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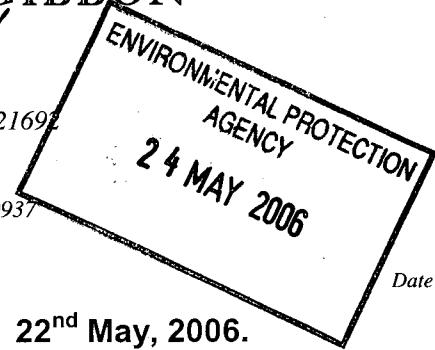
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Your Ref

22nd May, 2006.



Market Street
Listowel
Co. Kerry
Ireland

W0924-01
Sub 1

**Environmental Protection Agency,
Johnstown Castle Estate,
Wexford
County Wexford.
PO Box 3000.**

**Re: Application for waste licence at Garryantanvally at Tralee Road,
Listowel, Co. Kerry
Applicant Kerry County Council
National Site Grid reference E98311 & N132690
Objection to application on behalf of the Residents of
Garryantanvally Listowel, County Kerry**

Dear Sirs,

We act for the persons listed in the schedule hereto, all of Garryantanvally Listowel, County Kerry all of whom are residents of, or occupiers of, lands and premises within the area immediately adjoining the location, the subject matter of this proposed application.

Our clients wish to object strenuously to the proposed application on the following grounds:-

1. It is proposed to locate this facility on the outskirts of the town of Listowel surrounded by an area which is primarily residential and which continues to be developed for residential purposes primarily and the future development of the immediate hinterland will primarily be residential. Consequently, this location is entirely unsuitable for such a facility.
2. The location is also entirely unsuitable from the purposes of vehicular traffic and particularly slow-moving vehicles carrying waste to and from the facility which will have to enter and exit onto the main N69 roadway, being the main Listowel – Tralee roadway in an area where the general speed limit of 100km/hr applies. This will clearly cause a severe traffic hazard in this area. Furthermore, the roadway access to



the property does not have a right turning lane or left turning lane dedicated to the development and it is the contention of the objectors that the creation of this type of an activity will generate considerable traffic and a traffic hazard will be created by slow-moving vehicles entering and leaving the premises on a regular.

3. It is proposed to locate this proposed civic amenity development in a small industrial estate and it is the objectors contention that this is not a suitable location for such a development particularly with the mix of development which has taken place in the Estate to date and which is likely to occur in the future. The existence of such a facility is entirely inappropriate in an industrial Estate area, where planning permission has already been given for light industrial and warehouse development. The locating of such a civic amenity would seriously undermine the possible future development of the Estate.
4. It is proposed to locate the civic amenity in an area immediately adjacent to a live livestock mart and market and in view of the type of activities carried out, this is totally unsuitable. This is a livestock Mart where animals are often kept overnight pending the sales. It is the objectors concern that the civic amenity centre or waste disposal centre will inevitably attract rodents and vermin to the proposed site and, taking this in the context of a live animal mart in the immediate vicinity, and immediately adjacent thereto, a situation could arise of cross-contamination and a serious health risk to both humans and animals. The objectors have a serious concern for the health and safety aspect of this proposed development given its location immediately adjacent to a residential area where there are also numerous young families.
5. The residents are concerned that the hours of opening and the hours of closure of the proposed amenity have not been set out in any of the documentation or advertisements furnished by the Kerry County Council in relation to this application. It is the objectors' view that the opening hours are extremely relevant on the basis that this proposed development is proposed as a holding facility for the transfer of waste to a landfill. The residents are extremely concerned that the failure of Kerry County Council to give this information has left the objectors in a situation where they can only assume that this will not be a 24 hour civic amenity, or even a 12 hour civic amenity for that matter. The proposed method of management of the facility has also not been clarified in either the planning application or in the particulars lodged either in relation to the planning application or the application to the Environmental Health Protection Agency. The objectors are aware that indiscriminate dumping can occur, and household and other discarded waste can be deposited in areas in close proximity to the civic amenity area when it is not open to accept such waste, if it is not open on a full

24-hour basis and supervised on an ongoing 24 hour basis. It has been an unfortunate experience of these facilities that illegal dumping outside the gates occurs in such circumstances. Furthermore, the objectors are not satisfied that the supervision and policing of the centre has been properly and adequately considered or provided for in the application.

6. The layout plan of the development shows the location of drainage services to include a surface water pipe and also a foul sewer system. There is a proposal for a treatment unit for the foul outside the perimeter of the site, and the residents are not clear or satisfied as to where this precisely is to be located and, consequently, are not satisfied that proper provision has been made in this regard and contend that the plans and specifications lodged are inadequate, incomplete and unsatisfactory in this regard. The plans do not include details of the treatment plan for the foul sewer system. The residents are concerned that a proper treatment plan system has not been incorporated within the site boundaries of the are the subject of the application.
7. There is a reference to skip collection at a lower level on the plans. However there are no contour maps or cross section drawings or longitudinal section drawings indicating the proposals for the facilities at various levels on the site. There is a reference in drawing 10599/0001 to "hazardous goods" and to "BRING BANK" area. In this particular area in drawing 10599/2001 there is a reference to "hazardous goods" in the centre and a "bring bank" area on the north side. Consequently there appears to be a discrepancy in the drawings. The residents are not satisfied that this layout has been properly prepared and presented. There is inadequate information on the plans and particulars lodged, particularly as stated in regard to the layout of the development, the storage containers, and the buildings proposed to be constructed on the site. Consequently, there are no proper details of the buildings size, layout or proposed activities in accordance with Statutory requirements. .
8. It is noted that it is proposed to landscape the area with green palisade fencing, and some shrubbery is shown around the perimeter. It is not clear what type of shrubbery is intended, nor has a landscaping plan been submitted. In fact, the landscaping details are poorly set out and do not indicate what is proposed.
9. It has already been stated that this area is primarily a residential area, in a quiet country setting outside the town of Listowel. The objectors anticipate that there will be further appreciable increase in noise from compactors working on the site of the proposed development and a significant increase in noise and nuisance from the proposed activities on the site.

10. It is noted in the application the inclusion of "Hazardous Goods" on the site as referred to at paragraph 7 above. No particulars or details are given as to how long it is proposed to store these on the site, or what arrangements will be made (or are proposed to be made) for the confinement, sealing off and segregation of such "hazardous goods". The nature and type of the "hazardous goods" to be stored has not been set out, nor have any particulars been given to what type of "hazardous goods" are to be permitted onto the site. This is of crucial concern to the objectors.
11. Furthermore, the objectors are concerned to note from the plans submitted that greens are proposed to be stored on the site. No particulars are given as to the length of time of storage or what arrangements are being made with regard to providing for the decomposition of such greens and other such perishable materials, nor are any particulars given of the length of time that such material and such rubbish will be kept on the site which will clearly lead to noxious odours from the location, with the further increased risk of rodents and other vermin and pests to the proposed site.
12. The residents are concerned about the manner in which the planning notices and the Notice of application were advertised in this regard. These were displayed on the site only and no effort was made to display the planning notices on the main road, where it would have been clearly visible to the residents, without the necessity of their having to investigate the matter further by visiting the site. The residents are concerned at this attitude of the applicants at the lack of communication and consultation with the local residents with regard to this proposed development.
13. The residents, for the reasons set out above, are seriously concerned about the effect of this development and proposed plant on the flora and fauna of the area, where game is preserved and which is acknowledged as rich natural habitat of wild life and, in particular, wild fowl life.

For all the above reasons, the persons referred to in the schedule hereto, wish to strenuously object to this application and the proposed development.

Kindly acknowledge receipt of this notification of objection and arrange to let us hear from you with regard to this application in due course.

Yours faithfully,


MICHAEL FITZPATRICK.

Direct Dial 068 50914 FAX 068 23120 Email lisa@pierfitz.ie

17. Cyril Jeffaries

Cyril Jeffaries

18. Gene Jeffaries.

Gene Jeffaries

19. Daniel Lane

Daniel Lane

20. Peg Lane.

Peg Lane

21.

22.

23. Kathleen McCarthy

Kathleen McCarthy

24. Sheila Cahill

Sheila Cahill

25. Michael Cahill

Michael Cahill

26. John Joy

John Joy

27. Treasa O'Connor

Treasa O'Connor

28. Eithne O'Sullivan

Eithne O'Sullivan

29. Gerald Lennon

Gerald Lennon

30. Betty O'Sullivan

Betty O'Sullivan

31. Timmy O'Sullivan

Timmy O'Sullivan

32. Michael Fitzpatrick

Michael Fitzpatrick

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Schedule of Residents/Objectors

33. Michelle Buckley Michelle Buckley
34. Larry Buckley Larry Buckley
35. Jimmy O'Sullivan Jimmy O'Sullivan
36. Mairead O'Sullivan Mairead O'Sullivan
37. Peter Doyle Peter Doyle
38. Joseph Stack JOE STACK
39. Liam Enright Liam Enright
40. Joan Enright Joan Enright
41. Niall Stack Niall Stack
42. Matt Mooney Matt Mooney
43. Mary Mooney Mary Mooney
44. Noreen Driscoll Noreen Driscoll
45. Bert O'Driscoll Bert Driscoll
46. Tom Carey Tom Carey
47. Liz O'Reilly Elyaneth O'Reilly
48. Padraig O'Sullivan Padraig O'Sullivan
49. Noreen O'Sullivan Noreen O'Sullivan
50. Patrick Buckley Patrick Buckley
51. Bernie Whelan Bernie Whelan

Patrick O'Driscoll Pat. O'Driscoll

- 52. Johnny Lyons John Lyons
- 53. Breda Lyons Breda Lyons
- 54. Robert Stack Robert Stack
- 55. _____
- 56. _____
- 57. Noreen Carey Noreen Carey
- 58. Pat Carey Pat Carey
- 59. Bernard Griffin Bernard Griffin
- 60. Margaret Kennelly Margaret Kennelly
- 61. Tom Sommers _____
- 62. Joanne Sommers Joanne Sommers
- 63. Tom Kelly Tom Kelly
- 64. Tom Regan TOM REGAN
- 65. DENIS HARRIS _____
- 66. Margaret Buckley Margaret Buckley
- 67. Gerard Buckley Gerard Buckley
- 68. ~~Robert Stack~~ Eleanor Stack

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- 69. Bridie McElligott _____
 - 70. Dora Buckley DORA Buckley
 - 71. John Brosnan John Brosnan
 - 72. Marie Brosnan Marie Brosnan
 - 73. Eric Quinlan ERIC QUINLAN
 - 74. John Browne John Browne
 - 75. Theresa Browne Theresa Browne
 - 76. Bill Browne William Browne
 - 77. Mary Browne Mary Browne
 - 78. Fiona Keane Stack Fiona Keane - Stack
- MARGARET QUINLAN

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Schedule of signed Residents/Objectors.

Greg Doyle.

Mary Barry.

Tom Barry .

William Barry.

Noreen Doyle.

Paul Doyle.

Paul McCarthy.

Caroline Mary McCarthy.

Patrick McCarthy.

Josephine Whelan.

Cristina Buckley.

Niamh O'Sullivan.

Dr. Robert Corridan.

John Groarke.

Margaret O'Sullivan.

Cyril Jeffaries.

Gene Jeffaries.

Daniel Lane.

Peg Lane.

Kathleen McCarthy.

Sheila Cahill.

Michael Cahill.

John Joy.

Treasa O'Connor.

Eithne O'Sullivan.

Gerald Lennon.

Betty O'Sullivan.

Timmy O'Sullivan.

Michael Fitzpatrick.

Michelle Buckley.

Larry Buckley.

Jimmy O'Sullivan.

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Mairead O'Sullivan.
Peter Doyle.
Joseph Stack.
Liam Enright.
Joan Enright.
Niall Stack.
Matt Mooney.
Mary Mooney.
Noreen Driscoll.
Bert O'Driscoll.
Tom Carey.
Liz O'Reilly.
Padraig O'Sullivan.
Noreen O'Sullivan.
Patrick Buckley.
Bernie Whelan.
Patrick O'Driscoll.
Johnny Lyons.
Breda Lyons.
Robert Stack.
Noreen Carey.
Pat Carey.
Bernard Griffin.
Margaret Kennelly.
Joanne Sommers.
Tom Kelly.
Tom Regan.
Margaret Buckley.
Gerard Buckley.
Eleanor Stack.
Dora Buckley.
John Brosnan.
Marie Brosnan.
Eric Quinlan.

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John Browne.

Theresa Browne.

Bill Browne.

Mary Browne.

Fiona Keane Stack.

Margaret Quinlan.

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