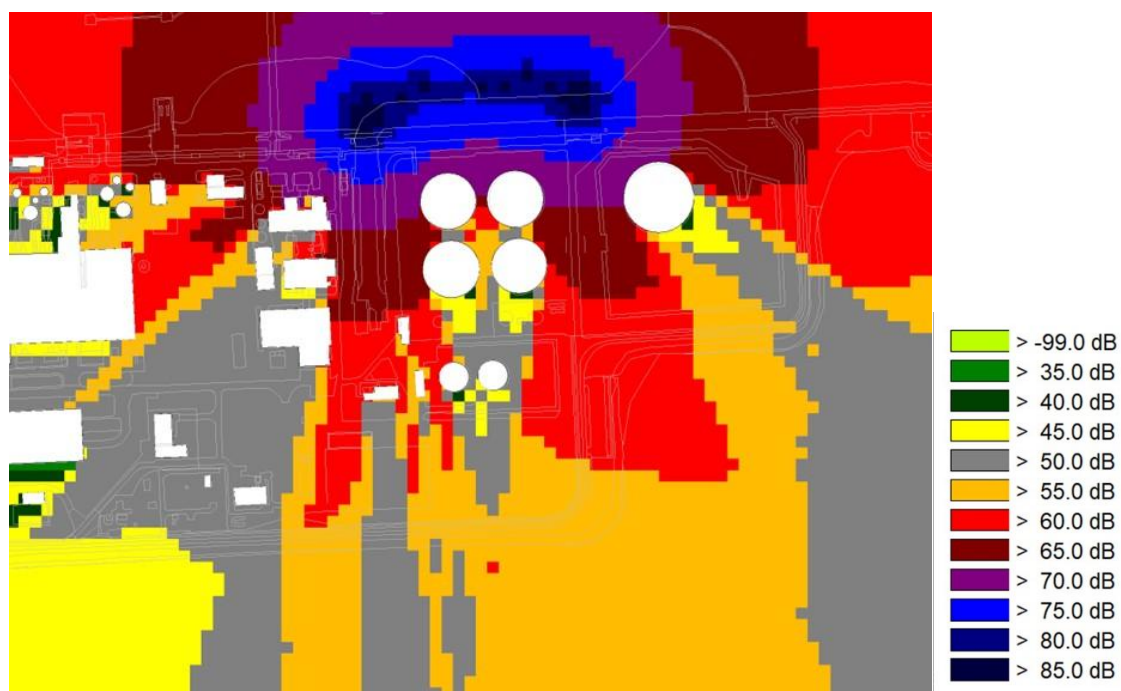
I1 – Model outputs



I2 – Model outputs



I3 – Model outputs



APPENDIX 3.6.8 OPERATIONAL PHASE AIRBORNE NOISE PREDICTIONS



The table below includes predicted operational phase noise levels at various ecological receptors.

Area	Predicted noise level (LAeq)	Commentary
A	High 40s dB(A)	Plot N primary source
B	Mid 50s dB(A)	Plot N primary source
C	Mid 40s dB(A)	Plot N primary source
D	Low 40s dB(A)	Plot N primary source
E	High 70s dB(A)	SPAR / R131 primary source
F	Mid-high 70s dB(A)	R131 primary source, SPAR contributes
G	Low 40s dB(A)	Plot O primary source
H	Low 40s dB(A)	Plot O / N primary sources
I	Mid 40s dB(A)	Plot N primary source

APPENDIX 3.6.9 TURNING CIRCLE – SUMMARY OF VESSEL MANOEUVRES

Summary of Manoeuvres

Page	Ship Size / Type	Distance off Western Dolphin	Distance off Eastern Dolphin	Manoeuvre	Type
2	240x32m RoPax		106m	Swing head north to 52	Simulation
3	230x32m RoPax	83m	101m	Swing head north to 52	Simulation
4	<i>Celine</i> 240x35m RoRo	83m		Swing head north to 3FM Ro/Ro Berth	Simulation
5	230x32m RoPax		82m	Swing head south to 52	Simulation
6	230x32m RoPax		85m	Swing head south to 52	Simulation
7	240x32m RoPax		85m	Swing head south to 52	Simulation
8	240x32m RoPax	93m	93m	Swing head north to 52	Simulation
9	240x32m RoPax	43m		Swing head north to 52	Simulation
10	240x32m RoPax	40m		Swing head north to 52	Simulation
11	240x32m RoPax	42m		Swing head north to 52	Simulation
12	240x32m RoPax	41m		Swing head north to 52	Simulation
13	240x32m RoPax	53m	88m	Swing head south to 52	Simulation
14	240x32m RoPax	71m/68m		Swing head south to 52	Simulation
15	240x32m RoPax	68m		Swing head south to 52.	Simulation
16	<i>Pacific Moonstone</i> 183x32m Tanker	46m		Arriving 47	Actual PPU Recorded
17	<i>MSC Nikoletta II</i> 184x25m LoLo	79m		Arriving 50S	Actual PPU Recorded
18	<i>Arklow Breeze</i> 119x15m General Cargo	46m		Arriving 47	Actual PPU Recorded
19	<i>Ruby Ace</i> 200x32m Car Carrier	100m	71m	Departing 36/37 passing traffic	Actual PPU Recorded

32m = 12mm
= 106m.

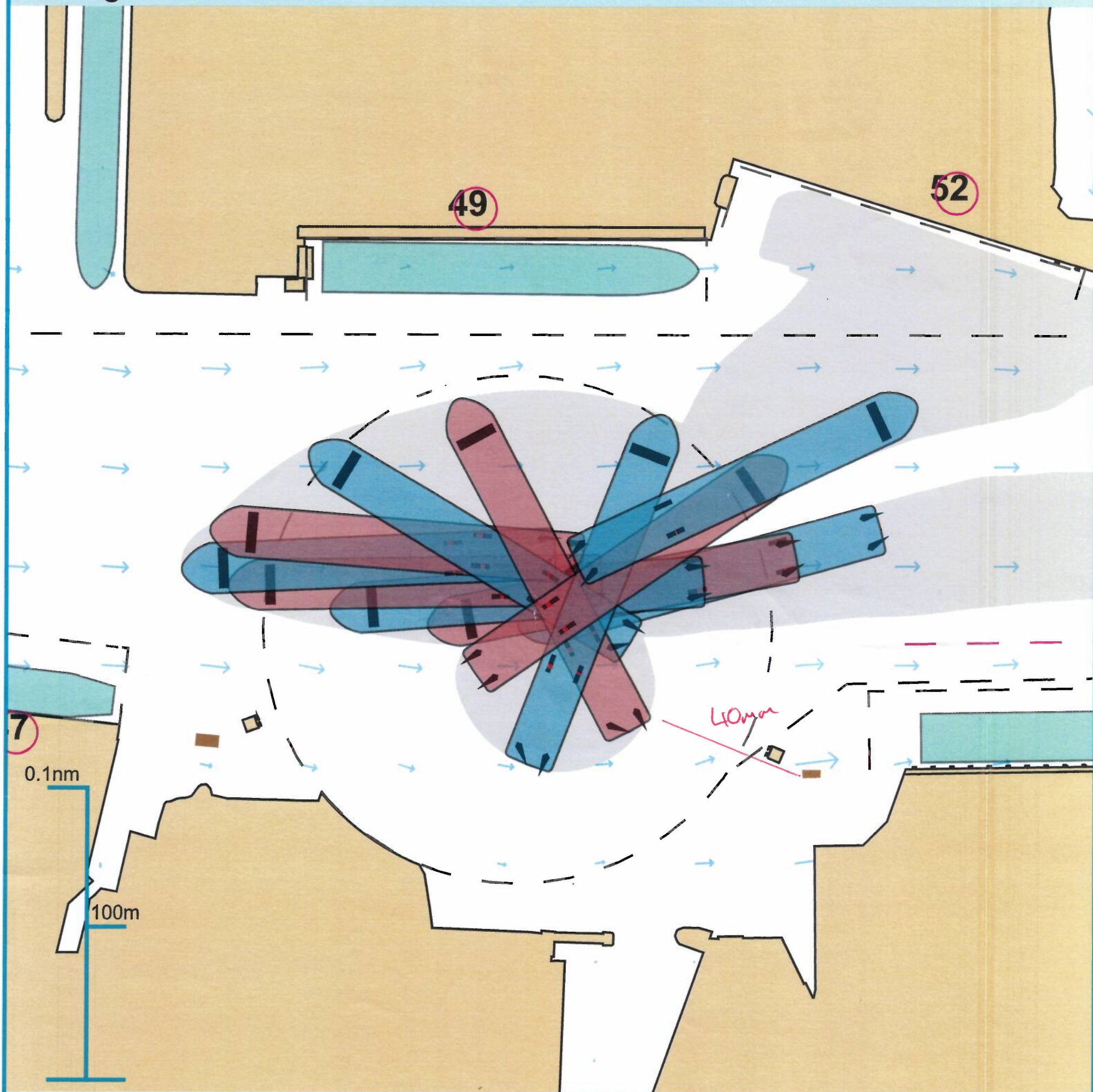
Overview

Environment

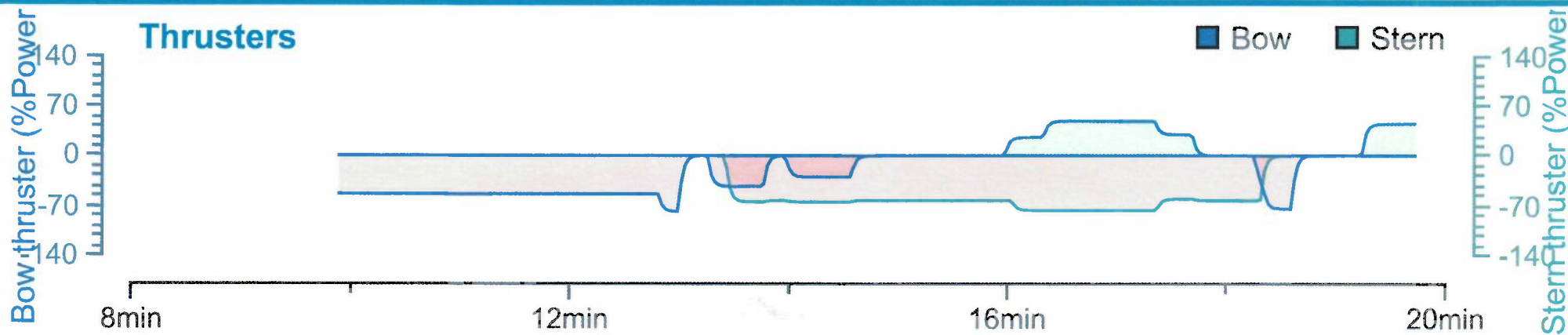
240m x 32m RoPax

Thruster and engine use

Swing



Ships plotted every 59 seconds, highlight every 2 mins



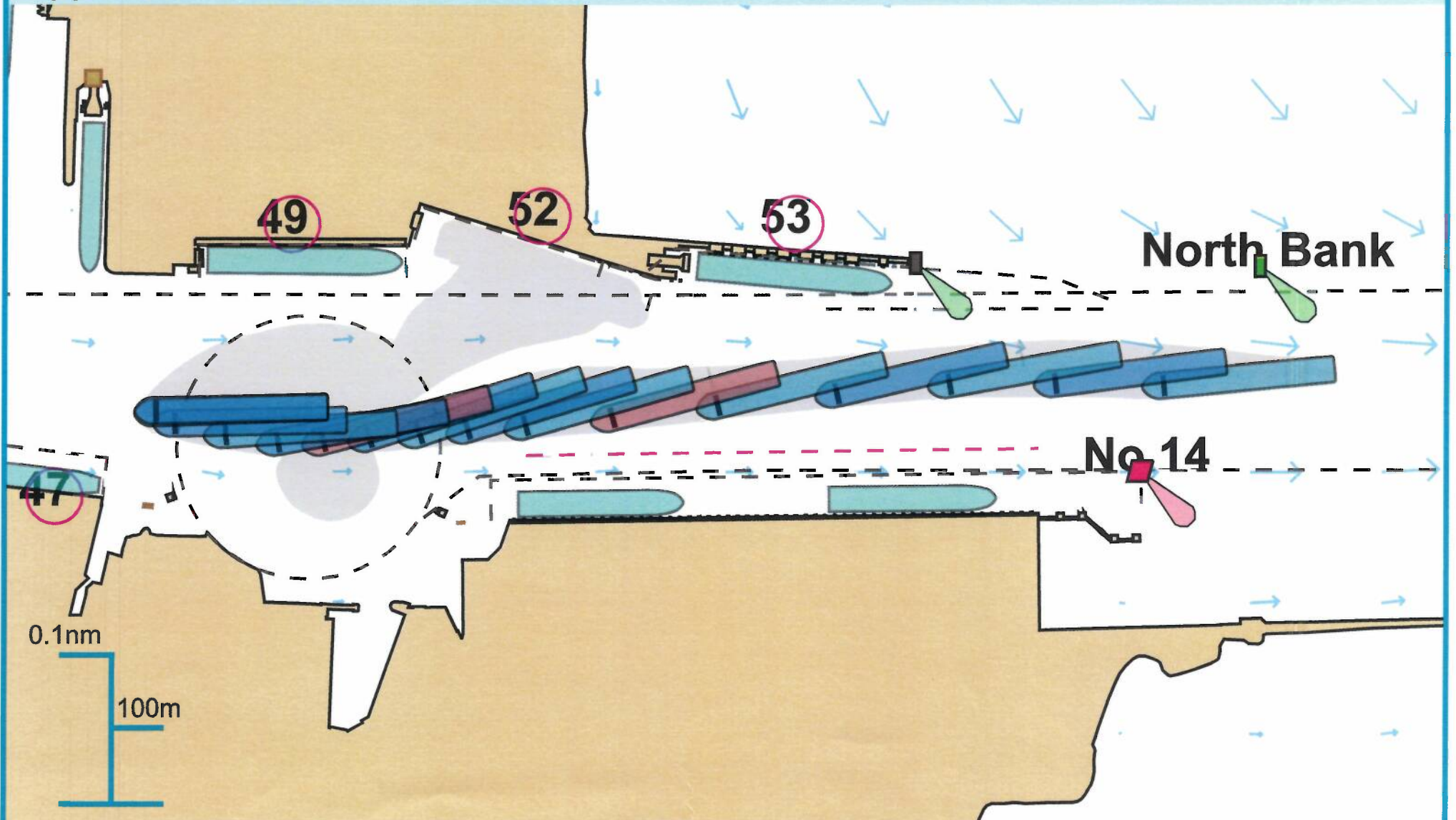
Overview

Environment

240m x 32m RoPax

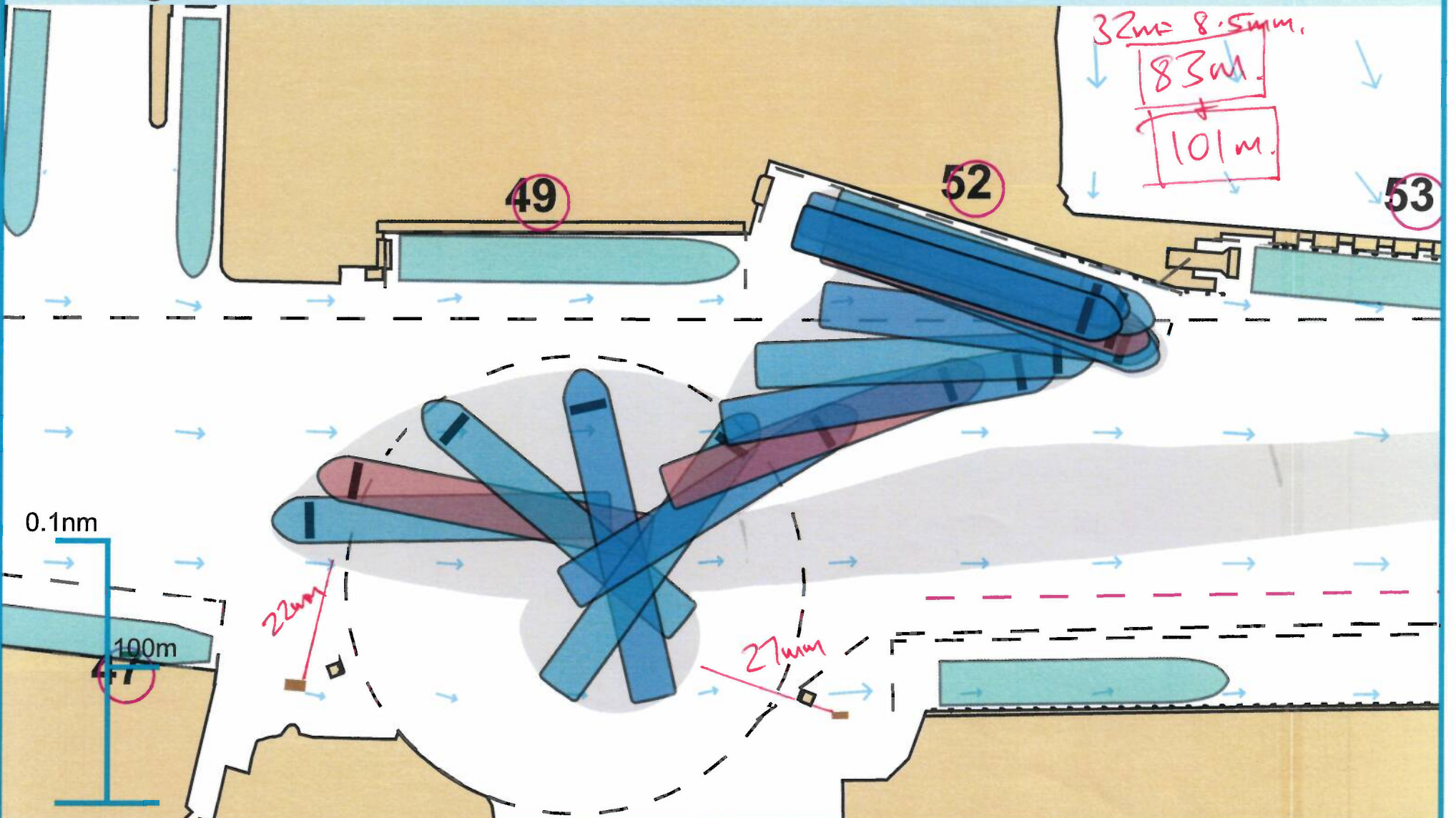
Thruster and engine use

Approach



Ships plotted every 1 mins, highlight every 5 mins

Berthing



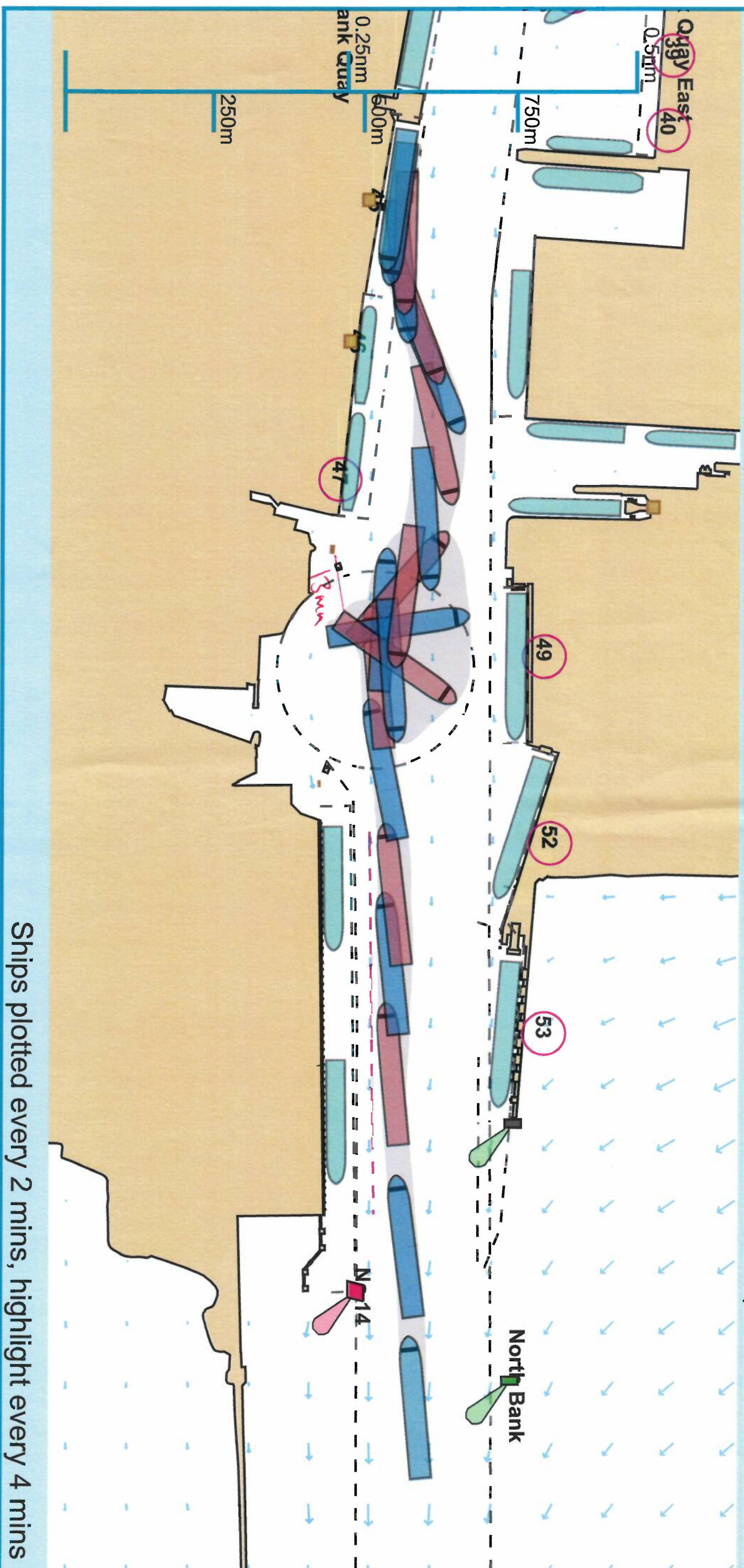
Ships plotted every 1 mins, highlight every 5 mins

$32m = 5m$

$345 \times 13 = 183m$

Full Run Overview

53° 20.239 N, 006° 12.628 W



Ships plotted every 2 mins, highlight every 4 mins

Pilot: IL

Run length: 39 minutes

Manoeuvre: Other

Ownship(s): MV Celine

Comments:

32m = 9.14m
14mm 32/9 x 36 = 14

Project: Dublin
Session: January 2023
Configuration: January 2023 updated flow and bal
Run: 07

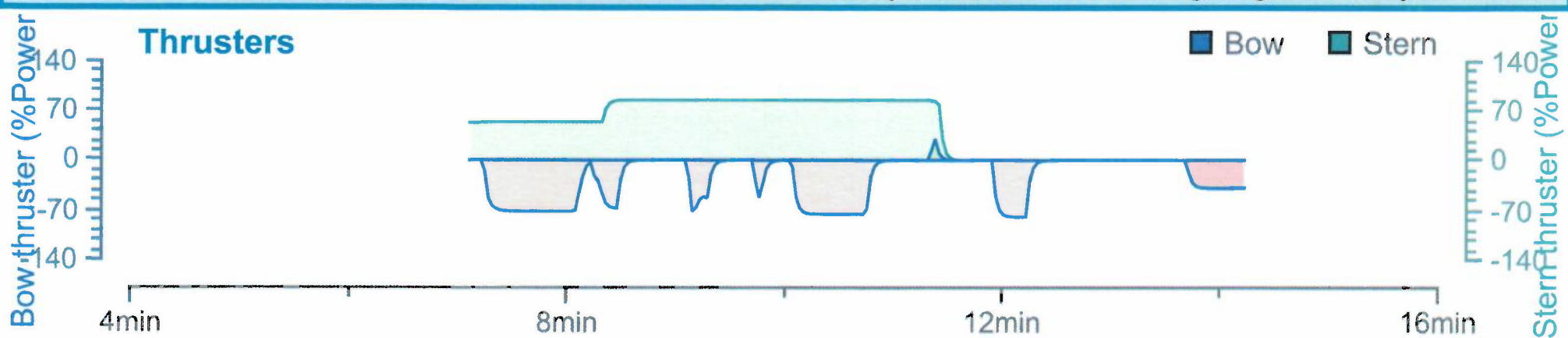
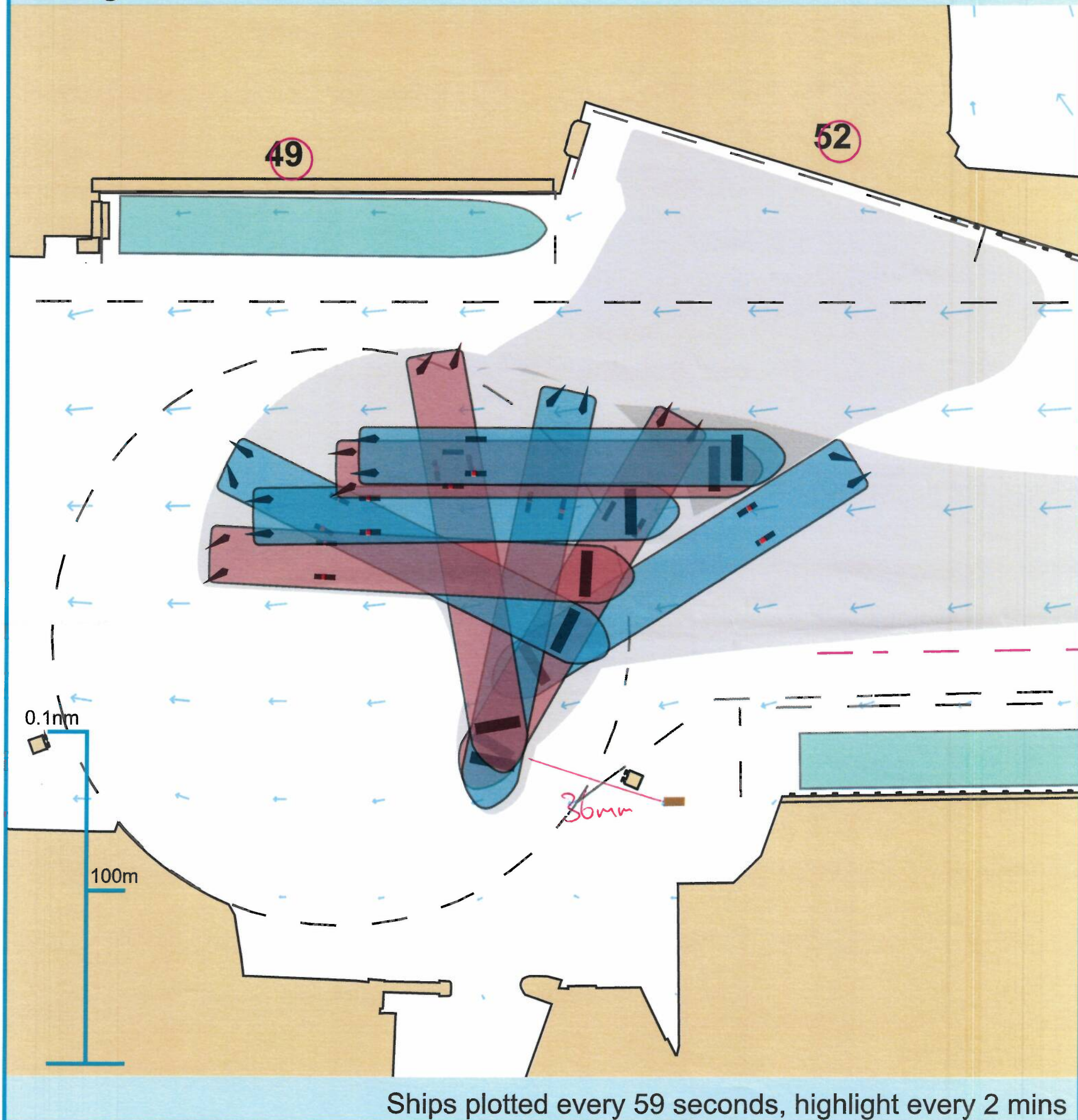
Overview

Environment

240m x 32m RoPax

Thruster and engine use

Swing



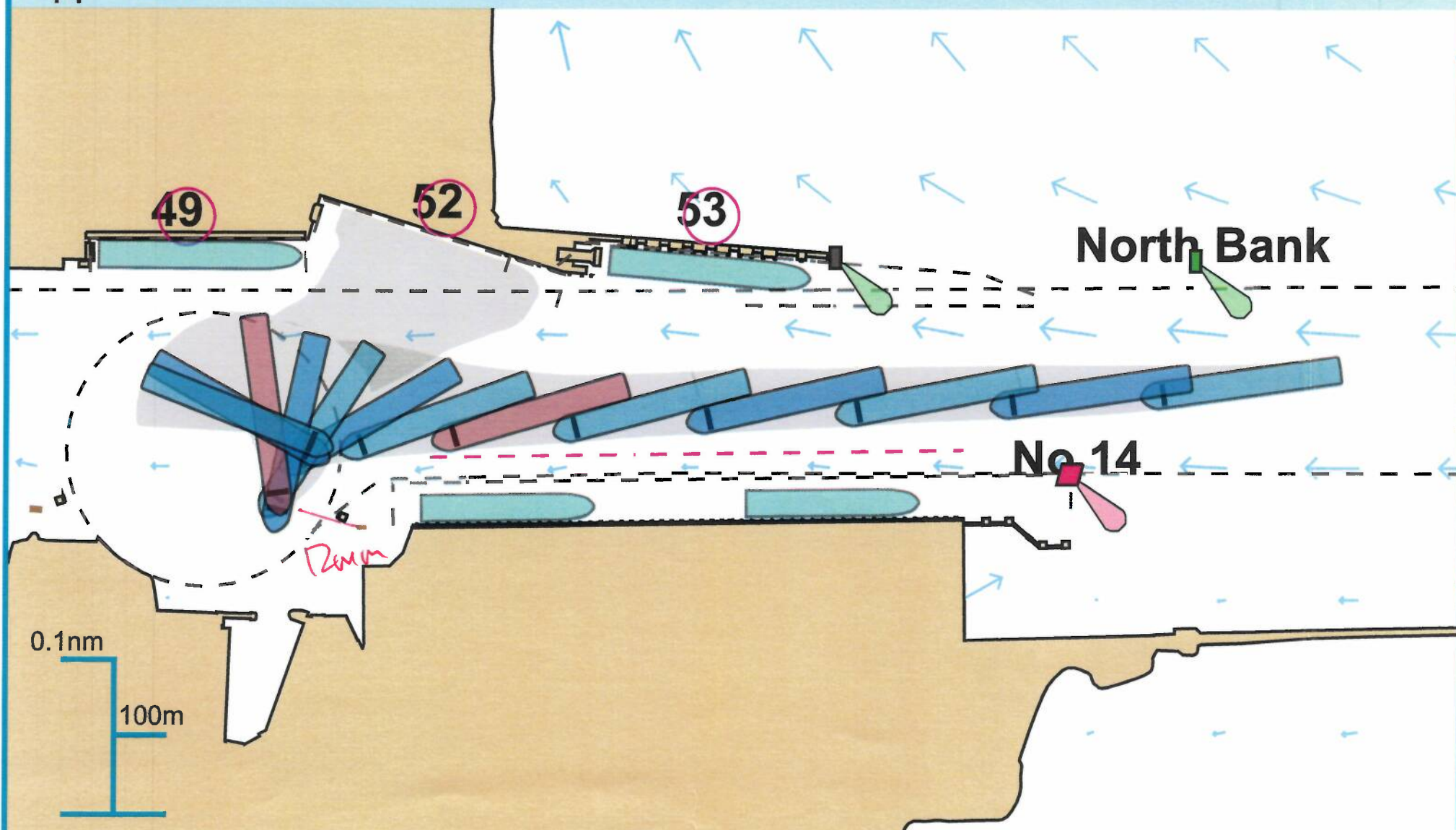
Overview

Environment

240m x 32m RoPax

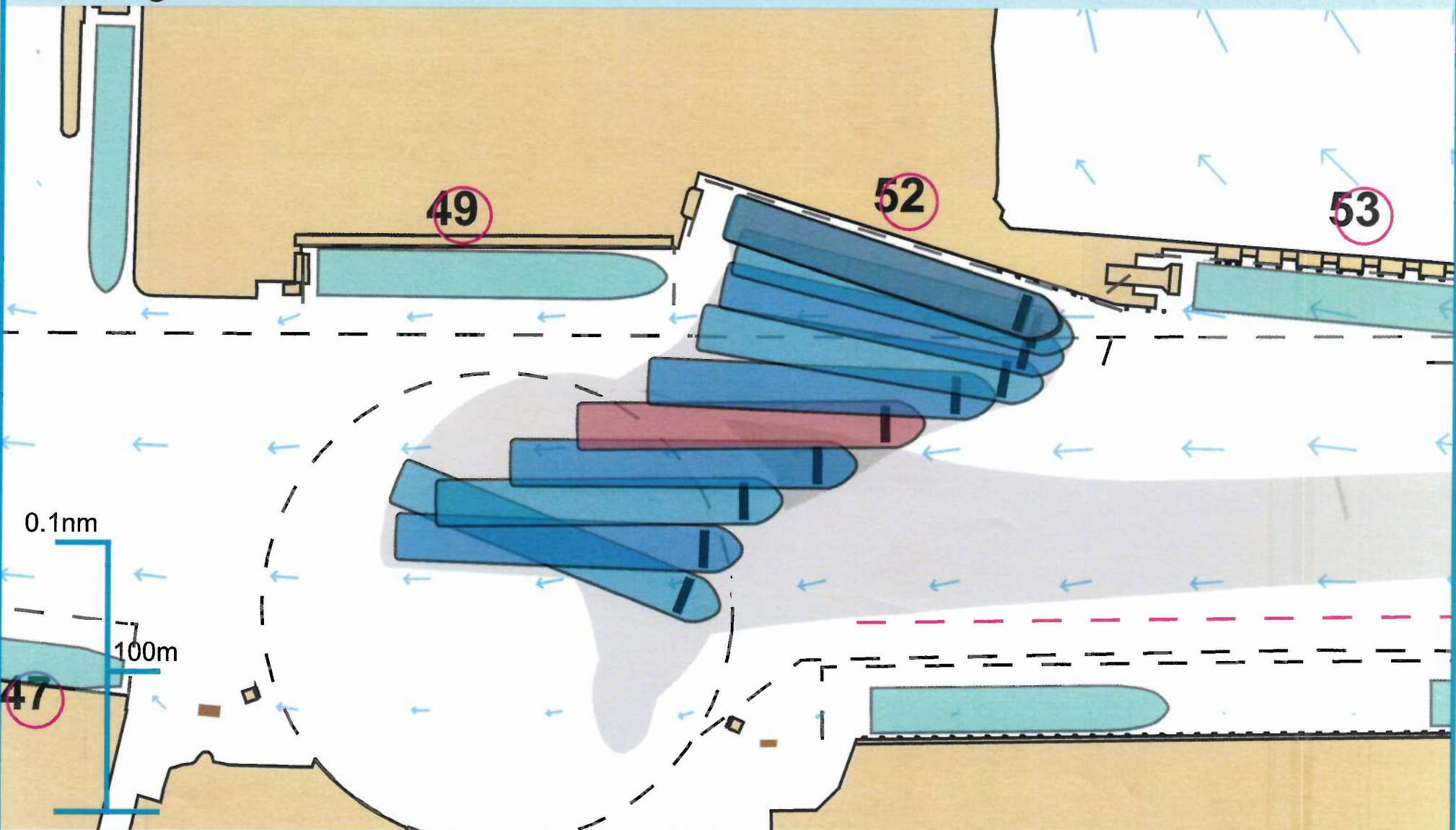
Thruster and engine use

Approach



Ships plotted every 1 mins, highlight every 5 mins

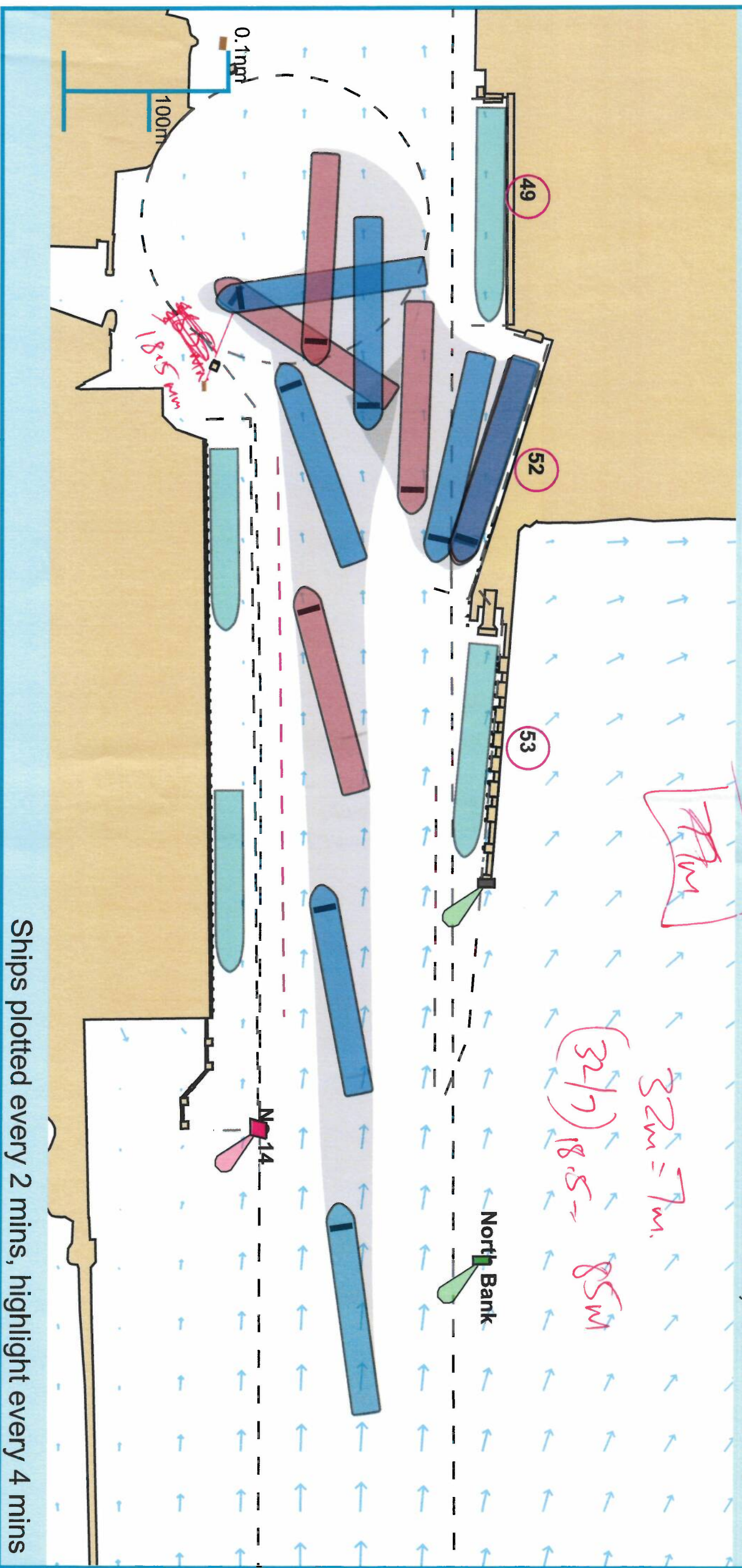
Berthing



Ships plotted every 1 mins, highlight every 5 mins

Full Run Overview

53° 20.399 N, 006° 11.861 W



Pilot:MM

Run length:20 minutes

Manoeuvre:Other

Ownship(s):240m x 32m RoPax

Comments:

Ships plotted every 2 mins, highlight every 4 mins

Ships plotted every 1 mins, highlight every 5 mins

Ships plotted every 1 mins, highlight every 5 mins

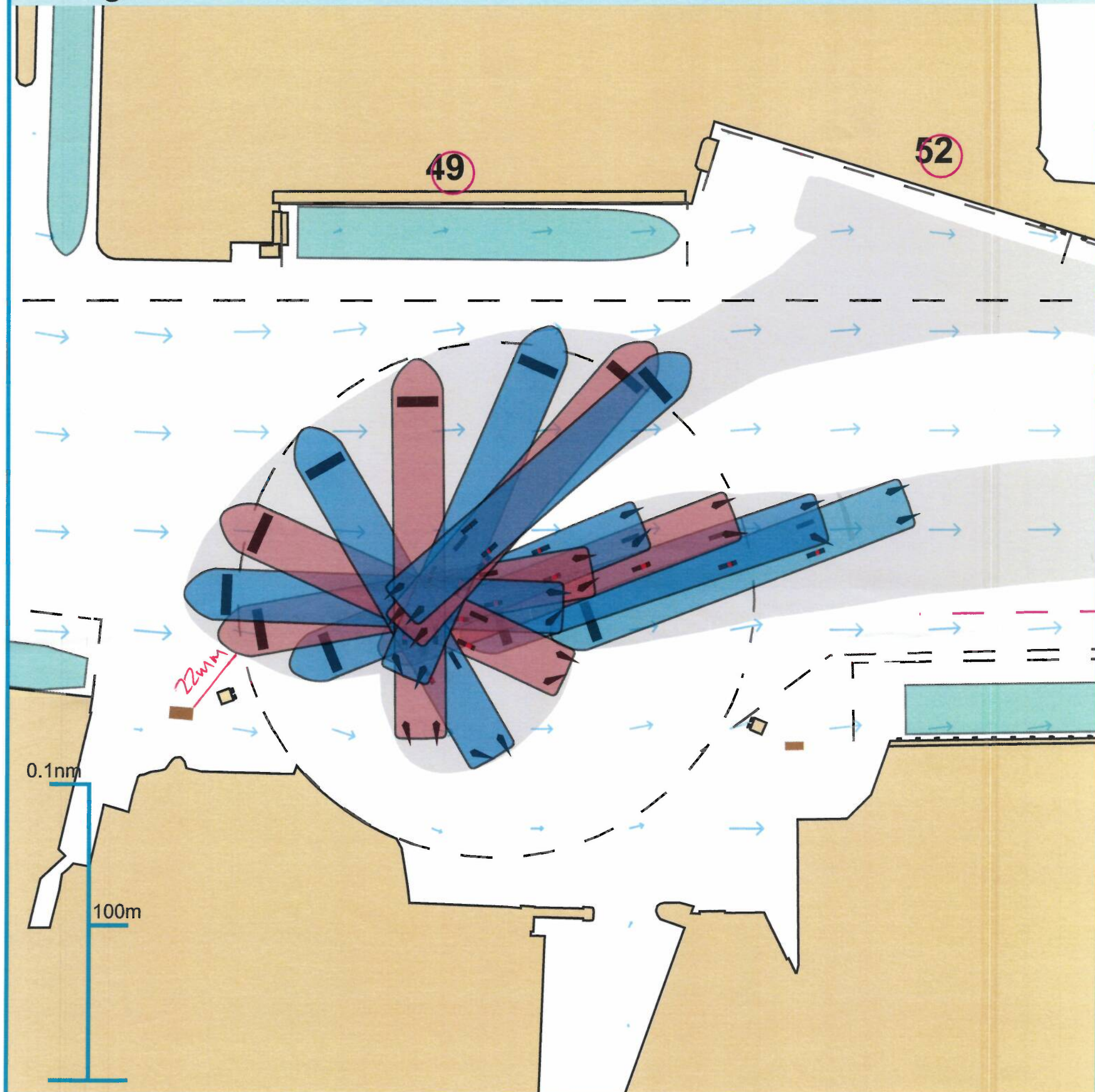
Overview

Environment

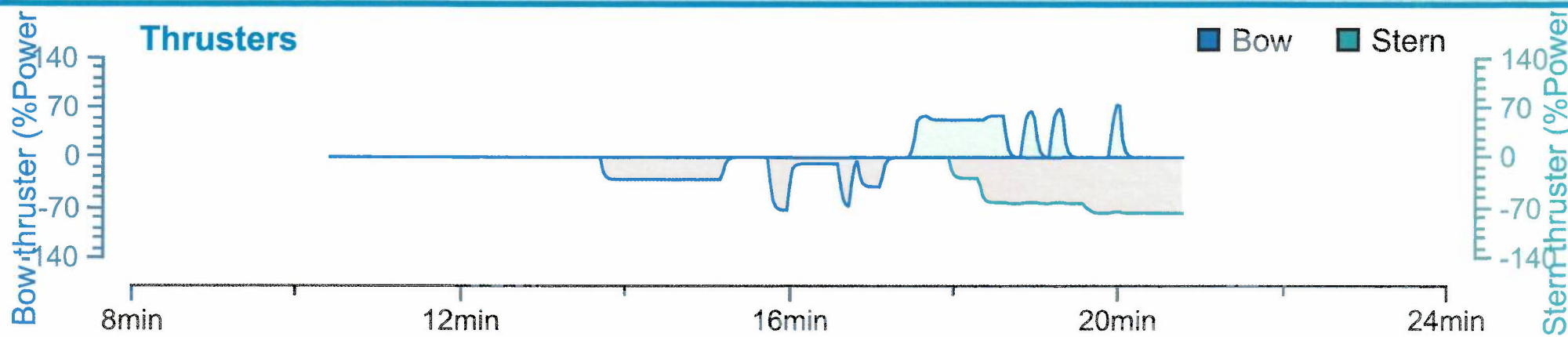
240m x 32m RoPax

Thruster and engine use

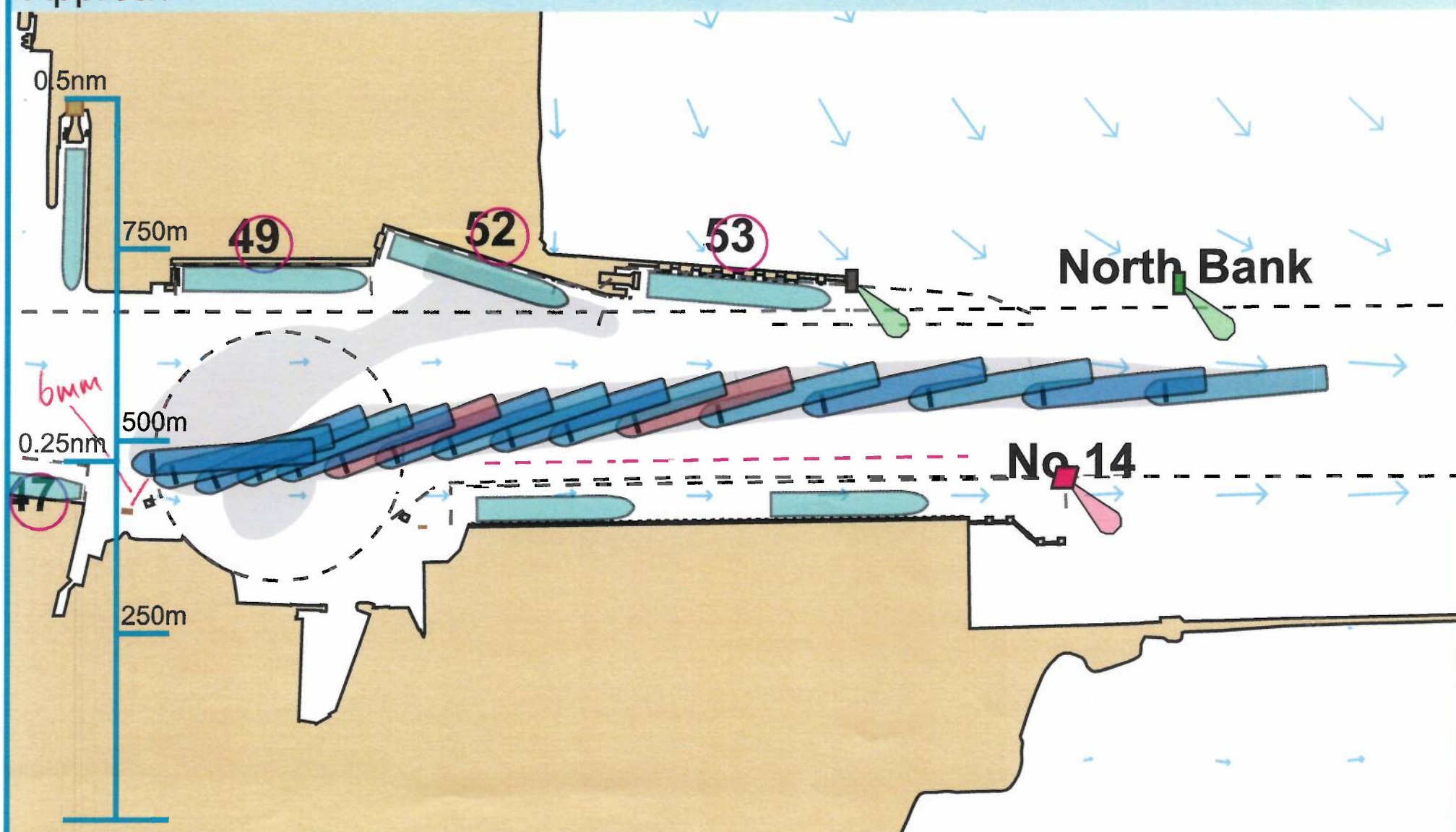
Swing



Ships plotted every 59 seconds, highlight every 2 mins

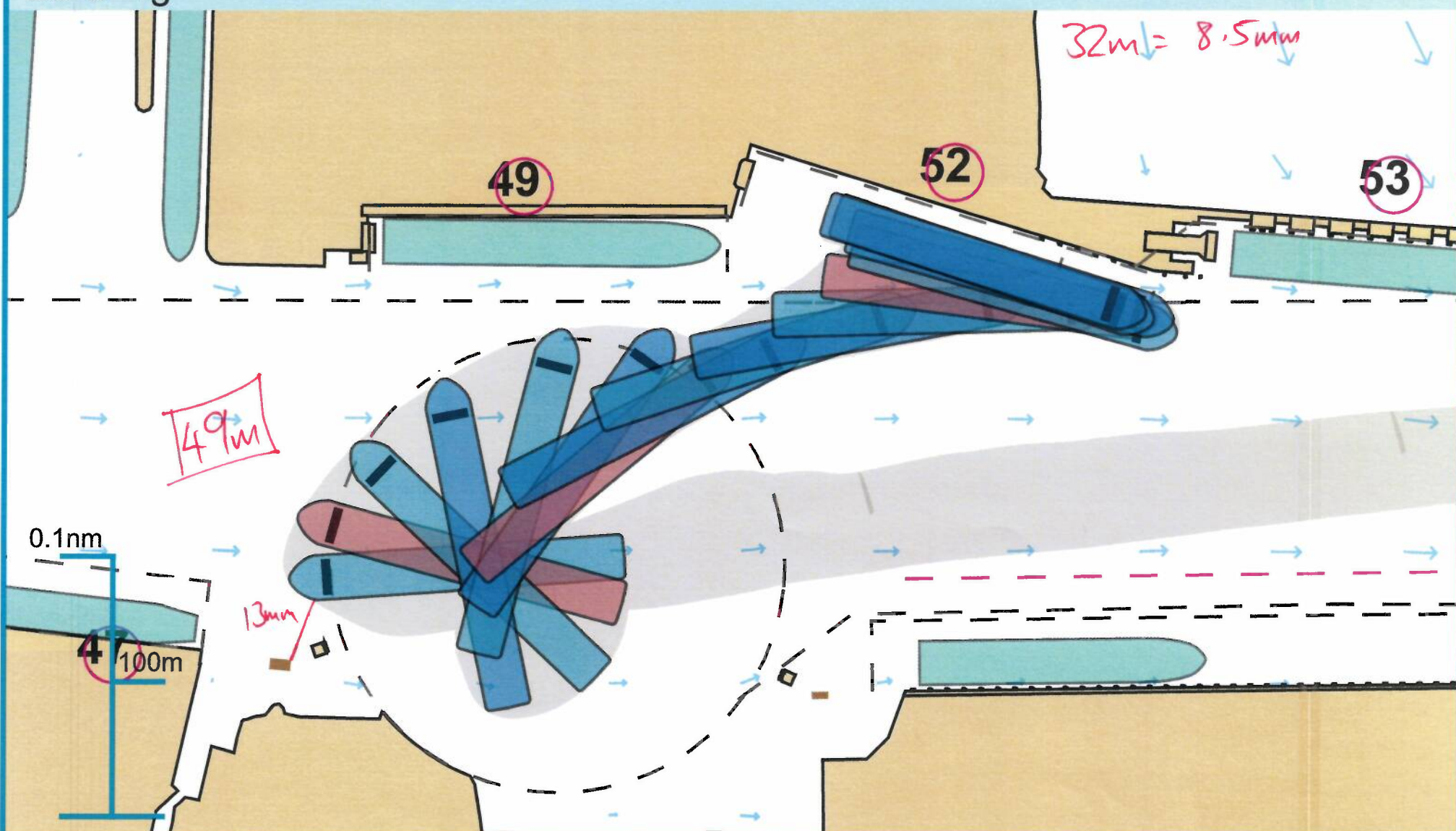


Approach



Ships plotted every 1 mins, highlight every 5 mins

Berthing



Ships plotted every 1 mins, highlight every 5 mins

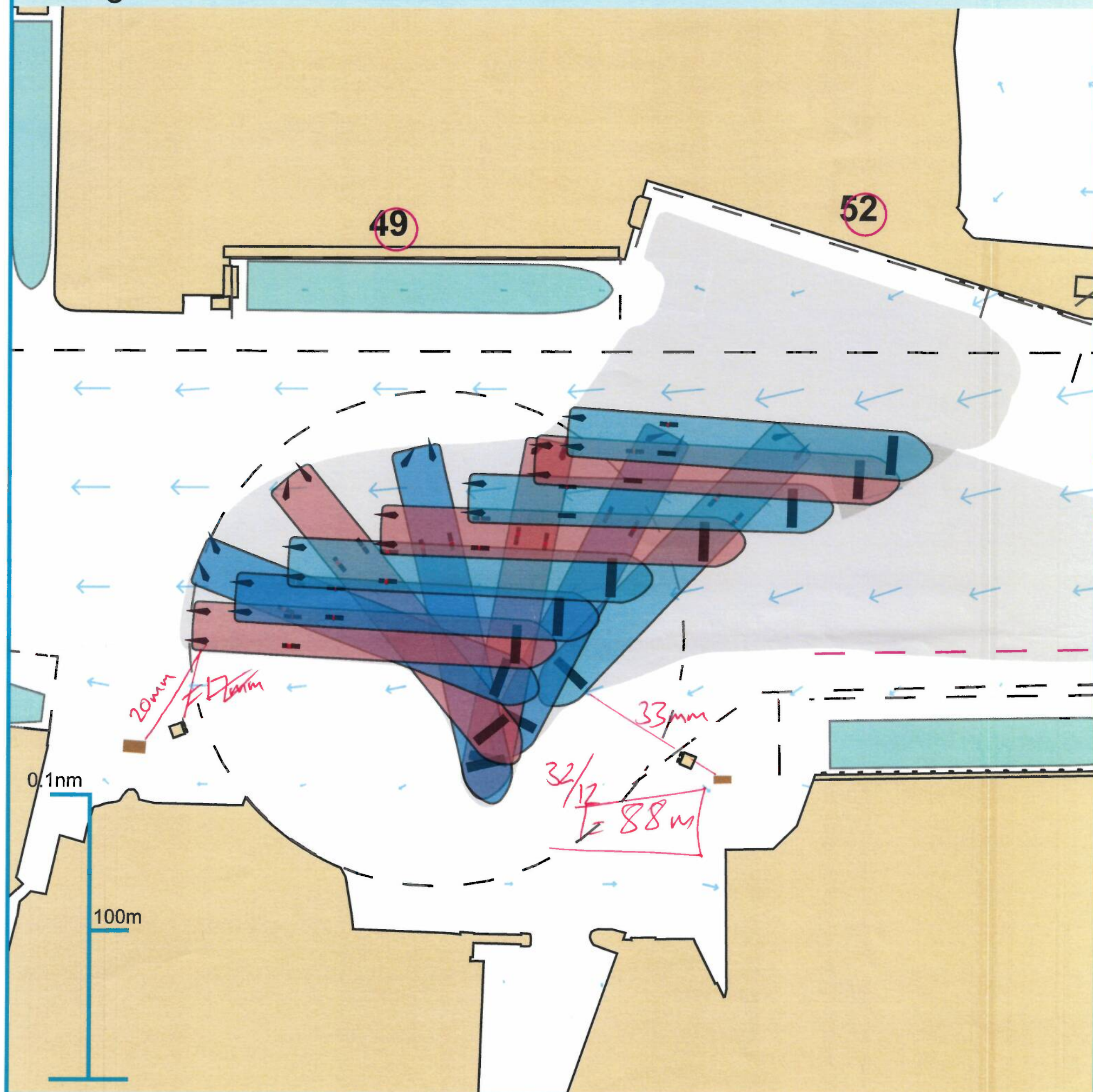
Overview

Environment

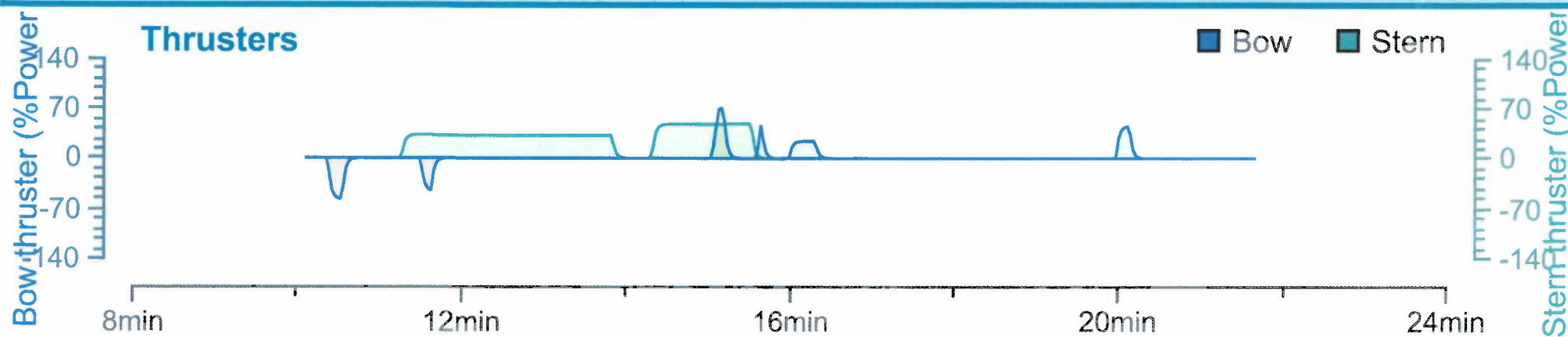
240m x 32m RoPax

Thruster and engine use

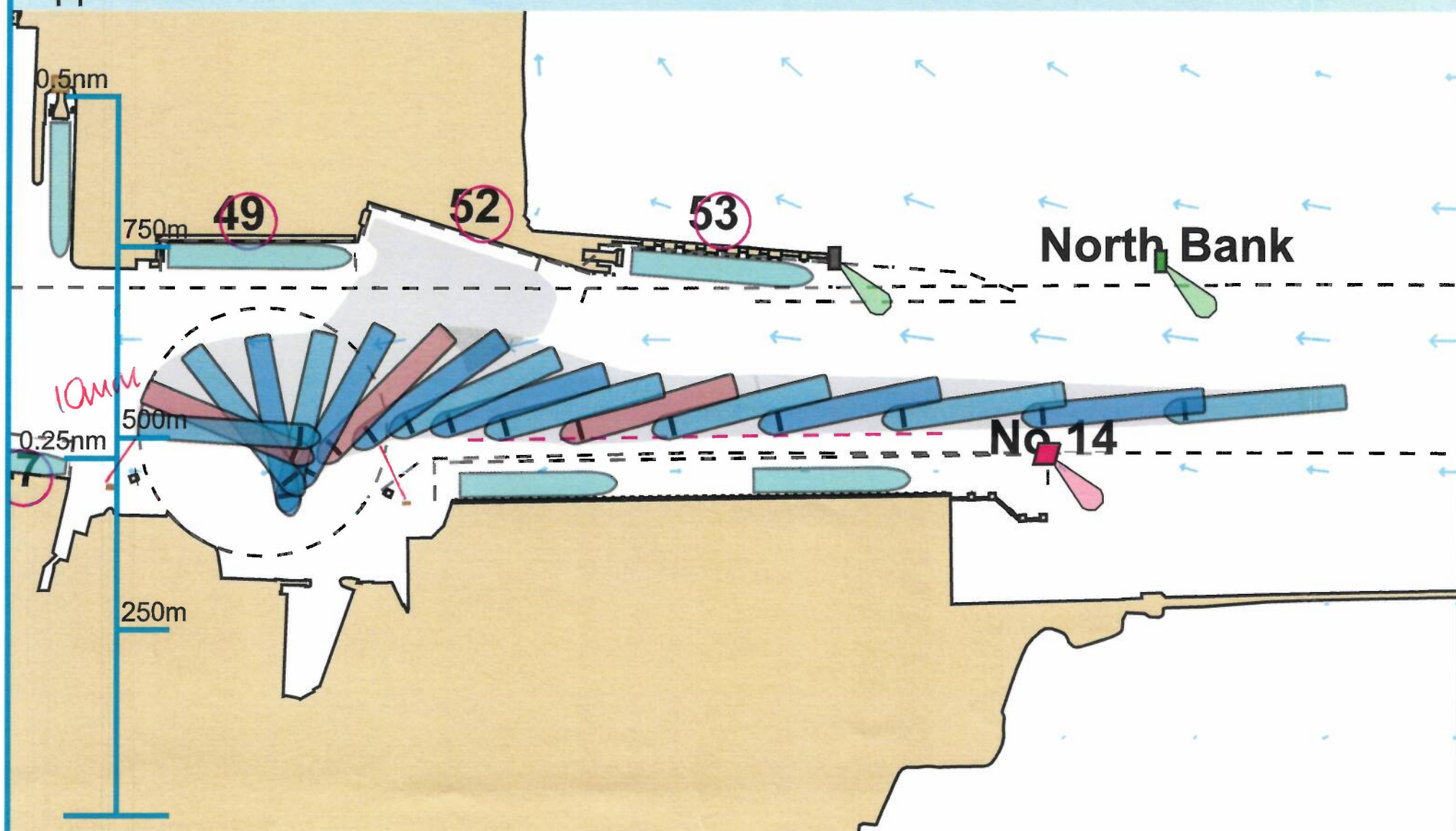
Swing



Ships plotted every 59 seconds, highlight every 2 mins

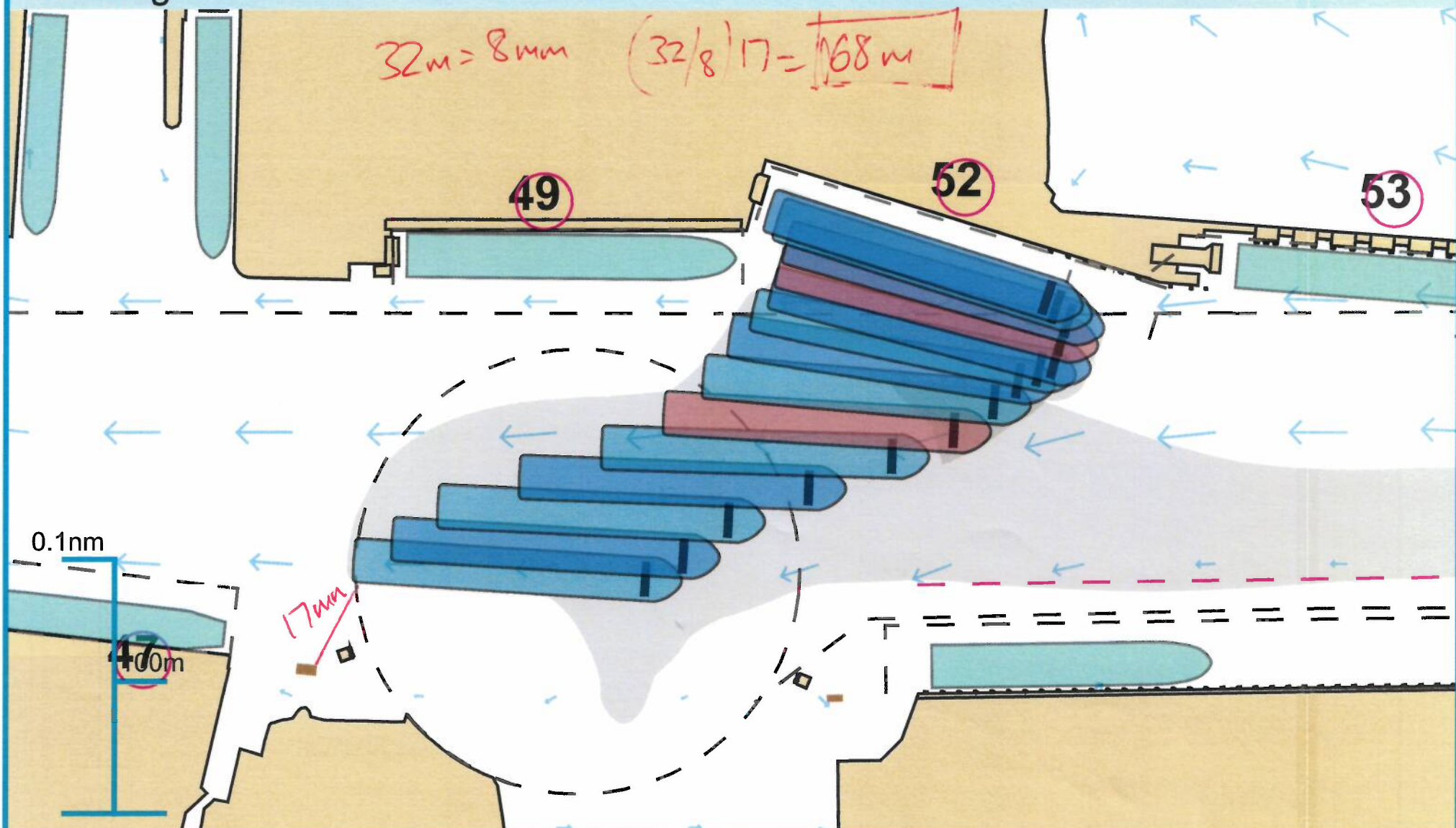


Approach



Ships plotted every 1 mins, highlight every 5 mins

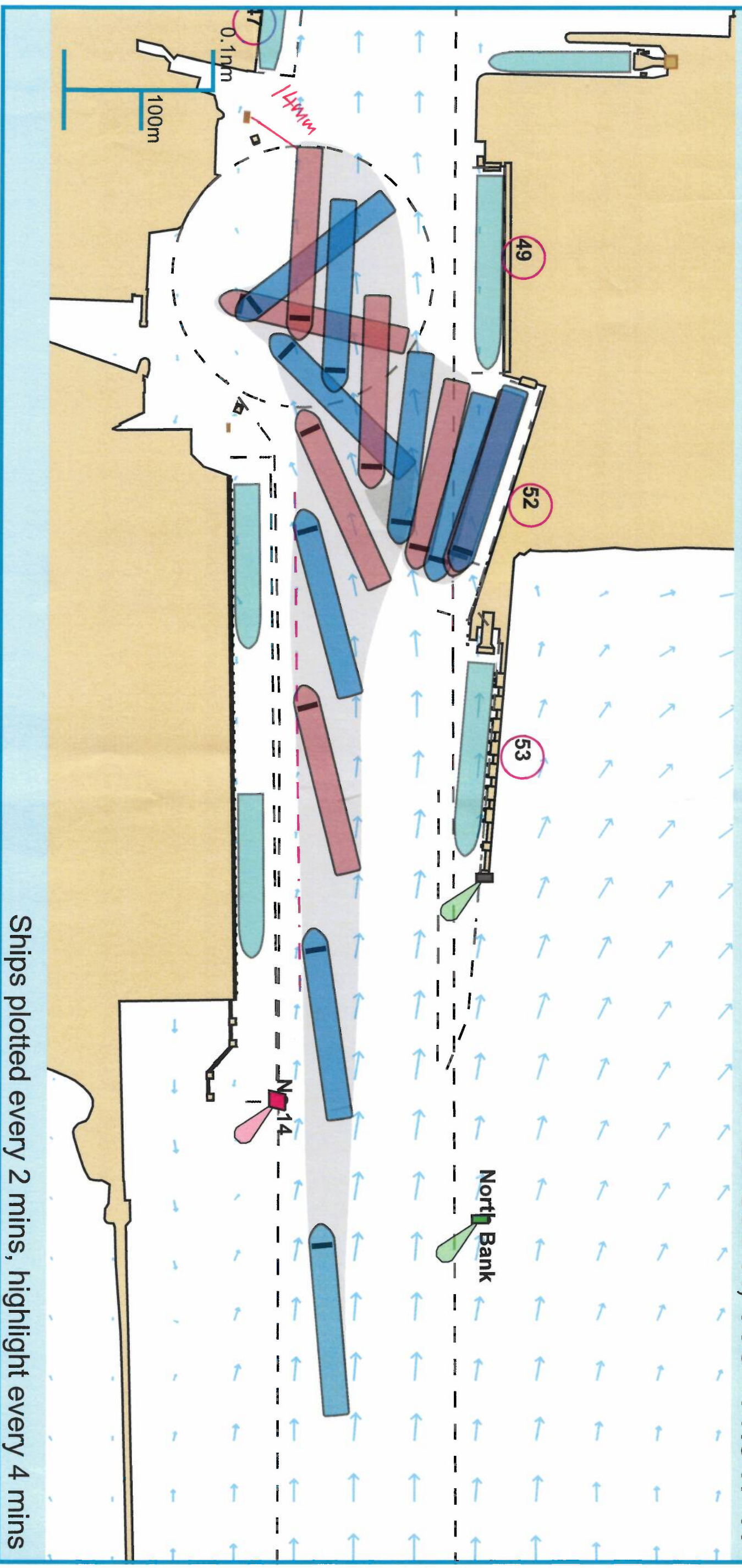
Berthing



Ships plotted every 1 mins, highlight every 5 mins

Full Run Overview

53° 20.369 N, 006° 11.947 W



Pilot:MM

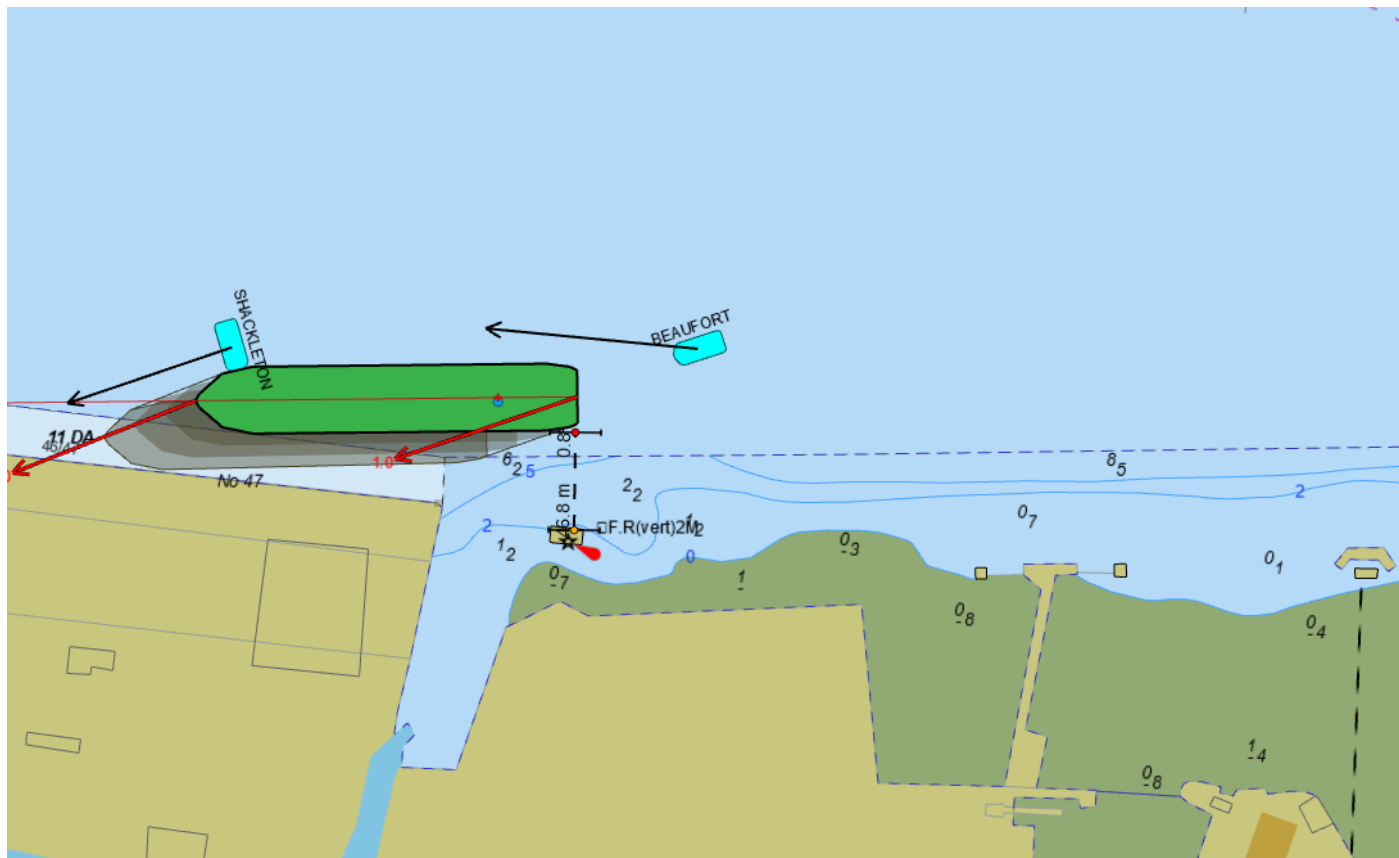
Run length: 29 minutes

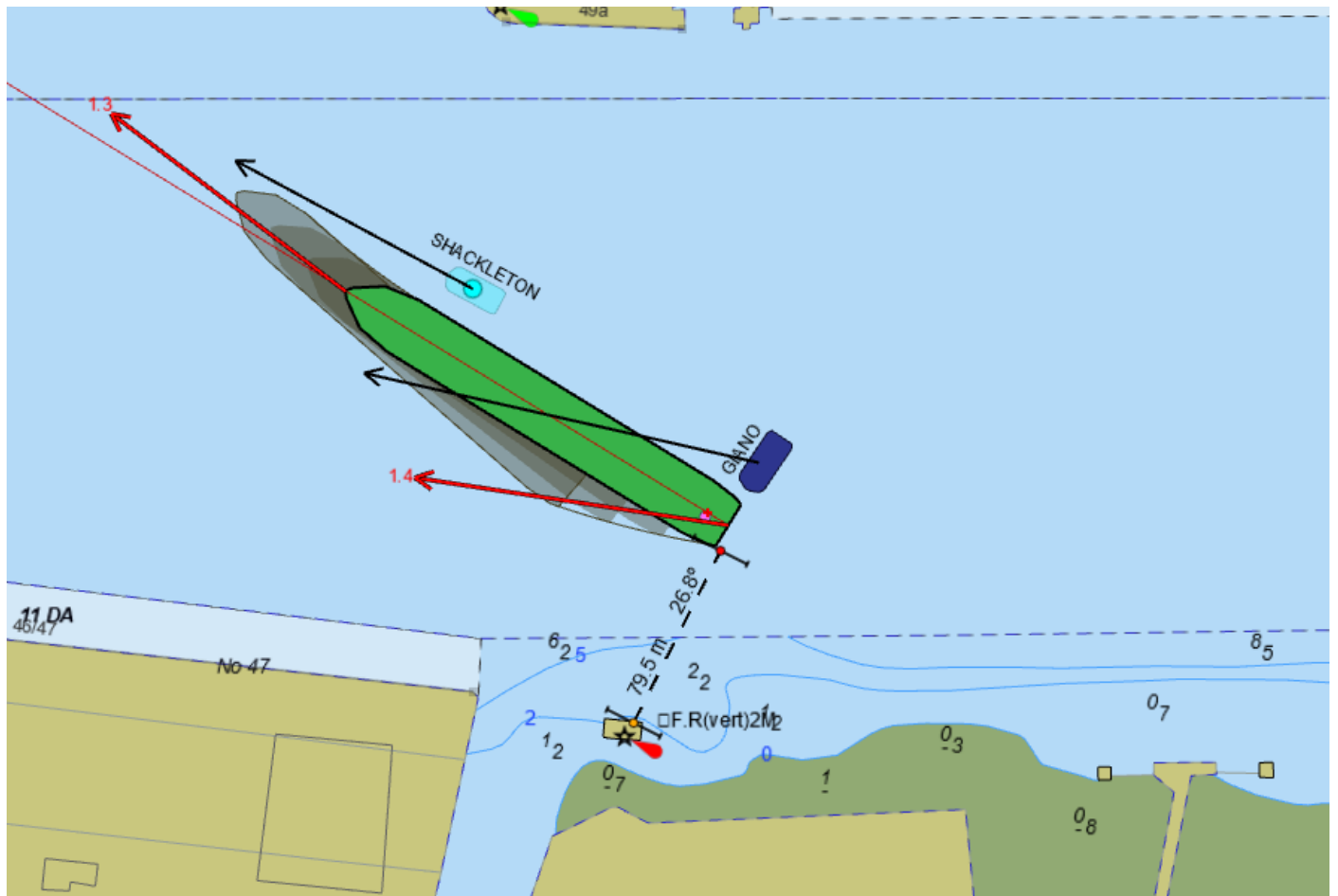
Manoeuvre: Other

Ownership(s): 240m x 32m RoPax

Comments:

Ships plotted every 2 mins, highlight every 4 mins





Ruby Ace 11/01/2025 RC Departing 36/37 Passing Traffic

