

FURTHER APPEAL FORM

SECTION 26		SECTION 37
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Appeal No: PL <u>207212</u>	
Lodged: <u>26/5/04</u>	Case Type: <u>03</u>
O.H. Request Date: <u>—</u>	P.A. Decision Date: <u> </u>

Appellant:	<u>Brendan Philbin</u>
Address/Agent:	<u>Rosspoint South, Ballina Co Mayo</u>

M <u>Cranwell</u> 1. Acknowledge with: <u>BPOIM</u> Merge: (1) psplit <input type="checkbox"/> (4) omitdoc <input type="checkbox"/> (2) msplit <input type="checkbox"/> (5) overpay <input type="checkbox"/> (3) revplan <input type="checkbox"/> (6) xmas <input type="checkbox"/>	2. Issue appeal to: (a) P.A: <u> </u> (b) Applicant: <u> </u> (c) Other: <u> </u> <u> </u> <u> </u>
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3. Return appeal with: <u> </u>	
4. Return to prepare exp.ltr: <u> </u>	
Comments: Please insert date of cross circulation on control sheet <u> </u> <u> </u> <u> </u> <u> </u>	
EO: <u>K Doherty</u>	AA: <u>Jess Cranwell</u>
Date: <u>1/6/04</u>	Date: <u>3/6/04</u>

An Appeal to An Bord Pleanála against a decision by Mayo County Council on April 30TH, 2004, to grant Planning Permission to Shell E&P Ireland Limited, for the Development of a Gas Refinery at Ballinaboy, Co. Mayo, and for a Peat Deposition Site at Srahmore, Co. Mayo.

Ref. No in Planning Register: P03/3343.

Appeal By: Brendan Philbin.

Contact Name: Brendan Philbin.

Contact Address: Rossport South, Ballina, Co. Mayo.

Contact Phone No: 097-88993.

Enclosures: Relevant Fee.

Record of Receipt from Mayo County Council of submission of objection against the granting of planning permission.

Copy of objection submission dated 26 January 2004.

Copy of objection submission dated 30 March 2004.

Dear Sir/Madam,

I wish to appeal the decision of granting planning permission by Mayo County Council to Shell E&P Ireland Limited for the construction of a gas refinery at Ballinaboy and a peat deposition site at Srahmore, Bangor Erris.

AN BORD PLEANÁLA	
Received:	26/5/04
Fee:	€200- cash
Receipt No.	B52206

AN BORD PLEANÁLA	
TIME _____	BY _____
26 MAY 2004	
LTR-DATED _____	FROM _____
PL _____	

Grounds for Appeal:

- ◆ Contrary to the Mayo County Development Plan 2003-2009
- ◆ Destroying the character of the landscape of the area. It would seriously injure the visual amenities of the area and devalue residential properties and farms.
- ◆ Endangering public health and safety.

The whole development is out of character with the local area.

The setting up of this massive industry on a site which was previously an experimental Peatland farm and to compare an experimental Peatland farm to a gas refinery defies logic.

The entire area along Sruth Fada Conn Bay and Glenamoy River encompassing Ballinaboy and Lenamore and Carramore Lake, are all areas of rare and natural beauty. It is well known for its wild salmon and trout fishing and angling and leisure pursuits.

This area and its community should be cultured and nurtured along with its small farming communities and not used as pawns when dealing with multinational companies which are only interested in their stocks and shares. Everything and everybody seems to be disposable in their eyes.

This is the twenty first century and it is time that Shell E&P Ireland Limited should use the latest technology that is available regarding cleaning the gas at the well head offshore where the technology is well advanced and used by other companies. If the job is worth doing, it should be done in such a manner so as not to put peoples lives at risk or a danger to the environment. So the powers that be should insist on it being done the correct way and not to be facilitating multinationals companies for short term gain over peoples health and safety and damaging the environment.

What price can we put on our heritage? Sorry it's not for sale.

Yours Sincerely,

Brendan Philbin.

Brendan Philbin



**Mayo County Council
Aras An Chontae
Castlebar**

Ref No.: P03/3343

02/02/2004

**Mr Brendan Philbin
Rossport South
Ballina
Co. Mayo**



A Chara

I wish to acknowledge receipt of submission received from you on 30/01/2004 in connection with planning application by **SHELL E & P IRELAND LIMITED** for **CONSTRUCT GAS TERMINAL FOR THE RECEPTION AND SERAPATION OF GAS FROM THE CORRIB GAS FIELD, AND FOR A PEAT DEPOSITION SITE, RESPECTIVELY. THE DEVELOPMENT WILL CONSIST OF THE CONCURRENT DEVELOPMENT OF TWO SITES LOCATED 11 KILOMETRES APART, APPROXIMATELY, AND IDENTIFIED AS THE SITE OF THE GAS TERMINAL FOR THE RECEPTION AND SEPARATION OF GAS FROM THE CORRIB GAS FIELD IN THE TOWNLAND OF BELLAGELLY SOUTH AND THE SITE OF THE PEAT DEPOSITION SITE IN THE TOWNLANDS OF SRAHMORE AND ATTAVALLY, BANGOR ERRIS. THE DEVELOPMENT AT THE BELLAGELLY SOUTH SITE WILL CONSIST OF: A GAS TERMINAL FOR THE RECEPTION AND SEPARATION OF GAS INCLUDING PLANT AND EQUIPMENT; PROVISION OF 4,935 SQ M (GROSS FLOOR AREA), APPROXIMATELY, OF BUILDINGS; ACCESS ROADS; 40 NO. CAR PARKING SPACES; AND ANCILLARY DEVELOPMENTS, OF WHICH 13 HA, APPROX, WILL BE DEVELOPED INRESPECT OF THE GAS TERMINAL'S FOOTPRINT. THE PROPOSED DEV. WILL OF THE BELLAGELLY SOUTH SITE WILL ALSO CONSIST OF; THE EXCAVATION AND REMOVAL OF 450,000 CUBIC M at BELLAGELLY SOUTH SRAHMORE ATTAVALLY.**

The matters referred to by you will be taken into consideration by the Council before a decision is made on the application. Notice of the Council's decision on the

application will be given in accordance with the requirements of the Planning and Development Regulations, 2001. This may be in the form of:

- (a) posting the notice directly to you; or
- (b) publishing the notice in a newspaper circulating in the area where the proposed development is situated.

Please note that in the event of an appeal being lodged by you, An Bord Pleanála will require a copy of this letter of acknowledgement.

Mise, le meas


RUNAI CHONDAE

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Consent of copyright owner required for any other use.

AN BORD PLEANÁLA	
TIME _____	BY _____
26 MAY 2004	
LTR-DATED _____	FROM _____
PL _____	

Rosspport South,
Ballina,
Co. Mayo.
26 January 2004.

Mayo County Council,
Planning Office,
The Mall,
Castlebar,
Co. Mayo.

Objection Submission: Re Shell Exploration & Production.

Dear Sir / Madam,



I am writing to you in reference to the planning application submitted by Shell Exploration & Production for a gas refinery at Bellanaboy. Having read the EIS submitted with the planning application I have noticed it is more theoretically based as opposed to factually or practically based.

One of the main consequences of the removal of peat is the serious pollution it will cause to the surrounding waters. These are namely the Glenamoy Bog complex (Sruth Fada Conn Bay, Carramore Lake, and Broadhaven Bay) which are in close proximity to the proposed development site.

The removal of 450,000 tonnes approximately of peat from the site in Bellanaboy, which will then be loaded into trucks, transported to the deposition site at Srahmore, Bangor situated 10 kilometers away, and offloaded there and spread on cutaway bog site seems to create more problems than it solves.

The method in which they intend doing this is based on the *observational method*, which seems to have been employed throughout the EIS.

Furthermore the route of the proposed pipeline carrying raw gas and other impurities at 150bar pressure in such close proximity to myself and my family's home is a huge underlying threat. As this has not been tried in any other country, I feel it is purely experimental and the Health and Safety risks to the residents along the route have not been addressed. There are safer options available, for example, a suitable site, cleaning at source etc, etc.

Please understand we are not against the Corrib gas coming ashore but the way in which at present it is being proposed.

To highlight our fears and concerns, I refer you to An Bord Pleanála's decision on this matter.

Yours sincerely,

Brendan Philbin.

Rosspport South,
Ballina,
Co. Mayo.
30 March 2004.

Mayo County Council,
Planning Office,
The Mall,
Castlebar,
Co. Mayo.

Objection Submission: Re Shell Exploration & Production.

Dear Sir/Madam,

I am writing to you with serious concerns regarding the latest requested information supplied to your department by Shell Exploration & Production for a gas refinery in Bellanaboy.

One aspect is the health and safety aspect of the proximity of the pipeline: approximately 70 meters from my home and other occupied residents, what, if any, criteria was used to determine this distance.

Furthermore on the engineering aspect of laying the pipeline, are they aware that the rock is very close to the surface and would require blasting. The consequences this would have on our land that is on a steep decline towards the shore would result in landslides.

If the proposed pipeline goes through my land, my farming activities would be disrupted if not completely wiped out.

There is also a threat to a pure spring water well, at the foot of the cliffs that has been providing clean drinking water to our families for generations. Blasting would cause this to become polluted, in addition to polluting Sruth Fada Conn Bay.

Another aspect of the route of the proposed pipeline is the untreated gas and other impurities going through our land at 150bar pressure; this a huge underlying threat, which is more experimental rather than proven.

Regarding the removal of peat from the gas terminal site, it is far from satisfactory, based only on theory and desktop analysis.

The traffic management plan is incredibly unrealistic, especially on the network of narrow, winding roads and unstable bridges and no alternative routes, except those that are signposted: DANGER OF LANDSLIDES AHEAD. Not an attractive option.

So, in conclusion the best option would be to leave this development until the technology is advanced enough that it would be environmentally friendly to the residents and the environment and most importantly safe.

Yours Sincerely,

Brendan Philbin.

Brendan Philbin

AN BORD PLEANÁLA	
TIME _____	BY _____
26 MAY 2004	
LTR-DATED _____	FROM _____
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It will be 'difficult' to protect mammals from drilling and blasting work, says report

Area of gas pipeline is significant for dolphins and whales

LORENA SIGGINS
MARINE CORRESPONDENT

A previously unpublished study has found significant dolphin and whale activity around the route of the proposed Corrib gas field pipeline off the Co Mayo coast.

The study, carried out by marine scientists from University College Cork in 2001 and 2002, recorded over 720 sightings of seven whale and dolphin species.

Sightings of two seal species and marine mammals such as basking sharks and a sea turtle in Broadhaven Bay and north-west Mayo waters were also recorded.

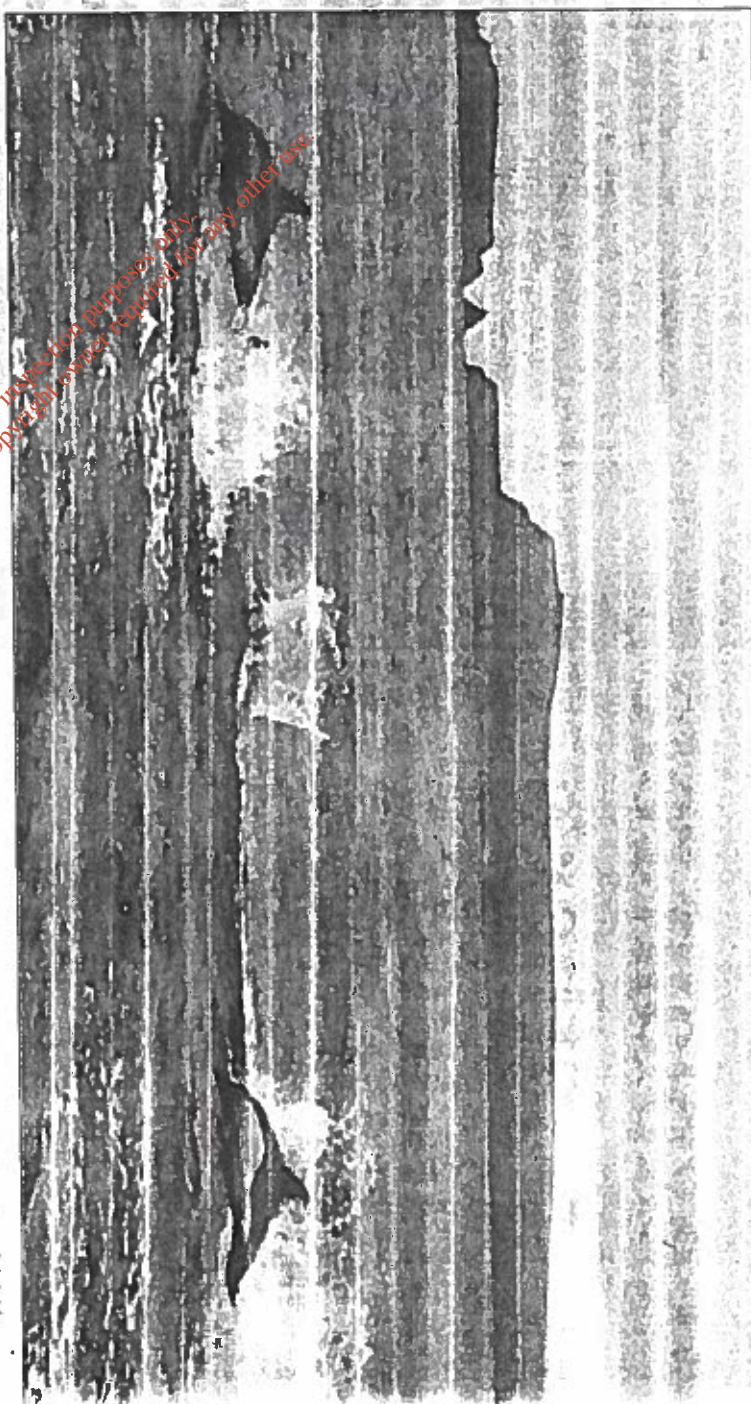
The report said the bay was a significant breeding and rearing area for whales and dolphins, and warns that it would be "difficult" to protect such mammals from drilling and blasting works associ-

ated with a pipeline.

The study was commissioned and funded by the Corrib gas field developers, but was not submitted as part of the company's offshore licence application. In its application, the company said there was "no evidence that Broadhaven Bay is of particular importance to cetaceans (whales and dolphins)".

The study was received by Dutch, the Heritage Service, last month, 10 months after its completion. The Department of the Marine only recently requested a copy following inquiries by The Irish Times.

The Department said the study was not required under the company's offshore licence application even though Irish waters are designated as a whale and dolphin sanctuary. Broadhaven Bay



Dolphins at Broadhaven Bay in north Mayo. A previously unpublished report says the bay is a significant breeding and rearing area for whales and dolphins. Photograph: Anthony Irwin

is a candidate Special Area of Conservation (SAC).

UCC's Coastal and Marine Resources Centre (CMRC) gathered data within the Broadhaven Bay SAC and neighbouring waters between August 2001 and

October 2002.

It noted five types of dolphin, including the relatively rare Risso's Dolphin. The study notes that marine mammals are particularly vulnerable to underwater noise and pressure waves.

Consultants employed by the Department of the Marine to analyse Shell's environmental impact statement for its offshore licence application had been critical in March 2002 of the lack of information on whale and dolphin activity in the area. A spokeswoman for Shell said yesterday the company had not been asked by the Department for such information. It had decided to commission the scientific survey when it became aware of such marine life during preliminary survey work. She said it intended to "take report's recommendations on board, including the need for 'mitigating' factors, when carrying out offshore pipeline work.

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TIME	
AN BORD PLEANALA	

Breandan O'Riordan

RISE AND FALL OF PHILIP WATTS

"YOU could walk past him in a lobby and never notice him," said one former Shell worker — such was the impression left by Sir Philip Watts, the former chairman.

Dull and brutally frank, the geophysicist who spent his entire career at Shell lacked the charm and wit that normally goes with being a senior businessman.

A decade before the current oil reserves dispute, Watts was Shell's man in Nigeria, as managing director of the Shell Petroleum Development Corporation. Shell has extracted an estimated \$30 billion (£25.3 billion) of oil from Nigeria, but at a huge environmental cost to the region of Ogoni.

When Ken Saro-Wiwa started a popular protest movement, the oil company was alarmed at the threat of disruption to its operations. Activists accuse Shell's local management of colluding with Nigeria's military dictatorship, which cracked down hard on the Ogoni. One series of raids on Ogoni villages in August 1993 left 750 people dead and 30,000 homeless.

Saro-Wiwa was eventually arrested and hanged. Amid the international outcry that followed, Shell formed a crisis group to repair its tattered image. Once again, this was led by Watts.

Shell is still being pursued for its role in the alleged human-rights abuses in Nigeria. Berger & Montague, an American law firm, is seeking damages for the Ogoni people that could run into billions of dollars.

Carey D'Avino, a Berger & Montague lawyer who

interviewed Watts two weeks ago, said he saw clear parallels between Watts's handling of the Nigerian crisis and his unflinching determination (set out in the Davis Polk report) to "leave no stone" unturned to maximise the level of proven reserves Shell was able to report.

Shell's Nigerian oil fields were one of the biggest sources of the overstated reserves. The Davis Polk report states that by early 2000 it was clear to Shell's exploration and production arm — then headed by Watts — that the Nigerian reserves "could not be produced as originally projected or within its current licence periods".

Nigeria was not the only place where the truth got further and further away from the internal spin.

Leaked company documents show that the Yibal field in Oman began to decline in 1997, yet in 1998 Watts's over-optimism kicked in.

In 2000, when he was head of exploration and production, he made an upbeat statement citing new technology called horizontal drilling that would ensure the company would be able to "extract more from such mature fields".

The internal memos indicated that proven oil-reserve figures for Oman were mistakenly increased that year as a result.

Watts's strategy of meeting his targets worked well, and he was made chairman a year later.

But he is now out on his own and vilified in the Davis Polk report as a liar. His lack of charm can only come back to haunt him.

Brendon Shulman

