



**Comhairle Cathrach
& Contae Luimnigh**

**Limerick City
& County Council**

Seirbhísí Pleanála agus Comhshaoil,
Comhairle Cathrach agus Contae Luimnigh,
Tuar an Daill,
Luimneach

Planning and Environmental Services,
Limerick City and County Council,
Doora Doyle,
Limerick

ETRCODE V94 WV78

t: +353 (0) 61 556 000

f: +353 (0) 61 556 001

13th July 2018

To: The Mayor and Each Member of Limerick City and County Council

Re: Shannon Foynes Port Company - Strategic Infrastructure Development Application to An Bord Pleanála

A Chomhairleoir, a chara,

I wish to advise Members of the Council that the proposed extension to Foynes port has been determined as a Strategic Infrastructure Development application by An Bord Pleanála.

The proposed extension consists of modifications to the existing jetties and quays and the phased expansion of the port estate.

The strategic infrastructure provisions of the Planning and Development (Strategic Infrastructure) Act 2006 (the 2006 Act) came into effect on 31st January 2007. The Act, which amended the Planning and Development Act 2000 (the 2000 Act), provides generally for applications for permission/approval for specified private and public strategic infrastructure developments to be made directly to the Board.

Strategic infrastructure developments (mostly private developments) are those listed in the 7th Schedule to the 2000 Act as amended. These generally relate to major energy, transport, environmental and health infrastructure.

Definition of Strategic Infrastructure Development

The 7th Schedule to the 2000 Act (as amended) lists the classes of infrastructure development which, if considered by the Board to be strategic infrastructure development, require direct application for permission to the Board instead of the local planning authority. To qualify as strategic infrastructure development a proposed development must first come within the scope of one or more of the classes and comply with the thresholds contained in the 7th Schedule.

Secondly, the Board must come to the opinion that the proposed development, would meet one or more of the following criteria:-

- is of strategic economic or social importance to the State or the region in which it would be situate,
- would contribute substantially to the fulfillment of any of the objectives of the National Planning Framework or in any regional spatial and economic strategy in respect of the area or areas in which the development would be situate,
- would have a significant effect on the area of more than one planning authority.

This opinion is formally given by the Board at the conclusion of the pre-application consultation stage following a request for closure of the consultations from the prospective applicant.

Shannon Foynes Port Company have been advised by An Bord Pleanála that the proposed development constitutes Strategic Infrastructure Development.

Planning Authority Report

There is a requirement for the Chief Executive of the planning authority for the area to prepare and submit a report to the Board within ten weeks of the receipt of the application by the Board. This provision applies to applications made under Section 37E of the Planning and Development Act, 2000.

The report will set out the views of the authority on the effects of the proposed development on the environment and/or the proper planning and sustainable development of the area of the authority having regard to the usual considerations as set out in section 34(2) of the 2000 Act, as amended.

This report must first be submitted to the elected members of the authority.

Accordingly, I attach herewith for the information of the Members, the Planning Report prepared in respect of the Shannon Foynes Port Company Strategic Infrastructure Development.

I hereby seek the views of the Members in respect of this report.

I confirm that any recommendations made by the Members by way of resolution shall be appended to the report sent to the board along with the administration record of the meeting.

Is mise le meas,



Kieran Lehane
Director of Service,

**PLANNING REPORT IN ACCORDANCE WITH
SECTION 37 E (4) OF THE PLANNING AND DEVELOPMENT
ACT 2000 (as amended).**

**Shannon Foynes Port Company Strategic Infrastructure Development
to An Bord Pleanála**

Re: The proposed development seeks to provide for Port Capacity Extension that will consist of the following:

- (1) **Modifications to the existing jetties and quays to include:** connection of the existing West Quay to the existing East Jetty for the purpose of extending the length of the existing quay to facilitate the mooring of vessels and Port related operations. Development works consist of;
(i) Construction of an open piled jetty structure with suspended 116.5 metre concrete deck connecting the West Quay to the East Jetty; (ii) quayside furniture including quay fenders, mooring bollards, safety ladders, toe rail, and lighting columns, (iii) construction and remedial works to the both existing West Quay and East Jetty ends to facilitate structural ‘tie-in’ of the proposed new jetty structure, (iv) removal of the existing small craft landing pontoon and walkway from its current position affixed to the shore between the West Quay and the East Jetty, and provision of a new small craft landing pontoon and walkway affixed to the western side of the West Quay wall, and, (v) all associated site development works; and

- (2) **Phased Expansion of the Port Estate** on 33.95 hectares of land immediately adjacent to the east of the existing port estate to provide serviced industrial land, and, to accommodate marine related industry, port centric logistics and associated infrastructure that will be provided in accordance with a development framework programme prepared for the overall ‘expansion’ area and which is lodged with the planning application. The development includes:
(I) site development and infrastructure works to the entire expansion lands on a phased basis including (a) raising of ground levels with fill material to atypical height of +4.44m OD Malin; (b) provision of all associated services including storm water infrastructure and, modification to the existing OPW drainage attenuation system; (c) provision of 2.4m high perimeter fencing, (d) landscaping berms and treatments, and (e) all associated site development works; all to be delivered on a phased basis; and(II) Implementation and use of ‘Phase 1’ of port expansion works including: (a) modification and realignment to part of the existing port estate access road including provision of new roundabout and junction arrangements on that road, and associated lighting, and storm water drainage; (b) provision of new internal Port access road (with associated footpath and combined cycle path) including the provision of bridge structures to facilitate access across existing drainage channels; (c) construction of three covered industrial type warehouse units (with typical maximum ridge height of 15.1m above raised ground level) with associated external storage, parking and circulation areas; (d) the provision of separate dedicated uncovered ‘open’ storage area/container storage area and associated circulation and service area (with maximum container stacking height of 8m if/when container storage required); (e) provision of Klargestor BE model (or similar) package foul water treatment system with polishing filter and discharge to ground to serve the Phase 1a expansion area; (f) modifications to existing ‘Foynes Engineering’ industrial building which involves the removal of the ‘lean-to’ structure

affixed to the main building and remedial building and site development works; (g) provision of an ESB electrical substation; (h) provision of lighting columns within the 'Phase 1' expansion area; (i) provision of a new security kiosk and access control barrier on the existing Port access road; (j) provision of noise attenuation measures along parts of the southern and western boundary of 'Phase 1' expansion area; (k) fire water storage infrastructure; (l) provision of a 'bus-stop' on the existing Port access road; (m) landscaping; and (n) all associated site development works.

An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the proposed development, and accompanies the application. A Discharge Licence to Waters and a Foreshore Licence will be required for the proposed development. The proposed development is located within a consultation zone for establishments to which the Major Accident Directive applies.

At The Port of Foynes, Foynes, and within the townlands of Corgrig and Durnish, Co. Limerick.

Planning Reference No. PL91.301561

Determination of Strategic Infrastructure Development (SID)

Under the provisions of Section 37B(4)(a) of the Planning & Development Act 2000 (as amended), by notice dated 30th November 2016, An Bord Pleanála (Ref 13.PC0224) determined that, *“having regard to the nature, scale and location of the proposed port related development it is considered that the proposed extension of jetty facilities and the associated extension to the port estate at Foynes Port, County Limerick constitutes development that falls within the definition of transport infrastructure in the Seventh Schedule of the Planning & Development Act 2000 (as amended). Furthermore, the proposed development is considered to satisfy the requirements of Section 37A (2) (a) & (b) of the Act, having regard also to the identified status of the port in National and Regional level policy”*.

In compliance with Section 37(E)(1) of the Planning & Development Act 2000 (as amended), an application for permission for development in respect of which a notice has been served under section 37B(4)(a) shall be accompanied by an environmental impact statement in respect of the proposed development.

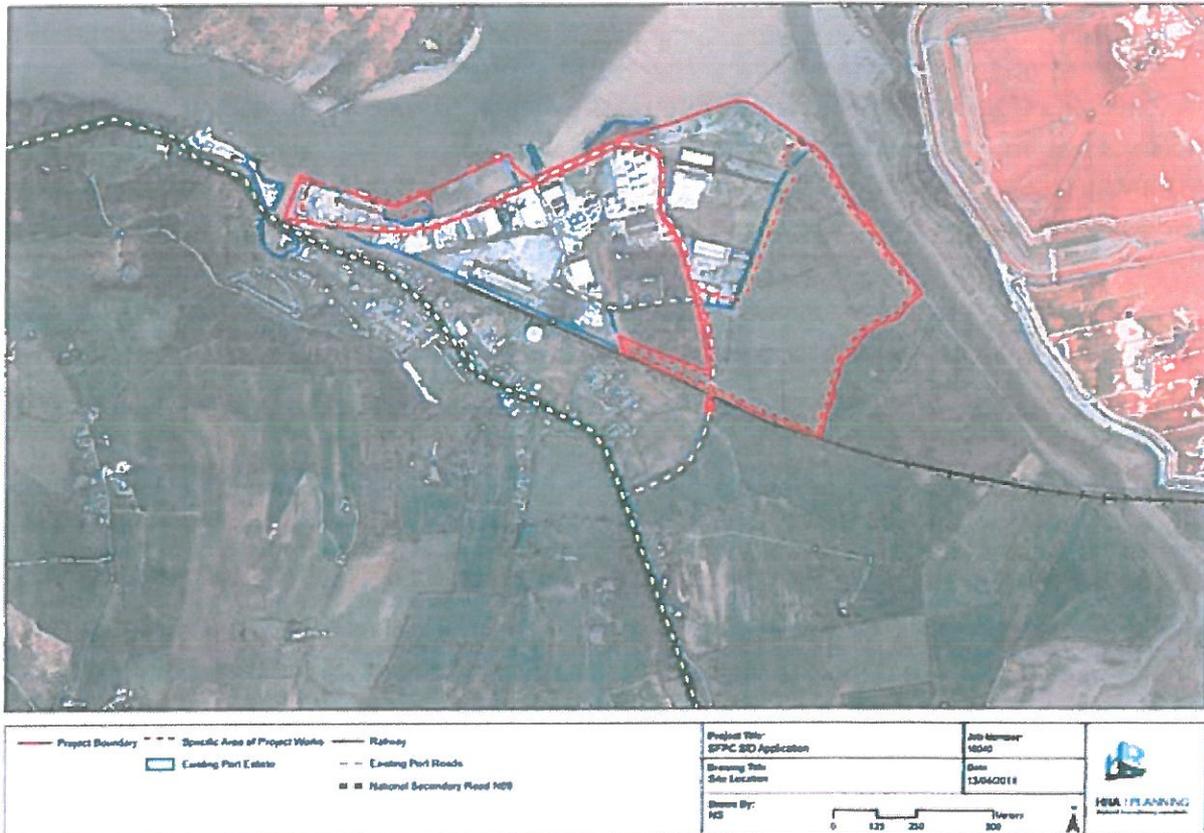
In compliance with Section 37E(4) of the Planning & Development Act 2000 (as amended), this report has been prepared and is presented to the members of Limerick City and County.

A briefing workshop was held on 9th July 2018 at 2pm in the Training Room, County Hall Dooradoyle to brief the Members of the Local Authority on the contents of the proposed development.

Description of existing and proposed development and site analysis:

The site is located within and adjacent to the settlement of Foynes and comprises the existing 'Port of Foynes' and undeveloped lands to the immediate east of the existing Port estate. The purpose of the proposed development is to facilitate an extension to the existing jetty infrastructure, provide for the development of additional port storage and prepare a site for the expansion of future port activities and processes in accordance with Vision 2041, a thirty-year masterplan setting out a port development strategy for SFPC. The project site area which measures 62.10 hectares (ha) extends to include specific areas in which the proposed development will occur within the existing Port estate and, on lands directly adjacent to it. The proposed development works are concentrated in two specific locations – (i) adjacent to the existing quay walls within the existing Port estate (measuring 0.51ha or 5,142m²), and (ii) undeveloped lands adjacent to the east of the existing port estate (measuring 33.95ha or 339,559m²). The site is a Seveso site.

Figure 1- Site Boundary



Summary of relevant Planning Policy matters:

Project Ireland 2040- National Planning Framework

National Policy Objective 40 National Policy Objective 40

Ensure that the strategic development requirements of Tier 1 and Tier 2 Ports, Ports of regional significance and smaller harbours are addressed as part of Regional Spatial and Economic Strategies,

metropolitan area and city/county development plans, to ensure the effective growth and sustainable development of the city regions and regional and rural areas.

Mid-West Regional Guidelines 2010-2022

The Guidelines note the need to respond to major employment losses and to combat this through the attraction of investment into the Region, part of the strategy for achieving this investment is to ensure sufficient supply of serviced enterprise development land.

Mid Western Area Strategic Plan 2012-2030

“Provide a framework to help decision making with regard to the physical and spatial development of the Region to 2030 and to promote balanced growth throughout the region to achieve the maximum social economic, health and cultural benefits for all its citizens”

Strategic Integrated Framework Plan for the Shannon Estuary

Strategic Development Location D: Lands At The Port Of Foynes, Foynes

SIFP MRI 1.2.6 Port of Foynes

To safeguard the role and function of Foynes Port as a key strategic driver of economic growth and as the premier deepwater bulk port facility offering the greatest economies of scale in Irelands bulk freight supply chain at a key gateway in the Mid West Region.

SIFP MRI 1.2.7 Expansion of the Port of Foynes

To support and facilitate the sustainable growth and expansion of Foynes Port, to enable greater capacity, more competitive trade potential, and diversification of trade patterns to meet national and international market demands. Proposals for marine related industry, and more specifically sustainable port-related uses will be encouraged, along with alternative uses, which complement the existing proposed marine related uses within the site, and that demonstrate compatibility with the level of flood risk, including provision of appropriate estuarine buffer areas. Proposals will be subject to compliance with the criteria in Objective SIFP MRI 1.2.

Limerick County Development Plan 2010-2016

A. To ensure that economic development is located and of a form that does not have adverse environmental impacts: this is achieved through policy and development management standards and guidelines;

B. To protect and facilitate through land use zoning, service priorities, and critical interventions, the range of land uses and developments required to sustain and improve the economy in real terms.

Policy ED P1: Adequate provision of serviced and zoned lands

Ensure that adequate provision is made in terms of objectives and measures, to contribute in an effective way to employment targets within the County. This will include making sure there is adequate quantity and range of serviced and zoned lands in appropriate locations.

Policy ED P2: Hierarchy of employment centres in concordance with settlement strategy

Complement the aims of the settlement strategy and hierarchy in a mutually reinforcing and sustainable manner through a hierarchy of employment centres established at Regional, County, and local centres.

Policy ED P9: Facilitation of range of sites for industry

The Council shall facilitate and work pro-actively with development agencies to secure an adequate range of locations for both large scale and small-scale industrial development and for enterprise at key locations throughout the County in accordance with the settlement strategy.

Objective ED O5: Appropriate industrial development of Foynes and deep water facilities in the Shannon estuary

- a) It is the objective of the Council to ensure that the industrial zoned land in Foynes is safeguarded for the accommodation of port related uses and other industrial activities.(see map A2 in Appendix 1)
- b) Support the expansion of the Port at Foynes and promote the economic and industrial development of the Shannon Estuary as a strategic transport, energy and logistics Hub serving the County and wider region by utilising naturally occurring deep water characteristics and by identifying and safeguarding existing and future strategic transportation links, subject to fulfilling the requirements of the Habitats Directive and the conservation objectives of the Lower River Shannon SAC site.
- c) Support the consideration of new deep water berthage within the estuary to enhance the strategic economic function of the Port subject to compliance with the ecological objectives of the Lower River Shannon SAC site and other policies of the County Development Plan

9.2.2 Industrial Development of Foynes

Foynes' role as a port is likely to expand with additional facilities currently being constructed or proposed. There are strategic benefits to the development of transport links by sea and the Council will favourably consider proposals to develop the port facilities at Foynes. As outlined above, such proposals will be considered favourably in so far as it is possible to ensure that the development of the port does not affect the amenity value and quality of life in the town. Currently within the port area a number of different enterprises have different building designs with different finishes and colours. These detract from the visual amenity of the town when viewed from both the estuary and from locations along the N69. The Council places strong emphasis on the need to standardise colour schemes within the port area and would encourage the preparation of a design master plan that would serve to coordinate finishes and colours within the port complex is important in any future proposals. All proposals for the development of the port facilities will be assessed with these issues in mind.

Objective SE O2: Port Facilities

The Council will support efforts to expand and upgrade the port facilities available in the Foynes harbour and encourage the preparation of a master plan for the port area.

Objective SE O4: Harbours

The Council will support the provision of harbours along the estuary, subject to the proper planning and sustainable development, while respecting the constraints of the Special Area of Conservation and Special Protection Area designations.

Objective SE O5: Seveso Sites

The Council will require that advice be sought from the National Authority for Occupational Safety and Health on such developments, which involve modifications of existing Seveso establishments, the siting of new developments of the type, or on developments in the vicinity of these types of sites.

10.11 Transport and Infrastructure

10.11.1 Development requiring access to public roads

The potential impact of any development on the public road network is an important consideration of the Planning authority when assessing a planning application for development. All applications for

development involving access onto the public road network or the intensification of the use of an existing access will be assessed having regard to:

- 1) Relevant national standards and guidelines:
 - a) National Roads Authority NRA: Design Manual for Roads and Bridges, January 2009 Road Geometry Handbook. This is a standard source of reference for the Planning Authority in assessing the design and position of junctions and sightlines, in relation to all public roads.
 - b) Department of Transport (DoT), Dublin Transport Office (DTO), and DEHLG: Traffic Management Guidelines 2003.
- 2) The following considerations:
 - a) Classification of the public road.
 - b) Speed limit which applies to the road.
 - c) Width and carrying capacity of the road.
 - d) Condition of the road surface.
 - e) Drainage requirements of the road.
 - f) Nature, scale and layout of the development.
 - g) Volume and nature of traffic likely to be generated by the development.
 - h) Design of the access and sightline visibility.
 - i) Vertical and horizontal alignment.
 - j) Number of access points in the vicinity.
 - k) Junctions in the vicinity.
 - l) Level of parking required and provision of on-site parking.
 - m) Lighting and advertising matter associated with the development.
 - n) Footpath and public lighting requirements.

Land are zoned for Marine Related Industry use in the land use zoning map for Foynes as contained within the County Development Plan 2010-2016.

Recent Planning History

17/7019: Extension of Permission granted for Ref No: 12/212 (2.49 hectares of reclamation at the East Jetty in Foynes Port. The reclamation works will be carried out between the rear of the existing East Jetty and the adjacent shoreline and will include dredging, importation of fill material, retaining wall construction, surfacing, drainage installation and site lighting. No buildings are proposed on the proposed reclaimed area which will be used for the storage and handling of cargo up to an anticipated height of approximately 7.7m. An Environmental Impact Statement (EIS) and Natura Impact Statement (NIS) accompanied this application)

12/212: Conditional permission granted for 2.49 hectares of reclamation at the East Jetty in Foynes Port. The reclamation works will be carried out between the rear of the existing East Jetty and the adjacent shoreline and will include dredging, importation of fill material, retaining wall construction, surfacing, drainage installation and site lighting. No buildings are proposed on the proposed reclaimed area which will be used for the storage and handling of cargo up to an anticipated height of approximately 7.7m. An Environmental Impact Statement (EIS) and Natura Impact Statement (NIS) accompanied this application.

Submissions:

The application was referred to various departments within the Local Authority and reports were received from the following section/ individuals.

- The Mid West National Road Design Office:
- Operations & Central Services:
- Heritage Officer
- Environment
- Fire and Emergency Services
- Physical Development Directorate

Copies of the reports received are contained in Appendix 1

Workshop

A workshop was held on 9th July at 2pm in the Training Room, County Hall, Dooradoyle to brief the Members of the Local Authority on the contents of the proposed development. The main issues raised as the workshop were:

- the need to look at decommissioning the overground lake to the west of Foynes village due to the flooding risk it poses for properties in the village.
- the need for clarity on the source of fill materials to be due to the potential impacts on the landscape and on local road network.
- the need to avoid damage or increased flood risk to the railway lands as a result of the filling of the lands.

Summary of key planning issues and assessment:

This application is for a 10 year permission. The stated aim of the proposed development works is to facilitate capacity extension at Shannon Foynes Port in response to commercial growth through the Port of Foynes consistent with the projections envisaged in the Port Company's spatial and commercial masterplan – 'Vision 2041'. This proposed site is located in proximity to the existing port facilities and access to deep water. The Vision 2041 document identifies a number of key growth sectors involving new berthing facilities, onshore infrastructure and the ability to accommodate larger vessels, to serve wider markets. To complement the growth in maritime infrastructure, a parallel growth in the hinterland available for storage, warehousing and other Port-related uses is also required.

The objective of this SID application is to provide for extension of Port Capacity by way of increased capacity of the quay wall and increased capacity of supporting landside storage facilities and logistics. The application provides for

1. A Jetty Extension- the joining of the existing 'West Quay' and the 'East Jetty'

The proposed 'jetty extension' is located between the two existing quay walls within the Port estate situated adjacent to the Shannon Estuary- 'The West Quay' and 'The East Jetty'. The area of the extension has no existing operating port function or infrastructure. The area contains a small craft landing pontoon provided by the Port company to facilitate private access to Foynes Island for a third party. The application includes for relocation of that pontoon. The jetty extension will facilitate opportunities for the docking of larger vessels (with increased loads) in response to the increasing

international trend towards larger vessel sizes and it will also allow the docking of increased small vessels at the same time.

2. **Durnish Land Development**- To provide for increased port related storage and port-centric logic.

This development area extends to 33.95ha and is situated to the east of the existing Port estate. These lands are agricultural (greenfield) in nature. The lands are to be filled to a level of +4.44mOD using imported fill material (whilst providing 5m wayleave for OPW access to drainage channel).

The application outlines possible sources of fill materials, however these have not yet been finalised. The fill material to be imported may be subject to a waste licence from the EPA in accordance with the Waste Management Act 1996 (as amended) and associated regulations. Any imported fill material should be inert in nature. The site comprises a number of irregular shaped fields separated and defined by hedgerow and pockets of scrub. The development of these lands are proposed to facilitate marine related industrial uses ancillary to the growth of the Port. The proposed uses include marine related industrial activities in the form of open storage and covered storage (warehousing) primarily for the handling and storage of general cargo. The lands will also be used for port-centric processing operations such as bulk raw material being graded mixed or sorted before being bagged or put into tankers consistent with established uses within the existing Port estate.

The proposed hours of operations are 24/7, 365 days per year. Material to be handled will vary depending on trade requirements but the following is anticipated:

- Construction materials including timber, steel sections reinforcement etc.
- Scrap metal
- Project cargoes such as wind components, steel pipes etc
- All types of dry and liquid bulk cargoes
- Storage of containers.

It is proposed to implement the operational use of the Durnish land in three phases, in line with economic growth and customer demand. The application documentation includes a Phasing plan with the proposed development and use of the land to be achieved over three phases of development. The works proposed as part of this application are in Phase 1 of the proposed phasing plan. Further planning applications would be required for the achievement of Phase 2 and Phase 3 of the development as outlined.

Phase 1 – Proposed Development and Operational Uses (subject of this planning application)

Jetty Extension (including relocation of pontoon);

Filling of entire Durnish lands, provision of infrastructure and landscaping over the entire site (phased over a 10-year period);

Development and operation use of 8.2 hectares of filled and serviced land for marine related industry to accommodate existing tonnage throughput through the Port of 1,778,126 tonnes.

Phase 1 – Activities

- Covered storage 1.2ha
- Open storage 7ha
- Warehousing -3 No. Warehouse units approximately 50m wide x 80m long portal frame structures, with a pitch roof height of approximately 15m. Warehousing shall have a Finished Floor Level of +4.74mOD Malin. Subject to the requirements of the

- end user, the warehousing may be combined as one integrated building (with dividing walls) or 3 no. individual units with a 2.5m wide gap between them.
- Breakbulk and project cargo such as steel sections/reinforcement, timber, palletised fuel/fertiliser, wind turbine blades etc. (stored 10m high)
 - Loose cargoes such as woodchip biomass fuel (stored 6m high)
 - Storage of containers (up to 5m high) approx. 13m high with handling equipment up to 24m height

Phase 1 – Implementation

The implementation of Phase 1 is envisaged in three sub-phases as follows:

Phase 1a

- Stripping of Topsoil over entire Durnish Lands
- Boundary treatment around entire site (South, East and Northern perimeters)
- Access road improvements and roundabout construction
- Relocation of port security kiosk
- Filling of Phase 1 extent of lands
- Provision of security fencing around raised lands
- Provision of storm drainage infrastructure and attenuation pond extension
- Construction of internal road network
- Construction of warehousing and open storage areas
- Provision of foul water infrastructure
- Provision of lighting and services

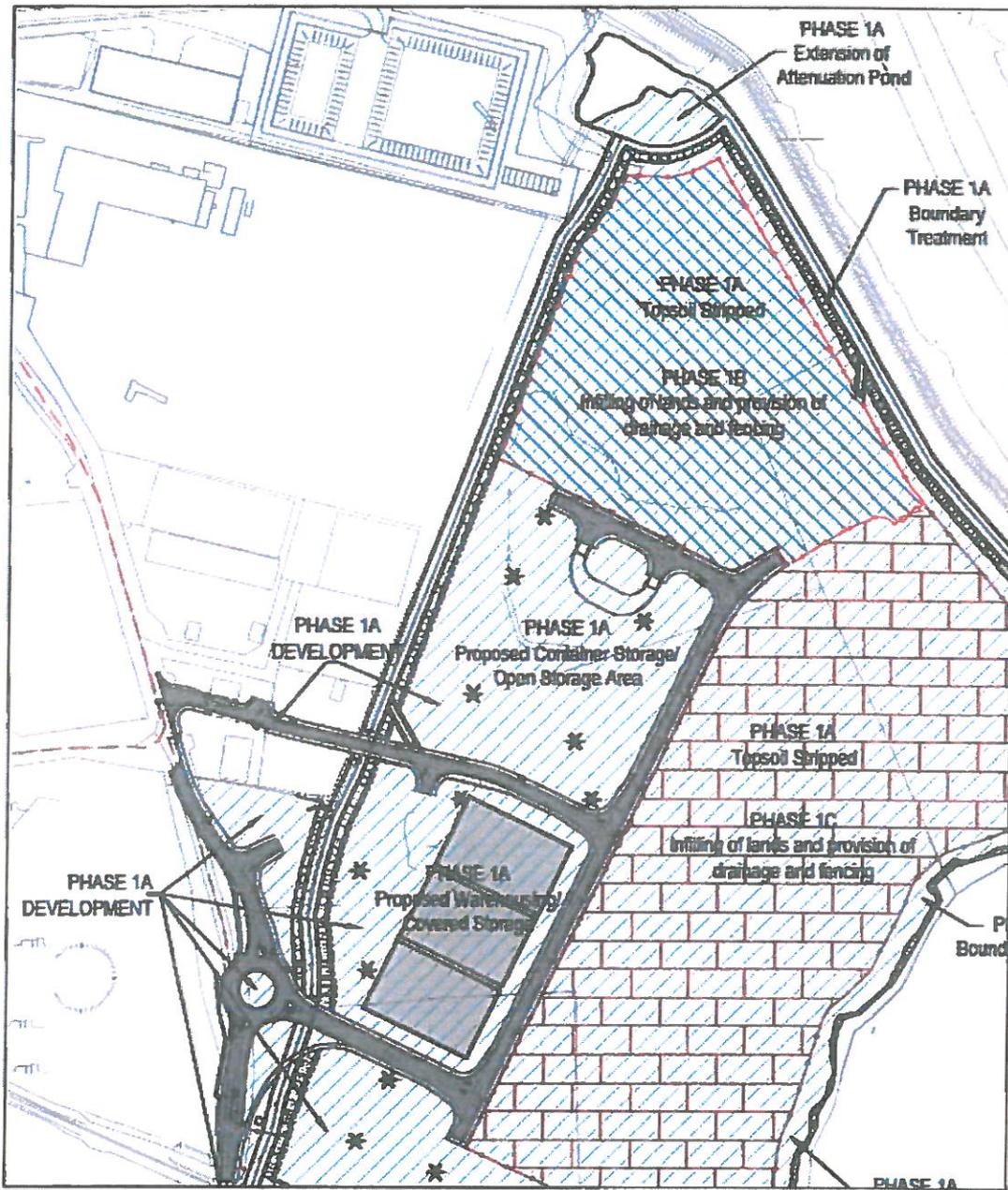
Phase 1b

- Filling of “Phase 2” extent of lands to make them ‘serviceable’
- Provision of storm drainage system

Phase 1c

- Filling of “Phase 3” extent of lands to make them ‘serviceable’
- Provision of storm drainage system

Figure 2- Phasing Plan



Phases 2 and 3

The operational uses of Phase 2 and Phase 3 has been identified to provide for predicted tonnage throughputs consistent with the Port Company’s economic plan. However, specific end user requirements in terms of open/cover storage for Phase 2 and 3 are unknown at this time. This application includes the filling of the Phase 2 and 3 areas (refer to Phases ‘1b’ and ‘1c’ described above). However, for the purpose of adopting a holistic and cumulative approach to development, the following assumptions can and have been made in respect to the use of Phase 2 and 3 areas as follows;

Phase 2 – Likely Operational Scenario (Subject to future planning consent)

- Covered storage of circa 1.2ha
- Open storage of circa 2.4ha
- Accommodation of additional (predicted) 991,874 tonnes of cargo throughput to deliver

total Port tonnage throughput of 2,770,000 tonnes by 2025.

Phase 3 – Likely Operational Scenario (Subject to future planning consent)

Covered storage 2.8ha

Open storage 6.1ha

Accommodation of additional (predicted) 510,000 tonnes of cargo throughput to deliver total Port tonnage throughput of 3,280,000 tonnes by 2030.

A number of documents have been submitted in support of the application and include;

- An Environmental Impact Assessment Report;
- A Stage I Road Safety Audit
- A Habitats Directive Assessment;
- Flood Risk Assessment.
- Seveso Report

All of the above have been considered in the assessment of this application.

The application site is zoned for '*Marine Related Industry*' use in the land use zoning map for Foynes as contained within the County Development Plan 2010-2016 and in the Shannon Integrated Framework Plan 2014 and the proposed use is acceptable within this zoning. In principle, therefore, the Planning Authority are favourable to the proposed redevelopment of this site.

Services:

Surface Water

A storm water drainage system for the Durnish Lands has been outlined in the application documentation. The submission outlines that the storm water drainage system has been designed in accordance with SuDS principles to avoid putting any further pressure on the existing OPW drainage channels or attenuation pond. It is proposed that the required storage volume of 9,200m³ will be accommodated within the permeable imported fill over the site development. Storm drains will collect all surface water and convey it through full retention interceptors (to collect hydrocarbons and silt) and the stormwater will then be conveyed through perforated pipes to allow percolation into the infilled ground. Hydro-brakes will be installed at the end of each perforated drainage pipe run to ensure the existing discharge rate of 0.164m³/s into the drainage channel is respected in the future development.

In addition, it is proposed to extend to the size of the existing OPW attenuation pond by 2,000m² as a failsafe measure and contribution towards extended flood protection upstream. This will allow a further storage volume of circa 5,000m³ of influent stormwater during the upper tidal cycle when the outfall (near low water) is not operational. This represents approximately double the storage capacity in the current attenuation pond. The stormwater design of the site has been assessed using catchment hydrological analysis and rainfall intensities for varying durations at a 1:100 year return period event.

Foul Water

As there are no of public foul sewer mains servicing the Port and the Port expansion area foul water treatment will be provided for on-site. The proposed foul water arrangements will be implemented on a phased basis consistent with each of the planned phases of development. Each phase will involve the implementation of a package treatment system which when implemented collectively, will service the entire Durnish lands, designed with sufficient capacity to accommodate predicted loadings (generated from the 'population equivalent' (PE) of the anticipated number of employees). For the design of the Phase 1 treatment system, a factor of safety of 1.25 was applied to the

occupancy figure for Phase 1. Therefore, an occupancy figure of 60 personnel was considered and a design population equivalent of 30 was used in the system design. The package treatment system proposed for Phase 1 is a Klargestar BioDisc BE (or similar), which provides both primary and secondary treatment of foul waters. In line with EPA Guidance, the treated effluent will be subjected to tertiary treatment by the means of a polishing filter which also acts as a percolation area to redistribute the treated and polished effluent to the groundwater.

Water

Water supply will be by connection to the local mains system within the existing port area.

Habitats Directive Project Assessment:

As part of the development a Habitats Directive Assessment a Natura Impact Statement has been submitted. The purpose of this report is to document a shadow screening for appropriate assessment and a subsequent appropriate assessment of the implications of the proposed Port of Foynes Capacity, Extension & Harbour Development (the proposed development) on European sites in view of their conservation objectives. The screening report considers European sites within a 15km radius of a proposed plan or project for which a pathway of effect can be reasonably established between a receptor and the source of effect. The possibility of significant effects is considered in this report using the source-pathway-receptor model. The Screening Assessment concludes that for the following designated sites A pathway of effect cannot reasonably be established

- Stack's to Mullaghareirks, West Limerick Hills and Mount Eagle SPA
- Askeaton Fen Complex SAC
- Barrigone SAC
- Curraghchase Woods SAC

An appropriate assessment of the implications of the proposed development on the Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA was carried out and mitigation measures are proposed to reduce the risk of pollution incidents upon Annex I habitats and Annex II species that use them and underwater noise or disturbance to Annex II species. The NIS concludes that if the proposed mitigation measures are employed effects on the European Sites are not predicted.

Conclusion: The information submitted was assessed by the Heritage Officer and a report has been received from him, which outlines: *"There are difficulties in assessing the cumulative effects of the Project in that specific details of Phase 2 and 3 are not yet known. ponding and pooling of water in unsuitable fill material might contribute to slippage or failure- this question needs to be further addressed and that the absence of information on the precise nature or quality of material to be supplied is an omission that should be addressed due to the role of fill material in dealing with water flow. His report also recommends that a condition should be attached to any permission requiring the retention of the hedgerow described as H1 on page 7-19 of the EIAR and a conditions should be attached requiring a bat survey to be carried out in the case of grant of permission that all buildings or structures that are likely to be felled or modified prior to works being carried out"*.

Environmental Impact Assessment Report

An Environmental Impact Assessment Report (EIAR) accompanies the planning application. Schedule 5 of the Planning and Development Regulations 2001 (as amended) sets out a comprehensive list of project types and development thresholds that require a mandatory Environmental Impact Assessment. The proposed development also falls within Part 2, Article 10 of the Regulations: Infrastructure Projects. Sub-sections (a) and (b)(iv) apply in this instance and provide that a mandatory EIA is required for developments which provide for:

(a) Industrial estate development projects, where the area would exceed 15 hectares; and
(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

The proposed development seeks to extend the existing port estate on land comprising 33.95 hectares for marine related industrial uses and which also comprises urban development in excess of 20 hectares. A mandatory EIA is therefore required under the provisions of both Part 2, Article 10(a); and Part 2, Article 10 (b)iv.

Directive EIA 2014/52/EU amends EIA law in several respects, updating the 2011/92/ EU Directive. The amendments include a requirement for an Environmental Impact Assessment Report (EIAR), rather than an Environmental Impact Statement (EIS). The other changes introduced include:

- Refinement of environmental factors to be considered in the assessment;
- Expansion of the information to be contained in the Environmental Impact Assessment Report (EIAR);
- Requirement for developer to have competent experts prepare the EIAR.

Directive 2014/52/EU has not yet been transposed into Irish Planning legislation. Nonetheless, in line with the recommendation of the DoHPCLG Key Issues Consultation Paper, 2017, the EIAR report has been prepared in compliance with the requirements of the 2014 Directive.

The following is a summary of the EIAR which was submitted and considered as part of the planning application.

Project Description

The subject site is located within and adjacent to the settlement of Foynes, Co. Limerick and comprises the existing 'Port of Foynes' and undeveloped lands to the immediate east of the existing Port estate. The northern boundary of the subject site adjoins the Shannon Estuary. Foynes village is situated to the south (behind) the existing port estate and extends along the National Secondary (N69) Limerick – Tarbert Road. Limerick City is located circa 38km to the east (upstream), whilst the mouth of the Shannon Estuary where it meets the Atlantic Ocean (between Loop Head and Kerry Head) is located circa 56km to the west (downstream).

The Port of Foynes is a 'Tier 1 Port' and is the second largest Port in Ireland and is the principle general purpose terminal on the Estuary routinely catering for cargo vessels. Due to its favourable location on the west coast of Ireland and its modern deepwater facilities, Foynes Port is ideally positioned for additional European trading as well as for further increases in ocean energy resources.

The project site for the purpose of this EIAR as defined by the red line planning application site boundary area which measures 62.10 hectares (ha) extends to include specific areas in which the proposed development will occur within the existing Port estate and, on lands directly adjacent to it. The proposed development works are concentrated in two specific locations – (i) adjacent to the existing quay walls within the existing Port estate (measuring 0.51ha or 5,142m²), and (ii)

undeveloped lands adjacent to the east of the existing port estate referred to for the purpose of this EIAR as 'Durnish' or the 'Durnish lands' as illustrated in Figure 2 (measuring 33.95ha or 339,559m²).

This proposed capacity extension is provided in two interrelated ways – increased capacity of the quay wall, and, increased capacity of supporting landside storage facilities and logistics. Consequently, the project includes two specific elements of development and operational activities as follows:

- Jetty Extension- The joining of the existing 'West Quay' and the 'East Jetty' and;
- Durnish Land Development- To provide for increased port related storage and port-centric logistics in a phased expansion to be carried out in three no. phases.

Comments: The information submitted in the EIAR has been considered and the Planning Authority have no further comment.

Spatial Trends & Policy

Chapter 3 of the EIAR comprises a planning policy review identifying where relevant European, national, regional and local policy supports and guides the proposed capacity expansion of port facilities at Foynes.

The Trans-European Transport Network (TEN-T) policy aims to transform the existing patchwork of European transport systems (roads, railways, ports, airports and canals) into an efficient and well connected network. The Port of Foynes has been identified as a potentially important link within this European transport network, providing a critical trade connection between continental Europe, Ireland and the surrounding region. The proposals for extension of facilities at Foynes have been endorsed at a European level, with a grant award of €4.5m to assist the Port of Foynes in delivering its expansion plans.

National policy, through the National Planning Framework (NPF) acknowledges that to maintain economic growth, additional port capacity must be delivered in a timely and predictable manner. It promotes redevelopment projects taking place at Tier 1 ports throughout Ireland including Foynes. The NPF focuses on the strengths of the Mid West region including key employment and infrastructure assets at Shannon and Foynes. National Policy Objective 40 seeks to promote the development of Ports within the Regional Spatial and Economic Strategies.

The '2013 National Ports Policy' identifies commercial development of SFPC as a key strategic objective of National Ports Policy. The document sets out the Government's policy and objectives for Irish ports. SFPC is one of three 'ports of national significance' (Tier 1). National ports policy supports the expansion of port capacity and states that planning authorities should work with port companies to help facilitate and guide this development.

The 'Mid West Regional Planning Guidelines 2010-2022' (MWRPG) provides the strategic planning policy context for the Mid West region. At a regional level the MWRPG'S promotes protection of the capacities of existing ports and improvement of access to them as a regional priority.

The inter-jurisdictional Strategic Integrated Framework Plan for the Shannon Estuary (SIFP), is promoted in the MWRPG. It provides a coherent spatial plan to recognise the economic potential of the Estuary. The SIFP seeks to support and facilitate the sustainable growth and expansion of Foynes Port, identifying the Port as a Strategic Development Location. It seeks to ensure greater capacity,

more competitive trade potential and diversification of trade patterns by promoting expansion of the Port in an eastern direction.

Limerick County Development Plan 2010 – 2016, as extended (CDP) supports the sustainable expansion of the Port in line with the Port Masterplan Vision 2041. There are a number of objectives in the CDP which seek to safeguard the use of land, including the application site, not only for marine related industry but also specifically for port related uses and other industrial activities. The subject lands are appropriately zoned for marine related development in the CDP.

Comments: The information submitted in the EIAR has been considered and the Planning Authority have no further comment.

Statutory and Public Consultation

Chapter 4 of the EIAR outlines that extensive scoping and public consultation has been undertaken to inform the development project. The project scoping by the applicant and the design team was supplemented by written scoping requests to 40 no. statutory and non-statutory consultees. Of the 40 non consultees that were contacted 13 responses were received.

A pre-planning meeting was held with Limerick City and County Council on the 20th February 2018 in respect of the proposed development. A number of issues were raised by the Council which would need to be addressed in the EIAR, including:

- Flooding and the potential impacts on adjoining lands;
- Filling of land and sources of quarry material;
- Air Quality and any potential impacts arising from the filling of land;
- On site surface water management and run-off management during the filling of land;
- Provision of foul treatment on the site; and
- Traffic and potential impact on the existing and future road network.

Two separate public consultation events were held in Foynes on the 22nd November 2017 and on the 14th March 2018.

The EIAR outlines that all issues raised during scoping, Preplanning and public consultation have been comprehensively addressed within the EIAR.

Comments: The information submitted in the EIAR has been considered and the Planning Authority have no further comment.

Examination of Alternatives

Chapter 5 of the EIAR outlines details the need for the proposed development and describes the alternatives examined in terms of the 'do nothing scenario and alternative location, alternative design and alternative processes.

The need for the development is based on economic grounds. The Port of Foynes seeks to maintain its competitiveness and address current shipping trends through the proposed development. It seeks to increase efficiencies and deliver improved port infrastructure through increased berth provision and increased land provision to accommodate port centric logistics.

The trend in international shipping has always been towards larger vessels to exploit economies of scale. The number of vessels of over 30,000 dwt calling to the Port of Foynes has more than doubled in the last five years. The port infrastructure must be able to accommodate this growth in vessel size without negatively impacting on the efficiency of the port. Tonnage throughput in the Port of Foynes has steadily increased since 2011, increasing from 1.3 million tonnes to almost 1.8 million tonnes in 2017. Bulk solid trade remains very strong in the Port of Foynes, growing by over 7% between 2016 and 2017. SFPC is already on track to achieving the specified growth projections detailed in Vision 2041. Since 2011 tonnage at the Port of Foynes has increased by 30% to 1.778 million tonnes, which

is consistent with Vision 2041's mid to high average growth scenario. The average annual growth in tonnages projected in SFPC's Strategic Plan 2015 – 2019 is just over 7% for SFPC's general cargo terminals, which is also consistent with the mid to high growth scenarios presented in Vision 2041.

In accordance with European and national ports policy, there is only one port on the west coast of Ireland, namely SFPC, which can / should be capable of significant expansion. It is submitted that expansion of port facilities at any other location would not be in accordance with European or national ports policy. Accordingly, there is no alternative location on the west coast of Ireland which can accommodate the proposed development.

The Shannon Estuary Strategic Integrated Framework Plan undertook detailed site selection and identified nine Strategic Development Locations on the Estuary which would be suitable for the development of marine related industry. The Port of Foynes and its expansion lands at Durnish was one of those identified. With relation to existing port activities within the existing port estate and the CPO Order determined in relation to a very specific area of land, there is very limited scope for consideration of alternative site boundary arrangements. However, detailed alternatives regarding flood mitigation, filling of land, treatment of foul effluent, alternative modes of sustainable transport and proposed phasing and delivery were considered.

The facilities being developed by the Port of Foynes will be required to maintain a degree of flexibility as the occupier / occupiers of the port expansion lands at Durnish are not yet known. As the proposed jetty is a direct extension of the existing cargo handling facilities there is limited opportunity for the consideration of alternative methods of port operations, as operations on this new section would need to be consistent with similar operations on the existing jetties.

The proposed development seeks to maintain a rail connection to the overall port operation. Nothing within the proposed development will hinder the potential for the future use of rail freight carrying facilities. The maintenance of the rail connection and the safeguarding of the potential for future use of rail freight currently satisfies the requirements

Comments: The information submitted in the EIAR has been considered and the Planning Authority have no further comment.

Population and Human Health

The assessment considers impacts on Human Beings related to economic activity; social considerations; use of land and health and safety. The applicant looks at population, employment, economy. It assesses potential Environmental Impacts on Human Beings and Amenity in relation to air climate, noise and vibration, landscape and visual, water, traffic, health and safety, socio economic impacts and the 'Do-nothing' impacts. The chapter concludes the residual impact of the proposed expansion project is not expected to have any significant impacts on human beings/human health.

Comments: The information submitted in the EIAR has been considered and the Planning Authority have no further comment.

Biodiversity

The assessment on biodiversity comprises an ecological impact assessment of terrestrial habitats, flora and fauna; marine habitats flora and fauna; fisheries; marine mammals and birds. It contains a comprehensive description of these biodiversity features at the site of proposed development and surrounding areas and identifies, describes and assesses in an appropriate manner, the direct and indirect significant effects of the proposed development on these biodiversity features, with particular

attention to species and habitats protected under the European Habitats and Birds Directives. The assessment on biodiversity is accompanied by a Natura Impact Statement.

Terrestrial Biodiversity: Habitat survey was conducted in late summer 2016 and mid-summer 2017. Sixteen terrestrial habitat types were identified on or adjacent to the site of proposed development. Most habitats recorded at the site of proposed development were of local (lower) value, although some were of local (higher) value as they function as wildlife habitats and linking corridors at the local level. No rare or protected plants were recorded at the site of proposed development. Japanese knotweed was recorded 200m from the site of proposed development but not within the site of proposed development. The Jetty extension area consists primarily of highly modified built land and sea walls, piers & jetties of local (lower) value. At Durnish, a number of hedgerows occur, enveloping predominantly wet grassland habitat. Some hedgerows are townland boundaries and of local (higher) value. OPW maintained drainage channels occur also. None of the habitats on site correspond to any habitats listed on Annex I of the Habitats Directive. There is no likely significant residual impact predicted upon terrestrial biodiversity features as a result of the construction and operation of the proposed East Jetty extension.

Likely significant effects were predicted as a result of habitat loss, lighting disturbance or noise and visual disturbance at Durnish. With the application of mitigation measures, redesigned lighting and supplemental planting, there is no likely significant residual impact predicted upon terrestrial biodiversity features as a result of the construction and operation of the proposed development at Durnish.

Marine Biodiversity: A benthic survey was undertaken within, and adjacent to, the footprint of the proposed marine development. This involved the collection of intertidal core and subtidal grab samples. The proposed marine development occurs within the Lower River Shannon Special Area of Conservation (SAC).

Results indicate the presence of a single biological community within the intertidal part of the survey area and a single biological community within the subtidal part of the survey area. Species diversity and abundances were low in both intertidal and subtidal parts of the survey area. Both intertidal and subtidal communities contained species typical of muddy, estuarine environments and were dominated by the polychaete worm *Nephtys hombergii* and the bivalve mollusc *Macoma balthica*. Both intertidal and subtidal habitats broadly correspond with the biological communities identified by National Parks & Wildlife Service (NPWS) at this location (Intertidal sand to mixed sediment with polychaetes, molluscs and crustaceans community complex and Subtidal sand to mixed sediment with *Nephtys* spp. community complex).

As all works undertaken in the proposed development are subtidal, no impacts are expected on the intertidal communities adjacent to the project. Subtidal impacts are predicted to be localised. Subtidal impacts associated with the construction phase, such as hydrocarbon or cement spillages can be mitigated against using environmental management protocols committed to in the Construction Stage Environmental Management Plan (CEMP). Habitat disturbance as a result of the placement of anchor legs from the jack-up barge are expected to be temporary, with rapid recovery expected following completion of the works. The construction of the East Jetty extension will result in the permanent loss of 81m² of subtidal benthos. The total area of this community within the subtidal Annex I habitat in the SAC both before and after the installation of the East Jetty extension will remain the same as previously estimated by NPWS at 1,353ha. This habitat loss will not fragment the habitat, and will not have any significant implications for the structure and functioning of the habitat. Repositioning of the floating pontoon will result in no net loss or gain of benthic habitat. The habitat loss is considered to result in a negligible effect on marine biodiversity.

Operational phase impacts associated with the proposed development are limited to effects of sediment disturbance due to propeller wash immediately adjacent to, and on approaches to, the new quay structure. The impact of this disturbance is classified as slight, with no effect expected on the

functioning of the ecosystem in the area. There will be no significant residual adverse impacts of the proposal on the benthic habitats.

The Lower Shannon Estuary contains a diverse range of common marine and estuarine fish species that are either mainly resident or make seasonal migrations to the marine environment beyond the estuary, e.g. plaice, flounder, mullet, gobies etc. The estuary is also a migratory route in and out for anadromous Annex II species including Atlantic salmon, sea lamprey and river lamprey and the Red Data Book species smelt. In addition the catadromous species, European eel, also passes through and or feeds in the estuary. No commercial marine fishing is undertaken in the vicinity of the development and only one aquaculture licence i.e. for trestle- grown Pacific oysters, currently operates in the same part of the estuary (i.e. east of Aughinish Island). Some recreational fishing is undertaken within and close to Foynes.

Construction and operation of the East Jetty extension will not result in a significant adverse impact either on the resident or migratory fish species within the Lower Shannon SAC, as the very small area of habitat which will be removed by the insertion of 69 piles will have an imperceptible influence on the carrying capacity of the fish population utilising these habitats. Also, mitigation measures to control the loss of hydrocarbons, cement and suspended solids during construction are committed to in the CEMP and will protect fish from any localised adverse impacts from these sources.

Modelling of the noise impact from impact piling during the installation of piles that could potentially injure fish is limited to within 7m of the piles being driven. Piles will be driven one at a time and only during daytime hours Monday to Saturday. Taken together with the very wide width of the estuary at Foynes (~2km) this means that the vast majority of inward or outward migrating fish will not be present within the area of injurious noise output from pile driving. The small number in that area can actively avoid injury by swimming away from the immediate area of elevated noise. Small proportions of glass eel may on some tides be drawn within this zone, as they are poor swimmers but any adverse impact arising will be imperceptible at the population level of this species. No residual adverse impacts are anticipated to arise for fisheries or aquaculture as a result of the proposed development.

A number of marine mammal species have been recorded in the Shannon Estuary including bottlenose dolphin, grey and common seals. Otter also occur along the shores of the estuary and forage within the estuary. The Lower River Shannon SAC includes bottlenose dolphins and otter as qualifying interests.

Static Acoustic Monitoring (SAM) using continuous porpoise detectors (C-PODs) has been used off Foynes to assess the use of the area by bottlenose dolphins. The survey results suggest that dolphins are using Foynes more frequently at night, perhaps in part because of lower levels of human activity in the estuary at night.

Common and Grey seals are occasionally reported hauled out east of Foynes Island on Sturamis Island and Beeves Rock upriver of Foynes port. Although both species only occur in small numbers these seals are part of a much wider population.

Potential impacts on marine mammals include localised disturbance, habitat degradation (e.g. decline in availability of potential prey) and increased ambient noise due to increased shipping. The receiving environment is mainly restricted to the port area. Impacts in the wider estuary include the approaches to the port and shipping channels through increased traffic. The zone of influence of disturbance or habitat degradation including pulsed acoustic impacts associated with the proposed development are restricted to the immediate port area. Shipping is a known continuous noise source and has been reported as the dominant source of anthropogenic sound in a broadband range from 5 to 300 Hz. Bottlenose dolphins auditory range is as low as 150Hz but they are not very sensitive at these low frequencies. Sound pressure from piling activities may have a negative impact on bottlenose dolphins if exposed to sound exceeding the relevant criterion, irrespective of the anthropogenic source. Implementation of NPWS (2014) guidelines which requires a Marine Mammal Observer (MMO) to

ensure the area is clear of marine mammals and use of a soft start procedure would ensure any potential impacts are not significant. Impacts from increased vessel traffic are restricted to the shipping channel and adjacent water and not significant in relation to existing marine traffic activity and no mitigation is proposed. There is no cumulative impact as the impacts of both construction activities, even if they coincided within time and space are minimal and not significant in isolation, or together. With recommended mitigation there will be no residual impacts on marine mammals.

Avian Biodiversity: Surveys of breeding birds at the site of the proposed development were undertaken in spring-summer 2017. Surveys of non-breeding waterbirds in the surrounding tidal areas were carried out over 17 months from November 2015 to March 2017 covering two winter periods and the intervening summer of 2016. These surveys established clearly the value of the area for birds in all seasons.

The breeding bird community within the site of the proposed development at Durnish is typical of grassland and hedgerow in Ireland with all breeding species being common and widespread in Ireland. Two species, Meadow Pipit and Grey Wagtail, are Red-listed in Ireland and a 14 further species are Amber-listed.

Birds were also recorded during the breeding season in the area of the proposed jetty extension and pontoon relocation. No breeding birds occur within the footprint of the proposed East Jetty extension and pontoon relocation development. No significant adverse effects are predicted.

There will be temporary adverse effects of construction on breeding birds as a direct consequence of the infilling and development of the Durnish site causing loss of breeding habitats in the hedgerows, treelines and grassland. Of the breeding species recorded, two (Meadow Pipit and Grey Wagtail) are considered to be of high conservation concern (red list) while a further 12 species are of moderate conservation concern (amber list).

The waterbirds present in the area are already habituated to vehicle and personnel movements around the existing jetties and will not be significantly adversely affected by additional noise or disturbance during operation of the port.

The potential adverse effects of port operations on breeding birds in the Durnish site are noise and visual disturbance by personnel and vehicles. During construction, site clearance works requiring removal of vegetation are restricted to the period 1st September to 28th February to avoid adverse effects on breeding birds. A moderate beneficial long-term effect is predicted as a result of existing boundary vegetation being augmented where retained along external boundaries and strengthened by additional planting of a wide landscaped belt planted along the external boundaries. This planting along the north-eastern site boundary between the site and the Robertstown Creek will help to screen port activities at Durnish from the intertidal area at Robertstown Creek and prevent disturbance to non-breeding birds in this area.

Designated Sites: The assessment considered the possibility of likely significant effects on Lower River Shannon SAC; River Shannon and River Fergus Estuaries SPA; Stack's to Mullaghareirks, West Limerick Hills and Mount Eagle SPA; Askeaton Fen Complex SAC; Barrigone SAC; and Curraghchase Woods SAC.

Likely Significant Effects could not be discounted for Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA, and a Natura Impact Statement was prepared to analyse and evaluate the implications of the proposed development on the conservation objectives of these two European sites. Mitigation was proposed and an Adverse Effect on the Integrity of the Site is not predicted for any European site.

Significant adverse effects were not predicted upon the features of Inner Shannon Estuary - South Shore proposed Natural Heritage Area (NHA), or any other proposed NHA or NHA.

Comments: The Planning Authority note the submission received with respect to Flora and Fauna and following assessment by the Heritage Officer, Economic Development & Planning Department, (LCCC) the proposal has been deemed acceptable.

Soils, Geology, Hydrogeology and Waste

The assessment of soils, geology and hydrogeology was based on a desk study of publicly available information such as geological maps, historical borehole logs and maps, consultation with Local Authorities, a site walkover survey and an intrusive ground investigation.

The site is underlain by made ground, estuarine alluvium (silts and gravels), glacial clay and limestone bedrock. The bedrock of the Durnish lands consists of the Rathkeale Formation to the east of the site and the Durnish Formation to the west. The bedrock geology of the Port of Foynes site is the Clare Shale Formation.

The site area is located on two aquifer domains: Poor Aquifer (PU) and Locally Important Aquifer (LI). The PU designation represents bedrock which is generally unproductive while the LI designation represents bedrock which is moderately productive only in local zones. A Regionally Important Aquifer - Karstified (conduit) is present to the east of the site area (approximately 2km).

The conceptual site model developed in the assessment has not identified any potential significant relevant pollutant linkages (RPLs) for the site.

The EIAR outlines that the proposed development will not have any substantial, negative impacts on the soils, geology and hydrogeology of the area.

Waste:

A review of the operational waste types generated at the Port of Foynes was undertaken as part of the assessment in relation to waste management. The data was used to estimate waste types that will be generated from the construction and operational phases of the proposed development. The proposed harbour development will generate construction related waste and once operational the extended capacity at the port will facilitate an increased number of berthing opportunities and the likelihood of increased waste arising associated with the additional port capacity during the operational phase.

Localised demolition (130m³ of concrete / demolition waste) of the existing deck structure will be necessary at the Western end of the existing East Jetty to allow for connection of the jetty extension to the existing jetty's rounded end. Similar localised demolition will also be required at the existing West Quay. The localised demolition will generate Construction, Demolition and Excavation (CD&E) type waste materials This waste will be managed off-site at a licensed facility.

The proposed works to on the Durnish Lands includes infilling of the existing Greenfield site with imported clean aggregate fill material to raise the level of the existing site above the flood plain, facilitating a mixture of warehousing, storage and port centric development. In terms of the overall impact of the construction stage, a carefully planned approach to waste management and adherence to the CEMP and SWMP during the construction and installation phase will ensure that the impact on the environmental will be neutral, short term and imperceptible.

All wastes will be managed off site under the principles of the waste management hierarchy by reuse, recycling, recovery and disposal to inert, non-hazardous and hazardous waste facilities, as appropriate. There is available capacity within the existing waste management infrastructure in the Region to manage C, D and E waste from the proposed development works. Therefore the effect of the construction phase in relation to waste management is deemed as neutral.

The reception and management route of waste at the Port is currently managed as per the Port's Waste Management Plan 2018. The Waste Management Plan underpins all waste related operations at Port of Foynes. From a waste management point of view the site will return to the baseline situation as it is anticipated that due to recycling and reuse policies, procedures and the implementation of the Waste Management Plan, that, while there may be a minor increase in waste

arising there will be no discernible effects to waste management once operational. Therefore the effect of the operational phase in relation to waste management is deemed as neutral.

Comments: The information submitted in the EIAR has been considered and the Planning Authority have no further comment.

Water Quality & Flood Risk Assessment

Water Quality

Baseline water quality within the receiving environment has been established through review of monitoring data used to establish water quality status in the context of the EU Water Framework Directive (WFD). The proposed capacity extension at Shannon Foynes has the potential to directly affect the Foynes_010 (IE_SH_24F230770) river water body and Foynes Harbour transitional waters. It also has the potential to impact upon the adjacent Lower Shannon Estuary transitional waters.

Whilst the Lower Shannon Estuary, Foynes Harbour and Foynes_010 water bodies are not identified as areas for action under the current River Basin Management Plan published by the Department for Housing, Planning and Local Government in accordance with the WFD, it is necessary to ensure that the proposed development does not prevent the achievement of the WFD objectives for these water bodies in subsequent RBMP cycles.

An assessment of the impacts during the construction and operation phases of the development has been undertaken in the context of water quality. Impacts during the construction phase include increases in suspended solids, possible oil and chemical pollution, concrete production and placement and physical changes to a water body (i.e., hydromorphology changes). Operational impacts identified include the management of foul (sewage) water and the storm water drainage of hard standing areas, including run off from cargo handling and storage areas, and the limited road improvements.

Mitigation has been incorporated within the engineering design of the proposed development to minimise its potential impact on the water environment, e.g. the use of a piled jetty construction to minimise any changes in coastal process and the generation of suspended sediment. Most impacts to water quality posed by this project during construction and operation will be dependent on the quality of drainage and treatment of run off and foul waste before discharge to the Estuary / Harbour. Therefore, mitigation measures will be taken to ensure existing drainage pathways are kept free from construction sediment and contaminants through the use of effective barriers to pollutant export and best practice techniques to control these pressures at source. In addition, the new development areas will be serviced by appropriate foul and storm water drainage systems that will effectively treat any potential pollutants generated from the operation of the development areas prior to discharge to the receiving environment.

The mitigation measures proposed are consistent with the measures listed in the SEA Environmental Report and Natura Impact assessment for the Strategic Integrated Framework Plan (SIFP) for the Shannon Estuary in terms of the general principles, mitigation for the Marine Related Industry theme and the site specific mitigation for the 'Lands to the Rear of Foynes Port'. These measures are required to ensure the WFD status does not deteriorate and the proposed development does not prevent the achievement of the Environmental Objectives for the associated water bodies, including the protected area qualifying interests for the downstream Natura 2000 network.

The Capacity Extension at Shannon Foynes Project is therefore not expected to have a significant detrimental impact on the water quality of the receiving waters or make a significant change to the existing morphology. It can therefore be concluded that the proposed works are compliant with the requirements and environmental objectives of the EU Water Framework Directive.

Flood Risk Assessment

The application site at Shannon Foynes is potentially at risk from coastal and fluvial/drainage system flood mechanisms. The level of risk is greatly affected by the flood defences which surround the application site including earthen embankments and a recently constructed flood wall which runs through Foynes Port. It is considered that the earthen flood defences, although they provide the required standard of protection in terms of their line and level, cannot be relied upon structurally to provide protection against coastal flood events up to 0.5% AEP (1 in 200 year probability).

A Stage 3 site specific FRA under 'The Planning System and Flood Risk Management Guidelines', (DEHLG/OPW, 2009).

In relation to fluvial flood risk the risk to the application site itself is fairly low. However, the surrounding lands and Foynes Village lie upstream of the application site and any constriction to flow in the system of ditches and watercourses which drain these areas could potentially result in increased flood risk. Mitigation is proposed in the form of adequately sized culverts crossings and a 5m wayleave retained at existing levels along the watercourses. When represented within the hydraulic model it is demonstrated that the development of the application site will not result in increased fluvial/drainage flood risk.

Coastal flooding to the application site is considered the greatest source of flood risk in relation to the development of the application site. In particular, in the event that the earthen embankments were to fail then the application site and the surrounding area would be inundated rapidly to a high depth of flooding. In line with a precautionary approach that is not reliant on the performance of flood defence structures it is proposed that the Durnish lands portion of the application site be filled to above the 0.5% AEP coastal flood event level in the Shannon/Robertstown Estuary. This will ensure that the risk of the application site flooding is relatively low, even in the event of defence structure failure. It is only in the event of a breach where the volume of water which inundates the Foynes/Durnish area is limited that the filling of the application site could impact coastal flood risk owing to the displacement of flood waters which would otherwise flood these portions of the application site. Extensive modelling of the effect of this scenario has been undertaken and demonstrates that although there will be increases in flooding to the agricultural lands to the south east in such a breach scenario there will be reductions in flood risk to the Village of Foynes. It is considered therefore that the overall impact of the development in the coastal breach scenario is at worst neutral and at best positive.

Comments: The information submitted in the EIAR has been considered and the report received from the Physical Development Directorate outlines "In relation to the possible displacement of flood waters as a result of the infilling of the Durnish lands, the Applicant has advised that in a breach scenario, there is the possibility of increased flood levels to adjacent lands to the east of the proposed infill site. While it is accepted that the impact of the flood risk pre and post development may not be significant due to the predicted water levels for the scenario given, the Applicant should be requested to clarify by way of further information and consider less events that may have an impact on adjacent lands".

Air and Climate

Site specific baseline air quality monitoring has been carried out within the study area to supplement the existing air quality data available from the EPA National Air Quality Monitoring Programme and other local data sources.

The EIAR concludes that once construction dusts are effectively managed, the potential impact of construction dust on affected properties is a temporary "slight adverse" impact for 28 properties (residential and commercial) in the Foynes area.

Based on the predicted additional volumes of construction related traffic on the local road network, the resultant air quality impact of construction traffic emissions is predicted to be “negligible” for local populations adjacent to the road network. At a regional scale the construction traffic for the proposed development is predicted to cause a permanent “slight adverse” impact.

Given the history of dust deposition levels in the port area and the sensitivity of the area to continued and additional dust impacts, there is a long-term “slight adverse” direct impact to air quality predicted for all properties within 350 metres of the existing and proposed port boundaries.

The results of the modelling of the additional operation phase traffic on the main routes in the network show that properties will experience an increase pollutant levels in future scenario years. The air quality impact of this operation phase traffic emissions is classed as “negligible” for local populations.

The total greenhouse gas emissions and oxides of nitrogen from traffic associated with the proposed development will increase over the years 2023 to 2041 when compared to the do-minimum scenario. These increases are considered to be a permanent “slight adverse” impact.

The chapter concludes that no significant air quality impacts are anticipated as a result of the construction and operational phases of the development and mitigation measures for dust generation are set out in this chapter.

Comments: The Planning Authority note the submission made with respect to Air Quality and the information submitted has been assessed by the Environment Section (LCCC) and have no further comment.

Noise and Vibration

Terrestrial Noise

A detailed Noise and Vibration Assessment was completed as part of the EIAR for the proposed development to determine if there was likely to be any significant noise and vibration impact associated with the construction and operational phases of the proposed development. Where noise and vibration impacts are predicted, the Noise and Vibration Assessment included a range of mitigation measures to reduce these impacts to the lowest possible levels.

An assessment of construction noise illustrated that there is potential for noise to be elevated at the nearest noise sensitive properties during the construction phase, although these noise levels will be within the required noise threshold limits as specified in the relevant noise guidance documents. A range of noise mitigation measures are included in the report to reduce all construction noise impacts to the lowest possible levels.

There will be no significant noise impact associated with traffic flow changes as a result of the construction or operational phase of the proposed development. The assessment concluded that traffic flow changes associated with the proposed development will be minor adverse at worst.

There is potential for plant/equipment noise impacts from the Durnish lands at the nearest noise sensitive properties if no mitigation measures in place. Subject to the mitigation measures stipulated in this chapter being enforced, plant/equipment noise will be within the appropriate noise threshold limits. A noise monitoring schedule will be put in place to ensure that there will be no exceedances of the NG4 noise threshold limits at the nearest noise sensitive receptors. There will be no significant vibration impact associated with the proposed development.

Underwater Noise

The underwater noise assessment comprised of the collection of background noise data, calculating potential noise levels on fish and marine mammals during the construction and operation phases and recommending mitigation and monitoring as appropriate.

The most significant underwater noise impact will arise during the construction phase during piling. This increased impact will only arise for short periods on a day when piling is taking place. The

impact assessment is based on the worst case scenario (impact piling). Noise from vessels during construction and for the operation phase was also assessed.

Potentially harmful underwater noise levels may arise during impact piling within 50m of the piling rig. Disturbance to marine mammals may occur within 250m of the impact piling activity. These impacts can only arise in the central harbour area for a few hours on a day when impact piling is taking place. Where noise and vibration impacts are predicted, the Noise and Vibration Assessment includes a range of mitigation measures to reduce these impacts to the lowest possible levels.

Subject to the mitigation measures being implemented, underwater noise will be controlled and no significant environmental impact is expected. An underwater noise monitoring programme will be put in place to ensure that underwater noise levels are adequately controlled during construction. There will be no significant underwater vibration impact associated with the proposed development.

Comments: The Planning Authority note the submission in relation to Noise and Vibrations and have no further comment.

Material Asses- Coastal Process

The potential impact of the proposed works at Shannon Foynes Port on the existing coastal processes was assessed through an extensive numerical modelling programme. The modelling programme was undertaken using RPS's in-house suite of MIKE coastal process modelling software developed by the Danish Hydraulic Institute (DHI).

Results from the baseline and proposed conditions model simulations found that:

The installation of the additional piles to facilitate the jetty extension will have very little effect on tidal currents and therefore negligible impact on coastal processes.

- There may be some circulation around the pile structures and in the shallow area behind the jetty extension however this is in line with the existing surrounding piled structures and reclaimed areas.
- As the impact of the proposed open piled structure on the existing coastal processes will be negligible further remedial or mitigating measures are unnecessary.
- The long term impact of the jetty extension would be small scale low magnitude changes in tidal currents at the pier locations.
- The area behind the jetty may experience circulation however this is consistent with the existing pile array associated with the east and west jetties.
- The limited nature of changes to the existing tidal regime are such that these variations would not have an adverse effect on the receiving environment.

In terms of coastal processes the predicted impacts on tidal currents during both the construction and operational stages are well within the natural variability of tidal flows and therefore monitoring would be neither necessary nor effective. The studies undertaken demonstrate that the proposed works at Foynes Port are not expected to have a significant detrimental impact on the coastal processes of Shannon Estuary. It can therefore be concluded that the proposed works will have no residual impact.

Comments: The Planning Authority note the submission in relation to Noise and Vibrations and have no further comment.

Traffic and Transportation Assessment

A Traffic and Transport Assessment Chapter prepared by RPS Group has been included in the Environmental Impact Assessment Report. The development site is located approximately 1.5 kilometres east of the village of Foynes, and is within 500 metres of the N69 (Limerick to Tralee Road). The port is served by two separate vehicle access points, which are connected via an internal road. These two accesses include a security kiosk / access barrier to halt unauthorised public vehicles from entering the port lands. The proposals include a new roundabout to access the eastern side of the port which ties into the existing adopted road owned by Limerick City and County Council (LCCC) and it is proposed that the port barrier will be relocated to an area within LCCC lands at the eastern side of the port south of the new roundabout. The area of the proposed new roundabout and the proposed link roads north and south of it are on lands owned by Limerick City and County Council.

Due to the location of the site and the nature of the existing and proposed development, access to the site by sustainable modes of transport is likely to be minimal. In order to enhance walking and cycling sustainable travel options, the proposed scheme has been future-proofed to accommodate a possible future internal footway and cycle connection at the Port. The proposals include the provision of walkway / cycleways along the proposed roads within the Durnish Lands. Cycle parking spaces will also be provided within the proposed development site at Durnish Lands.

It is proposed to facilitate a possible future bus stop to future-proof the possibility of the extension of the 314 Bus Service from the N69 along the eastern access road to serve the Durnish Lands.

A single rail line extends from Limerick and extends directly up to the East and West Jetties at the Port. The rail line is not currently in use. No works are proposed to the existing rail line for this development proposal.

A Mobility Management Plan (MMP) was prepared to set out the type of measures which could be adopted by the Operator(s) within the proposed development to ensure such choice of sustainable travel is available to staff and visitors. The Plan includes for cycle lanes throughout the site and recommends that an a bus stop should be provided at the Port entrance on the N69.

Traffic will be generated by the construction activities associated with the project and by the main site once operational. It is anticipated that the port will remain operational during construction, with the traffic generated by the proposed development once operational being more onerous than the construction phase. It is predicted that the construction period will be completed by 2029.

Operational traffic flows were established from a pro rata increase from new surveys undertaken at the site access points and based on aspirational targets of increased tonnage activity at the port as set out within SFPC Vision 41 document.

Detailed junction capacity analysis was undertaken using approved traffic modelling software to ensure that the existing highway network can accommodate the traffic generations associated with the proposed development. The results demonstrate that the network functions within operational capacity when the proposed traffic associated with the new development is added to the surrounding road network by the year 2041; the end of the Masterplan and 24 years from the survey year.

The construction of the Foynes to Limerick Road Improvement Scheme, which is currently at planning stage, will provide further road capacity to the road corridor between Foynes and Limerick. The construction of the Foynes to Limerick Road Improvement Scheme will result in the N69 / Port East Access priority junction being upgraded to a roundabout junction. LCCC provided RPS with the dimensions of the proposed roundabout, which was modelled with the results showed that the proposed N69 roundabout will work comfortably within capacity for the year 2041.

Therefore, it is concluded that the proposed development and related construction vehicle movements can be accommodated within the existing surrounding road network.

Comments: The Planning Authority note the submission in relation to Traffic and Transportation and has considered the comments contained in the reports received from the Operations and Central Services Section (LCCC) and the Mid West National Road Design Office(LCCC) and considers the issues arising can be dealt with by way of condition.

Archaeology and Cultural Heritage

An Archaeological Assessment has been carried out to inform this section of the Environmental Impact Assessment (EIA).

The desktop assessment indicates the presence of a range of prehistoric and more recent archaeological sites within the wider area of Foynes Port, including the site of two fish traps to the east at Durnish Point, which have been recorded on Ordnance Survey maps since the nineteenth century. However, there are no known archaeological sites or features within the present port development areas.

It is recommended that all ground and foreshore/riverbed disturbances associated with the development are archaeologically monitored by a competent maritime archaeologist experienced in marine/port development projects, with the proviso to resolve fully any archaeological material observed at that point. A series of other mitigation measures are included that addresses the management of the archaeological resolution during construction.

Comments: The Planning Authority note the submission in relation to Archaeological and Cultural Heritage and have no further comment.

Landscape and Visual

A landscape and visual assessment (LVIA) of the proposed development was completed in accordance with accepted guidance. In landscape character terms the wider study area has been classified as:

- Foynes Port and Urban Landscape; and
- Shannon Estuary and Rounded Farmland.

The proposed East Jetty Extension is consistent with the character of the extended port area and the facility will blend in seamlessly with the existing infrastructure surrounding the site. New mobile cranes will be read with existing cranes. The predicted magnitude of change in landscape resource is small and the significance of the landscape effect is assessed as negligible to minor.

The location of the proposed development directly within this landscape will result in the physical alteration of open agricultural fields to marine industrial use and a large landscape impact at a local level (<1-2km). The significance of landscape effect will be Major to Substantial negative without mitigation. Beyond the local Shannon Estuary Rounded Farmland landscape (>1-2km) the proposed development will be read with the existing marine industrial uses and other commercial and industrial uses on adjacent lands and the undulating topography to the west, east and south quickly absorbs the proposed development to significantly restrict any potential change in landscape resource with a negligible landscape impact and a significance of landscape effect of minor.

In accordance with the robust approach to LVIA which has been employed, the Zone of Theoretical Visibility (ZTV) has been established based on a "worst case scenario." It has been established that from many locations within the ZTV views of the site will entirely be obscured by a combination of landscape and urban features. A series of 10 viewpoints have been assessed within the ZTV. No significant effects are predicted for any viewpoints.

There are limited dwellings in the immediate proximity of the proposal given its location adjacent to an existing industrial setting but for the nearest properties at Durnish Avenue in Foynes and along the

N69 no significant visual effects have been predicted due to the limited visibility of the proposed development in conjunction with retention of existing hedgerows and proposed landscape planting. The current Limerick and Clare County Development Plans have been examined. The proposal will have no significant effect on any relevant landscape or visual designations. Overall, therefore, when the landscape and visual impacts are considered the proposal is acceptable and the surrounding landscape and its visual resources have the ability to accommodate the changes of the type associated with this development.

Comments: The Planning Authority note the submission and have no further comment.

Interaction between factors and Cumulative Impacts

Section 16 of the EIAR outlines the likely interactions between effects predicted as a result of the proposed development. The overall cumulative impact of the development are identified as

- An increase in economic activity in the local area region;
- A slight increase in traffic on the local road network which can be adequately managed;
- No significant environmental nuisance from an air quality perspective subject to implementation of the mitigation measures and adherence to good working practices;
- No significant landscape visual effects due to the limited visibility of the proposed development in conjunction with retention of existing hedgerows and proposed landscape planting;
- Acceptable noise levels within the 55dB L_{A,r,T} daytime threshold limit at the nearest noise sensitive properties, following construction of a 4m acoustic barrier on the southern and western boundaries of the site.

Comments: The Planning Authority note the submission in relation to Interaction between factors and Cumulative Impacts and have no further comment.

Conclusion:

The proposed development will allow for an increase in the Port handling facilities and it will allow the preparation of lands for the expansion of future port activities. The need for this expansion is recognised and underpinned in land use planning and strategic planning at international, national and regional level. The proposed expansion of the Port of Foynes would contribute to the economic and sustainable development in the region. Having regard to the design of the proposed development and the information submitted with the application Limerick City and County Council recommends that the following points should be clarified:

- a. In relation to the possible displacement of flood waters as a result of the infilling of the Durmish lands, the Applicant has advised that in a breach scenario, there is the possibility of increased flood levels to adjacent lands to the east of the proposed infill site. While it is accepted that the impact of the flood risk pre and post development may not be significant due to the predicted water levels for the scenario given, the Applicant should clarify and consider less events that may have an impact on adjacent lands.
- b. It is proposed to discharge the surface waste via hydrocarbon interceptors and perforated pipes into the imported fill. In the event of a tanker spill of an environmentally hazardous material the imported fill would become contaminated. It is not clear if the storage ponds referred to have the ability to contain such spillage prior to permeating the imported fill. The applicant should clarify/demonstrate that hazardous spillage containment suitable for any given future port activity will be in place for the protection of the environment for all likely scenarios.
- c. As no information has been provided on the quality and nature of the fill material to be used and its ability to absorb run-off water a question exists as to the capacity of the fill to absorb this water. Ponding and pooling of water in unsuitable fill material might contribute to slippage or failure- this question should to be further addressed.
- d. Due to the location of the overground lake elevated above the village and associated flood risk for the village the applicant should investigate an alternative fire-fighting water source within the port.

Should point's a-d above be clarified to the satisfaction of An Bord Pleanála Limerick City and County Council recommends that the conditions set out below be attached to any grant of permission.

Contributions:

A Development Contribution should be applied in accordance with the Limerick City and County Council Development Contribution Schema 2017-2021 as follows:

Warehouse Units €40 per sq.m

Open storage/Hard surface commercial space development, other than car parking shall be liable for development contributions at one third of the relevant rate.

Proposed Conditions:

1. The development shall be carried out in accordance with the plans and particulars lodged with the application on 2nd day of May day, 2018, except as may otherwise be required in order to comply with the following conditions.

Reason - In order to clarify the development to which this permission applies

2. The developer shall pay to Limerick County Council a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority that is provided or intended to be provided by or on behalf of the Authority in accordance with the terms of the Development Contribution Scheme made under Section 48 of the Planning & Development Act 2000 (as amended). The contribution shall be paid prior to the commencement of development or in such phased payments as the Planning Authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment.

Reason: It is a requirement of the Planning & Development Act 2000 (as amended) that a condition requiring a contribution in accordance with the Development Contribution Scheme made under Section 48 of the Act be applied to the permission.

3. This permission shall be for a ten year period.

Reason: In the interests of clarity.

4. All mitigation measures proposed in the EIAR, received on 2nd day of May 2018, shall be implemented in full.

Reason: In the interest of proper planning and sustainable development.

5. All mitigation measures proposed in the Habitats Directive Assessment, received on 2nd day of May 2018, shall be implemented in full.

Reason: In the interest of proper planning and sustainable development.

6. All recommendations contained in the Traffic and Transportation Assessment and the Road Safety Audit shall be adhered to and implemented in full.

Reason – In the interests of public safety and in the interests of proper planning and sustainable development of the area.

7. The applicant shall consult with the Planning Authority and the OPW prior to the commencement of construction in relation to operational aspects of existing storm water infrastructure and any possible implications during the construction stage. Prior to the commencement of development final details to be submitted for written agreement of the Planning Authority.

Reason - In the interest of proper planning and orderly development.

8. The Applicant shall consult with the Planning Authority in relation to agreeing targets for the Mobility Management Plan. Prior to the commencement of development final Mobility Management Plan to be submitted for written agreement of the Planning Authority.

Reason - In the interest of proper planning and orderly development.

9. The Foynes to Limerick Road provides for a layby for HGV's in the vicinity of the development. The Applicant shall consult with the Mid West Regional Road Design Office and the OPW in relation to surface water discharge to ensure consistency in surface water design for both the subject development and the proposed Foynes to Limerick Roads. Prior to the commencement of development final details to be submitted for written agreement of the Planning Authority.

Reason - In the interest of proper planning and orderly development.

10. The proposed imported infill material shall be classified as inert.

Reason - In the interest of protection of the Ground water, adjacent surface water and adjacent Natura 2000 sites.

11. The proposed package wastewater treatment systems shall discharge to surface waters such that all foul water discharges can be fully monitored and Licenced. The installation and commissioning of the treatment system shall be supervised and certified as-
- i. being in accordance with the treatment system manufacturers/suppliers recommendations,
 - ii. compliant with the EPA Code of Practice,
 - iii fit for purpose and
 - iv in accordance with the planning permission,
- by the person who carried out the site suitability assessment or by another site suitability assessment agent (with minimum professional indemnity insurance of €1,000,000). A copy of this certification including a full report and photographs of the installation and commissioning of the treatment system shall be submitted to the Planning Authority within 4 weeks of the completion of the works.

Reason - In the interest of controlling and monitoring foul effluent discharge to waters.

12. A pre-construction pavement survey shall be carried out by the applicant on all haul routes along with structural assessments of any bridges/culverts that may be impacted. A report identifying any remedial/repair works required shall be submitted to the Planning Authority and agreed in writing on completion of the project. Any repair works required shall be carried out by the applicant at their own expense to the satisfaction of the Planning Authority. Further monitoring reports shall be carried out by the applicant on an annual basis during the construction of the proposed project and on completion of the project. These reports including structural assessments shall detail any damage caused by the proposed development to pavements/ bridges/culverts on all haul routes that may be impacted and shall identify any remedial repair works required. Any repair works required shall be carried out by the applicant at their own expense to the satisfaction of the Planning Authority.

Reason - In the interest of traffic and pedestrian safety.

13. The proposed realignment and modifications to Shannon Foynes Access Road L6188, a public road, shall be designed to the existing Road Design Standards. Details of the proposed works shall be submitted to the Panning Authority for agreement in writing prior to the commencement of development.

Reason - In the interest of traffic and pedestrian safety.

14. Any surface water currently conveyed through this site shall be accommodated within the site. All surface water design shall adopt the SUDS principles. Proposed discharge flow rates shall not exceed existing discharge flow rates.

Reason - To ensure satisfactory storm water drainage in the interest of proper planning and development of the area.

15. The applicant shall ensure that the proposed works are carried out in a manner that does not cause damage or increased flood risk to the existing railway line.

Reason - In the interest of proper planning and orderly development.

Point of clarity.

Limerick City and County Council request that if planning permission is granted, An Bord Pleanála should clarify in their decision whether subsequent applications on this site are to be dealt with by the Limerick City and County Council or An Bord Pleanála, including alterations/modifications to this application.

Appendix 1- Internal reports

- The Mid West National Road Design Office
- Operation & Central Services
- Heritage Officer
- Environment Section, Planning and Environmental Services
- Fire and Emergency Services
- Physical Development Directorate

PL 91.301561 ? Shannon Foynes Port Company

David Leahy <DLeahy@midwestroads.ie>

Wed 13/06/2018 13:43

To: O'Malley, Mary <mary.omalley@limerick.ie>;

Cc: Dillon Mairead <mdillon@midwestroads.ie>; Fitzgerald Tim <tfitzgerald@midwestroads.ie>; John Murphy Limerick NRDO (jmurphy@midwestroads.ie) <jmurphy@midwestroads.ie>; Collieran Therese <tcolleran@midwestroads.ie>;

Heather Supple O'Doherty, SO
Limerick City & County Council,
Planning and Environmental Services,
City & County Council Offices,
Dooradoyle Road,
Limerick

13th June 2018

**Re – PL 91.301561 – Shannon Foynes Port Company
(Strategic Infrastructure Development to An Bord Pleanala)**

Dear Heather,

The Mid West National Road Design Office has the following comments to make in relation to the above application to An Bord Pleanala:

Shannon Foynes Port Company should be conditioned to submit a Mobility Management Plan for all future development of their lands at the Port of Foynes.

This Plan, amongst other items, should include that Shannon Foynes Port Company will actively promote all future development to use the Foynes to Limerick Road Improvement Scheme once completed.

Yours Sincerely,

DAVID LEAHY
SENIOR EXECUTIVE ENGINEER

Mid West National Road Design Office
Limerick City & County Council
Tel: 061-951000
Email: foynes@midwestroads.ie
Website: www.foyneslimerick.ie

MWNRDO E-mail system This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

PL 91.301561 Shannon Foynes Harbour Expansion

O'Sullivan, Anne

Mon 11/06/2018 14:41

To: O'Malley, Mary <mary.omalley@limerick.ie>; planroads <planroads@limerick.ie>;

& Fitzgerald Tim <tfitzgerald@midwestroads.ie>; O'Connor, Gerard <gerard.oconnor@limerick.ie>; McKechnie, Trevor <trevor.mckechnie@limerick.ie>; Murray, Vincent <vincent.murray@limerick.ie>; Murphy, Kevin <kevin.murphy@limerick.ie>;

Given the significant scale of this proposed development the **final report** relating to Roads issues & Storm Water Drainages issues should be prepared and submitted by the **Physical Directorate**.

The application may also have significant impact on the proposed Foynes to Limerick Road scheme and therefore it is essential that the MWRDO review and comment this application

My comments are as follows:

1. Roads

This is a significant construction project which will require considerable volumes of material. There is potential for over a 1 million T of materials to be hauled in a 39 month period. All potential haul routes from quarries and batching plants should be identified and the impact of intensive laden traffic on the road network from these locations to the site should be assessed.

These haulage routes must be agreed with LCCC.

Pre & Post construction pavement surveys should be carried out on the haul routes along with a structural assessments of any bridges/culverts that may be impacted.

The proposed realignment & modifications to Shannon Foynes Access Road L6188 is a Public Road and as such must be designed to the existing Road Design Standards.

In some documents submitted (Stage 1 Road Safety Audit Response) this section of road is referred to as being in private lands maintained by Shannon Foynes Port Company.

2. Surface Water

Any surface water currently conveyed through this site must be accommodated within the site.

All surface water design must adopt the SUDS principles.

Proposed discharge flow rates must not exceed existing discharge flow rates.

Notes to Consider

Consideration should given to disposing of the section of Public Road behind the proposed barrier to Shannon Foynes Harbour Authority as the public right of way is unavailable and in effect the public road is closed to all road users other than those sanctioned by the Port Authority.

Anne O'Sullivan

SHANNON FOYNES SID APPLICATION.

TO: MARY O MALLEY EP.
FROM: T O NEILL HO
SUBJECT: AS ABOVE
CC:
DATE: 14/6/2018.

Observations: Comments are based primarily on the contents of the NIS.

There are difficulties in assessing the cumulative effects of the Project in that specific details of Phase 2 and 3 are not yet known.

The duration of fill activities in the Durnish lands give rise to the issue of run off as they proceed over such a long period of time (i.e 39 months, NIS p. 34)). Full retention interceptors are mentioned on p.21 of the NIS for Hydro carbons and silt- more details of these in term of specifications, their numbers and positioning would be required in order to assess their possible effectiveness. It has also been mentioned that following the interceptors that water will be allowed to progress through perforated pipes to allow infiltration to the fill material. The EIAR makes the assumption that this will occur on only 30% of the site. With no information on the quality and nature of the material and hence on its ability to absorb this water a question exists as to the capacity of the fill to absorb this water. Ponding and pooling of water in unsuitable fill material might contribute to slippage or failure- this question needs to be further addressed.

Page 25 of the NIS mentions that fill will be obtained from facilities which have the necessary permissions and that there is no obligation to secure planning permission or the consent for sourcing this material. Table 2.2 of the EIAR gives list of candidate quarries but this does not give additional information on the precise nature or quality of the material to be supplied. Given the role of the fill material in dealing with water flow on site this an omission.

While a comprehensive bat survey has been carried it is necessary to emphasise that in the case of grant of permission that all buildings or structures that are likely to be felled or modified should be the subject of a bat survey prior to works being carried out. This should be included in any range of conditions.

In the EIAR p.7-19 an old hedgerow has been identified for reservation due to age, value and the fact that it is a townland boundary. It is recommended that should permission e granted for the proposed development that this be included as a condition.

SFPC - SID application ref PL91.301561

Doherty, Gerrard

Tue 12/06/2018 17:03

To: O'Malley, Mary <mary.omalley@limerick.ie>;

Cc: Faughnan, Andrew <andrew.faughnan@limerick.ie>;

Environmental Comments wrt to infill and foul water.

Imported infill material. shall be classified as inert whether it is from a specified product source such as a quarry or imported waste soil and stones.

Reason - In the interest of protection of the Ground water, adjacent surface water and adjacent Natura 2000 sites.

Foul Water Drainage. The applicant proposes the use of suitable package treatment systems which discharge to Ground in accordance with EPA codes of Practice. Discharges to ground lack the ability to be monitored and controlled. The discharge should be conditioned to be to surface waters such that all discharges can be fully monitored and Licenced

Reason - in the interest of controlling and monitoring foul effluent discharge to waters.

Surface Water Drainage. It is proposed to discharge the surface waste via hydrocarbon interceptors and perforated pipes into the imported fill. In the event of an tanker spill of an environmentally hazardous material the imported fill would become contaminated. It is not clear if the storage ponds referred to have the ability to contain such spillage prior to permeating the imported fill. The applicant should clarify/demonstrate that hazardous spillage containment suitable for any given future port activity will be in place for the protection of the environment for all likely scenarios.

Reason - In the interest of protection of the Ground water, adjacent surface water and adjacent Natura 2000 sites..

Gerrard Doherty
Senior Executive Engineer
Planning and Environmental Services
Limerick City and County Council
Tel. 061 556245

O'Donoghue, Donogh

From: Weaver, Carl
Sent: 12 July 2018 12:22
To: O'Donoghue, Donogh
Subject: Planning Application - Shannon Foynes Port Company

Donogh,

Having taken a quick look at the documentation, the hydrant system for the two developments does not appear to be detailed. In addition, the means of escape from the warehouse buildings does not appear to comply.

A Fire Safety certificate and Disability Access Certificate would have to be applied for, for the warehouse buildings.

Regards,

Carl Weaver | Senior Assistant Chief Fire Officer
Fire & Emergency Services
Regional Services Directorate
Limerick City & County Council
Lissanalta House
Dooradoyle
Limerick

t: 061 496521
e: carl.weaver@limerick.ie



Stephane Duclot
Senior Planner
Planning & Environmental Services
Service Operations Directorate

Date 2nd July 2018

Re – PL 91.301561 – Shannon Foynes Port Company
(Strategic Infrastructure Development to An Bord Pleanala)

The application submitted by Shannon Foynes Port Company to An Bord Pleanala provides for the extension of the port capacity at the Port of Foynes. The Applicant is proposing two specific elements for development.

1. Jetty Extension - joining the existing West Quay with the East Jetty. These works will involve the construction of an open piled jetty structure with suspended concrete deck connecting the west quay to the east jetty with associated quayside infrastructure and structural tie-ins. The works will also involve the removal of the existing landing pontoon and walkway and provision of a new small craft landing pontoon and walkway affixed to the western side of the West Quay wall.
2. Durnish Land Development – provide for increased port related storage and logistics. These works involve the phased expansion of the port on 33.95 hectares of land immediately to the east of the existing port to accommodate marine related industry, port centric logistics and associated infrastructure. This will involve the raising of lands with fill material to a level of 4.44m OD Malin and the provision of associated storm water infrastructure and modifications to the existing OPW drainage attenuation systems. It will also involve modifications and realignment to the existing port access road including provision of a new roundabout and junction arrangements.

CFRAMS

The main comment from Physical Development on this application relates to the issue of flooding. There are a number of sources of flood risk in Foynes, namely coastal, fluvial and pluvial. The issue of flood risk in Foynes is complex in nature in that it involves a network of water courses, (a number of which are maintained by the OPW) that are inter dependent on one another.

In relation to the application, the Applicant has provided a very detailed submission in the Environmental Impact Assessment Report in relation to flood risk and has assessed the various sources of flood risk. The Applicant has provided a detailed analysis and has modelled for different flood events for the defended, undefended and breach scenarios

In recent years, the Council has completed the Foynes Flood Alleviation Scheme. This scheme was progressed following significant flooding of the town in 2014, which saw coastal flooding emanating from four sources, a low point at the revetments at the West Quay, the inlet to the west of the West Quay, a low point at the viaduct at the East Jetty and the access point to the Mooring Dolphins. This scheme, funded by the OPW, only provides protection to the town from the tidal flood risk at the port. It is not a complete flood relief scheme. The scheme costing €2.3m, provided for the construction of a flood defence wall, the extent of which is shown in the attached as constructed drawing. There is a proposed CFRAM project for Foynes that will deal with the remaining existing flood risk in Foynes but it is not known at present when the OPW will grant approval for this project.

Regarding the infilling of the Durnish Lands where there is a risk of flooding to the town to the east of the port as identified in the EIAR, the Applicant has made the case that the infilling of lands will reduce the risk of coastal flooding to the town of Foynes from this source of coastal flood risk. This is as a result of the Applicant's proposal to raise the lands to 4.44m OD out of the flood plain resulting in increased protection for the town. In relation to the possible displacement of flood waters as a result of the infilling of the Durnish lands, the Applicant has advised that in a breach scenario, there is the possibility of increased flood levels to adjacent lands to the east of the proposed infill site. While it is accepted that the impact of the flood risk pre and post development may not be significant due to the predicted water levels for the scenario given, the Applicant should be requested to clarify by way of further information and consider less events that may have an impact on adjacent lands.

In relation to operational aspects of existing storm water infrastructure and any possible implications during the construction stage, the Applicant should be conditioned to consult with the Local Authority and the OPW prior to construction. It is assumed that the issue of storm water in this application will be dealt with by our Operations Directorate.

Mobility Management Plan

An outline Mobility Management Plan has been provided in the Traffic and Transport Assessment in the EIAR. The general approach to sustainable transport is welcomed and the proposal for a bus stop to serve the development. In relation to the cross section shown in the TTA for cycling infrastructure, the Council would like to draw attention to the width calculator in the National Cycle Manual. The Applicant should refer to the manual for the correct widths.

The Applicant should be conditioned to consult with LCCC in relation to agreeing targets for the MMP.

Foynes to Limerick Road

The Foynes to Limerick Road provides for a layby for HGV's in the vicinity of the development. The Applicant should be conditioned to consult with the Mid West Regional Road Design Office and the OPW in relation to surface water discharge to ensure consistency in surface water design for both developments.

Carmel Lynch
Senior Executive Engineer
Physical Development

