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**Carrigaline Court Hotel**  
**Closing statement to Oral Hearing**  
**2016**

My name is Mary O' Leary and I am the Chairperson of Cork Harbour Alliance for a Safe Environment known as CHASE. CHASE was formed in 2000 and we are an umbrella group composed of communities from Youghal to Kinsale.

As a group we are dedicated to protecting and safeguarding the Cork Harbour environment for future generations and promoting sustainable development in whatever way we can

I qualified as an Environmental Scientist and worked in pollution control for many years which has given me a better understanding of the issues involved in this application. I also ran my own oyster farm for several years, so I have an understanding of the importance of protecting and preserving our marine habitat. I now live in Cobh with my husband and four children.

**CHASE**

I have had what I consider the privilege of holding the position of Chairperson of CHASE since 2003. Much has happened in those 13 years. There have been difficult times going through four Oral hearings, the stress of court cases, the enormous efforts to fund raise to pay our bills. It has however been an honour to serve my community in trying to make a difference and to ensure that our harbour and its environs are protected for generations to come, from inappropriate development.

We are a community that has fully embraced the principle of local participation. We have a vision for our harbour which is now becoming a reality and Indaver's proposal has no part to play in it.

If the community had not objected to this application 16 years ago the toxic waste Incinerator of 100,000 capacity (50,000 toxic) would have gone ahead. Today we only need 24,000 tonne (toxic) capacity (EPA) so we would have over capacity. The

incinerator would have been a Seveso site and would have changed and hindered any other proposal for that area. Due in no small way to the communities intervention, we now have this amazing potential for the area to develop in a much more beneficial manner, which will benefit the greater good.

This as you know Mr. Inspector is our fourth Oral hearing into this application. We are still not sure if it is incompetence or arrogance by Indaver that brings us back here yet again. Indaver has cost this community dearly and could never be accepted as a neighbour. They sought costs against the community. They have taken us to the steps of the High Court and then withdrew but the President of the High Court ruled that Indaver had abused our court system and he ordered them to bear costs

How could we ever accept such people as our neighbours when they were throwing their weight around before they ever moved in?

We want this taken into account in your decision, as acceptance by the community has to be a consideration with respect to this project and we strongly reject Indaver and their application.

### **Fairness in Planning**

We have engaged wholeheartedly in every process available to us in relation to this application over 16 years and it would be fair to say we have almost exhausted them all.

The 12 working days we got to prepare for the Oral hearing was to say the least a disgrace. This is not fair participation and is weighted heavily in favour of the applicant. As repeated many times, the applicant had 31/2 years of consultation with the Board.

The Planning Authority, was also excluded from the 31/2 years consultation. The head of planning in Cork County Council mentioned several times at this Oral hearing that they did not have enough time or the resources to prepare responses to some of the issues raised. These are people who have protected time and are paid to analyse such an application, yet they struggle to fulfil their duties.

We come late to the process and struggle to similarly take on the challenge. We do not have protected time and have to run our lives, our work and look after our families while assessing the application.

We say such a practice which excludes the authority responsible for local planning in an area and the community from early discussion is undemocratic and contrary to the spirit of the Aarhus Convention which has as one of its principles the right of "public participation in environmental decision-making"

How can this be fair or good planning when parties are excluded? Even in terms of the optics of ABP, this behaviour does not do them any favours. If this is their idea of balance and fairness in planning it differs greatly from that of the community

If the principles of the Aarhus Convention are to be respected the aspirations outlined within it have to be fully embraced at both a local and national planning policy level. The convention also recognizes that 'adequate protection of the environment is essential

to human well-being and the enjoyment of basic human rights, including the right to life itself. It recognizes that every person has the right to live in an environment adequate to his or her health and well-being. It also recognizes the duty, both individually and in association with others, to protect and improve the environment for the benefit of present and future generations.'

(Convention on access to information public participation in decision-making and access to justice in environmental matters)

When it comes to engaging with the Strategic Infrastructure Process this has to mean that there is enough time for communities and indeed local authorities, to properly assess an application and not find themselves in a situation like we have in this particular application.

Once Indaver Ireland or Indaver Ireland Ltd were ready to go, the entire process was just steam-rolled through. Indeed at several junctures in this Oral Hearing you yourself Mr Inspector, have made mention of the need to get on with hearing and to stop repeating issues. As part of the discourse at oral hearings issues get aired and are sometimes exposed for what they are thro repetition, especially where such issues of concern are not being dealt with in a transparent manner, as we have seen in this Oral Hearing. Though you have accommodated us in every way possible Mr Inspector there has been a sense of "rush "or hurry about this application.

## **THE APPLICATION**

All the issues that were of concern to us fifteen years ago are still of concern today. **The site is fundamentally unsuitable and all of Indaver's problems stem from that premise.** The WHO agrees with us. It is the coordinating and directing authority on public health. It issued the Guidelines for the location of waste incinerators because incinerators pose a risk. The site failed the criteria in 2001 and still fails it today

## **EVIDENCE PRESENTED**

Mr Inspector the evidence presented by the community at each application has contributed in no small way to exposing each application for what it was. This time has again been a credit to the community. The expertise and the knowledge we have in our community is second to none and something that we are all very proud of. People came forward and challenge this application from all walks of life because they know this application is wrong, in so many ways. They were articulate and informed and I trust were of benefit to you in exposing this application for what **it** is. Communities are uniquely positioned to identify problems, as they are the main stakeholders. The value of this unique perspective cannot be under-estimated in the planning process.

Indaver in 16 years have failed to recognise the value of this perspective. They have modelled and plotted and bamboozled us with figure that just didn't make sense. They engaged in PR at every twist and turn and used every opportunity to tell the nation what a wreckless community we were, that we were being irresponsible, didn't want to deal with our waste and didn't understand the issues involved. This time around they told us that they had learnt their lesson and that they were coming to talk to us with no glossy brochures to see what would work.

However this was after 31/2 years “fixing’ the last application with ABP, so it was patently obvious that they had their minds made up and “participation” was merely ticking the box They didn’t even bother to visit my community of approximately 14,000 people in Cobh or Midleton with a similar population, who would be in the direct line of emissions if it were to get planning for sixty years(30+30).

## **THE ORAL HEARING**

We are coming to the end of over four weeks where we have discussed, debated, cross examination and listened to evidence and sometimes dubious information.

This has been a long process, 16 years in all with thousands of pages of fact, and sometimes fiction. We came to this hearing to get answers, to see if Indaver had answered the questions and queries raised in the submissions. These were questions that were of paramount concern to this community, and fundamental to our trust, some we have asked for the third time. They are about how this proposal would impact on our community and environment.

At the close of this hearing Mr. inspector I think it wouldn’t be an exaggeration to say that there are probably more questions unanswered now than when we started.

## **WHAT HAVE WE LEARNT**

### ***Ownership***

Most staggeringly we learnt that no one knows who is applying for this facility! The identity of the applicant and owner are a mystery to us all

### ***Modeling***

We learnt that the model used in their air modeling is not the appropriate model (ref Paul Leahy) Neither has it taken into consideration the turbine which will affect plume dispersal. Neither did it conform with EU EPA guidance for Europe(Peter Daly)

### ***Risk Assessment***

We learnt that the HAZID report, that assesses risk does not conform to ISO 31000 Standards, but followed some in-house rules drawn up by the applicants experts.

### ***Weather***

We learnt that there was no correlation done between the local Harbour and Cork Airport weather data. The proposed site is a coastal site with a land /sea interface which affects atmospheric stability. Yet again this has not been modeled for by Indaver, despite the fact that they have had 16 years to get it right. (Ref; Rodney Daunt, Mike Griew)

### ***Appropriate Assessment (AA)***

We learn that an AA cannot be completed by the Board who are deemed to be the relevant authority by the State to carry out this function. We know engineered particles will be produced by the proposal, these are toxic, “are future contaminants and will increase” (Dr Jarvis Good) This introduces a degree of uncertainty as Dr. Good informed the hearing. We do not know what would be burnt therefore we don’t know what the full impact of this application would have on the environment. We know it will produce dioxins and in the event of filter failure or a fire with uncontrolled burning these toxic

emissions will be released unfiltered. We also know there is no real time monitoring in Cork. Dr. Good said these issues are a matter for the E.P.A.

As far as we understand the full effect of this application can therefore not be fully assessed, as we cannot say beyond reasonable doubt that no damage will be done This we say is in breach of the E.I.A. Directive.

### ***Health Impact Assessment***

We learnt that no Health Impact Assessment (H.I.A.) has been done. Professor Anthony Staines outlined why this is of concern A H.I.A. is commonly defined as 'a combination of procedures, methods and tools by which a policy, program or project may be judged as to its potential **effects** on the **health** of a population and the distribution of those **effects** within the population'.

Dr. Hogan did a desk-top study and did not do a HIA as he said, it was “too difficult”! The baseline data was difficult to find he said and when found it was unreliable. He did however acknowledge that the National Tumour Registry is quite reliable. (Appendix 6.2 P2-3 )There are facts we know from the cancer registry, higher than normal levels of some cancers in Cobh. Cork has the highest level of testicular cancer in Ireland. It doesn't matter to an extent what caused them as cause and effect are difficult to prove. However what it does tell us is that this is a population whose health is already compromised.

We know from Prof. Howard's evidence that nanoparticles do cause harm and cannot be trapped by the filters. We know incinerators release huge amounts of these nanoparticles. We say if in doubt leave it out, we know chronic exposure causes harm and we ask the Board to observe the precautionary principle and refuse the 60 year permission sought.

### ***Stress on communities***

We know that this application will cause undue stress worry and fear in the community as evidenced by Drs Bradley,Morehan FitzGerald Kelleher and Hayes and indeed the many people who gave evidence at this Oral Hearing. The presence of such a facility on such a prominent site with smoke pouring out would be a daily reminder to us all that we had failed future generations.

### ***Local/National /EU Plans***

We learnt that the proposal is contrary to the Local Area Plans (LAP) and the Cork Area Strategic Plans (CASP). Proposed developments have to have consistency with the local area plans according to the Planning and Development Bill 2013. We say this application fails that criteria

It is not in the spirit of the three Master plans for Spike Island, Haulbowline Island and I.M.E.R.C.

This was further evidenced by Minister Simon Coveney T.D. Micheal Martin T.D. Sean Sherlock T.D. and Donncadh O Laoighaire T.D.

Minister Coveney stated that there was a suggestion that there was support for an incinerator at this particular site, but clearly said that was not the case.

A facility of this nature would threaten the plans outlined in the three master plans, into which enormous amounts of public and European funding have already been invested.

Public money and funding must be wisely spent, protected and not jeopardized by private developers.

We learnt that it threatens the creation of the potential of thousand of jobs in the lower harbour, in leisure, tourism education and research. Indaver will employ at the most circa 60 people.

We learnt that it is contrary to EU Directive Directive 2008/98/EC

The Directive lays down some basic waste management principles: **“it requires that waste be managed without endangering human health and harming the environment, and in particular without risk to water, air, soil, plants or animals, without causing a nuisance through noise or odours, and without adversely affecting the countryside or places of special interest”**

This application would breach these principles

### *Questionable behaviour*

We learnt that Indaver had private conversations with some of the prescribed bodies since the close of the application to An Bord Pleanala (ABP) to try to mend their ways.

We in CHASE understood that all issues raised in the submissions to ABP should be aired fully with all parties and dealt with openly at the Oral hearing, not behind closed doors. The oral hearing is the public forum through which all issues in relation to the application should have been dealt with. The board should not accept this sort behavior as we say it is highly irregular and such behavior would not be tolerated from the community, by the Board

### *SRWMP*

We learnt that the site is not central to the region it is to serve i.e. the Southern region comprising of 9 counties. The SRWMP 2015-2021 states that facilities are not specific to a county and does not direct that the facility is built in Ringaskiddy

We also learn that the site is in breach of the environmental protection criteria set out in the SRWMP”

The criteria state “avoid as far as possible siting waste infrastructure ..in areas of “visual amenity, geological heritage...flood risk areas and areas susceptible to subsidence or landslide.’

We learn that the SRWMP does not promote incineration over alternative waste to energy facilities such as Mechanical Biological Treatment (MBT) or anaerobic digestion as the applicant has claimed

### *Heat*

We learnt that this proposed facility will not produce heat for district heating as stated by Indaver at every twist and turn. There is no plan for a district heating system in the area. The cost of retrofitting would be too expensive and there is already overcapacity in heat energy in the Cork region

### *Capacity*

We learnt that there is ample capacity for incineration in Europe and that these incinerators operate at 85% efficiency and provide district heating. Indaver's facility

would run at 25% efficiency and would not link up to any district or industrial heating system. We can use the capacity in Europe while we build the infrastructure that best suits Ireland, not rush head long into an outdated technology out of desperation, as referenced by Betty Higgs evidence of her conversation with Philipa King of SRWM Offices. That is not how we should decide waste policy.

### ***Self-sufficiency***

We learnt that the E.U Framework does not say we have to be self sufficient as a country. It states;

“That member states (are to) .....bring about an integrated network of waste treatment facilities.....the E.U community as a whole becomes self sufficient...self sufficiency does not mean that every member state has to have all the facilities necessary for the useful application of different forms of treatment” Article 16 E.U. Framework for Waste Management

### ***Not recovery***

We are told that the proposal would be like the incinerator in Carrinstown and the figures extrapolated from that plant's operation were used to try to justify the energy co-efficient for the application, Carrinstown is a D10 not an R1.

We learnt that their calculations for their energy co-efficient do not add up and if this is so, this would not be an energy recovery facility in line with the waste hierarchy and E.U policy on waste. The calculations are in-house and have not been audited independently.

### ***Traffic***

It is still on the wrong side of the river, resulting in all traffic passing through an already congested tunnel and road network. The N28 will not be done until 2023 at the earliest. There is no planning permission or funding which would be of little comfort to all who would use the roads for the next 7 years. If this application got permission

We learnt that traffic to the Crematorium, the NMCI, the Beaufort, the Naval Service Haulbowline island remediation works, Irish Waters Waste water treatment system construction works, the Ports construction works and Indaver Irelands if they were to get planning, could not all be accommodated without mayhem.

It is common sense, there is not infinite capacity despite Mr. O' Donoghue's (CCC) optimism

### ***Mobility Plan***

We learnt that the traffic management system proposed will not work. The drivers will be stuck on Carrs hill or the tunnel in the traffic mayhem they have created. In Meath, Indaver had to extend their original opening hours to work 24/7 to take in more waste because they hadn't done their homework properly! It would only be a matter of time before they would do the same in Ringaskiddy if they got planning.

### ***Erosion***

We learnt that the site is still eroding into the sea and at a faster rate than we had imagined at the last application in 2008. We also know from their EIS that they cannot stop it.

**“The proportion of the cliff erosion due to ground water seepage has been estimated as 50%.....it is also assumed that the sacrificial material will have no effect on cliff erosion due to ground water seepage.” (E.I.S.5.2.1.3)**

We learnt that due to catastrophic collapse of the cliff face the “slumping’ due to erosion is directly in the path where the buildings are to be placed. (Ref S.Bennett) We also know that groundwater could become contaminated due to fracturing of the bedrock( Betty Higgs) a fact that was not in their EIS and that coastal flooding does happen, as referenced in their two previous E.I.S. reports

### ***Disruption***

We learnt that construction will take 31 months which is two and a half years. So the staff and students of NMCI, Beaufort, IMERC, employees at the Naval Base and those attending funerals will have to put up with “traffic noise and dust during the construction phase“ (P37 EIS Non-tech Summary ) not to mention traffic delays and diversions. We also learn from the EIS that the road will be closed for three weeks while it is being raised. How will people get to IMERC, Haulbowline the Crematorium or the beach?

### ***Risk***

We learnt that the site is still a risk to public safety, both from explosion and acute and chronic exposure to harmful emissions. (Ref Peter Daly/Shane Bennett/Prof.Staines and Howard)

Everything has been squeezed into a smaller part of the site. There will be no contagion from a fuel spill, the E.S.B. transformer is next to the fuel tank which is an accident waiting to happen. The fuel tank is also under the shadow of the chimney-stack. Stacks are known to collapse.

We know Indaver cannot guarantee there won’t be an accident. They will have no more control over events in their proposed plant than they had at their plant in Staebrok, Belgium

### ***Fire/evacuation***

We know Indaver will only fight a bunker fire for two hours after which they will have no more fire fighting water and they will let it burn itself out. This would represent a release of uncontrolled unfiltered emissions across the harbour.

We learnt from their Hazid report that if there was a fire in the bunker it could last up to six days and could require an evacuation of the area due to the fumes and smoke.

Mr Mulcahy, when presenting the photos on 29.04.16 of Indaver Irelands alternative evacuation plan, said that there is no scenario that required the evacuation of Haulbowline. This is not true, it says so in the Hazid.

### ***PDForra.***

We learnt that PDForra are opposed to this proposed development. They want a safe place to work and have a care of duty to their families and staff who live on the island. Since 2008 there is now full occupancy of the dwelling quarters on the island with



several families living there full-time. They said their medical emergency services would be limited by this application.

There are over 1000 people working on Haulbowline and they are not happy with Indavers application. It presents them with problems in the event of a fire /accident. They would have to run towards the fire to escape. If the island had to be evacuated the ordnance would have to be moved and brought past the fire, again putting lives at risk

### ***H.S.E.***

We learnt that the H.S.E. Emergency Management Service has concerns in relation to this site

**“This site is a cul-de-sac and therefore, an incident at this site means that emergency response is limited to an approach from one direction only”**

This does not reassure the community in the event of a fire or accident as it is clear that it would be difficult to evacuate people safely.

### ***Threat to Air Force/National Security.***

We learnt that the proposal threatens the operation of the Armed Services and could endanger the lives and safety of the crew and passengers in a helicopter. Minister Simon Coveney TD also has concerns as he said newer ships will have helipads on board and he endorsed the concerns of the Department of Defence (DOD) in relation to this application.

Indaver Ireland offered to turn off their incinerator when the Air Corp wanted to fly their helicopters. The image of the Air Force helicopters being retrofitted with an “OFF” button they could press when they want to fly, would be funny if the situation wasn’t so serious

### ***Ownership/No bond***

We learnt at a the most basic level we do not know who owns the site

We learnt that there is no bond proposed when the incinerator comes to the end of its life. This would effectively mean that we could see them leave behind an environmental wasteland like Haulbowline. What a legacy that would be for the next generation. As we don’t know who owns the site, this presents us as a community with a problem. In the event of a fire or accident or indeed in the final return of the site to a brown field site. who would be liable ?

### ***Location/Location/Location***

After 16 years of trying to shoe-horn in this facility it is still the wrong site and still fails the WHO guidelines which are there to ensure proper site selection. As we know Indaver Ireland were not aware of these guidelines when they bought the site. **So from the outset, this site was doomed.**

## **WHAT HAS CHANGED**

### ***Planning Bill***

The Planning and Development bill 2013 has been amended to give greater transparency, accountability and consumer & citizen protection.

### ***Aarhus convention***

Aarhus Convention) was adopted on **25 June 1998** and Ireland ratified the Convention on **20 June 2012**.

### ***Master Plans***

Since the 2011 refusal, the three master plans have been drawn up for the harbour.

These three plans are an exciting new direction for the harbour as outlined by every one of our public representatives at the Oral hearing.

Minister Coveney T.D. stated that the development of IMERC is a part of the National programme and is one the Government is committed to. It is a National facility which will trigger private inward investment in marine energy. He reiterated that the three master plans had to be respected and that the broader interests of the harbour cannot be ignored. The strategies developed cannot be trumped by this development.

Sean Sherlock T.D. said IMERC was a vehicle to attract inward investment and that it would attract funding from Horizon 2020, which is the largest E.U. research and innovative funding ever made available. The proposed incinerator would he said, hamper the success and development of clean technology and job creation.

Michael Martin T.D. said this area was now a research hub in our maritime area and had enormous potential. There was no room or need for an incinerator at this site and that Indavers assertions about the site suitability were false and flawed.

He also spoke of the potential of Cork Harbour in relation to tourism and the potential it holds. Cork Harbour is a national asset which would be damaged by this proposal.

He said in his dealings with industry there is no economic imperative for incineration, that the need for it has receded and that incineration and recycling do not make good bed-fellows.

### ***Risk to public safety***

The risk to public safety has increased hugely since the last application. We now have a University research campus emerging in Ringaskiddy with increase in footfall and personnel. We ask the question. **Would the Board entertain an application for an incinerator in the middle of UCD? This is what this application is akin to!**

### ***Increase in footfall***

The road upgrade onto Haulbowline with the installation of lights and footpaths means that far more people are using the area for running walking and availing of the amenity. Gobby beach is a much used area both for families, beach combers, dog walkers and geology students

### ***Turbines***

Since the last refusal the wind turbines have been installed. We saw from evidence presented by Paul Leahy that the turbine will effect the dispersal of the plume which was not factored into Indaver Ireland's EIS

### ***Change in thinking***

We are all coming to the realization that society needs to move to a low carbon economy. This is what we have signed up to in COP21 Paris Agreement. which has been mentioned by several people. We now have to look at how we handle our waste and run our commerce considering social environmental and moral factors.

Zero Waste does work around the world. This is a prime time for Cork and the southern region to embrace such a philosophy. We heard about San Francisco from Claire Mc Sweeney and the fact that they hope to reach their Zero Waste targets by 2020. This is a clever way of dealing with waste, it is sustainable, produces more jobs and is safer for our environment when done properly. Planning shapes how people live. We ask the Board to give us that opportunity.

If we are sentenced to 60 years of incineration all those opportunities are lost to us as a community and we are tied into an already outdated technology.

### ***Circular Economy***

Life cycle thinking must now part of waste management from extraction to recovery to disposal It cannot be business as before. The burning of waste is not sustainable. We are entering a new phase where the circular economy has to be the corner stone of how we manage resources.

Dr Brendan Richardson agrees; burning waste “does nothing to discourage consumers from continuing to behave as if we are still part of the Linear Economy model.” Incineration represents the linear model which is not sustainable and we as communities must move towards a transition to sustainable behavior.

### **THE NEXT GENERATION**

If it were granted, what would this say about us as a society? It would say that we were not clever enough It would say to our children and grandchildren that we let them down.

We all heard the powerful submissions made by the students of Colaiste Muire. We heard how they are working at the green options in terms of waste, water and energy conservation. They are acutely aware of the value of their planet. They came to the Oral Hearing because, as they said, they are doing everything within their powers as young people to be responsible. Yet they feel that we, the adults are taking the lazy option if the Board were to grant the proposal planning. One girl said they should not have felt the need to be at the Oral Hearing and pleaded with the Board to do the right thing and refuse the application.

These young people are the future and how incredible it is to see them so engaged. They want to live and work in a clean and healthy environment. They see the potential of the harbor opening up before them. As they see it, we are beginning to “sort it out” but this application puts it “under the threat of opening up yet another wound to leech into the harbour”.

Their plea to the Board is to refuse the application. They rightly see that the “needs of many should outweigh the needs of money”

Their teacher Mary Whyte very eloquently summed it up : ”The proposal laughs in the face of the hopes of these young children. They have already outsmarted the old technology being offered by Indaver, they want to preserve their resources not destroy them.”

Ms Whyte asks the Board to “**hold the space in trust until this generation can take it over**”

## **TRUST**

The evidence presented at this Oral hearing has done nothing to increase our trust of Indaver.

- We do not trust their statements on flooding and erosion and the evidence presented by the community clearly exposed the fact that Indaver cannot engineer their way out of the difficulties.
- If Indaver wanted to allay the concerns of the community in relation to health and had nothing to hide they would have done a H.I.A. They have not done so which shows that they have scant regard for the community or their concerns.
- We do not find Dr Hogan’s evidence credible for reasons outlined earlier In short the community does not believe his evidence.
- We do not believe Indaver when they tell us there is no potential for an accident to occur in Ringaskiddy as in Antwerp. That was down to human error which they cannot guarantee against. No evidence was offered to the hearing to prove otherwise. One big difference between the two sites, that Indaver didn’t tell us is the fact that there is a residential population of 45,000 people in a 5km radius in the Ringaskiddy area, while Stabroek is an industrial zone with 18,000 in a 21 km radius.
- The potential therefore for injury is far greater in Ringaskiddy, yet Indaver are willing to gamble with our lives for the sake of their profits
- We do not think Indaver Ireland are a competent company from past performance and we do not trust them to run this facility. Their attitude is cavalier to say the least and gives us no comfort.
- We are not being offered best available technology BAT in accordance with EU standards as this technology is already old with only 25% efficiency and quite frankly it is an insult to the community to tell us otherwise, as they have tried to do.
- We are told if the incinerator is not built our waste will go to either landfill or be exported. (Mr Porter) This is misleading. Waste in the short term may be exported but this is while other technologies are being developed which is in keeping with EU policy. We would much rather that than build something that has to be fed for the next 60 years and tie us into an ancient polluting technology that we know will damage our health and environment.
- We do not believe that Indaver can function without a transfer station We believe they have deliberately omitted it from their application to save themselves grief in terms of dealing with us the community w.r.t. the scenario of potential explosions and windows being blown out etc. Why else are they spending money

raising the “western field” formally known as the transfer station to a height of 4.5m OD?

## CONCLUSION

Mr Inspector, you have heard from all quarters the hopes that we have for our community. I think you will have learnt over the last month that we are a community who care about where we live and how we live. We truly believe that “Cork Harbour is a special place” as Joe Noonan told you on the first day.

We the communities of Cork Harbour, including all our public representatives say that **Cork Harbour is a special place**. It is the place we call home, where we want to work play and rear our families, in a clean and healthy environment.

We are a proud community, a strong community and a united community. John Ahern MD said to us many years ago that apathy would get this application through. **There is no apathy in this community**. The people of Ringaskiddy and the Lower Harbour have paid a price over the last forty years to contribute in no small way to the prosperity of the Irish Economy. We now see a new way to contribute to that economy. It is through education, research and tourism and clean technology. Everything has moved on in the last 16 years. Cork harbour has changed beyond recognition. The hope we have for our harbour is now within our grasp.

Mr Inspector, you are the expert here on behalf of the Board. I make this closing statement to you so that you can understand our concerns and our level of commitment to ensuring that this project never sees the light of day. We want our harbour to flourish in a way that will benefit the greater good not a vested interest. We want you to tell this to the Board.

*“Planning has a critical balancing role to play when competing interests put forward differing views on future development options. By focusing on the interests of the common good for proper planning and long-term sustainable development, the planning system can arrive at equitable, balanced and transparent decisions on the best way forward.”* Planning Policy Statement 2015 The Department of Environment Community and local Government

We say as a community that the best way forward for Cork Harbour is to listen to the greater good. We have laid out our plans and aspirations that are set in Local National and E.U policy. They promise a bright future for us, our families and the future generations that will make Cork Harbour and her hinterland, their homes .

This application has taken up enough of our lives, we can’t get back that time. Now we ask you and the Board most sincerely to refuse this application outright and let us get back to living our lives with a future full of promise and potential.

Thank you for your time and patience and we wish you well in all you do.

End

## **Appendix. Notes on”**

- I. Biography of CHASE
- II. The Planning Process

### ***CHASE Bio***

- Over the years CHASE has participated and submitted to the CCDP, CCWMP, Local Area Plans (LAP ). Cork Kerry Limerick WMP, Council Review, Irish Planning Institute National Conference, National Bio-diversity Plan, Regulation of Waste Management, Waste Framework Directive, Active Citizenship. We have also made submissions to the E.U Commission and the Petitions Committee.
- We have attended all the major waste management and EPA conferences over the years to keep abreast with the thinking in waste management.
- I was involved in the Corepoint Project as a member of the Harbour Forum which culminated in the production of the Cork Harbour Integrated Management Strategy published in 2008.
- I also sit on Steering Committee for the clean up of Haulbowline Island which Minister Coveney spoke of at this hearing
- CHASE has received environmental awards from the Cork Environmental Forum for our efforts and work in protecting the environment.
- We were presented with the Lord Mayors Award in Cobh in 2006, in recognition of our contribution to our community.
- I went to Brussels on behalf of CHASE to lodge a complaint to the European Commission in 2003 with respect to Ireland’s failure to transpose Article 3 of Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment

The European Courts found in our favour in 2011 and the EIA Directive was transposed into Irish Law.

- In 2006 I lodged a complaint to the EU Petitions Committee on the failure of the Irish State and its Competent Authorities to regulate emissions from the Irish

Ispat steel smelting/sintering facility at Haulbowline Island, Cork Harbour,  
(Council Directive 94/67/EC (Article 7.2) and Council Directive 82/884/EEC.)

We were again successful and as a result we now remediating the east tip on Haulbowline at the cost of E64 million and we are reclaiming our harbour as outlined in the Haulbowline Master Plan

## ***II The Planning Process***

It is vital that communities are allowed to engage at all stages of the planning process, particularly in relation to major infrastructures that have long term implications for the community. This however is not the case with the Strategic Infrastructure Bill. (SIB) You have heard mentioned many times at this hearing, that there is a lack of balance and fairness in how the Board deals with the applicant and the community. We say that is fundamentally unfair and no way to run a truly participatory planning process.

### **The Process**

I think the fact that we are here for a third time indicates to us that ABP or the Board of ABP only pay this principle of planning lip service.

We have concerns about the capacity of the SIB to obtain a holistic perspective on planning applications, if it excludes meaningful participation at a local level. Planning policy must be decided through debate and discussion both at a **local** and national level. It is vital that the public's right to participate in the planning process at all stages be up-held and that it is a truly democratic process.

It must moreover be a meaningful process whereby the findings of such a process are used in making sound decisions that are just and fair.

“Public trust, whether it is placed in the regulators, in compliance with the regulations or in the information provided, will be fundamental in achieving even a modicum of consensus for any future developments in waste policy in Ireland”. (HRB Report 2003)

Though dated 2003 this statement is still as relevant today and the fact that we are here possibly justifies this statement, in that the criteria set out in it have not been satisfied, even after 15 years.

We also have concerns about the way in which this evidence is heard. You Mr Inspector are the Boards Expert planner. You listened to the debate the evidence the cross-examination and I am sure you will represent it accurately in your report. This then goes to ABP where it goes yet another individual who reads your report and the file and does another report which is the one presented to the Board. Things get lost in translation and we say this is no way to relay information of such serious consequence. Members of the Board should be here to hear this hearing

### **In-balance in process**

The Planning legislation, especially the SIB, needs to be reformed to bring about fairness and balance. This is a role of legislators not the Board and we must call on our public representatives to make this a priority. This is the only way to stop the war of attrition that face communities across the country, year in year out.

**END**

C.H.A.S.E.