



*Cork Harbour Alliance for a Safe Environment  
Spy Hill, Cobh, Co. Cork  
Tel: 021 4815564  
Email: [info@chaseireland.org](mailto:info@chaseireland.org)*

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[www.chaseireland.org](http://www.chaseireland.org)

### **CHASE submission to the Review of the Cork County Development Plan 2003**

Dear Sir /Madam,

CHASE would like to submit to the review of the above Plan. As an organisation that has experienced the full rigors of both the planning process and the EPA waste licence application process, we would firstly like to make the following observations.

As an organisation we have engaged wholeheartedly in both a planning Oral Hearing and an EPA Oral hearing. This we have done at great cost in terms of time personal effort and of money (all raised voluntarily).

We engaged in both these processes because we believed in the principle of democracy, especially at a local level, where land-use decisions are made by the people in conjunction with their public representatives. That is what we believed was the function of the County Development Plan, the Cork Area Strategic Plan and the Cork County Waste Management Plan.

However, in reality, this is not the case. The Ringaskiddy toxic waste incinerator Oral Hearings clearly demonstrated, and it is a matter of public record, that the application breaches the Cork County Development Plan, the Cork Area Strategic Plan, the Cork County Waste management Plan and the National Hazardous Waste Management Plan. The decision was made to facilitate "present Government policy", at the cost of national policy, and indeed local county policy, as outlined above.

Another worry CHASE has in relation to the robustness of the CDP is the Amendment of the Local Government Act in 2004, which gives ultimate planning decisions to the county manager, who is not an elected member of the Council – this further erodes the democratic principles of planning. Indeed it begs the question, if the Manager holds this powerful position in relation to planning decisions, what is the point of spending long hours of councillors' time and taxpayers' money in discussing draft plans and engaging in public consultation? At the end of the day, any decisions made by the people and their elected representatives can be over-ruled by the only non-elected member of the council (the Manager), as directed by the Minister of the Environment.

A further erosion of the value placed by Government in the County Development Plan is the new Strategic Infrastructure Bill.

The Bill would appear to run the risk of being developer-driven rather than plan-driven. It does not seem to give priority to those planning decisions already made and sanctioned within the CDP. As mentioned, it is a principle of good and sustainable planning that planning decisions are made locally by the people of the area and their public representatives. These are the key players who should have a say on land use in their communities.

We saw the importance of this in the decision by An Bord Pleanála to grant planning permission to the toxic incinerator in Ringaskiddy. The proposal in this case was developer-driven and the decision by An Bord Pleanála was considered by CHASE to be undemocratic and had to be challenged.

Now that the SIB is to deal with infrastructure projects, it would appear that the democratic process has been undermined further. Local Authorities will only be asked for their 'opinion' on proposed infrastructure projects after they have been dealt with by ABP. It is our understanding that they neither have any statutory role in the process nor do they have any meaningful role to play in the decision making process

This again seriously questions the validity and purpose of spending time and money drawing up plans that are then set aside in the interest of 'Government Policy' or developer lobbying. Again we say the time and effort put in to drawing up plans by planners, the communities and councillors should be meaningful. We should have confidence that plans drawn up by such a process will be adhered to. The new SIB undermines the entire premise on which the principles of planning are based, as it removes planning decisions from a local level.

Under the SIB, there is no meaningful opportunity for communities and indeed councillors to participate from the beginning of a proposal, which puts them at a disadvantage immediately. The only real option communities would appear to have is to seek a legal challenge after the decision is made by ABP, as there is no opportunity for input other than comment prior to that time.

This is a very worrying development in planning policy and decision making and would seem to bring into question the value of CDP in relation to land-use in our communities. We feel this is something our Councillors have also to question. What is their function in the light of the SIB and the Amendment of the Local Government Act and how well can they serve the people they are elected to represent?

We, as an organisation representing communities in the greater harbour area, have always placed value in such a plan and in CASP and its vision for the harbour and County, and we have shown that commitment in challenging the decisions made in relation to the incinerator proposals.

Our submissions to the Review of the Cork County Development Plan 2003 are as follows:

### **1. Land-use**

There is no doubt that Cork Harbour is one of the most beautiful harbours both in Ireland and internationally. The vision of CASP was to reclaim the lower harbour for 'leisure recreation and educational facilities'. This is a vision we in CHASE also hold for the harbour and the placing of two incinerators in the lower harbour has no place to play in such a plan.

There are large areas of Cork Harbour at the interface where land meets water as yet undeveloped. While some of that land was acquired by the IDA for future industrial development, we would propose that this land is now too valuable for industrial use. Factories do not and should not be located in scenic areas of the harbour especially if we are to keep the vision of CASP in mind. It would be far better to locate housing in such areas as it would create wonderful environments for people to live in, close to the harbour with harbour/water views. It would also allow for the development of leisure facilities along the harbour such as walk-ways, cycle paths, and access to the water for boating and sailing.

At present, where factories are being located on water front properties, these tracts of land are being lost forever to the people of the harbour. Housing density has increased, people need leisure facilities in close proximity to where they live if their lives are to have any quality.

In Europe, where housing density is greater, such facilities are provided in recognition of this. We need to address this factor if we are to have good and sustainable development of our areas.

We would therefore ask the Council to consider rezoning such areas of land e.g. the back of Little Island facing Foty Island, the back of Great Island, and any lands along the river from the lower harbour up to the city, for housing and residential development.

There should be provision made to rezone industrial lands to residential and relocate industry back from the harbour. We still have the opportunity to do this in the drafting of the new CDP.

### **2. Flooding**

The recent reports by the UN Intergovernmental Panel on Climate Change and by Dr John Sweeney, NUI Maynooth on the impact of flooding in Ireland clearly indicate the importance of proper planning in relation to lands located near to or at sea level.

The commissioning of 'The Lee Catchment Flood Risk Assessment and Management Study' shows clearly that there are grave concerns with respect to flooding in Cork

Experts have predicted that parts of Cork Harbour could be under water in 40 years time, with severe flooding and sea levels rising by a projected 28-43cm. Numerous reports have pinpointed the Ringaskiddy area as vulnerable.

Evidence presented by CHASE at the Environmental Protection Agency (EPA) Oral Hearing showed the proposed hazardous waste storage area to be just 5 cm above the current high water mark. Indaver's engineer under cross-examination confirmed this.

When the proposed incinerator site flooded in October 2004, the flood levels (at 2.85 metres OD using Malin Head datum) would result in the entire waste transfer area being flooded. If this plant was ever built it would pose a very serious threat to the future safety of the harbour. This was the evidence put forward at the Planning and EPA Oral hearings by CHASE; this was the evidence

ignored by both 'Competent Authorities'. It can no longer be ignored as there is no longer any doubt as to the seriousness of the threat of Global warming and its effects on our own communities.

The wisdom of the relocation of the Port facilities to the lower Harbour in the light of the above has to be questioned. Everyone living in Cork city and harbour knows full well the extent of the flooding both the city and county are experiencing of late. To reduce the volume of the harbour any further is going to bring untold problems in the future in terms of flooding. Where does the water go if large areas of land get filled in, in the lower harbour? If we are to believe the scientists that water levels are rising, then there will be additional volumes to accommodate. These factors must be taken into consideration in the new CDP and the findings of the Flood Risk Assessment must also be taken into consideration.

### ***3. Infrastructure***

If we are to see proper and sustainable development of the Cork area we need to see the development of proper infrastructure, public transport, and the development of housing along transport corridors to reduce the dependency on cars.

We also have a very serious problem as a result of the housing boom in the last ten years. Developers were allowed to build huge housing developments without providing any infrastructure such as schools, proper play areas (not token play grounds), sports facilities etc.

Into the future this is going to cause huge social problems as we will witness large populations of young teenagers with nothing to do and nowhere to recreate. Indeed we see it already in the numbers of teens who now 'hang-out' around new shopping developments such as Mahon and Midleton.

More worryingly the schools are now full to over-flowing. Children do not have school places in their local schools any more and many schools now have waiting lists. This needs to be addressed immediately in the CDP. No development should be allowed until the infrastructure is in place and this should be implemented to the letter.

### ***4. Energy***

The CDP has to take into account alternative energy and the need to include it in all housing and industrial development etc. We now have a responsibility to reduce our carbon footprint and this must be one of the guiding principles in the future development of the county and the formulation of the CDP. We must include solar and wind energy production, and we must embrace waste reduction and prevention at all costs.

We would recommend looking at such projects as the Poundsbury Development in England for inspiration.

### ***5. Waste***

We would like to make the following submission in relation to waste.

We would draw your attention to the 'Third Report Joint Committee on the Environment and Local Government September 2006'. This report provides a review of the current status of Household Waste Recycling in Ireland and makes recommendations to government based on its findings.

CHASE and several of its member groups participated in the review, submitting detailed observations, suggestions and recommendations. Other participants included 34 local authorities and 30 organizations, community groups and individuals.

The report includes 10 main recommendations, including a recommendation to review Ireland's overall waste disposal needs within the context of the Waste Management Hierarchy:

"The Joint Committee recommends Government undertake a close evaluation of Ireland's waste disposal needs. ... Particular attention should be paid to the Waste Management Hierarchy, which promotes avoidance, reuse and recycling, over disposal."

Every Regional Waste Management plan in the country identifies the potential need for an incinerator. The above recommendation is a clear call for a shift in priority to prevention, reuse and recycling as the primary waste management tools and for a reassessment of the need for incineration in the context of these priorities.



The ten main recommendations of the report are as follows:

1. The development of mechanisms to improve the clean, segregated collection of plastics.
2. The introduction of measures to increase and promote composting of organic material.
3. The expansion of kerbside collection, the extension of Civic Amenity Site opening hours, and the improvement of Bring Centre maintenance.
4. The promotion of producer responsibility in the area of newsprint (newspapers, magazines, junk mail, etc.), including a possible levy.
5. Improved management of packaging waste, including investigation of various strategies for enhancing producer responsibility.
6. The development of national 'Green Planning Guidelines' for inclusion of appropriate recycling infrastructure and services in planning permission conditions.
7. Evaluation of international experience of Resource Recovery Centres and implementation of a pilot scheme.
8. A close evaluation of Ireland's waste disposal needs with particular attention to be paid to the Waste Management Hierarchy, which promotes avoidance, reuse and recycling over disposal.
9. A review of Government procurement policies to assess the scope for green sourcing and recycled products. Development of a Green Consumer Guide to aid consumer choice. And funding of pilot schemes to develop and promote markets for recyclable products.
10. Initiation of actions at EU level for the incorporation of end-of life considerations into product design.

Other interesting findings of the report include:

- Current recycling rates vary widely from 7.2% to 57%. Cork City Council gets the wooden spoon, with an average recycling rate of just 7.2%. Longford and Galway City Councils are the recycling leaders, at 57% and 56% respectively.

This indicates clear room for improvement in the lower performing local authority areas.

- 89% of Ireland's plastic waste is landfilled, but we IMPORT 48,000 tonnes of plastic waste annually for recycling.

If this situation arises because Irish waste is not of a suitable quality, then local authorities must develop programs to improve the quality of this waste stream, including community awareness programs around the issue.

Though up to 61% of household waste is potentially compostable, only one of the local authorities surveyed currently provides a 'brown bin' service (i.e. collects wet organic recyclables). The extension of 'brown bin' services throughout the country should therefore be a top priority.

These findings are very helpful to us here in Cork and we would urge that Cork County and City council move in this direction in relation to waste management. We have improved our waste management but there is still much to do.

In the new climate of global warming and the need to reduce our Carbon footprint, the mass burn incineration debate is over.

We are all aware of the Stern report and the warning to Governments of the danger of ignoring the issue of Global warming. There can be no justification in burning limited resources and pouring tens of thousands of extra Co2 into the atmosphere. We are already going to spend 270 million euros of tax-payers money to buy our way out of our present situation of being 12% over the Kyoto target.

The innovation and technology is there now for us to deal with our waste in an economic and environmentally sustainable manner. While acknowledging that a lot has been achieved, we have a lot to do in diverting waste from landfill e.g. over 60% of what goes to landfill at present is organic. In a properly managed waste infrastructure, no organic matter should be going to landfill in the first place i.e. the need for brown bins etc.

The public at large will not accept mass incineration as a solution to our waste management. It is a lazy way out, it does not deal with waste in a sustainable way and it creates many problems in relation to toxic ash and its disposal, toxic emissions and the tens of thousands of tonnes of extra carbon emissions into our atmosphere. We must now stream our waste materials into their highest economic and environmental value while minimizing the carbon foot-print.

Mass incineration must be taken out of the waste management solution and Government policy. It cannot be justified and must be removed from the waste debate if the Government is serious about its responsibility to fulfill its' Kyoto commitment.

It is possible to deal with our waste and meet the landfill Directive without mass incineration, using a pick and mix of the latest technologies.

The benefits of a no burn policy include;

- (a) it conserves global resources,
- (b) it reduces the volume of waste,
- (c) it improves air and water quality,
- (d) it reduces our CO2 footprint.

These benefits cannot be ignored and far outweigh the introduction of an obsolete technology.

The EU decision not to reclassify waste incineration from disposal to recovery sends a very clear signal to all concerned that mass incineration has no part to play in a modern waste strategy. Ireland will have to alter drastically its waste management strategy if tough measures adopted by the European Parliament get passed into law. It intends to introduce binding targets to reduce waste production, and by 2020 at least 50% of municipal waste will have to be recycled or reused. It is crucial to reduce the use of landfill and incineration.

Burning waste (which is a resource) is a nineteenth century solution to a twenty-first century problem; it's like trying to improve black and white TV technology when the rest of the world has moved onto colour.

Incineration is unnecessary, unacceptable and unsafe. We in Ireland are at a cross roads in waste management and can choose to embrace the technologies we have at our disposal which could see us lead the way in waste management in Europe. We must ensure that we do not embrace mass incineration as it represents a waste of valuable resources. We should be streaming materials into their highest economic and environmental value not burning them and contributing to global warming in the process.

Not alone do we have to reject incineration for environmental economic and health reasons, it is now our moral responsibility to do so if we are to heed the warnings from the experts.

We ask our councilors to seriously consider the above and resist at all costs all efforts to introduce any type of mass incineration as a solution to our waste management. With the success of recycling, the potential to improve our recycling rates further, our ability and responsibility to reduce the volumes to landfill and engage in waste prevention, as outlined in the Oireachtas report, Cork can reach its Landfill directive targets without incineration.

By reducing our volumes to landfill as outlined, the life-span of Bottlehill will be extended far into the future, if properly managed, and the need for any type of thermal treatment is obsolete.

Unfortunately our submission cannot be more extensive but time does not allow as CHASE is a voluntary organization. We have put much thought into the submission as we only want the best for our community. We hope our submission will be meaningful and that our County Development Plan will play a pivotal role in the future development of our County.

Mary O' Leary,  
Chairperson,  
Cork Harbour Alliance for a Safe Environment (CHASE)