

Director of Services, Planning
 Kerry County Council
 County Buildings
 Tralee
 Co. Kerry

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18 December 2015

W0217-02

re: Waste Licence Review Application in respect of Killarney Waste Disposal Ltd, Aughacurreen, Killarney, Co. Kerry

Dear Director,

I refer to a waste licence review application that is currently before the Environmental Protection Agency from Killarney Waste Disposal Ltd. The Agency is concerned that the activity the subject of the licence review application does not have the benefit of planning permission.

The following is, to the Agency's knowledge, the planning history in relation to the Killarney Waste Disposal Ltd facility at Aughacurreen, Killarney.

Date	Planning Reference	Description
19/11/2003	03337	Grant of permission for construction of new office building. Retention of existing building. Change of use from agricultural to materials recovery facility.
05/01/2005	042131	Grant of permission for construction of extension to the materials recovery facility. Capacity of facility 40,000 tonnes per annum.
31/05/2006	054355	Grant of permission for construction of office buildings
23/11/2010	10453	Grant of permission for construction of electrical sub-station

In August 2006, the Agency granted a waste licence to Killarney Waste Disposal Ltd for a waste facility with a maximum intake of waste of 40,000 tonnes per annum.

In July 2010, Killarney Waste Disposal Ltd applied to the Agency for a review of its waste licence. The purpose of the licence review was to seek authorisation to accept 59,000 tonnes per annum of waste. In October 2012, Killarney Waste Disposal Ltd

amended the licence review application so that authorisation is now sought for the acceptance of up to 79,000 tonnes per annum of waste.

It is apparent to the Agency that the existing planning permission restricts waste acceptance at the facility to 40,000 tonnes per annum. It is also apparent that EIA will be required before consent for 59,000 tonnes per annum or 79,000 tonnes per annum can be given by the Agency. Given the inter-authority consultation that is now required as part of the EIA process, the Agency cannot consider granting a revised licence or completing an EIA in the absence of planning permission.

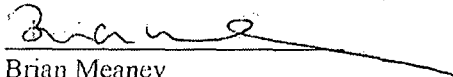
It is necessary before we proceed any further to determine formally the planning status of the Killarney Waste Disposal Ltd facility at Aughacurreen, Killarney. The question arises as to whether the proposal to increase the authorised waste intake from 40,000 tonnes per annum to 59,000 tonnes per annum or 79,000 tonnes per annum at the facility is or is not development or is or is not exempted development within the meaning of the Planning and Development Act 2001 as amended.

In accordance with section 5 of the Planning and Development Act 2001 as amended, the Agency requests in writing from the planning authority (Kerry County Council) a declaration on that question.

Please let me know by return whether you require further information necessary to enable your authority to make its decision on the matter.

Regarding the fee of €80, an electronic transfer will be made to Kerry County Council on or around Tuesday 22nd December 2015.

Yours sincerely,



Brian Meaney
Environmental Licensing Programme



Comhairle Contae Chiarraí
Kerry County Council

CC-P27
09-2013_BG

FOIRM IARRATAIS ALT 5 SECTION 5 APPLICATION FORM

IARRATAS MAIDIR LE DEARBHÚ AR FHORBAIRT AGUS AR
DÍOLÚINE FORBARTHA (Alt 5 den Acht um Pleanáil agus
Forbairt leasaithe)

REQUEST FOR A DECLARATION ON DEVELOPMENT
AND EXEMPTED DEVELOPMENT (Section 5 of the
Planning & Development Act 2000 as amended)

TÁILLE €80 FEE

Ainm

Environmental Protection Agency

Name

Seoladh

PO Box 3000
Johnstown Castle Estate
Co. Wexford

Address

Teil.

053 9160600

Tel:

R-phost

b.meaney@epa.ie

Email

Ainm/Seoladh Gníomhaire

Name/Address of Agent

Teil.

Tel:

Láthair an Suímh Ábhartha

Killarney Waste Disposal Ltd
Aughacurreen
Killarney

Location of Subject Site

An Struchtúr Cosanta é nó 'bhfuil sé laistigh
de chúirtealáiste Struchtúir Chosanta? _____

Is this a Protected Structure or within the
cartilage of a Protected Structure?

Más é, 'bhfuil Dearbhú faoi Alt 57 den Acht
um Pleanáil agus Forbairt 2000 iarrtha nó
eisithe don fhorbairt ag an tÚdarás Pleanála? _____

If yes, has a Declaration under Section 57 of
the Planning and Development 2000 been
requested or issued for the property by the
Planning Authority?

Luaigh leas an iarratasóra sa suíomh le do thoil

Please state applicants interest in this site

Environmental regulator

**Luaigh ainm agus seoladh an
úinéara murar é/í an
t-iarratasóir**

Killarney Waste Disposal Ltd
Aughacurreen
Killarney

**If applicant is not the owner
please provide owner's name
and address**

Tabhair faoi deara go n-eiseofar cóip den Dearbhú ar Fhorbairt agus ar Díolúine Forbartha de réir Alt 5(2a) den Acht um Pleanáil agus Forbairt 2000 don úinéir/áititheoir.

Please note that in accordance with section 5(2a) of the Planning & Development Act 2000 the owner/ occupier of the site will be issued with a copy of the Declaration on Development and Exempted Development.

**Liosta pleananna, líníochtaí srl
curtha ar fáil leis an iarratas seo.**

**List of plans, drawings, etc
submitted with this application**

One drawing, please see attached.

Tabhair tuairisc ar na h-oibreacha (má bhaineann) nó ar an bhforbairt beartaithe.

(Tabhair faoi deara: Is iad na h-oibreacha atá liostaithe agus sonraithe, agus sin amháin, a dheinfear measúnú orthu fé Alt 5. Úsáid leathanaigh breise más gá)

Please provide details of works (where applicable) or proposed development.

(Note: only works listed and described under this section will be assessed under this Section 5 application. Use additional sheets if required)

Please see attached letter for details.

An eol duit aon imeachtaí
forfheidhmithe ar an suíomh seo?
Má tá, tabhair sonraí le do thoil

Are you aware of any enforcement
proceedings connected to this site?
If yes, please supply details

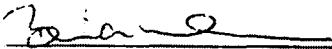
By the planning authority, no.

An raibh iarrata(i)s pleanála ar an suíomh seo
cheana? *Má bhí, tabhair sonraí led' thoil*

Were there previous planning application(s)
on this site? *If yes, please supply details*

Yes, please see table in attached letter.

Sínithe:
Signed



Dáta:
Date

18/12/15.

NÓTAÍ:

Ní mór 4 chóip de léarscáil den láthair shuímh
leis an suíomh imlínithe go soiléir i ndearg a
chur ar fáil agus táille €80 leis. Cuir 2 chóip de
phleananna/tuairiscí breise srl. a theastaíonn
uait bheith mar chuid den iarratais.

NOTES:

Application shall include 4 copies of the Site
Location Map with the site clearly outlined in
red and a fee of €80. Please submit 2 copies
of any additional plans/reports etc you may
wish to be included as part of the application.

Seol na h-iarratais líonta go 'n seoladh thíos:

Send your completed applications to:

An Roinn Pleanála,
Comhairle Contae Chiarraí,
Ráth Teas, Trá Lí, Co. Chiarraí.

T. (066) 7183582
F. (066) 7120328
www.kerrycoco.ie

Planning Department,
Kerry County Council,
Rathass, Tralee, Co. Kerry.

