



Ringsend Wastewater Treatment Plant Upgrade Project

Irish Water
Colvill House
24-26 Talbot Street
Dublin 1

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1.

21 July 2017

RE: STRATEGIC INFRASTRUCTURE DEVELOPMENT & THE PROVISIONS OF THE PLANNING & DEVELOPMENT ACTS 2000 TO 2016. REQUEST UNDER SECTION 146B (1) OF THE ACTS FOR AN ALTERATION TO THE TERMS OF THE DEVELOPMENT FOR THE PERMITTED RINGSEND WASTE WATER TREATMENT WORKS EXTENSION (AN BORD PLEANÁLA SID REF: PL29N.YA0010) AT RINGSEND WASTEWATER TREATMENT WORKS (WWTP), POOLBEG PENINSULA, DUBLIN 4.

THE ALTERATION PROPOSED COMPRISES THE FOLLOWING:

- **OMISSION OF THREE CONSTRUCTION SITE COMPOUNDS PREVIOUSLY APPROVED BY AN BORD PLEANALA UNDER SID REF; PL29N.YA0010, AND**
- **PROVISION OF THREE NEW TEMPORARY CONSTRUCTION SITE COMPOUNDS AT ALTERNATIVE LOCATIONS AS REPLACEMENT FACILITIES. THE PROPOSED NEW COMPOUNDS ARE LABELLED C1, C2 AND C3 ON DRAWING NO. Y15710/PL/001**

Dear Sir/Madam,

Irish Water of Colvill House, Talbot Street, Dublin 1, hereby makes a formal request to An Bord Pleanála under Section 146B (1) of the Planning And Development Acts 2000 to 2016, for an alteration to the terms of a permitted strategic infrastructure development for the proposed extension to the Ringsend Wastewater Treatment Plant, permitted by An Bord Pleanála under SID Ref: PL29N.YA0010. Please note that the fee for the application (€30,000) was sent separately by EFT.

Background

On 16th November 2012, An Bord Pleanála granted approval, on foot of an application by Dublin City Council under Section 226 of the Planning and Development Act 2000 as amended, for an extension to the Ringsend Wastewater Treatment Plant (WwTP). The development approved under SID Ref: PL29N.YA0010 will expand the existing wastewater treatment works at Ringsend to its ultimate capacity and comprises the following key elements:

Element 1 – Immediate Upgrades; Immediate upgrades to facilitate a number of incremental improvements in process performance and to facilitate the extension in secondary treatment capacity

Element 2 – Extension to the Existing Wastewater Treatment Plant; Expansion of secondary wastewater treatment capacity at the wastewater treatment plant site (approximately 400,000 population equivalent) including associated solids handling and ancillary plant.

Element 3 – Effluent Outfall Tunnel Extension; A 9 kilometre large diameter Long Sea Outfall (in tunnel), (LSOT) commencing at an onshore inlet shaft approximately 350 metres east of the wastewater treatment plant and terminating in an underwater outlet riser/diffuser in Dublin Bay.

Element 4 – Road Improvements; Road network improvements in the vicinity of the site (during the construction phase).

Implementation of the Ringsend SID Approval was commenced by Dublin City Council in 2013 when a number of land-based aspects of Element 3 (LSOT) were constructed. In addition a number of works under Element 1 (immediate upgrades) have been completed and others are under way, e.g. odour control measures and a treated sludge loading facility. Details of works carried out to date are set out in the attached Project Report.

Irish Water now proposes to make a non-material alteration to the above approved SID development. This alteration is necessary to facilitate the construction of the approved project.

Three of the approved temporary construction site compounds (termed 'Marshalling Areas' in SID Ref. PL29N.YA0010) designated to accommodate the construction of the Ringsend WwTP are no longer available. This has occurred due to operational circumstances changing from the date the application was lodged in 2012 to the present. This application seeks to replace those compound areas no longer available with three new additional areas. These areas will be used as temporary construction site compounds associated with the construction of the approved Ringsend WwTP upgrade.

Under the provisions of S146B the Board may, on the request of any person who is carrying out or intending to carry out a strategic infrastructure development, alter the terms of the development the subject of a planning permission, approval or other consent granted under the Act. While application SID Ref: PL29N.YA0010 was made by Dublin City Council, Irish Water is now the body carrying out the strategic infrastructure development approved under Ringsend SID Ref: PL29N.YA0010 on foot of the transfer of functions under the Water Services (No. 2) Act 2013. Separately, the Ringsend WwTP property transferred to Irish Water on 24th April 2015 under S.I. No. 146/2015 - Water Services (No. 2) Act 2013 (Property Vesting Day) (No. 4) Order 2015.

The following documentation is submitted in support of this application:

- Cover Letter.
- Project Report on proposed alterations setting out the
 - Project Background
 - Alterations Requested
 - Planning Policy
 - Impacts of Requested Alterations
 - Drawing No. Y15710/0880/PL/001 detailing the proposed alteration
 - Letters of Consent from Landowners
 - Appropriate Assessment Screening Report.
- Submission fee (sent by separate EFT).

Irish Water is currently in pre-application discussions, under Section 37B, with An Bord Pleanala regarding the submission of a new planning application for amendments to the development approved under SID Ref: PL29N.YA0010 (An Bord Pleanala Case No. 29S.PC0203) with a view to submitting that application under Section 37E. Notwithstanding this intended application for an amended scheme, Irish Water now requires three new construction site compounds to replace those approved compounds no longer available, to facilitate delivery of the Ringsend WwTP upgrade.

Alteration Requested

This alteration arises from the lack of availability of three of the compounds granted under the 2012 approval (described in section 4.4.6 of the EIS submitted with SID Ref. PL29N.YA0010). Under the 2012 Approval, the off-site locations for temporary site compounds were located on lands controlled by third parties. However, it is now the case that three of the locations to the west of the WwTP are no longer available due to changes in the operational requirements of the owners (ESB).

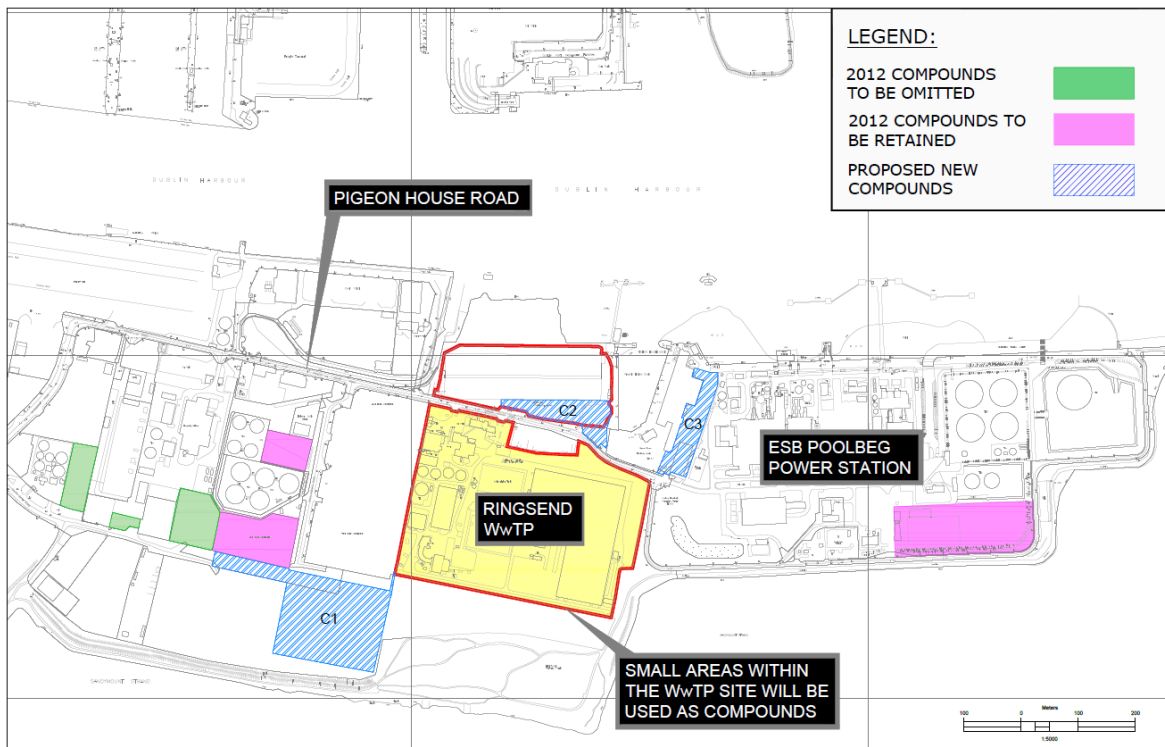
Further, other sites have been identified that have become available, and which are located closer to the Wastewater Treatment Plant. In particular, the Dublin Waste to Energy project (Covanta development adjoining the WwTP) is due to be completed later in 2017 and the associated construction site compound (Site C1) could be made available for use on the Ringsend WWTP Upgrade project subject to An Bord Pleanala consent. This was not available in 2012 for the works at the WwTP.

Under the 2012 approval An Bord Pleanala granted consent for the provision of six off-site construction compounds to facilitate delivery of the WwTP upgrade works. Three of these compounds remain available (locations coloured magenta on Drawing Y15170/PL/001 below). The three compounds to be omitted are marked plain green on the drawing. The proposed three new compounds the subject of this S146B application are marked blue on the drawing and labelled C1, C2 and C3.

Given the strategic significance of the planned upgrade to Ringsend, Irish Water has taken steps to ensure that there is sufficient flexibility in the available temporary compounds so that the required upgrade works can take place. In doing so, Irish Water is conscious that the Contractors appointed to undertake the upgrade will determine how best to use the available compound space so as to complete the project as efficiently as possible and that not all of the compounds are expected to be utilised throughout the entire period of the construction stage.

Having regard to all of the above the alteration being requested comprises the following elements;

- Omission of three approved construction site compounds, indicated on Drawing Y15710/PL/001, granted by An Bord Pleanála under ABP Ref: 29N.YA0010 to facilitate construction of the proposed Ringsend WwTP upgrade development, and
- Provision of three new temporary construction site compounds at alternative locations as replacement facilities, labelled C1, C2 and C3 on Drawing Y15710/PL/001. Full details of the proposed alterations are set out in the enclosed Project Report.



Please Refer to Drawing Y15710/0880/PL/001

Non-Materiality of Requested Alteration

As detailed in the attached Project Report the alteration requested is considered to be non-material for the following reasons:

- The proposed sites are intended exclusively for use as temporary construction site compounds associated with the main Ringsend WwTP upgrade works.
- The AA Screening Report (see enclosed Project Report) concludes that there will be no impact on a Natura 2000 site, either individually or in-combination with other projects. Similar conclusions apply in respect of environmental impacts (other than on Natura sites).

Impact of Requested Alterations

The impact of the proposed alteration has been fully considered and is set out in the attached Project Report. An Appropriate Assessment Screening (enclosed) has been carried out to assess whether the proposed alteration, alone or in combination with other

plans and projects, is likely to have significant effects on a European Site (European Sites are those identified as sites of European Community importance designated as Special Areas of Conservation under the Habitats Directive or as Special Protection Areas under the Birds Directive). The AA Screening Report concludes that the proposed alteration would not have a significant effect on the Natura 2000 network, either alone or in combination with other projects, and there is no scientific doubt about this conclusion. Consequently, a Stage 2 Appropriate Assessment is not required.

The impacts of the proposed alteration were evaluated in accordance with the following guidelines:

- Revised guidelines on the information to be contained in Environmental Impact Statements, 2017.
- Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities, 2009.
- The Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009.

The evaluation of the potential impacts arising from the alterations are set out in Chapter 6 of the enclosed Project Report, with assessment of the environmental impacts set out in the same sequence as the original EIS for SID Ref PL29N.YA0010. The main potential impacts of the proposed alterations relate to archaeology/cultural heritage and traffic. With regard to archaeology/cultural heritage no likely significant impacts are envisaged. In the event the construction compounds require any sub-surface works within the vicinity of these protected structures any excavation work will be archaeologically monitored. Protection mitigation measures are proposed within the enclosed project report, as specified by an archaeologist, to protect Pigeon House Fort thus mitigating any potential impacts. Regarding potential traffic, it is anticipated that the use of Compound C1 may see a reduction in traffic along Pigeon House Road and improved pedestrian access to the WwTP site.

Conclusion

Based on the foregoing and the detailed assessments contained in the attached Project Report, it is Irish Water's view that the proposed alteration is:

- not material
- not likely to have significant effects on the environment, and
- not likely to have a significant effect on any designated European Site, either alone or 'in-combination'/cumulatively with any other project.

We trust that the information enclosed is satisfactory and sufficient to allow the Board to make a determination of this request.

We look forward to hearing from the Board in due course. Should you have any queries regarding the above please do not hesitate to contact the undersigned.

Yours faithfully

Donal O' Connor

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Enc: Project Report