Planning & Development Department

Date: 08-Jun-2015

Deputy Planning Officer

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| Application No. | 2552/15 |
| Proposal | PROTECTED STRUCTURE: Permission for development of an aviation fuel pipeline from Dublin Port, Dublin 1 to Dublin Airport, Co Dublin. The route of the pipeline is from proposed inlet station at Team CV Ltd, Bond Drive, Dublin Port, Dublin 1 and via Bond Drive, Tolka Quay Road, East Wall Road, under the Tolka River, Alfie Byrne Road, Clontarf Road, Howth Road, Copeland Avenue, Malahide Road (R107) and R139 (formerly N32). (It then enters Fingal Co. Council administrative area at Clonshaugh Rd. and routes via AUL/FAI sports ground, under the M1 motorway via the DAA Long Term Red Carpark, adjacent to Eastlands Car Hire Compound, ALSAA complex, under the Swords Road R132 and via Corballis Road to a reception station at Dublin Airport, Co Dublin. A separate application is being lodged con-currently with Fingal County Council in respect of the development proposed in its administrative area). The development will consist of (a) single storey Control Building, pumps and ancillary pipework in a fenced compound at Bond Drive, Dublin Port, Dublin 1 (b) a 200mm diameter continuously welded steel pipeline, laid generally in the public road at a depth of circa 1.2m below surface level except where it will pass under the Tolka and Santry Rivers and culverted streams. The length of the pipeline in Dublin City Council administrative area will be circa 11.4 km (total length will be circa 14.4 km.) (c) 2no. above-ground control boxes associated with emergency shut-down valves on the pipeline, at the junction of the Malahide Road R107 and Donnycarney Road and on the R139 (formerly N32) east of the junction with Clonshaugh Road South. The pipeline will be laid in the roadway under the Clontarf Bridge which is a protected structure. An Environmental Impact Statement and Natura Impact Statement have been prepared in respect of the application and will be submitted with the planning application. |
| Location | Inlet Station: Team CV, Bond Drive, Dublin Port, Dublin 1 to Dublin Airport, Co. Dublin |
| Applicant | Fingleton White |
| Date Lodged | 08-Apr-2015 |
| Zoning | Zone 1 - DEV PLAN 2011-2017, Zone 4 - DEV PLAN 2011-2017, Zone 3 - DEV PLAN 2011-2017, Zone 15 - DEV PLAN 2011-2017, Zone 9 - DEV PLAN 2011-2017, Zone 2 - DEV PLAN 2011-2017, Zone 6 - DEV PLAN 2011-2017, Zone 14 - DEV PLAN 2011-2017, Zone 11 - DEV PLAN 2011-2017, Zone 7 - DEV PLAN 2011-2017 |
| Application Type | Permission |

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| **DM/NC**  **02/06/2015**  **Site inspection**: 13/4/15  **Pre Planning Meeting(s):**  PAC0226/13; PAC0019/14; & PAC0545/14  The applicant states that (Appendix 5.2 of the EIS) that the Route selection and EIS scoping had been discussed with Planning, Roads, Drainage, Water and Wastewater, Environmental Services and Parks Departments of each local authority and that they took onboard the views of the relevant officers incorporated into the final scheme design as far as possible.  They note that Route selection, construction methodology and programming have been fully discussed with Dublin Airport Authority and Dublin Port, as owners and controllers of lands through which the pipeline route passes. Their requirements have been reflected where appropriate in the application documentation. Route-proving within the application corridor will be carried out in consultation with these bodies to ensure that there is no materially adverse impact on existing services and assets.  The applicant notes that the scheme has been presented to the Elected Representatives of the relevant electoral areas of each local authority. All representatives of Dublin Central and Dublin North Central areas of Dublin City Council’s administrative area were invited to a presentation and discussion forum on 02.07.2014.  The applicant states that they distributed information leaflets to all houses and properties along the route of the pipeline and organised to information meetings for the public in September 2014  The applicant notes that at these evening meetings that they provided full information on the proposal was on display with design team members and consultant experts on hand to discuss the nature of aviation fuel and all design, safety and environmental impact aspects of the project.  The applicant also considers that they have had extensive consultation with statutory and other appropriate consultees as required for the purposes of preparation and scoping of an environmental impact statement. The consultation process engaged in by Fehily Timoney for the purposes of preparation of the Environmental Impact Statement lodged with this application is set out at Section 5.4 of the document with a list of consultees and responses included.  **Zoning**  Within the Dublin City Council Area the route is located primarily under the public road which is unzoned ‘whiteland’ but runs adjacent to many different zonings to mainly residential in the form: of Z1 Sustainable and Z2 Residential Conservation areas; as well as some Z3 Neighbourhood Centres; Z4 District Centre lands; Z6 Employment/Enterprise lands; Z9 Open Space; Z14 Strategic Development & Regeneration lands; Z15 Institutional lands;  The route also passes through a number of other locations which in addition to the zoning have specific area designations and include the following:   * Strategic Development & Regeneration(SDRA) Area 6 - Docklands (Spencer Dock, Poolbeg, Grand Canal Dock) * Docklands - Key Development Area * Docklands Master Plan * SDRA 1 North Fringe * North Fringe -Key Development Area * North Fringe western Key District Centre * 2012-2018 Clongriffin- Balgriffin Local Area Plan   **Site Description & Current Aviation Fuel Transportation Arrangement**  The proposed pipeline will originate from within Dublin Port, at a corner site to the east side of Bond Drive, then proceeds as follows: Tolka Quay Road, East Wall Road, Alfie Byrne Road, Clontarf Road, Howth Road, Copeland Avenue, Malahide Road and the R139 to the Dublin City/Fingal Co. boundary. It is then routed via Clonshaugh Road, the AUL/FAI grounds Clonshaugh Road, under the M1 to Dublin Airport lands, in Fingal Co. Council’s administrative area for which a separate planning application is made.  (The previously permitted aviation fuel pipeline route also followed Tolka Rd and East Wall Road, but then headed westward via Richmond Road and north on Grace Park Road, then largely following the Swords Road to the Airport )  The inlet station will be located within Dublin Port and a reception station at Dublin Airport. The control room and plant will be located in small compounds, at the junction of Bond Drive/Tolka Quay Road in Dublin Port, within a site owned by Dublin Port Company and leased to Andrew Reynolds, (Currently aviation fuel arrives into Dublin Port by ship tanker. It is then transferred to storage tanks owned by the fuel suppliers via the Common Oil Pipeline, (COP) a Port owned and operated pipeline system. The aviation fuel is then conveyed to Dublin Airport by road tanker via the Dublin Port Tunnel and is apparently mainly at night time. Reynolds Logistics the proposed partner with the applicant currently uses road tankers to transport over 60% of the aviation fuel from Dublin Port to Dublin Airport. Reynolds Logistics is stated as being the largest road distribution company for oil products in Ireland.  Applicant’s Proposed Detailed Route Description   * The Dublin Port Inlet Station compound is located on Bond Drive, on land in the ownership of Dublin Port and leased to Andrew Reynolds for 99 years and is currently a fitter’s facility for tankers. The wider vicinity is an industrial setting - land used for port related storage and industrial activities. * The route from the proposed Inlet Station heads westward via Tolka Quay Road to the Port’s western limit at the closed junction of Tolka Quay Road and East Wall Road/Bond Road with vehicular traffic now exiting further north. (All within the Port landholding and environment.) * As it routes westward, under East Wall Road, the route is bounded on the north side by lands predominantly in industrial use with also a significant number of sites are vacant brownfield lands or are underdeveloped. The lands are considered to have significant development/redevelopment potential in the future. * Close to Alfie Byrne Road is a recently constructed food discount store and vehicle service station. * On the south side of East Wall Road are principally older, high densities, low rise residential areas, interspersed with some local commercial uses (shops and pubs). There are also industrial uses and, at the Alfie Byrne Road end, more recent modern office development. At the eastern end i.e. the junction of Bond Road/M1 tunnel access there is a large site with potential for significant redevelopment. * As it pipeline proceeds north-eastwards under Alfie Byrne Road, the route encounters the first special engineering difficulty (SED) i.e. the crossing under the Tolka River. Alfie Byrne Road passes through Z9 public open space, crossing over the Port Tunnel the 2nd SED. The open space on either side of Alfie Byrne Road includes active playing fields and passive open space. The open space is bounded to the east by the Tolka River/Estuary and Dublin Bay. To the west is the DART line with the local Clontarf station. * The pipeline is then routed westward for a short length in Clontarf Road, with the aforementioned open space on its south side and housing on the north side. This stretch includes the 3rd SED i.e. crossing the DART line and Clontarf Bridge. * The routing then turns north-eastward for 300m under Howth Road bounded by quality period housing. It then runs under Copeland Avenue, with housing on either side, to reach Malahide Road. Copeland Avenue would be the narrowest street on the selected route. * The pipeline is then routed north-eastward under the Malahide Road for a distance of 4.5 km., to its junction with the R139 at Clare Hall. * At the southern end, the pipeline route in the Malahide Road is adjoined to the east by Clontarf Golf Course and to the west by school playing fields, the Marino Casino and its attendant landscaped setting, and recently extended Nazareth House residential care home. * To its junction with Greencastle Road, the character of Malahide Road becomes that of a major urban distributor road, bounded by frontage housing and extensive residential areas. These are punctuated with neighbourhood retail malls and institutional services (churches, schools) and neighbourhood open spaces. * From Greencastle Road, the Malahide Road the pipeline route alters. The road becomes a dual carriageway, with housing backing on to it on the east side and extensive industrial/commercial estate lands on the west side. There is a low density single storey housing enclave (Newtown Cottages) adjoining the Road within the commercial area. * From Blunden Drive to the R132 junction, the west side of the Malahide Road is bounded by open space and the Darndale high density, low rise residential area. To the east are playing fields, then mixed commercial uses, including a petrol filling station and Clare Hall shopping centre arriving within the Northern Cross area. * The pipeline route then heads west in the R139. This is the North Fringe Strategic Development & Regeneration Area – emergent urban landscape. At the junction of the Malahide Road and the R139, the south-east and north-west corners are developed. Clare Hall shopping centre is to the south-east of the junction and the Hilton Hotel and associated shopping complex to the north-west. This is adjoined to the west by a business park Bewleys * The south-west quadrant remains undeveloped, with the exception of an apartment complex. * Thereafter the south side of the RI32 is developed * The expanses of Darndale and Belcamp Parks line the eastern and western ends, with a residential and traveller accommodation enclave between. The north side of the R139 is as yet largely undeveloped and is located with Fingal Co. Co. The route then leaves Dublin City Council area at the junction of the ~~R139~~ with Clonshaugh Road, the pipeline turns north, running under Clonshaugh Road to enter Fingal Co. Council’s administrative area. At the roundabout junction, on the west side is the Bewley’s Airport hotel development. A petrol filling station had been developed to the north of the hotel.   **Proposal**  10 YEAR Planning Permission is being sought for:  *PROTECTED STRUCTURE: Permission for development of an aviation fuel pipeline from Dublin Port, Dublin 1 to Dublin Airport, Co Dublin. The route of the pipeline is from proposed inlet station at Team CV Ltd, Bond Drive, Dublin Port, Dublin 1 and via Bond Drive, Tolka Quay Road, East Wall Road, under the Tolka River, Alfie Byrne Road, Clontarf Road, Howth Road, Copeland Avenue, Malahide Road (R107) and R139 (formerly N32). (It then enters Fingal Co. Council administrative area at Clonshaugh Road and routes via AUL/FAI sports ground, under the M1 motorway via the DAA Long Term Red Carpark, adjacent to Eastlands Car Hire Compound, ALSAA complex, under the Swords Road R132 and via Corballis Road to a reception station at Dublin Airport, Co Dublin. 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An Environmental Impact Statement and Natura Impact Statement have been prepared in respect of the application and will be submitted with the planning application.*  Proposed Development Summary  *The pipe and pipeline specifications*  The proposed pipeline will be a 200 mm (8”) diameter, continuously welded carbon steel pipe, with a wall thickness of 12.7 mm, with a 3 ply wrap coating and cathodic protection system to control external corrosion where located below ground. It will be a total of 14.4 km in length c.11.4km within DCC. It will have an operating pressure of 40 barg which will be capable of delivering 300m3 per hour (equivalent to 2,700 million litres per annum) of Jet A1 aviation fuel to Dublin Airport. The pipeline will have a fluid volume of 410m³.  *Best Practice/Industry Standard for high pressure pipelines*  The applicant notes that the proposed pipeline has been designed and will be commissioned and operated in accordance with the Irish Standards for pipelines which is I.S. EN 14161:2011 – Petroleum and natural gas industries – Pipeline transportation systems (ISO 13623:2009 modified). In the UK, the Health and Safety Executive is the regulating authority for pipelines. All the pipelines are operated in accordance with the UK Pipeline Safety Regulations (No. 825 of 1996). The applicant notes that as there is no corresponding Regulations in Ireland at this time, it is proposed that this pipeline will be operated in accordance with the UK Pipeline Regulations and will be independently audited on an annual basis by an internationally recognised body, the British Pipeline Agency – which will be submitted each year to both Dublin City Council, Fingal County Council, Dublin Airport Authority and Dublin Port Company  *Construction*  As the applicant notes there will be a requirement for the establishment of one to two temporary compounds for the duration of the construction works - with the applicant proposing to use existing vacant sites with hardstand areas. These sites will be used for the storage of the steel pipe, plant and machinery each night and re-fuelling of such machinery.  Advance notice of construction is to be given to all homes and businesses along the route. The notice will contain a copy of the agreed construction plan along with contact names and phone numbers.  The final location of the pipeline within the available corridor will be determined by slit trenching prior to construction to finally prove the location, routing and nature of existing services and utilities and the best location for the pipeline  The pipeline in the main (c.96% of the route) will laid in a trench using a conventional pipe laying technique called ‘open cut trenching’ typical of linear construction projects at a depth of 1.2m in a 1.5m deep trench with fibre optic control cable laid on top of the pipe - which would be broken by any disturbance above the pipe, initiating an emergency automatic shut-down. Marker Tape will be laid over the pipe to warn of its presence from accidental breaking of ground. The pipe will be covered by 1.2 m of backfill consisting of 300 mm sand or gravel, followed by 700 mm of leanmix concrete to 200 mm below the surface the use of latter will significantly reduces the impact from third party interference  The trenches will be backfilled and temporarily reinstated each evening, ensuring minimum disruption to pedestrians, home owners and businesses. Backfill material will be delivered directly to each works site on an ‘as needed’ basis. Therefore, in relation to traffic management etc there will be no requirement for the stockpiling of materials along the route. It is proposed to begin to permanently reinstate the surface of the trench to its former condition once the pipeline is laid.  All pipe welds will be subject radiographic survey (x-rays)  In the public road, the route corridor is the limit of the public road (road, verges, foot-paths), and where it is to be laid in open space, the proposed route corridor will be an 8m wide strip.  As noted previously there are points where the laying of the pipeline will encounter *Special Engineering Difficulties* (SEDs). Each SED will involve a specialised alternative construction techniques and, in some cases, consents from owners of the features encountered. The Tolka River is in natural bed. The Santry River is in a concrete open channel, the Mayne River, Cuckoo Naniken, Wad and Kilbarrack streams are culverted. The pipeline will cross over the Dublin Port Tunnel and cross under a railway bridge at Clontarf. Trenchless technology (e.g. directional drilling) is to be used in all of these circumstances as it allows the installation of the pipelines below the ground (and below the bed of the river/stream) with minimal excavation.  The applicant notes that a c.90m length from Tolka Quay Road to East Wall Road was installed under an ‘advanced works’ contract during the development of the Dublin Port Tunnel - which means that no trenching will be required across this junction - so will not obstruct going to and from the Port Tunnel.  Construction timeframe  The applicant envisages that the construction period will take place over 10 months divided into sub-phases which may overlap and would be as follows:   * Establish construction compounds * Set up and establishment of traffic management plans * Construction including advance route proving * Permanent re-instatement * Commissioning of the pipeline   Construction work will be divided into 4 crews in separate sections of the route. Each works site will measure approximately 72 m long x 4 m wide and will be fenced off from the public. It is estimated that 24m of pipe can be laid each day and that construction works will take place not more than 2 days outside any property. Crossings of riverways could however take up to between 2 to 4 weeks.  It is anticipated that the majority of construction works will be carried out during daytime hours; however evening and weekend working will also be required at some locations. All works within the public roadway will require road opening licence(s) from the local authorities which are to be applied for if planning permission is obtained. The applicant notes that licence(s) will specify the permitted hours of construction. It is indicated that there will be independent oversight at construction stage.  Operation/Monitoring  The applicant namely Fingleton White proposes to form a new company Independent Pipeline Company Ltd., along with Reynolds Logistics to operate the aviation fuel pipeline. The proposed pipeline from Dublin Port to Dublin Airport will be operated as an open access transportation system i.e. it will be open to any fuel suppliers supplying fuel to Dublin Airport.  The inlet station will pump fuel from existing fuel storage tanks within Dublin Port along the pipeline to a reception station at Dublin Airport where fuel will be stored at the existing fuel tank farm operated by  Dublin Airport Authority. Both of these stations will be located at existing facilities which will be modified to accommodate the proposed pipeline  Development commences with an inlet station which will receive fuel from the storage tanks via the COP. The inlet station will be located on the east side of Bond Drive, within a site in the ownership of Dublin Port Authority and leased for 99 years to Andrew Reynolds. It will also contain a single storey control building, floor area 46m² and height 3.25m along with ancillary pumps and pipework. The entire site will be enclosed in a compound of 19 m. x 22 m. approx. (0.042 ha.) and secured by a 2.4 m. high fence. This is the Dublin Port above-ground installation (AGI). The pipeline then proceeds to the existing fuel tank farm operated by Dublin Airport as per the route selection – which is described further below.  The pipeline will be operated using an automated system which allows monitoring and control from both Dublin Port and Dublin Airport. The pipeline will be operated by Fingleton White with standby backup provided by Reynolds Logistics in the form of trucks which will be made available to transport fuel to the airport in the event of a loss of the pipeline. Both companies currently operate 24/7 response systems.  The applicant proposes a number of leak detection systems. These would include automatic leak detection systems including use of metering/pressure monitoring. Additional external leak detection will be provided at the Tolka River. This will comprise a slotted duct installed in the pipeline trench with a sensing cable installed in the duct. The duct will have 0.5 mm wide slots to prevent it filling with silt. The pipeline itself will be laid 2m below the bed of the river and therefore a significant event would have to occur at or near that location for product to enter the surface water  Two intermediate Emergency Shutdown valves will be installed to limit the extent of leakage in the event of rupture. These would be activated by the software leak detection system, (PLC) pager system which would initiate automatic emergency shutdown, or manually in the event of a visual inspection indicating a leak. Fibre optic control cable laid on top of the pipe would be broken by any disturbance above the pipe, initiating emergency automatic shut-down. The operation of the pipeline will be monitored on a 24/7 basis and in the event that a leak is detected, the automatic leak detection system will ensure that the pipeline shuts down. Walking of the route will take place every two weeks.  An outline emergency response plan has been included in Appendix 3.7 of Volume 3 of the EIS. The applicant states that a detailed emergency plan will be drawn up based on existing plans used by the aviation fuel transportation industry in the UK and adapted and modified as necessary to meet local conditions in agreement with Dublin Fire Brigade. This plan will include a communications link to Dublin Port, Dublin City Council, Fingal County Council and Dublin Airport Authority.  Prior to commissioning the entire pipeline with be tested with clean water and pressurised. The pipeline will then be dried before fuel is admitted.  Provision will be made for internal pipeline inspection using intelligent pigs (an inspection and cleaning drone propelled by fluid pressure from its insert point). The internal corrosion survey would be scheduled to take place during the first year of operations to detect pipe thickness and every 10 years thereafter. The applicant estimates that the pipeline system will have a 50 year design lifetime.  *Decommissioning*  The applicant notes that in the unlikely event that the pipeline is decommissioned- the pipeline will be emptied of fuel and flushed with water sourced from mains supply. The water will then be collected, sampled for contaminants and disposed of either to a surface water body (if deemed appropriate) or collected and taken off site for disposal at an appropriate wastewater treatment facility in agreement with the local authority.  Supplementary Documentation submitted with the Application (in addition to plans & drawings):  *Safety and Environmental Impact Report.*  The applicant notes that their aviation fuel transportation proposal has been informed, first and foremost, by a report by industry experts AMEC Environment and Infrastructure Ltd which deals with the risk of and impact of spillage and fire arising from the proposed pipeline transportation of aviation fuel. It compares those risks with risks associated with tanker transportation. It establishes that risk of leak or rupture associated with the pipeline transportation of Jet A1 fuel is low. They are lower than tanker transportation by a factor of 90 at the very minimum. The risk of fire associated with the pipeline as compared with tanker transport is lower again, due to the relative stability of the fuel, particularly when transported by pipeline.  The applicant notes that the first AMEC report issued in 2011 identified design, construction and routing measures for the proposed pipeline which would further minimise risk. This helped shape adjustments made to the pipeline proposal during the design phase.  The report was then reviewed in 2014 to address specifically the pipeline proposal for which planning permission is now sought. The planning application is accompanied by the 2014 AMEC report.  *Design Basis Report*  The applicant notes that they have developed the design of the pipeline and trenching methods to comply with ISEN 14161, Petroleum and natural gas industries-Pipeline Transportation Systems and to incorporate recommendations of the AMEC report and address routing requirements.  *Route Selection Report*  The applicant notes that concurrently with the AMEC report, and informed by it, that they have reviewed the pipeline route previous permitted aviation fuel pipeline with 5 new route options being examined and compared with the formerly permitted route. This resulted in the elimination of the formerly permitted route, due to   * engineering difficulties at Luke Kelly Bridge over the Tolka River; * traffic congestion associated with the route; * potential conflict with a proposal to upgrade the R132 in the vicinity of the airport; * services congestion in the Swords Road at Coolock Lane, Santry River and M50 bridge.   The applicant notes that a preliminary route selection process was engaged in with full consultation with local authority planning, roads, environmental services and parks departments and with full regard to local authority planning policy, with routing being reviewed incrementally on further occasions, as various problems and opportunities became apparent and were addressed.  The applicant’s final route selection report of 2014, which is lodged with this application, reflects the process and which was subject to local authority consultations throughout.  *Construction Plan*  The applicant notes that to deal with the logistics of construction of the c.14.4 km. pipeline, a Construction Plan has been prepared by Fingleton White. Their Construction Plan divides the route into 15 sections. It describes the construction method generally, and then specifically for each section of the route. It sets out the construction method for the routine, straight sections of pipeline within the roadway, with road crossings, junction crossings and areas where special engineering difficulties arise.  It is proposed that prior to construction a detailed works programme will be drawn up by the contractor and agreed with the relevant statutory authorities.  *Traffic Management Plan*  The applicant notes that taking the 15 sections of the route identified in the Construction Plan, traffic management plans were drawn up to manage pedestrians and vehicular traffic during the construction phase of the project.  The objective of the Traffic Management Plan is to   * Minimise disruption to the local community * Maintain access to residential and commercial properties * Provide safe access for pedestrians * Maintain traffic flow, preferably two-way where possible. * Ensure compliance with health and safety regulations.   Prior to construction, the applicant notes that discussions will be held with the relevant statutory authority to agree any changes required to the traffic management plan.  Outline Emergency Response Plan  The applicant notes that notwithstanding that their commissioned AMEC report finds that risk of an incident when the pipeline is operational is highly unlikely; an Outline Emergency Response Plan has been prepared. Fingleton White and Reynolds Logistics are stated as having the organisational capacity and expertise to deal with such emergencies. This outline plan sets out how the relevant authorities will be notified, how public health and safety will be protected, how damage will be rectified and the environment cleansed in the event of pipeline failure.  Environmental Impact Statement  The applicant notes that as per Part 1 of Schedule 5 of the Planning and Development Regulations 2001 as modified indicates that an Environmental Impact Statement must accompany a planning application for *“oil and gas pipelines with a diameter of more than 800 mm. and al length of more than 40 km.”* The proposed development is well below the threshold. Part 2 requires an EIS to accompany an application for an oil or gas pipeline a category the subject proposal would not fall into. However in consultation with local authorities it was considered that given the characteristics of the proposed development, through urban areas and under the Tolka River which drains to a number of Natura 2000 sites, an Environmental Impact Statement (EIS) in relation to the proposed pipeline accompanies this planning application.  The applicant states that the EIS lodged with the application identifies the likely significant effects associated with construction of the pipeline and pipeline transport of aviation fuel, and that it examines comprehensively the environmental impact of such effects, as required by the Local Government (Planning and Development) Regulations 2001-2014. It examines impacts under the headings –   * Human Beings (Land Use and Recreation) * Human Beings (Socio-Economic) * Roads, Traffic and Transportation * Noise and Vibration * Flora and Fauna * Soils, Geology and Hydrogeology * Surface Water Quality and Drainage * Air Quality and Climate * Archaeology, Architecture and Cultural Heritage * Landscape and Visual Impact * Material Assets   The submitted EIS examines effects at construction, operational and decommissioning phases of the pipeline. It examines cumulative impacts with other projects and developments. It examines the interactions between impacts.  Natura Impact Statement /AA  The applicant notes that while the proposed development does not pass through any site designated for nature conservation, it does pass close to such sites, and aspects of the development have the propensity to impact negatively on adjacent Natura sites. The applicant notes that scoping for Appropriate Assessment with the relevant local authorities concluded that a Natura Impact Statement should be lodged with the application and the required document is provided.  **Valid Site Planning History**  0189/99 PP GRANTED by DCC & ABP for an Aviation fuel pipeline from Dublin Port to Swords Road/Santry Avenue junction.  The permitted route of the proposed pipeline was to be as follows: Tolka Quay Road; East Wall Road; Annesley Bridge Road; Poplar Row; Ballybough Road; Luke Kelly Bridge; Richmond Road; Grace Park Road; Griffith Avenue; Swords Road (to the boundary of the Dublin Corporation Borough area).  *Condition 3*  *The proposed pipeline shall be designed, constructed and operated in accordance with the requirements of the planning authority. In particular, details showing compliance with the design, construction and operation requirements listed below shall be submitted to the planning authority prior to commencement of development.*  *(1) Pipeline Design Criteria*  *Pipeline diameter 150 mm (nominal)*  *Wall thickness 11.91 mm*  *Design pressure 70 bar*  *Operating pressure (initial) 19 bar (600 l/annum)*  *Operating pressure (future) 40 bar (1200 l/annum)*  *Test pressure 105 bar*  *Depth of cover 1.2m*  *Cathodic protection Sacrificial anodes (every 150m)*  *Block valves Every 2.5km*  *Pipeline Fully welded*  *Mild steel*  *AP1 5L Grade B*  *Welds 100% Radiography testing*  *External coating 3 ply wrap*  *100 microns - powder epoxy*  *- primer layer*  *250 microns -intermediate adhesive layer*  *3mm polyethylene outer layer*  *Internal coating Fusion Bonded Epoxy*  *Internal Drying Process*  *Internal Corrosion Survey Every 10 years*  *(2) Construction Criteria*  *(a) Block valves shall be spaced at 2.5km centres maximum.*  *(b) Valve chambers shall be constructed of reinforced concrete and shall be totally waterproof.*  *(c) The valves shall incorporate automatic shut down which shall operate as soon as the sensitive leak detection system triggers a shut down of the pumps.*  *(d) Secondary HDPE channel liner 2.5mm thick shall be installed at the inspection chambers at the vulnerable sections as shown on the submitted drawings. In addition, the secondary HDPE liner shall be extended*  *- to cover the entire route along Richmond Road;*  *- further east along East Wall Road by a distance of 40m to further protect the Tolka River and its entry into the estuary.*  *(e) In any built-up areas where permeable made-up ground is encountered, either local secondary containment (by means of HDPE liner draining to inspection chamber(s)) shall be provided or, alternatively, such permeable fill materials shall be extended and replaced with clay, in order to avoid the potential for ground water flow in these areas.*  *(f) The secondary containment of the pipeline at the Luke Kelly Bridge, crossing the River Tolka shall be by means of a channel or polyethylene tube (outer pipe) which drains to the HDPE liner on either side of the bridge and onwards to the nearby inspection chambers. The connections between the HDPE liner and inspection chambers and between the HDPE liner and secondary containment at the bridge crossing shall, in all cases, be fully impermeable to liquid flow.*  *(g) Impact protection slabs shall be placed 500mm above the pipe for the total pipeline length. The reinforced concrete protection slabs shall be designed to span the trench in which the pipeline is installed, so as to ensure that they do not impose additional loads on the pipeline, if the back fill suffers differential settlement. The reinforced slabs shall incorporate appropriate steel reinforcement and shall be designed in accordance with relevant Codes of Practice to withstand static and dynamic (impact) loads.*  *(h) Warning tape shall be placed for the total pipeline length.*  *(i) Specification and compaction of back fill materials shall be in accordance with relevant clauses of the DoE specifications.*  *(3 )Operating Criteria*  *(a) The normal operating pressure initially shall be in the range of 19 Bar to 25 Bar. This shall not exceed 25 Bar without the prior agreement in writing of the planning authority.*  *(b) An annual static pressure test to a pressure of one and a half times the operating pressure shall be carried out using the pipeline oil as the test medium. The results shall be submitted to the planning authority.*  *(c) Inline corrosion surveys/intelligent pigging shall be carried out every ten years.*  *(d) Inspections shall be carried on the following basis:*  *- weekly route inspections*  *- three monthly cathodic protection testing*  *- three monthly equipment functional testing*  *(e) Leak detection shall be based upon:*  *- pressure point analysis*  *- mass balance detection*  *- annual hydrostatic testing*  *- all leaks or visible presence of oil anywhere along the pipeline route, in the valve chambers or pump houses, or any noticeable oil smells, shall be reported to the planning authority.*  *The pressure point analysis detection system is be designed to detect leaks as small as 10 litres/hour and is to be linked to an automatic shut down system, which will automatically shutdown pumps and close block valves.*  *(f) The developer and/or operator shall submit details of a Major Accident Prevention Document (MAPD) to the planning authority prior to the commissioning of the pipeline, which shall be compatible with the Dublin Metropolitan Region Major Emergency Plan.*  ***Reason:*** *In the interest of the proper planning and development of the area.*  *Prior to commencement of development, an independent, suitably qualified person (to be agreed with the planning authority or, in default of agreement, to be determined by An Bord Pleanála) shall be appointed, at the developer’s expense to undertake the following:*  *(a) Validate all design details.*  *(b) Validate accurate and detailed service drawings prepared by the applicant, which shall show all utilities and shall be prepared after consultation with all utility companies and relevant authorities.*  *(c) Validate a detailed goetechnical, topographical and utilities survey consisting of radar survey, manhole survey and topographical survey shall be carried out and verified by boreholes, trial pits and slit trenches immediately prior to construction.*  *(d) Inspect and validate construction works and submit weekly reports to the planning authority, which shall include the applicant’s detailed drawings of the pipeline as laid, in addition to photographs of ongoing works.*  *(e) Validate the testing and commissioning of the pipeline and associated installations.*  *(f) Validate all operating and emergency plans/procedures, in addition to procedures for ongoing inspections and testing.*  *All validation pursuant to this condition shall be submitted to the planning authority.*  ***Reason:*** *In the interest of the proper planning and development of the area.*  *5. All work shall be carried out in accordance with “Directions for the Control and Management of Roadworks in Dublin City” produced by the Office of the Director of Traffic, Dublin Corporation. In this regard, a detailed schedule of working hours and related requirements shall be submitted to the planning authority for agreement prior to commencement of development.*  ***Reason:*** *In the interest of traffic management and the protection of amenities.*  *The impact of power lines shall be taken into account in the cathodic protection design, including the incorporation of required mitigation measures. In particular, attention shall be given to potential interactions between (i) the pipeline cathodic protection system and the earthing/bonding requirements to avoid static electricity and (ii) the pipeline cathodic protection system and other undergrounding pipelines/cables/other buried metallic structures, and the required mitigation measures to deal with these interactions.*  ***Reason:*** *In the interest of the proper planning and development of the area.*  *9. The site development works and construction works shall be carried out in such a manner as to ensure that the affected streets are kept clear of debris, soil and other material, in accordance with the requirements of the planning authority.*  ***Reason:*** *To ensure that the adjoining roadways are kept in a clean and safe condition during construction works.*  *10. Any required wayleave agreements along the route of the pipeline shall be secured prior to commencement of development.*  ***Reason:*** *In the interest of the proper planning and development of the area.*  *11. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure environmental restoration in the event of a leak of the pipeline, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory restoration of the environment. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be determined by An Bord Pleanála.*  ***Reason:*** *To ensure environmental restoration in the event of a leak.*  **Observations:**  Prescribed Bodies:  Development Applications Unit, Dept of Arts, Heritage & the Gaeltacht: No Comments will be made  An Taisce: Concern at Climate Impacts  Department of Agriculture, Food & Marine: Have no submissions or observations to make  Dept of Communications, Energy & Natural Resources –Geological Survey of Ireland- no additional comments to make in relation to Soils, Geology & Hydrogeolgy section of the EIS  National Roads Authority: Additional information requested over potential impacts on the BRT  National Transportation Authority: Additional information requested over potential impacts on the Dublin Port Tunnel  Health & Safety Authority: Does not advise against granting of permission subject to adherence to relavant safwety legislation.  Dublin Docklands Authority: Has no comments on the proposal  Irish Rail: No objections subject to conditions.  3rd parties: A number of submissions and representations have been recived to date and are summarised as follows:  *No precedent for such a proposal. Dublin Port Dublin already fulfils the proposed function. The private developer is motivated by profit and will have a monopoly between Dublin Port and Dublin Airport.*  *Safety is only posed as a justification. No history of safety concerns over vehicular transportation of Aviation Fuel.*  *The documentation notes that the capacity is greater than 2035 fuel demand a 20 year lifespan. Fuel consumption cannot be predicted – so estimates could be conservative and the project would have to be revisited.*  *There was a proposal to have fuel tankers arrive into Balbriggan port and a pipeline constructed across the open countryside to the Airport. Breamore port is another posed option. ~~New Strategic~~ plan*  *Efficiencies and emissions for fuel tankers can be improved but the fixed pipeline’s integrity and serviceability must be maintained for 50 years. Tanker transportation takes place at night. Removing tankers will only encourage more car traffic as capacity creates traffic/use*  *As the pipeline will result for a minimal reduction in Co2 and barely perceptible traffic reduction as it will only ‘take’ 1.5% of HGV traffic out of the Port Tunnel is not worth the disruption and nuisance to adjoining residents who will receive no benefit from the scheme.*  *The best practice in other countries is not to install such pipelines in populated areas.*  *Avoiding roadwork’s or traffic problems seems to be main criteria by which the route was selected rather than the one that has the least impact on humans.*  *The change from a 10KM to 14Km is not explained*  *The port tunnel should be used for the pipeline*  *The route could be traverse more vacant lands, use the verges of the port tunnel or be diverted around the port and away from residential areas on East Wall Road. Use the current bridge at East Point Business Park over the river Tolka in order to reduce impact of tunnelling. Not considered in EIS*  *Conflicts with existing traffic movements, drop off/pick up for schools etc, on street parking and custom. Years of traffic disruption will arise from the proposal. Damage to the road infrastructure.*  *A future LUAS on north Dublin Roads could be greatly restricted by the AFP*  *Lorry Drivers jobs will be lost.*  *Protracted disruption would be unacceptable. Previous experience of some residents having been subject to other road works and construction projects, nuisance disruption and damage to property.*  *Adequate bonds required for impact on private property. Surveys of vulnerable properties to be carried out at applicants’ expense. Substantial penalties should be required for over runs or breaches of condition.*  *Residents have already ‘paid’ for the disruption of the Port Tunnel and are being asked to pay a second time with this proposal.* ***T****he Dublin Port tunnel was a massive drain on the states resources and the traffic on that route including fuel tankers have been providing the ‘payback’ for it*  *Appropriate construction work conditions to ensure noise, dirt, dust and other disturbance is kept to a minimum along residential streets.*  *Night time works will be required due to priority of East Wall road – and disruption to residents etc*  *Acoustic screens should be provided to protect residences*  *While the 1.2m depth allows the repair of leaks relatively easily – how would they be aware of any leak or facture in section tunnelled under the River Tolka? Would a replacement have to be laid and would this need separate planning permission. Pipeline should be deeper.*  *The proposal will Devalue homes and affect Insurance premiums*  *If permitted the local authority should condition that the AFP be nationalised.*  *An Bord Pleanala has since deemed the proposal not to be national strategic infrastructure despite applicants ascertains of its importance.*  *What will happen to roadside trees – which are a stated hazard in the UK? Replacement value of mature trees is in region of €10/15k*  *Program put in place to dealing with infestations from disturbed rodents – as has happened with other recent large cross city projects.*  *The credibility of the applicant to deliver the scheme is queried. Financial background of the project should be examined and a guarantee that the finances are in place to ensure completion. There could be serious financial impacts for local authorities if works are not complete. Should company go insolvent the cost of any environmental damage or incident involving injury to people would be transferred to the tax payer. UK government lease out the use of pipelines*  *Some effort of consultation is acknowledged but insufficient and sporadic.  No consultation made with residents or clubs or local representatives along East Wall. Many elderly were unaware of the proposal. Site notices went up over Easter.*  *Direct dialogue is requested with affected parties.*  *The EIS does not address need to mitigate climate emissions.  Reduces impediments to air travel a major contributor to emissions. The planet can sustain a ‘business as usual’ approach to increases in aviation.*  *Claim that no emissions occur from operation is untrue – as pumping will be required.*  *Independent industry expert/public liaison officer (paid for by the developer) during construction*  *In Norway a single government department oversees such infrastructure – no such body exists in this country.*  *No Industry Standard for project.*  *History of lack of adherence in Ireland to UK standards e.g. the pyrite scenario and housing developments with inadequate safety provisions to name but a few.*  *Irish companies are unlikely to be as careful as avoiding other ultiies as in the UK. Example given of contractor collapsed main sewers and merely filled in the hole rather than fix the damage themselves.*  *Survey all properties in advance of the proposal is requested.*  *No more than 2 days outside of any home is envisaged*  *Financial bonds required to be put in place in case of damage to private property. Has DCC the means off checking the developers insurance annually? Should be for not less than €500 million and the council to be indemnified by the company for any claims.*  *Contractors should be conditioned to not block footpaths and cycle lanes. Staff parking should be provided - During the boom workers would arrive early and sleep in their vans prior to their shift.*  *Permission should be granted for a maximum of 3 years only and subject to renewal.*  *Risk of contamination of the Tolka and Dublin Bay. Current prosecutions underway*  *The proposal does not appear to indicate a minimum distance from buildings along its route – information should be provided for same.*  *Copeland Avenue a 100% residential and is a local distributor street and inappropriate as route for the pipeline and commercial construction required. Its particular alignment will create technical issues for the pipeline. No rationale provided for the selection of Copeland Avenue. Residents will be within 20m of the pipeline.*  *If permitted pipeline should be as far from residences e.g. of East Wall Road as possible.*  *Timescale of development should be adhered to as stated.*  *Should not commence until current sewerage works in East Wall area have been completed.*  *An A4 page health & safety document is inadequate with a pipeline that is in close proximity to housing and schools. Emergency plan is inadequate.*  *Location of infill station is a concern due to proximity to a proliferation of chemical and fuel stores.*  *Will be a target for terrorists/sabotage- as noted in applicants submission on 9/11 potential attack on the pipeline. Will be vulnerable to cyber attack. Computer break down could occur.*  *Aviation Fuel brought down the Twin Towers in NY*  *Above ground control box and emergency shut down valve are at risk of damage/interference*  *Transportation by truck while having risks is visible and independently regulated. No fuel fireball has occurred between Port and Dublin Airport to date.*  *Pipeline equates to ongoing threat of rupture, leakage and ignition for adjoining residents and other future contractors working on the street.*  *Threat is multiplied with proximity of 40 Barg fuel pipeline to the East Wall to Coolock gas pipeline/gas network; underground water meters, communications, water and sewage pipelines, petrol stations.**There is a major gas installation near Cadbury’s in Coolock*  *Previous permission allowed to lapse – new proposal is larger and operates at double the pressure, with estimated leakages will be proportionally higher than previous approval – with the route now going longer by residences.*  *An Evacuation Plan should be out in place e.g****.*** *Calor gas leak in Dublin Port in the 1970s. Houses were left vulnerable to burglary – so security plan should account for this.*  *Alfie Byrne Park**is a former DCC dump and operated before current planning controls – and contained hazardous waste including hospital waste which was excavated and DCC sought to bury as much as possible back on the site. How can disturbance/leakage of wastes be controlled – not mentioned in the EIS. There is a potential for the release of toxic gases and other pollutants from construction works.*  *DCC’s own performance with Dublin Port Tunnel construction left a lot to be desired.*  *A leak underground will result in 500L predicted to escape over a 200m section – which will take much more time to find and contain than a leak from a tanker. A small leak of 10L per hour could be present for some time and enter the water table or the sewer – with a main sewer running at the end of front gardens and 2m from the pipeline. Since Small leaks in the system cannot be detected – there could be a build up of fuel underground before it is detected. Pin hole leaks are virtually impossible to detect*  *Conflict with utilities – increase costs to them and will be passed onto the consumer*  *Once fortnightly walk over 14Km route is insufficient*  *Pipeline should be buried 2m deeper than proposed.*  *Corrosion is a worry as happens with the current water pipe system.*  *DCC should consider another shut off valve to prevent all the fuel in the Donnycarney-East Wall segment flowing into East Wall if the pipe where damaged in East Wall.*  *East Wall Road is higher than the general East Wall area and any significant fuel leak would likely flow into lower premises and residences along the route or into the River Tolka.*  *History of damage to high pressure fuel pipelines in the UK in spite of safety regulation. See Linewatch UK. Higher incidence of explosions in Canada and US leading to loss of lives and homes.*  *A 3m wayleave is the standard in the UK.*  *No independent authority to monitor ongoing safety for this pipeline. Proposal is self-monitoring/regulating. What happens if ownership changes or ceases to exist?*  *Smart robotic pigs are supposed to be used to detect problems and clean debris*  *A reputable security company should be employed to monitor risks/threats and this fact advertised.*  *An effective out of hours planning enforcement team employed by council to be put in place.*  *The fines mechanism in place for roads licensing is clearly inadequate.*  *While a party may own the land up to the centre of the road there are restrictions – including the right of local authorities installing on street parking but gives no right to such projects as these. This could lead to dispute and delays as developers have no legal entitlement*  *When/who will it be replaced – have they sufficient insurance*  *Why does application say it is a Protected Structure?*  *Flooding impacts Clontarf area and from Wad river could have negative consequences.*  *No element of community gain is proposed should be conditioned along with local employment. The project should help fund substantial additional leisure/social facilities in Fairview Park*  *A substantial levy should be applied*  *The visual amenity of the route will be affected.*  *There will be a conflict of interest DCC will receive financial remuneration if Permission is granted but will not if it is refused*  Planning issues will be dealt with within the substance of the following assement  **Interdepartmental Report**  Roads & Traffic Planning: No objections but seeking additional information as requested on NTA and NRA  Drainage Division: No objections subject to conditions.  Chief Fire Officer No objections subject to prior commencement consultation  Conservation Officer No objections subject to conditions.  Principal Environmental Health Officer: AI requested  Waste Management Services: No objections subject to conditions  Chief Scientific Officer: No objections subject to conditions  **Planning Assessment**  2011-2017 Development Plan Polices/Objectives  3.2.7.1 Area-Specific Plans – Key Development Areas (Docklands)  4.4.1 The inner city and Docklands at the Heart of Region  5.1.4.9 Traffic Management  SIO41 To manage restrictions on the use of road space for road works or general construction, in accordance with Dublin City Council’s “Directions for the Control and Management of Road Works”  5.1.4.10 Environmental and Road Safety Impacts of Traffic  5.1.4.11 Dublin Port Tunnel Structural Safety  5.2 Water, Drainage, Waste, Energy and Telecommunications Infrastructure  5.2.4.9 Air Quality  5.2.4.10 Noise Pollution  6.4.4 Rivers, Canals, and the Coastline  6.4.5 Dublin Bay  6.4.6 Biodiversity  7.2 Built Heritage  8.0 Making Dublin The Heart Of The City Region  The National Development Plan recognises the unique role of the capital as a national gateway and envisages the implementation of Transport 21 and the consolidation of the Greater Dublin Area through integration of transport and landuse.  The National Spatial Strategy (NSS) endorses consolidation, investment in public transport, and the need to support the national roles of Dublin Airport and Dublin Port.  …..to fulfil its role as the national gateway and key economic driver of growth for the Greater Dublin region and the country as a whole.  8.4.5 Regional Economic Development  Dublin is Ireland’s only city of international scale and it is located at the core of the Greater Dublin region which is the ‘powerhouse’ of the Irish economy. As the capital, Dublin will continue to occupy a unique position in the economic, social and cultural life of the country. Developing and strengthening the city region contributes to the overall strength of the country in a competitive global economy.  9.2 Revitalising The City’s Economy - challenegs9.2  Dublin is more vulnerable to global competition compared to its competitor cities in other countries. Like the national economy, Dublin’s economy must be an exporting one.  14.6 Environmental Impact Assessment  16.2.8 Development Proposals Adjoining Rivers and Canals  16.2.9 Flood Risk Areas  16.3.1 Strategic Development and Regeneration Areas  16.5 Promoting ECONOMIC DEVELOPMENT AND EMPLOYMENT GROWTH  6. Does the development contribute to the achievement of other strategic objectives for the city region such as enterprise and employment creation?  10. Does it contribute to or increase the competitiveness of the city region  Appendix 9 Dublin Port TunnelStructural Safety  **Evaluation**  *Applicant’s Justification for the Need for an Aviation Fuel Pipeline*  The applicant notes the importance of Dublin Airport as one of Ireland’s primary overseas gateways into the country and its importance to the economy of Ireland and indeed Dublin and the region.  The applicant notes that Dublin Airport Authority’s Annual Report 2013 advises that the Airport is the main gateway for the State, accounting for 82% of international traffic to and from the country last year. The EIS notes that the airport experienced 6% growth in 2013, to handle 20.2 million passengers. That was its third successive year of growth in post recessionary times. Passenger numbers are back to 2009 levels. In 2013, Dublin Airport performance outpaced the EU as a whole, which evidenced 1% growth. The EIS notes the trend will continue for 2014 with passenger numbers up by 9% for the first two months of last year. (It might be useful if additional information was being sought to look for an update on these figures)  The applicant notes that in 2013 demand for aviation fuel at Dublin Airport stood at 630 million litres. With tanker capacity at 40,000 litres per vehicle, the service was delivered by c.15, 750 tanker round trips between the Port and Airport. Demand is expected to grow to 1,450million litres by 2035.  The applicant notes that internationally, pipelines are the standard means of supplying aviation fuel to large airports quoting the United Kingdom Petroleum Industry Association as follows:  *“Pipelines are an efficient and safe means of moving large volumes of refined products from a refinery to a storage terminal…..once installed underground, pipelines offer substantial environmental and safety benefits, not least from the elimination of road tanker journeys or transportation by rail or sea…Distribution of jet fuel to major airports is mainly done by pipelines which link tankage at the airport* …..” UK Petroleum Industry Association  The proposed pipeline will be usable by all fuel companies and deliverable to all airline end users at the airport, with a capacity to deliver up to 2,700 million litres per annum, the pipeline will be able to serve the entire demand of the airport, well beyond a 20 year time horizon.  *Precedent/Planning Permission Already Granted to Fingleton White for Aviation Fuel Pipeline*  The applicant notes that in 2001 that they secured planning permission from An Bord Pleanala for a 150mm 10Km aviation fuel pipeline (ABP ref.no. PL29N.122692) after Dublin City Council decision to grant planning permission was appealed (Reg. Ref. 0189/99 refers) in respect of that section of the pipeline in its administrative area. Permission was also granted by Fingal Co. Council for that part of the pipeline in its administrative area, which ran from the city limit to Dublin Airport and was not appealed(ref. no. 99A/0063 refers ). The applicant notes that after 9/11 the demand for air travel reduced and the provision of the pipeline was postponed with planning permission for the pipeline since lapsed.  *Revival of Proposal for Aviation Fuel Pipeline and Revised Design and Routing*  The applicant notes that towards the end of the decade, with growth in airline travel in prospect, they re-commenced work on its proposal to provide the aviation fuel pipeline. It consulted with An Bord Pleanala as to whether the project might qualify for application directly to it under the Strategic Infrastructure Act 2006, passed since the granting of permission for the original pipeline proposal.  On 18.02.2010, the Bord decided that the proposal did not come within the scope of the 7th Schedule of the Planning and Development Acts 2000, as amended as the project was not of sufficient scale to qualify as “Strategic Infrastructure” i.e. not greater than 20 km. The Bord directed that the application should be made to the local authorities in the first instance.  The applicant notes that they have spent the last 3 years reviewing the route and the design of the pipeline. A route has been selected, out of 6 no. considered. A 200 mm diameter pipeline is now proposed, compared to 150 mm permitted in 2001, with the wall thickness being slightly increased (12.7 mm compared to 11.91 mm permitted.) The overall length of the pipeline is now c.14.4 km., compared to 10 km. permitted in 2001.  *The Applicant and the Operator of the Pipeline Track record/experience*  The applicant notes that the owner and operator of the pipeline will be Independent Pipeline Company Ltd., with shareholders being Fingleton White and Reynolds Logistics.  Fingleton White is an engineering company, which was formed in 1981, with a record of management, design and construction of petroleum oil and gas infrastructure. The applicant notes that their company has been involved in many significant projects in the energy sector, in particular power generation. Fingleton White apparently was the first company to sell CHP electricity in Ireland and the first licensee of the Commission for Energy Regulation.  Fingleton White is stated has having been involved in the design, construction and operation of a range of infrastructural projects, e.g. a 16,000 megawatt (MW) gas station, hydroelectric stations, wind farms, combined heat and power (CHP), water, oil and gas pipelines, refrigeration systems, boiler houses, district heating and broadband communication networks.  Reynolds Logistics is stated as being the largest road distribution company for oil products in Ireland. They currently transport by tanker over 60% of the aviation fuel from Dublin Port to Dublin Airport. Their management service covers the entire fuel supply chain including warehousing, packed distribution, tank farm operations, interplant operations and customer deliveries.  The applicant notes that both companies operate emergency response facilities in relation to the existing businesses in which they engage and that the knowledge, expertise and experience of the two constituent firms in this owner/operator partnership are uniquely suited to the project and therefore should engender confidence that the project can be expertly constructed and managed.  The applicant has requested that further to Section 41 of the Planning and Development Acts 2000(as amended) that Dublin City Council (and Fingal County Council) include a condition in any decision to grant permission specifying a period of ten years during which the permission will have effect in order to allow the applicant time to deal with commercial aspects of the project - which is considered reasonable in this instance  The development within the Dublin City Council can be considered under the various zoned lands the proposal passes by and under. It is accepted that there is precedent for this scheme in terms of the previous lapsed proposal, and other aviation pipelines such as those listed by linewatch.uk, as well as other cross country pipelines cited by the applicant – who also state that some 200km of steel pipeline have been laid in this country. It is also agreed that the linear repetitive nature of the construction works required to subduct the pipeline has precedent in form of the very many in ground services found under public roads all over the city. It is considered that the applicant has undertaken quite significant level of consultation in addition to the statutory requirements for making planning applications with an even spread of sites notices placed along the route. It is agreed as requested by 3rd parties that a bond should be conditioned to secure environmental restoration in the event of a leak of the pipeline, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory restoration of the environment as was previously imposed on the previous permitted aviation fuel pipeline. The road opening licence requires that the local authority is indemnified for any damage.  In terms of requests for community gain the most relevant mechanism available to the local authority would be the current Development Contribution Scheme.It would be ultra vires for the planning authority to attach contract type conditions to a planning permission for bonds to compensate for damage to private property or construction overruns as has been suggested by 3rd parties. Planning legislation does empower local authorities to enforce breaches of conditions.  While it is also recognised that the diminishment in tanker transportation would appear relatively negligible in terms of overall road traffic the reduction is also can be considered to be a net benefit if it takes a substantial proportion of truck movements off the road and out of the Dublin Port Tunnel. The applicant’s EIS notes that there will be 100 direct construction jobs created by the project as well as indirect benefits to suppliers. However it is probable that there will be limited employment generated by the actual operation of the proposal and there would also be some job losses from operating the road tanker fleet. While employment outcomes are not central to the planning assessment it might be useful to look at the net employment benefits of the proposal as impacted by the proposed project.  As An Bord Pleanála have not deemed the project to be ‘strategic infrastructure’ the local authorities are therefore obliged to assess any submitted proposal on its own planning merits, and it is also considered that the commercial viability of the project is a matter for the applicant and other vested parties, subject to adequate safe guards over its construction, operation and any future decommissioning. It is also not in the local authority’s remit to assess the financial standing of any applicant. In relation to other 3rd party concerns over the applicant and proposed partners ability to deliver and manage the project it would appear that between them they have considerable experience in the field of pipelines and conveyance of aviation fuel etc along with the associated experience in developing emergency response plans. The issue of enabling monopoly situations is outside the remit of the planning authority but would be more so for an appropriate regulator of the industry or maybe the new Competition and Consumer Protection Commission. Granting planning permission for the proposed pipeline in itself does not prevent other means of transportation aviation fuel to the airport. From the information submitted one of the proposed partners Reynolds Logistics already supplies 60% of aviation fuel to the airport.  The importance of Dublin Airport as a vital overseas link and economic generator/multiplier for the city, region and the nation is recognised and the alternative means of the conveyance of aviation fuel now proposed provides an additional guarantee of supply to the airport and also a guarantee of the ability to increase supply as required for the predicted time frame. Alternative suggested pipeline route via northern county Dublin over open countryside from other ports does not form part of this application with aviation fuel being currently landed in Dublin Port which has the existing infrastructure in the form of the COP etc which the subject proposal can ‘tap into’, with the selected route option discussed with relevant Roads departments. The subject proposal however does not preclude such an alternative route being considered by the relevant local authority. Climate change and economic stability and growth have to be balanced – but in this instance it is noted that in simple terms that aviation fuel landed in Dublin Port and any future increased demand for it is either going to be transported by road tankers or by the proposed pipeline (or a combination of both). . It would also be ultra vires for the local authorities to seek the pipeline to be nationalised as appears to have been suggested by some 3rd parties.  ***Potential Impacts***  *Visual & Material Impacts*  As the installed pipeline will be primarily underground at a ‘routine’ depth of 1.2m and the surface area/floorscape over it will reinstated to its previous treatment it is therefore considered that the proposal will not have any significant material visual impact on the selected route nor will it affect the amenity of residents in terms of being overbearing due to loss of outlook or will it unduly impact upon access to daylight or sunlight. Outside of the industrial Dublin Port area there will be two control cabinets, (1400mmx1200mmx300mm) located on the public footpath adjacent to the intermediate emergency shutdown valves on the pipeline -which resemble telecom cabinets which already proliferate within the public realm. The other above-ground installations (AGI’s) within DCC are the inlet centre and the control room within the Dublin Port which as noted is an existing 'Z7' zoned industrial area. As these buildings will be constructed within an existing works/fitters compound the visual impacts of this element of the proposal is not considered to be an overly contentious issue. As discussed further in the EIS it is accepted that visual impacts from construction works will be temporary in nature and overall it is considered that the visual impacts of the proposal would be considered to be relatively neutral.  During its normal operation the development will also not be noticeable to the public - with the applicant stating that there will be no associated sound or odours emanating along the route.  As the selected route from the Dublin Port to the Airport inevitably means going through urban areas of the city it likewise inevitably means that more people will be potentially impacted upon and discommoded during the construction phase. The main concern for the public after the construction phase as detailed above previously would be mainly from failures during the project’s operational phase in terms of potential spills, leaks or ruptures which in turn could result in potential for explosions or fumes, as well as impacts on ground water, water supply and damage to the environment. Within the EIS all of the above impacts (direct, indirect and cumulative) are detailed and addressed with relevant mitigation measures proposed. Also as the proposed development is within the ‘catchment’ of designated Natura 2000 sites and will be proximate to open water sources that flow to these sensitive locations sites - a full Appropriate Assessment was therefore sought by the local authorities in pre-application and is discussed further below.  Construction Impacts  It is agreed that while the construction of the pipeline will give rise to potential direct impacts of a more ‘tangible and immediate’ nature, they will also be temporary and short term in duration such as: land take; traffic obstruction to commuters and also to patronage of commercial premises, noise and vibrations, maybe less so dust and dirt. However such impacts are considered by the applicant to be no different to standard linear pipeline laying operations that are routinely carried out by various utilities. The potential risk from construction activity directly and indirectly to ground water; drainage, flora and fauna and their associated habitats, protected structures and archaeology etc are also identified and described, and assessed. Mitigation measures proposed as part of the EIS submission include the sequential work teams along the route; control of working hours; traffic management plans; pre-works informing of residents/businesses and liaison with affected parties; as much noise suppression as is possible with associated machinery and plant needed for such works; dust suppression measures; permanent re-instatement of the trench to pre-construction condition; directional drilling etc to cross under the rivers/streams; minimal on-site storage of materials via as-needed deliveries; waste management; refuelling at construction compounds only; control of potentially contaminated surface run-off; minimisation of disturbance to bats and overwintering Brent Geese; reestablishment of habitats such as hedgerows; and control of invasive species etc. It is considered that the request to survey each dwelling at the applicant’s expense would be overly onerous as the vibration report in the main EIS volume notes that there will be minimal impact on adjoin residences and premises etc.  The Environmental Health Officer for Air Quality Monitoring & Noise Control (EHO) in DCC notes that with regard to the proposed working hours, section 10.3.3. of the EIS states that the applicant intends to apply to the Local Authorities for time deviations from those laid out in the TIN classifications (outlines in table 3.7 of the EIS). The permitted times already allow works to occur late into the evening and it is important that the correct balance be achieved between traffic management requirements and the definite noise and vibration impact of this work on local residents. The usual hours for construction in the city are; Monday to Friday - 07.00 a.m. - 6.00 p.m., Saturday 08.00 a.m. - 2.00p.m. with no noisy work on Sundays or bank holidays. The EHO notes that Section 10.5.1 of the EIS concludes that the construction phase of the project will result in significant noise impacts.  Further detail on the criteria that will be used to assess whether noise monitoring is required and what exactly is meant by the phrase “ensure the site is operating without undue noise impact” (section 10.6) is required. The assessment already shows that the site will be causing significant noise impacts when operational. The EHO recommends also that further detail on the proposed absorbent screening to be used at the site boundary must be provided.  Reference is made in section 10.6 to carrying out noise monitoring to determine the particularly noisy activities on site and potentially replacing the noisier plant with quieter options, this should be done anyway, regardless of the outcome of noise monitoring, the quietest plant options should be used on site.  The mitigation measures outlined in section 14.5 must all be put in place for the duration of the construction phase of the project. In addition, a complaints procedure for residents must be established to ensure that any issues regarding air pollution from the works can be dealt with in a centralised, organised way.  DCC’s Roads & Traffic Planning Division (RTPD) further note among other things that an experienced Traffic Management Coordinator will be appointed by the Contractor to coordinate the overall approach to traffic and pedestrian management and to act as the main point of contact for the local authorities prior to and during the construction works. Pre planning discussions were held with the Environment and Transportation Department. The Roads Planning Division are satisfied that the route selected as outlined in the EIS is the best in terms of transport and in particular traffic management with over 75% of the pipeline to be laid in roads with 3 lanes or more. This will lessen the construction impact on the human environment and will allow for effective traffic management during construction. (see route selection report below).  Regarding the EIS, the Roads and Traffic Planning Division is satisfied with the ‘substance’ of information submitted as part of the EIS, in particular Route Selection, proposed mitigation, the Traffic Management Plan, Construction Plan. The EIS notes that all work is to be carried out in accordance with “*Directions for the Control and Management of Roadworks in Dublin City*”. In addition to this exact details regarding Traffic management, Road Opening licences and Construction Management etc shall have to be agreed with the Environment and Transportation Department in the event that permission is granted.  The RTPD states that the National Transport Authority (NTA) submission notes that if the project proceeds, a detailed traffic management plan relating to its construction would need to be agreed with the Authority prior to commencement of development. It also notes the potential impact of the proposal on a number of transport objectives in the NTA’s Integrated Implementation Plan 2013-2018, including a proposed Bus Rapid Transit (BRT) line – Clongriffin to Tallaght. For this reason, a proposal for the accommodation of the pipeline on the Malahide Road would need to demonstrate that the proposal does not conflict with, or compromise, the BRT scheme planned for this route. Objectives relating to the design, delivery, and operational stage of the BRT lines should therefore be taken into consideration in the design, construction and operational – phase access/maintenance requirements of the pipeline. In this regard the NTA request that a 1.2 m cover-to- top of concrete casing is provided to allow for potential future LRT. This requirement shall have a significant impact on the construction of the pipeline along the Malahide Road. In addition the NTA submission notes that objectives relating to the design, delivery and management of the cycle network should be taken into consideration in the design, construction and operational-phases of the proposed pipeline. The RTPD note that the National Roads Authority (NRA) also is requesting additional information in relation to the construction impact of a crossing of the Dublin Port Tunnel.  The RTPD states that they have no objection in principle to the proposed pipeline. From a transport point of view the proposal may cause considerable traffic disruption during the construction period. However after the construction period the downside in terms of traffic is negligible. The proposed pipeline does have the potential to remove a significant number of tanker trips (est. 15,000) per year from the road network and therefore could be considered to have a beneficial effect. However there does not appear to be any transportation or traffic issues with the current means of transporting aviation fuel to the airport through the Dublin Port Tunnel. The number of tanker trips can be accommodated on the existing road network without causing any traffic congestion. There is currently adequate road capacity through the tunnel/M1 to accommodate all fuel tankers from the port to the airport. Most of the current tanker trips appear to travel at night time.  It is also noted that the site is near a road scheme objective in the Development Plan for the proposed M50 Eastern bypass and protection corridor for same. It is recommended that this constraint be factored into the applicant’s proposal and EIS. Irish Rail has no objections to the proposal but requested prior commencement discussions/agreements  DCC’s Waste Management section note that no mention is made of hazardous waste in the EIS and recommend additional conditions to deal with same, and that a Construction Waste Management Plan is submitted prior to commencement – with activity to be audited by DCC’s Waste enforcement Team. The Geological Survey of Ireland (GSI) states that they have no additional comments to make in relation to Soils, Geology & Hydrogeology section of the EIS. However they would appreciate a copy of reports detailing site investigations carried out – this can be conditioned.  *Health & Safety Impacts*  The applicant notes (via their AMEC report) that aviation fuel known as Jet AI is a relatively benign substance and is ‘kerosene’, the fuel that is used in domestic central heating systems, stand-alone domestic heaters, camping stoves and tilley lamps, with domestic central heating supplies of the fuel being stored in plastic tanks in rear gardens of a domestic dwelling. Kerosene is reported as being stable in normal conditions - and will not vapourise unless the temperature is above 38° - 42° C - with the applicant stating that the ambient air temperature in Ireland has not been recorded as having exceeded 33° C. Also the applicant notes that an ignition source is required in order for this vapourised fuel to catch fire if it ever got to this state.  The applicant notes that popular perception of Jet A1 (Kerosene) as a volatile fuel is perhaps coloured by images of crashing airplanes catching fire – but this happens as the fuel vaporising under pressure from such a high speed impact. Aviation turbine engines burn Kerosene fuel in the ordinary course of its operations. The Jet AI fuel’s low freezing point of -47°C is useful from the point that of the very low air temperatures experienced at high altitude.  The applicant notes that the above pre-conditions do not arise with the normal carriage of Jet A1 in a below-ground pipeline where no ignition source is present. The fuel will not ignite unless an ignition source is provided and these conditions will not normally occur in a below ground pipeline of this nature.  The applicant therefore considers that the safest way to transport aviation fuel is by pipeline and this is reflected by the number of pipelines in operation throughout the UK and Europe. The failure frequency of the proposed pipeline, which has been designed with inbuilt safety measures, is stated as being over 90 times lower than that of a road tanker. The risks of the two means of conveyance are compared below.  The EIS also notes that a leak can potentially be significant in the absence of any mitigation (unlike the subject proposition); however given the predominantly low vulnerability of the underlying groundwater, the risk of any contamination entering a public water supply is deemed by the applicant to be low and also note that the Jet A1 fuel is kerosene and is found not to adhere to soil particles.  *Risk by pipeline*  The applicant notes that they had previously commissioned AMEC *Environment and Infrastructure U.K.* *Ltd* to provide a **‘**Safety and Environmental Impact Evaluation’ on the likelihood of leaks occurring from the previously permitted 150mm aviation fuel pipeline, as well as their potential size and effect on the previous permitted 150 mm (Reg. Ref. 0189/99 refers). AMEC’s report on the subject proposal is stated as being based on the pipeline being designed, constructed and operated to IS EN 14161:2011.  The latest AMEC report submitted with the subject proposal provides a detailed risk analysis of the project as well as a comparison with road tankers. The AMEC report advises that aviation fuel is not considered a “*Dangerous Fluid*” for the purposes of U.K. Pipeline Safety Regulations for Major Accident Prevention requirements. As noted previously that the flash point of aviation fuel (the temperature at which it will vapourise) will be significantly above what will be the ambient temperature at which the fuel will be transported in its underground pipeline routing. As there will be no source of ignition is associated with the fuel pipeline in the normal operation of the transportation by pipeline, the risk then of a fire from aviation fuel is considered to be very low. The proposed pipeline is considered therefore by the expert report not be a major accident hazard pipeline.  The AMEC report notes that problems with pipeline transport of aviation fuel arise, therefore, only arise with malfunction viz. the occurrence of a leak with the risk associated with a leak from a fuel aviation pipeline as:   * If a leak were to migrate to an underground, unvented void (cellar, basement, sewer, etc.) then there is a potential for build-up of vapours and potential explosion if ignited. * Jet A1 fuel will float on any free water surface. Spilled fuel could cause harm to waterside flora and could be detrimental to water quality.   AMEC has identified that the main cause of pipeline leaks would be from third party damage (excavation for other underground services or construction, or deep ploughing in a rural context). Corrosion could be a factor. Mechanical failure of pipelines could arise due to construction faults or material defects.  The applicant notes that in addition to the specification 200 mm. diameter steel piping with 12.7 mm. wall thickness ), the AMEC report also assumes the following the previous described protective measures would be built into the pipeline design:   * Depth of cover 1.2 m. * The trench backfilled with lean mix concrete. * Cathodic protection system to prevent external corrosion of the pipe. * Automatic leak detection systems * Two intermediate Emergency Shutdown valves to limit the extent of leakage in the event of rupture. These would be activated by the software leak detection system, which would initiate automatic emergency shut down, or manually in the event of a visual inspection indicating a leak. * Fibre optic control cable laid on top of the pipe would be broken by any disturbance above the pipe, initiating emergency automatic shut-down.   The AMEC report advises that the above measures give a *“very high reliability of detection of pipe rupture and minimisation of volume spilled”*.  The applicant states that the AMEC report has analysed the potential frequency of spillage from a pipeline of the specification proposed, carrying the design flow volume of aviation fuel, incorporating the safety features described above. It projects a pipeline failure rate of 1 in 5130 years with a maximum spill size is 103,000 litres - based on the combined risk of the following scenarios: a minor leak (pinhole) at 1:10,577 years; a major leak (hole) at 1:14,292 years; and a full bore rupture at 1:34,903 years.  The applicant notes that the AMEC the report advises that it is likely that any leak would be identified by the detection and supervisory systems before substantial volumes were released and that the likelihood is that any leak from the pipeline will be low in volume with the probability of a major leak of airline fuel from the pipeline is very much lower than 1 in 5,130 years.  It has also been considered that the potential that fuel could leak to a basement or underground void and form a flammable atmosphere is unlikely. The low flash point of aviation fuel, well above ambient temperatures, render this unlikely and the pipeline does not run adjacent to or across any basements. Even if the fuel did leak to a void, and a sufficient temperature was reached such that a vapour formed, an ignition source would then be required in order for the fuel to catch fire. The probability of a fire occurring due to leaked aviation fuel is estimated to be significantly lower than 1:5,130 years.  In summary the AMEC report considers that safety systems incorporated in the pipeline design will result in very low risk of spillage and associated environmental damage. The potential for aviation fuel, transported by pipeline, to spill and then give rise to a fire, with consequent risk to human life or health, is very much lower again.  *Tanker Alternative - Risks*  The AMEC report also carries out a similar exercise for transport of the same volume of aviation fuel by road tanker. It notes that the Port Tunnel has been constructed since the grant of permission for the former aviation fuel pipeline. Aviation fuel tankers use the tunnel route to reach the airport. Notwithstanding that the fuel is transported at temperatures well below its flashpoint, the applicant considers that an accident in the tunnel involving a tanker could give rise to an ignition or other heat source which could set the fuel alight.  The AMEC report also notes that road tankers carry a risk of injury and fatality as a result of a road traffic accident, not particularly associated with the fuel carried and therefore tanker carriage is inherently higher risk than pipeline carriage with an estimated potential failure frequency for tanker carriage of 1 in 32 years which is 160 times the risk associated with pipeline carriage. While the applicant notes that the AMEC report states that the maximum spill size of a road tanker is considerably less, at 38,000 litres, the report concludes “*In summary, although the average spill size from the pipeline is higher than by tanker, the failure frequency is very much lower giving a much reduced risk.*”  *Serveso*  It is noted that the fuel pipeline route will pass by a number of Serveso sites located within the Dublin Port area. The applicant however notes that the pipeline (and any pumping station) will not be Serveso development as defined in EU Council Directive 2012/18/EU on Control of Major Accident Hazards involving Dangerous Substances. (COMAH).  *Emergency Response Plan (see Appendix 3.7 of EIS)*  The applicant has produced an outline/draft Emergency Response Plan (ERP) which outlines the procedures in response to a leak from the pipeline. It identifies the notifying procedure and key personnel in response to an incident, and that an emergency control centre will be established close to the site of an incident. The applicant notes that the ERP will be tested on an annual basis by means of an emergency drill where any shortcomings will be identified.  It is agreed that a failure in the operation of the pipeline namely a leak or rupture will give rise to a risk to human health and the environment. The direct, indirect and cumulative impacts from potential leaks upon human health, flora and fauna and associated habitats, ground water and drainage etc are assessed and mitigation measures proposed as part of the EIS submission as also noted previously.  It is also accepted that the conveyance of aviation fuel by underground pipeline is common practice and that the assumptions made by risk assessment including comparisons are reasonable. It might however be also useful to look at an example of an aviation fuel pipeline in the UK etc to provide a comparative example over experience of similar safety issues. It is also noted that Ervia/ An Bord Gais the commercial semi-state body has recently developed an 11Km East Wall-Coolock gas pipeline using some of the same road routes as proposed by the applicant and perhaps through a greater number of confined residential streets including Copeland Avenue and it might again be useful for the applicant to provide a comparative risk assessment of the two pipelines projects.  The applicants and proposed partners in the company to run the project combined experience in their respective fields is recognised along with their experience in producing emergency response plans. While there is no particular government department that has oversight of pipelines (and the proposal was forwarded to a number of government departments for comment) the line will be installed and operated to best practice standards available with an annual report to be submitted by UK industry experts to the local authorities. Such issues as the pipeline being a target for terrorists and vulnerable to cyber attack would be outside the remit of the planning authority. The planning authority would have no basis to assess impacts on property values.  There is no objection to the granting of planning to the proposal by The Health & Safety Authority, who note the presence of a number of Serveso sites nearby within the Dublin Port area and recommend adherence to relevant safety legislation.  While the Drainage Division have no objections to the proposal and recommend conditions they do however note that the submission does not highlight the crossing and importance of the North Dublin Drainage Scheme (NDDS) trunk sewer at Nazareth house on the Malahide Road and North Fringe Trunk sewer crossing along the R139 between Clonshaugh Road and the Northern Cross. DCC’s Chief Scientific officer considers that risks appears to be adequately mitigated for pollution of ground water and surface waters traversed by the proposed pipeline and recommend that the ingress of volatile material into the Port tunnel be monitored as part of normal practice  The Dublin Fire Brigade state that they would be expecting further consultation with regard to fire safety issues prior to commencement of the construction stage of this pipeline- which forms part of the above recommended condition. They note they had pre-planning discussions with the applicant in terms of the scoping for the project. They would generally welcome the removal of tankers, which they note would be strictly maintained, from the Dublin Port Tunnel. It is recommended that the submitted ERP be considered a draft document and that a full ERP is agreed prior to commencement of any work on site. It will also be recommended that the pipeline will be limited to the transportation of Jet A1 aviation fuel.  *Site Selection and Alternative Layouts for the Proposed Development*  The Appendix 2.3 of the applicant’s EIS also details the route selection process which has already discussed above. The applicant notes that since 2008, they have, in consultation with both local authorities, investigated a number of alternative route corridor options with each option has been assessed from an environmental (including health and safety), planning and economic perspective. This included a review of the 2001 consented pipeline design and route which highlighted a number of changes that had taken place in the intervening period which deemed this route unsuitable. These included an increase in underground services in Dublin City in particular, as well as an increase in traffic congestion.  A total of six routes were examined (detailed below) with the emergence of a preferred route (which is the subject of the environmental impact statement) for the following reasons:  · The route was technically feasible both from an engineering and construction point of view  · The route is predominantly located in the public road and does not directly impact on any public park or amenity areas  · 75% of the pipeline will be laid in roads with 3 lanes or more which reduces potential traffic congestion during construction works as well as impacts on residents/businesses/facilities along the route (given greater separation distances)  · Environmentally, the route has no direct impacts on designated/protected sites and there is only one Record of Monument and Place (RMP) within the corridor.  *Selected Routes:*  Option 1  Dublin Port**,** Tolka Quay Road, East Wall Road, Poplar Row, Luke Kelly Bridge, Richmond Road, Grace Park Road, Griffith Avenue, Swords Road, Corballis Road and Dublin Airport.  Option 2  Dublin Port, Tolka Quay Road, East Wall Road to junction with Faith Avenue, Tolka River Crossing, Fairview Park, Malahide Road (R107), Griffith Avenue, Swords Road, Corballis Road and Dublin Airport.  Option 3  Dublin Port, Tolka Quay Road, East Wall Road to junction with Faith Avenue, Tolka River crossing, Fairview Park, Malahide Road (R107), Kilmore Road, Oscar Traynor Road, Clonshaugh Road (South),Malahide Road (N32), Clonshaugh Road (North), AUL/FAI Sports Grounds, DAA Long Term Car Park (Red), ALSAA Sports Complex, Corballis Road and Dublin Airport.  Option 4  Dublin Port, Bond Drive, Promenade Road, Tolka Estuary Crossing, Clontarf Road, Castle Avenue, Howth Road, Collins Avenue East, Clanree Road, Malahide Road (R107) Kilmore Road, Oscar Traynor Grounds, M1 Crossing, DAA Long Term Car Park (Red), ALSAA Sports Complex, Corballis Road and Dublin Airport.  Option 5  Dublin Port, Tolka Quay Road, East Wall Road to the junction with the John McCormack Bridge, Tolka River crossing, Alfie Byrne Road, Clontarf Road, St Anne’s Park, Howth Road, Raheny Church car park, St. Malachy’s Park, Lough Derg Road, Springdale Road, St Malachy’s Park, Malahide Road (R107), Darndale, Moatview, Belcamp Park, Malahide Road (N32), Clonshaugh Road (North), AUL/FAI Sports Grounds, M1 Crossing, DAA Long Term Car Park (Red), ALSAA Sports Complex, Corballis Road and Dublin Airport.  Option 6  Dublin Port, Tolka Quay Road, East Wall Road to the junction with the John McCormack Bridge, Tolka River crossing, Alfie Byrne Road, Clontarf Road, Howth Road, Copeland Ave., Malahide Road (R107), Malahide Road (N32), Clonshaugh Road North, AUL/FAI Sports Grounds, M1 Crossing, east of DAA Long Term Car Park (Red), east, south and west of Eastlands car-hire compound, ALSAA Sports Complex, Corballis Road and Dublin Airport. 15  The applicant notes that each route was examined in relation to the following criteria:   * Public Health and Safety * Impact on the local community * Proximity to occupied buildings * Planning and Land Use Issues * Potential Impact on Habitats, Environmentally Designated Areas, Wildlife * Potential Impact on Archaeology and Cultural Heritage * Visual Impact * Optimisation of Pipeline Construction and Operation * Cost and Programme.   *Route Option Assessment:*  The Original Route, Option 1, was eliminated due to unacceptable engineering and traffic management difficulties in crossing the Tolka River at Luke Kelly Bridge.  Option 2 was eliminated due to unacceptable traffic and underground service congestion along Swords Road.  Option 3 - A high level of services congestion was identified along the recently reconstructed Clonshaugh Road. Traversing parks would impact on amenity of users. This route was eliminated.  Option 4 was eliminated due to unacceptable environmental and engineering issues in crossing the Tolka Estuary within a designated SAC. The depth required at both sides of the Irish Rail railway crossing at Collins Avenue would result in unacceptable levels of traffic impact.  Option 5 was eliminated because the route traversed parks and amenity areas. The necessity to maintain a permanent way leave through these areas might curtail future Park and amenity development and impact on the amenity value of these areas.  Option 6 was recommended as it would have minimal impact on designated sites. No Natura 2000 sites are within the planning corridor. There is only 1 no. site mentioned in the Record of Monument and Places within the planning corridor. The route involves no impact on public amenity areas and public space. Over 75% of the pipeline is laid in roads with 3 lanes or more. This will lessen the construction impact on the human environment and will allow for effective traffic management during construction.  The applicant in summary considers that the route selected is justified by reference to the AMEC report (discussed above) which concludes that risk of rupture and spillage from the pipeline is low. Due to the high flash point of aviation fuel, risk to human health or risk of human fatality is extremely low. From the information provided to date it is agreed that the major impacts resulting from any release are environmental. The applicant notes that the selected route avoids sensitive environments and has produced a Natura Impact Statement in addition to the EIS to provide further assessment of such impacts.  ***Natura Impact Statement***   A Natura Impact Statement was prepared as part of the Appropriate Assessment process to identify any potential impacts from the proposed development on sensitive sites. The NIS concludes that potentially significant impacts have been evaluated and with the implementation of the proposed mitigation measures, the report concludes that the [proposed development will not result in any impacts that will adversely affect the integrity of the considered sites’ respective conservation objectives, in circumstances where “no reasonable scientific doubt” remains as to the absence of such adverse effects.  ***Environmental Impact Assessment***  As already noted the subject application is accompanied by an Environmental Impact Statement (EIS). The purpose of the submitted EIS is to ensure that potential direct, indirect and cumulative impacts and the level of their magnitude or significance associated with the development are identified and addressed and then appropriate mitigation or avoidance measures for same proposed with any further residual impacts also considered.  Articles 6 and 11 of the EIA Directive and section 171A and 172 of the Planning & Development Act 2000(as amended) require that an assessment of environmental effects of a project are carried out by the competent authority –which in this instance is Dublin City Council as it relates to the portion of the project within its jurisdiction. Fingal Co Co will be the competent authority for their portion of the applicant’s project.  The EIA as per 171A is required to identify, describe and assess in an appropriate manner, in light of each individual case and in accordance with Articles 4 to 11 of the Environmental Impact Assessment Directive, the direct and indirect effects of a proposed development on the following:  (a) Human beings, flora and fauna,  (b) Soil, water, air, climate and the landscape,  (c) Material assets and the cultural heritage, and  (d) the interaction between the factors mentioned in paragraphs (a), (b) and (c).  As the applicant notes that as per Part 1 of Schedule 5 of the Planning and Development Regulations 2001 as modified indicates that an Environmental Impact Statement must accompany a planning application for *“oil and gas pipelines with a diameter of more than 800 mm. and al length of more than 40 km.”* The proposed development is well below the threshold. Part 2 requires an EIS to accompany an application for an oil or gas pipeline which the subject proposal would not fall into. However as the applicant noted - that while an EIS was not mandatory for the described project the it was considered in consultation with the local authorities that given the characteristics of the proposed development, being placed through urban areas and under the Tolka River which drains to a number of Natura 2000 sites, an Environmental Impact Statement (EIS) in relation to the proposed pipeline now accompanies the subject planning application.  The submitted EIS examines impacts under the headings –   * Human Beings (Land Use and Recreation) * Human Beings (Socio-Economic) * Roads, Traffic and Transportation * Noise and Vibration * Flora and Fauna * Soils, Geology and Hydrogeology * Surface Water Quality and Drainage * Air Quality and Climate * Archaeology, Architecture and Cultural Heritage * Landscape and Visual Impact * Material Assets   The applicant notes that their EIS examines effects at construction, operational and decommissioning phases of the pipeline; and that the EIS examines cumulative impacts with other projects and developments. It examines the interactions between impacts.  The applicant provides a non –technical summary (Volume 1); the main EIS (volume 2); and extensive supplementary documentation in the appendices (Volume 3)  In this instance the competent authority has circulated the application details and EIS to relevant prescribed bodies and local authority departments with whom the applicant also has had pre-planning and informal scoping in preparation of the application and EIS, and has noted and considered relevant observations made on the application and EIS.  While the substance; expertise used/applied under the various impact headings; and conclusions of the EIS are generally accepted it is noted that as further information is being sought on the proposal and the associated EIS, that the EIA report as required under the Planning Acts cannot be yet completed until as such times the requested for such information is responded to.  **It is recommended that additional information is sought on the proposal and EIS as follows:** |

1. The Planning Authority notes that National Transport Authority (NTA) have concerns regarding the potential impacts of the proposal on a number of transport objectives in the NTA’s Integrated Implementation Plan 2013-2018, including a proposed Bus Rapid Transit (BRT) line – Clongriffin to Tallaght which is proposed to run along the Malahide Road. The Malahide Road is also a potential route for future Light Rail Transport (LRT). In this regard the NTA request that the accommodation of the pipeline on the Malahide Road would need to demonstrate that the proposal does not conflict with, or compromise, the BRT scheme and other public transport planned for this route. The NTA request that 1.2 m cover to top of concrete casing be provided to allow for the BRT scheme and potential future LRT along the route.   
  
In this regard the applicant is requested to submit revised drawings and details regarding how this requirement shall be achieved. The applicant shall liaise with the NTA prior to any formal response.

2. The applicant is requested to address the concerns of the National Roads Authority(NRA) who are of the opinion that insufficient data has been submitted with the planning application to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site. The NRA advises that it remains seriously concerned that the applicant has not clearly demonstrated that its proposal would not reduce the structural safety, integrity and durability of the Tunnel and notes the following in relation to the EIS documentation submitted:   
  
a) No reference/evidence is included in the Planning Application to demonstrate that the design of the Aviation Fuel Pipeline adheres to the specific requirements prescribed in the “Guidance notes for Developers in respect of the assessment of surface and sub-surface developments in the vicinity of the Dublin Port Tunnel”. (See also Appendix 9of the 2011-2017 Development Plan. In particular the Authority would refer to:  
  
i. minimum clearance requirements to the DPT,  
  
ii. surcharge loading on the Tunnel both during construction and when complete; and  
  
iii. proposed sequencing of excavation works.   
  
b) The application details that a proposed 200mm diameter Aviation Fuel Pipeline will run under the Alfie Byrne Road and will cross above the Dublin Port Tunnel adjacent to Fairview Park on the Eastern side of the railway line. At the point where the pipe crosses the tunnel, it is understood that the pipeline will be approximately 1.2m beneath the surface of the road, which will leave approximately 1.4m of clearance between the top of the pipeline and the tunnel roof.   
  
c) Contrary to what is stated in the EIS, “that the clearance of the Port Tunnel at the proposed crossing is adequate to take the proposed 200mm pipeline”, the NRA note that the application fails to demonstrate that the development does not incur a surcharge loading on the tunnel in excess of 22.5kNm2 either during construction or at completion as prescribed in the“DPT Guidance notes for Developer”.  
  
d) Evidence is also required by the NRA to demonstrate that the proposed works within Zones 1&2 (as prescribed in the “DPT Guidance notes for Developer”) have been assessed by a qualified engineer with experience in the design of underground structures.  
  
e) The NRA require further evidence to demonstrate that the method and sequencing of construction of the development minimises or eliminates the potential for tunnel deformation and will not be detrimental to the performance of the DPT lining  
  
f) It is queried by the NRA whether particular attention been made to the groundwater and hydro-geological conditions that may prevail in the vicinity of the tunnel? Any development sited in the vicinity of the tunnel has the potential to affect the groundwater regime.  
  
g) The NRA notes that no details are presented with the application to identify the interaction of the Aviation Fuel Pipeline with any adjacent services. (i.e. clearance/proximity to adjacent Gas Pipeline).   
  
h) Appropriate evidence is required by the NRA to confirm what standards/guidance documents has the proposed Aviation Fuel Pipeline been or will be designed to. The submission should contain details of the relevant national and international standards and should demonstrate compliance with these standards.  
  
i) The NRA is not convinced that cognisance been given to the following technical issues/requirements, for the design the pipeline over the Tunnel:  
  
i. No mechanical joints,  
  
ii. Double containment,  
  
iii. Leak detection,  
  
iv. Corrosion protection.  
  
j) Whereas a schematic location drawing (ref: 0362-D-07-G-0005) is presented to advise the location of the proposed Aviation Fuel Pipeline, together with details of clearance to tunnel structure presented in drawing (ref: 0362-D-07-C-0002), the NRA note that no drawing presented gives the precise location to the chainage or superstructure locations of the Dublin Port Tunnel and adjacent services or utilities.

3. It is also noted that the site is near a road scheme objective in the Development Plan for the proposed M50 Eastern bypass (and protection corridor for same). It is requested that this constraint be factored into the applicant’s proposal and EIS.

4. The Planning Authority notes that further detail on the criteria that will be used to assess whether noise monitoring is required and what exactly is meant by the phrase “ensure the site is operating without undue noise impact” (section 10.6) is required. The applicant’s assessment already shows that the site will be causing significant noise impacts when operational. It is recommended that further detail on the proposed absorbent screening to be used at the site boundary be provided. The applicant is requested to address the above.

5. The Planning Authority notes that the submission does not highlight the crossing and importance of the North Dublin Drainage Scheme (NDDS) trunk sewer at Nazareth House on the Malahide Road and North Fringe Trunk sewer crossing along the R139 between Clonshaugh Road and the Northern Cross. The applicant is requested to address this issue.

6. The Planning Authority notes that the EIS does not make reference to the existence of hazardous or contaminated lands along the preferred route. It has also been alleged that some of the proposed route contains or had contained such waste. The applicant is requested to reflect this issue in the construction plan and EIS.

7. It is noted that under the previous An Bord Pleanala permission there were a number of conditions attached relating to protective measures including a requirement for the construction plan to account for the impact and interaction of power lines and other underground structures with the proposed cathodic protection design. The applicant is requested to assess the above measures in relation to current proposed measures.

8. The applicant is requested to assess the need for additional Block Valves along the route with regard to the previous conditioned spacing by An Bord Pleanála and a 3rd party suggestion of an additional valve should be located between the currently proposed southern block valve uphill from East Wall Road. The applicant is requested to address the above.

9. The applicant is requested to clarify estimated set backs from residential frontages along the route i.e. identify closest points and whether there is comparable internal best practice standard for such developments.

10. The applicant is requested to consider providing a comparative risk study between the subject proposal and the recently constructed East Wall Road –Coolock gas line (as also noted by the NRA) and also any similar aviation fuel pipes with the UK etc.

11. Further to the requests above the applicant is requested to clarify and or update the EIS as follows:  
  
a) To note that a small portion of open space lands are traversed near the Tolka Bridge.  
  
b) To reflect latest published airport travel figures and any related projections for Dublin Airport.  
  
c) To indicate any net jobs benefit between jobs created by the proposal and potential loss of jobs from reduced road tanker transportation of aviation fuel etc.  
  
d) Details and profile of current road tanker transportation in relation to traffic flows across the day i.e. does the majority of movements take place after the evening rush hour etc.   
  
e) To clarify the level of any operational emissions from pumping activity.  
  
f) Correct Section 9 chapter of the main EIS Volume in terms of the header misreference to ‘Section 8’.  
  
g) Reprint page 36 of the main EIS volume