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Pembroke Wood,
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Planning Department,
Cork County Council,
County Hall,
Cork.

2nd February, 2021.

RE: Planning Ref. No. 20/6955 – Gouldings Chemicals Ltd. And Belvelly Marino Development Company DAC

Description of Proposed Development:

The construction of a new agricultural fertiliser facility for use by Gouldings Chemicals Limited and additional port operational use of the jetty to facilitate cargo vessels. The agricultural fertiliser facility will be constructed to the north of the site and will comprise i) a bulk storage building for the storage of granular fertiliser ii) a building accommodating a bagging and palletising facility and staff facilities iii) external paved product storage areas for the storage of bagged fertiliser iv) weighbridge, ESB substation and switch room and office building v) vehicle store vi) surface water drainage system and water retention tank vii) truck parking, staff and visitor parking, fertiliser waste storage tank and all ancillary site works. An Environmental Impact Assessment Report (EIAR) has been prepared and will be submitted to the planning authority with the application. A Natura Impact Statement (NIS) will be submitted to the planning authority with the application. The proposed development comprises the provision of an establishment to which the Major Accident Directive applies.

Dear Sir/Madam,

The industrial activities proposed at Marino Point in this planning application are to take place:

- less than 500 metres from the nearest residential receptors in Passage West
- immediately adjacent to Cork Harbour's only Special Area of Conservation (SAC) designated under the Natura 2000 network
- immediately adjacent to the Belvelly Channel and Lough Mahon, key components of the Cork Harbour Special Protection Area designated under the Natura 2000 network
- surrounded by Lough Mahon, a Nutrient Sensitive Water designated under the Urban Wastewater Treatment Regulations 2001.

The development proposed in 20/6955 cannot proceed without the development proposed in 19/06783 for site infrastructural and utility upgrade works. This latter development is currently under consideration by An Bord Pleanála (ref. ABP-307938-20).

The conclusions of the Natura Impact Statement and many aspects of the EIAR submitted with 20/6955 are dependent on the outcome of the Board's deliberations on 19/06783. It is entirely presumptive to assume that 19/06783 will get the green light from the Board to proceed as proposed.

The submission of 20/6955 for consideration by Cork County Council is therefore premature.

The surface water drainage system and the wastewater network planned by 19/06783 are integral to the mitigation as outlined in 20/6955. For example,

"It is expected that the surface water and foul drainage networks proposed as part of planning application ref. no. 19/06783 will be fully installed prior to the operation of the agricultural fertiliser facility. This will allow the proposed facility to connect into the new foul network." (ref. Section 4.4.2.1, EIAR)

Article 6(3) of the Habitats Directive requires that the planning authority must be assured that any project likely to have a significant effect on a Natura 2000 site will not adversely affect the integrity of the site.

Without approval of 19/06783, there is no certainty that the development proposed in 20/6955 will have no effect on the adjacent designated site. The project therefore does not meet the requirements of the Habitats Directive.

The proposed agricultural fertiliser facility is a Lower Tier Seveso Site to which the Major Accident Hazard applies. The adjacent Marinochem facility is an Upper Tier Seveso Site to which the Major Accident Hazard applies. Should a major accident occur, the consequent effects on the environment and the conservation objectives for the designated sites could be very serious.

Section 15 of the EIAR assures that the consequences of 1) fire or explosion on the jetty or on a vessel, 2) the risk of spillage arising from a traffic accident, 3) the risk of vessel collision and 4) the risks of spillages/leaks/accidental releases of contaminants would all be minimised by activation of the Port of Cork's Major Emergency Plan.

The details of this Major Emergency Plan are not provided nor is the Port of Cork's Major Emergency Plan in the public domain. It is therefore not possible for the applicants to provide certainty that the consequences of these four accident scenarios can be contained such that they do not impact negatively on the adjacent designated sites.

The Port of Cork's Major Emergency Plan was activated on 9th January this year in response to a significant fire in a grain store at Ringaskiddy. The grain store belongs to a Port of Cork tenant and is situated on Port of Cork land adjacent to Cork Harbour. The site was evacuated in accordance with the Major Emergency Plan procedures. The fire burned for several days. During all of this time it was attended by firefighters. Vast plumes of smoke from the burning material were viewed from all over the harbour. Other than that which the surface water drainage system could accommodate, there was no containment of fire water. It was fortunate that on this occasion, the majority of the material that burned was organic.

This recent fire at Ringaskiddy demonstrated that the (unseen) Port of Cork’s Major Emergency Plan does not prevent environmental pollution. It may help to prevent against loss of human life (which is of course critical and laudable) but should an accident happen, it does not prevent against environmental pollution. It therefore is not mitigation for several of the potential hazards listed in Table 15.5.

I have lost count of the number of times to which the EIAR refers to the handling of “miscellaneous dry cargo” at the Marino Point jetty. Offloading of some of the “miscellaneous” cargo on Kennedy Quay, Cork City, has been captured by a photographer and published at:

<https://www.alamy.com/cork-city-cork-ireland-28th-dec-2018-cargo-ship-brufjell-offloading-animal-feed-on-kennedy-quay-cork-ireland-credit-david-credonalamy-live-news-image229791084.html> (dated 2018) and

<https://www.alamy.com/kennedy-quay-cork-ireland-14th-july-2020-a-cloud-of-dust-is-created-from-a-cargo-of-calcium-magnesium-that-is-being-offloaded-from-the-vessel-hav-merlin-on-kennedy-quay-in-cork-city-ireland-credit-david-credon-alamy-live-news-image365833659.html> (dated 2020) and

<https://www.alamy.com/kennedy-quay-cork-ireland-14th-july-2020-a-cloud-of-dust-is-created-from-a-cargo-of-calcium-magnesium-that-is-being-offloaded-from-the-vessel-hav-merlin-on-kennedy-quay-in-cork-city-ireland-credit-david-credon-alamy-live-news-image365833414.html> (dated 2020).

Were the SOPs to which Section 9 of the EIAR refers being observed when these photographs were being taken?

If this “miscellaneous dry cargo” comprises some of the dusty cargo types currently handled at the City Quays, then they must be identified and detailed in the EIAR and the consequences of their handling for both air and water pollution must be addressed.

It is a pity that the authors of Section 14 of the EIAR were not resident in Passage West two nights ago (31st January). Had they been, they might have chosen to reassess seemingly dismissive comments such as “the jetty is used sporadically as a lay-over berth”. The noise from the “laying over” ship’s generator was so dominant on Sunday night last that the Port of Cork received several calls of complaint from Passage West residents.

Noise from ships’ generators at night time is not addressed in the planning application. Ship generator noise typically has tonal components. Although this kind of night-time noise would likely be one of the greatest heartaches for residents of Passage West arising from the proposed development, the EIAR does not address this either.

Section 14 of the EIAR notes that “No potentially noisy loading or unloading operations will be carried out during the 19.00 – 07.00 period unless required for emergency or other purposes”. “Emergency or other purposes” allows for a pretty broad range of options. If a week of wet weather is predicted and the fertiliser raw material must be unloaded fast before the weather breaks, would that fall under the category of “other purposes”? Or, for example, if a ship delivering Marinochem’s raw materials is expected to arrive and needs the berth? Two nights ago, that same evening as the “laying over” ship at Marino Point caused disturbance in Passage West, there were so many distressed calls from residents of Ringaskiddy about after-hours operation at the Port of Cork’s facility that I drove from Passage West to Ringaskiddy at 23.50. The noise stopped at 00.00, minutes before I arrived. None of the residents who rang to complain to the Port of Cork got any explanation as to why the loading operation had continued until midnight.

Despite any condition which may be attached to a planning permission, there are no effective restrictions on the hours which a port chooses to operate. The consequences for residential neighbours and the environment are often devastating.

The cumulative noise impact on Passage West's most sensitive waterfront community facility (PACE/library) is calculated to be 4dB (ref. EIA Section 14.3.3.2). The predicted increase in sound at Steampacket House is 15dB. Because noise is measured on a logarithmic scale, this is more than a DOUBLING of perceptible sound. As advised in Section 4.1.3 of the EIA, BS4142:2014 states that a difference between specific and background levels of 10dB or more is indicative of a significant adverse impact. This is unacceptable.

Section 14.3.2.8 and 14.3.2.9 of the EIA does not even attempt to evaluate the noise impact from "other jetty uses". The bland, unproven conclusion is simply that they "will not give rise to adverse impacts at receptors". All the applicants had to do was to monitor noise from the bulk loading/unloading activities at the City Quays and at Ringaskiddy. That would have clearly indicated typical noise levels from existing Port of Cork bulk facilities.

There is no evidence that the body of water between Marino Point and Passage West has been taken account of in the modelling. Sound propagates four times faster in water than in air (1484 m.s^{-1} versus 343 m.s^{-1}). The low absorption rate of water makes sound, especially the low frequency sound typical of ships, travel much further through water.

Noise from this proposed development would have a massively negative impact on many residents in Passage West. The noise assessment reported on in the EIA is not adequate. It is not representative of the on-the-ground situation. It does not even consider shipping noise at the Marino Point jetty which is ALREADY having an impact.

Not merely does the EIA fail to provide any reasonable real-life data for noise that may arise from "other jetty activity", it dismisses its impact out of hand. Section 14.3.2.9 claims that Marino Point is defined by a "waterfront industrial heritage", a "strong maritime tradition" and that the jetty operation is consistent with this soundscape. Interpreted in plain English, this says to me that "it doesn't matter if it's a bit noisy because Marino Point is an industrial site that has always been noisy". This is so inaccurate and massively insulting.

There has been no industrial activity at Marino Point perceptible from Passage West since IFI closed in 2002. That was almost 20 years ago. The population of Passage West has near doubled in the past 20 years. Therefore half of the current residents of Passage West are not in any way familiar with the maritime-related noise to which the EIA refers.

The real heritage of Marino Point is captured in the stories from older residents of Passage West. Marino Point had long been a playground for the people of Passage West. It was the local beach, the local swimming spot and some of the women from Passage West worked in Marino House. NET's 1970's proposal to put the fertiliser factory there split the town in two. Some believed they would get jobs. Others said not at this cost. The Chief Planner recommended refusal. The County Manager overturned it. It went to oral hearing and again the Minister granted permission with a compromise: a bond was to be put in place to return the site to greenfield when the factory would cease operation. Although there is evidence of that bond on the planning file, Cork County Council says it has no record of it.

The fertiliser factory was in operation for 23 years, first as NET and later as IFI. It has sat there as a vacant industrial site for the past 18 years only because Cork County Council did comply with the conditions of planning laid down by the Minister. That is not a "waterfront industrial heritage".



Passage West has strong historical links with the Great Island. Although I do not live alongside the R624 nor do I travel on it daily, I am very familiar with its narrow width, sharp bends, poor lighting and heavy traffic. It is a drive that always requires care. On wet, dark evenings it can be positively dangerous to meet a bus or a truck on one of the sharper bends. Although the risks of cycling the R624 are high, there is no alternative for many cyclists. I feel terribly sorry for residents whose homes are located right on the R624. They are in constant close proximity to the noise, fumes and vibrations from heavy traffic on a road that was designed for 19th century carts.

It is utterly incomprehensible to me that Cork County Council might consider granting planning permission to an operation that would create 94 additional truck movements daily on the R624 south of Belvelly Bridge. The planning documentation identifies that Gouldings/BMDC held three pre-planning meetings with Cork County Council in relation to this development. Why on earth did Cork County Council not make it clear at that stage that any road-based distribution would not be possible from Marino Point?

One of the principal reasons the Port of Cork was permitted road-based transport out of Ringaskiddy was that they claimed a sustainable rail distribution link at Marino Point (ref. ABP PL04.PA0035, Order 1). Permitting 94 additional large trucks each day onto the R624 in its current configuration without making any attempt to reactivate that rail link is simply a licence to kill.

Yours faithfully,



Marcia D'Alton
Independent Member, Cork County Council