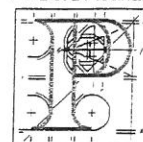


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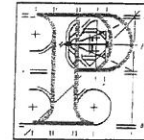
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Case Reference/ Description	61.PC150 A proposed Harbour Extension at Galway Harbour, Galway.		
Case Type:	Section 37B		
1st/2nd/3rd Meeting:	3 rd Meeting		
Date:	24 th April 2013	Start Time:	11.35 am
Location:	Conference Room	End Time:	1.55 pm
Chairperson:	Philip Green	Executive Officer:	Kieran Doherty

Attendees:	PRIVATE & CONFIDENTIAL
Representing An Bord Pleanála	
Philip Green, Assistant Director of Planning Philip Jones, Assistant Director of Planning Diarmuid Collins, Senior Administrative Officer Kieran Doherty, Executive Officer	
Representing Prospective Applicant	
Tom Broderick, Galway Harbour Company John Kelly, Director, Tobin Consulting Engineers Gus McCarthy, Director, McCarthy Keville O'Sullivan Ltd Brendan O'Connor, Director, Aquafact International Services Ltd Brendan Rudden, Project Engineer, Tobin Consulting Engineers	

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Introduction

The Board's representatives welcomed the prospective applicant's team and outlined the issues for discussion during the meeting as follows:

1. Record of the meeting of 15th January 2013.
2. Records of the meetings with the National Parks and Wildlife Service (NPWS) and Department of Transport, Tourism and Sport.
3. Galway Harbour Company update.
4. National Ports Policy.
5. Application documentation

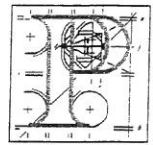
The Board's representatives asked whether the prospective applicant had any comments on the written record of the previous pre-application meeting of the 15th January 2013. The prospective applicant queried the reference to "planning authority" at the end of paragraph six on page eight of the record and suggested that this should be "the NPWS". The Board's representatives agreed that the record should have stated NPWS.

The Board's representatives asked whether the prospective applicant had any comments on the written record of the pre-application meetings between the Board and the NPWS and also the Department of Transport, Tourism and Sport. The prospective applicant had no comment on these records but found it beneficial to be informed of the discussion.

The Board's representatives stated that arising from the meeting with the NPWS, the approach that should be taken in the planning application is that for Natura 2000 purposes the application site lies within a European site that hosts a priority habitat. Accordingly, the reasons by which consent might be given, in the event of IROPI, would be limited to human health, public safety or beneficial consequences of primary importance to the environment, and any social or economic reasons would be subject to the opinion of the European Commission.

The Board's representatives noted the content of the new National Ports Policy, and in particular the future role of local authorities in relation to Tier 3 ports, such as Galway, and stated that it is now of the opinion that a meeting with Galway City Council is required in order to get the council's views on the proposed development. Traffic issues could also be discussed with the local authority.

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Prospective Applicant's Presentation

The prospective applicant stated that Harbour Extension Galway is the correct title for the proposed development as it is an extension to the existing harbour infrastructure.

Traffic Update

The prospective applicant stated that it had held a meeting with the National Transport Authority (NTA) and noted the following update required to the EIS text and drawings:

- Mobility Management Framework – Modal percentages
- Traffic Distribution Routes
- Heavy Traffic Timings*
- Rail Freight Types & Rail / Cruise Interface
- Cruise Passengers - Coach arrangements*
- Event Traffic

(* so as not to conflict with peak traffic)

The prospective applicant gave an update on the Galway City Council progress/schemes/continued interaction:

- Pedestrian/cyclists' schemes – links to city
- GCC Way Finding Schemes
- GCC information signage
- Improvements from on-going City Council road upgrades
- Final iteration of GCC traffic model prior to lodgement (to be current)

Mutton Island Alternative

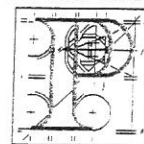
This would be an alternative to Renmore but still in Galway Bay. However, it still includes a Renmore element. The prospective applicant stated that it would be difficult to move all facilities to Mutton Island due to the existing infrastructure and the SAC would still be affected. Mutton Island is required for its deep water access but it has an impact on a number of sensitive receptors.

The prospective applicant detailed the five alternative configurations studied for the Mutton Island Alternative:

- Option 1 – Road & rail access along Southpark, Claddagh.
Issues of Brent Geese, ecological impact, protected structures and engineering issues
- Option 2 – Direct road & rail tunnel

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Issues of ecological impact, environmental footprint, relocation of channel, water flow interruption, silting and engineering issues

- Option 3 & 4 – Alternative Tunnels

Issues of ecological impact, environmental footprint, relocation of channel, water flow interruption, silting and engineering issues. Piling will be required.

- Option 5 – Overbridge Access

Issues of ecological impact, ecological footprint, interruption of flight paths for birds.

Maintenance dredging would be similar in the various options.

The prospective applicant listed the main environmental issues applicable to all the alternative configurations:

- Loss of Seal Haul Out.
- Loss of previous area for Terns.
- All Mutton Island options have a greater environmental impact than the Galway Harbour Extension option, as proposed.

The prospective applicant summarised that the preferred environmental “Mutton Island” scenario, Option 1, would result in:

- Increased city traffic congestion.
- Port vehicular access constraints.
- No realistic rail link potential.
- Expensive pipelines to landside storage facilities.
- Loss of public amenity/increased visual impacts.
- Significant engineering cost & construction issues.
- Significantly greater environmental issues.

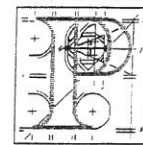
The Board’s representatives stated that the criteria for the various options should be adjudged by reference to environmental issues rather than economic, and that one could not use the financial benefit to the prospective applicant company as a criterion.

National Ports Policy (NPP)

The NPP had not been published at the time of the last meeting.

- NPP is a key consideration in the planning assessment of Harbour Extension Galway generally.
- NPP is also a key component in the consideration of alternative solutions under Article 6(4).

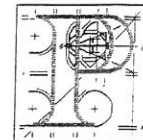
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- Approach to alternative solutions outlined at last meeting (held on 15th January) which includes policy background.
- Policy categorises port that handle commercial freight into:
 - Ports of National Significance (Tier 1) - Dublin, Cork & Shannon Foynes,
 - Ports of National Significance (Tier2) - Waterford & Rosslare ,
 - Ports of Regional Significance (Tier 3) - "Drogheda, Dun Laoghaire, Galway, New Ross, Wicklow and all other ports that handle commercial freight (14 no. in total).
- Policy identifies important but different "roles for the 5 state owned ports of regional significance".
- Galway Harbour identified as an important strategic regional hub for petroleum importation, storage and distribution (Section 2.7).
- Recognises the importance of these ports in serving their hinterlands and in supporting balanced regional development.
- These ports could play a more significant role in supporting national economic development in certain specialised trades (eg oil/petroleum import & storage/off-shore energy servicing) and maritime tourism.
- Recommends more appropriate local governance structures for 5 state owned regional ports to ensure the maximum potential for the regional hinterland of each port is best achieved.
- Identifies the inner harbour in Galway as "an immensely attractive location for the development of marine tourism and leisure facilities, in particular in marina, as well as for urban redevelopment" (Section 2.7.3).
- The policy endorses the development proposals in respect of the inner harbour, as referred to in the Regional Planning Guidelines for the west region and Galway City Development Plan for marine tourism and leisure facilities, as well as for urban redevelopment and regeneration.
- Supports the development of cruise tourism business.
- Identifies Galway Harbour as having important potential in terms of servicing the ocean energy sector by endorsing the findings of the IMDO report (Section 4.2).
- Identifies the benefits of reintegration and rejuvenation between port and city using the Volvo Ocean Race as a demonstration of success in this regard (Section 4.5).

The Board's representatives stated that the criteria to justify the port should be related to national policy and queried how the proposed development would fit into the hierarchy of ports. The prospective applicant stated that the policy refers to ports serving their hinterlands but does not define the Galway region and is not

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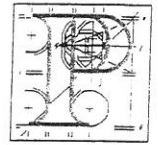
prescriptive as to what type of facilities should be provided at the various ports. The Board's representatives noted that the import and storage of oil is in the policy, however, bitumen is not mentioned although there is a bitumen business in Oranmore so it would be reasonable for it to use Galway. The prospective applicant stated that currently timber from Mayo is being sent by rail to Waterford; this could use Galway, but acknowledged that it could also use Shannon/Foynes.

Alternative Solutions

- Legislative Requirements. Alternative ways of implementing a plan or project that, where possible, avoid adverse impacts on the integrity of the Natura 2000 site.
- Possible Alternative Solutions could include the following:
 - Locations
 - Scale or size
 - Means of meeting objectives (eg demand management)
 - Methods of construction
 - Operational methods
 - Decommissioning methods at the end of the projects life
 - Scheduling & timescale proposals (e.g. seasonal working)
- Methodology. Identification of HEG Objectives
 - Overall objective is to provide a regional port capable of handling larger vessels (min. 20,000 tonnes) in all tides and to cater for the regions port requirements for a minimum 30 year period. As a regional port, HEG will cater for the import/export for a range of commodities whose origin or destination is within the region.
 - In addition to servicing offshore energy, offshore exploration and cruise line business, the port will also have a significant tourism and leisure element accommodated both within the existing inner harbour and the proposed new marina, and also serve local fishing and island freight.
 - The HEG objectives are to be met by expanding the existing port and building on existing port infrastructure.
 - The port is located in Galway City which is the regional gateway and the primary population centre within the region.
 - HEG objectives are to be met by utilising existing port infrastructure, adequate quay length, all tide access, adequate landside facilities, national road & direct rail access, SEVESO compliant.
 - The commodities to be handled by HEG include those currently being handled, together with their future growth including, but not limited to, the following: petroleum, bitumen, limestone, steel/scrap metal, coal, timber.

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- HEG objectives are in line with NPP in terms of the role & future development of the port.
- Alternative solutions include those which could deliver the overall project objectives.
- Alternative locations to be assessed against criteria derived from project objectives. Alternative locations/ports include ports of national significance or regional?

Natura Impact Statement (NIS) / Consultations with NPWS

Following a series of meetings with NPWS and follow up emails, the sequence of chapters in the NIS are as follows:

1. Executive summary.
2. Legal framework.
3. Description of the project.
4. Screening.
5. Surveys.
6. Description of the environment.
7. Impacts.
8. Mitigation.
9. Assessment of residual impacts.

Appendices

The Natura impact statement (NIS) is being updated following the recent publication of the cSAC conservation objectives prior to internal review and submission to the NPWS. During the consultation meetings, the NIS team had been told not to go as far as discussing compensation but to conclude that there would be impacts on a cSAC/SPA.

Lough Atalia/Renmore Lagoon Priority Habitat Survey

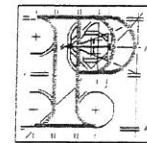
- Lagoon = Priority Habitats within EU legislation.
- Description of its biological, chemical and physical characteristics.
- Desk review of species' tolerance to variations in salinity.

3 dimensional mathematical modeling of salinity.

- A reduction of less than 2PPT (parts per thousand) in salinity when the River Corrib is in spate and under flooding spring tides is predicted.
- Note:- The following are salinity measurements to give context to the above:
 - Freshwater is 0 PPT
 - Galway Bay is up to 34 PPT
 - Lough Atalia Neap to Spring Tidal Cycle <1 PPT to 30 PPT

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- The predicted level of variation lies well within the tolerances of all of the individual species that occur in the lagoon and is not seen as a cause of any negative impact on it.

This report has been sent to NPWS for review prior to sending it to DG XII for its comment.

Salinity Monitoring

Lagoons are known to fluctuate in salinity and, therefore, the species that have evolved are accustomed to this environment. Dredging will cause sediment to be brought into suspension so it will only take place on ebbing tide. New imported material will not affect the chemical content of the water.

Resume of Habitats Lost cSAC

Table provided in the presentation.

Compensation / Potential Compensation

Details are being worked on so this was not discussed in the meeting.

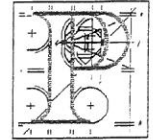
Application Documentation

The prospective applicant queried whether documents relating to Imperative Reasons of Overriding Public Interest (IROPI) should be submitted in the first instance with the planning application or as a separate submission when/if required by the Board. The Board's representatives stated that this was a decision for the prospective applicant. The Board's representatives emphasized again that the decision of whether IROPI applied in any case was ultimately a matter for the Board and not the reporting Inspector dealing with the case.

If the IROPI documentation is not submitted with the application the Board can request the applicant's input to the statement of case and compensatory measures when and if required should the Board determine that IROPI might apply. If the compensatory measures involve works then further assessment may be required. Issues raised at the oral hearing may assist in the formulating of a statement of case. The relevant legislation does not provide for third party involvement in the statement of case.

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The Board's representatives stated that there was no time limit for the statement of case process. The complex nature of the proposed development may add to the time taken by the Board to process the application.

Conclusion

The record of the meeting will issue in due course and the Board's representatives will proceed to hold a meeting with the local authority. Following this a further meeting will be held with the prospective applicant at which point the application procedures can be covered. It is envisaged that the next meeting will be the final meeting.

Philip Green

Assistant Director of Planning