

## Submission to Dublin City Council regarding the proposed Poolbeg West SDZ Planning Scheme

25<sup>th</sup> July 2016

### Introduction

The Poolbeg West Strategic Development Zone (SDZ) was established by Government on 17<sup>th</sup> May 2016 in recognition of the economic and social importance of the lands on the Poolbeg Peninsula.

On 5<sup>th</sup> July 2016, Dublin City Council (DCC) issued a public call for ideas and comments in advance of preparing a draft Planning Scheme for the SDZ (Appendix 1).

Dublin Port Company (DPC) owns approximately half of the lands within the SDZ and, therefore, has a major interest in the draft Planning Scheme scheduled to be published in Autumn 2016.

This submission sets out DPC's views regarding how the draft Planning Scheme can best achieve the objectives set out in the Order establishing the SDZ and explores how the DPC lands within the SDZ can be developed for port activities and other appropriate uses in the context of:

- The prescribed objectives of the SDZ
- The objectives of Dublin Port Company
- The wider planning context set by:
  - Dublin Port's Masterplan
  - The Dublin City Development Plan
  - NTA's Transport Strategy for the Greater Dublin Area 2016 to 2035
- National Ports Policy

Dublin Port's volumes are growing rapidly. In the three years from 2013 to 2015, cargo volumes grew by 17.3% and, in the first half of 2016, they grew by a further 8.0%. Were these recent rates of growth to persist into the future, the Port's volumes would double over the 12 years to 2025.

Beyond this high growth, the planning environment within which DPC operates is also evolving at a fast pace in a number of areas. Firstly, DPC has reached the point where a first review of its Masterplan is necessary and pending. Secondly, DCC is currently finalising the new Dublin City Development Plan for the period 2016 to 2022. And now the Poolbeg West SDZ has been established and a draft Planning Scheme is imminent.

The submission has been prepared in this dynamic context and describes DPC's objective to develop port lands lying within the SDZ for port activities. It also examines how this development can work alongside other proposed uses within the SDZ.

## Description of the Poolbeg West SDZ

The SDZ is approximately 34 hectares in area and DPC-owned lands comprise half of this total. The balance is effectively controlled by NAMA which owns the debts of two companies both of which are in receivership<sup>1</sup>.

Figure 1 shows the location of the SDZ and usefully differentiates between the lands intended for residential / commercial development (yellow) and the balance of the SDZ lands which are owned by DPC and which DPC plans to further develop primarily for port activities.

The SDZ Order explicitly references DPC's Masterplan and the permitted land uses for the SDZ lands include port related activities and transport infrastructure.

**Figure 1: Location of Poolbeg SDZ lands**



*Source: Irish Independent*

DPC's believes that its lands in the Poolbeg West SDZ can be developed for port activities alongside the development of a large residential scheme on SDZ lands owned by others.

Preparing a viable Planning Scheme which balances land uses as different as residential and port activities is a considerable challenge.

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<sup>1</sup> David Carson of Deloitte is the receiver for both Becbay Limited (owners of the Irish Glass Bottle lands) and Fabrizia Developments (owners of the site adjacent to the IGB lands).

The essential character of the Poolbeg Peninsula is industrial. Power stations, a waste water treatment plant, a waste to energy plant and port facilities, all essential for the city and the region, are directly adjacent to the SDZ. An appropriate transition between these industrial / commercial lands and the proposed residential areas is required and achieving this will be a key challenge for the Planning Scheme.

DPC views its lands in the SDZ from the perspective of their important function to directly support and sustain shipping and cargo handling activity within the South Port area.

Beyond this, all of DPC's lands on the Poolbeg Peninsula, including the lands that are not directly adjacent to the berths on the Liffey, are essential in supporting trade in Dublin Port.

Dublin Port's Masterplan 2012 to 2040 provides the context for the configuration of port lands within the Poolbeg Peninsula and the SDZ for port activities.

## Dublin Port Masterplan 2012 to 2040

DPC is developing Dublin Port on the basis of the Masterplan 2012 to 2040, published in February 2012.

The Masterplan showed how Dublin Port could accommodate a doubling in volume to 60m gross tonnes<sup>2</sup> over the period from 2010 to 2040. This doubling was predicated on an average annual growth rate of 2.5%.

Appendix 2 shows the development options identified in the Masterplan as being required to achieve this objective. The key features in these options relevant to the SDZ are as follows:

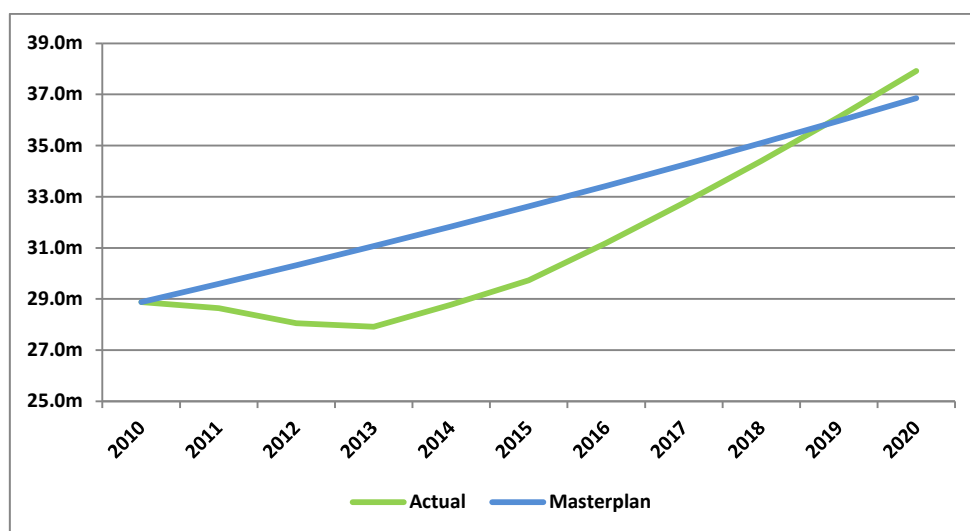
- DPC envisaged returning to the controversial 21 hectare infill (**Area 8**) to provide port capacity to meet the volume throughput of 60m gross tonnes by 2040.
- DPC would infill and develop **Area 11**.
- **Area 9** would be developed for non-port uses including amenity.
- An additional north-south port-interconnector bridge would be provided adjacent to the East Link Bridge

Since the Masterplan was published, there has been a number of developments that have changed DPC's view of the Port's future development:

- a. Although the Port's volumes still remain behind the projections of the Masterplan, the high level of growth in recent years suggests that the actual growth trend will overtake the Masterplan's growth trajectory in 2019 and will accelerate thereafter as shown in Figure 2 below.

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<sup>2</sup> Five year rolling average

**Figure 2: Comparison of Masterplan growth trend with actual and projected growth to 2020**

- b. DPC now believes that the Masterplan should be revised based on a 30-year average annual growth rate of 3.3% rather than the originally assumed 2.5%. This growth rate would see volumes rise to 77m gross tonnes by 2040.
- c. Whereas DPC originally envisaged that the development of **Area 8** (the 21 hectare infill) might be required during the period of the Masterplan, any development of this area carries significant permitting risks and cannot be relied upon by DPC to deliver required port capacity.
- d. In light of this, DPC's view of **Area 9** has changed and DPC now believes that these lands are required for port activities with a link to **Area 5** via Shellybanks Road (which DPC will be entitled to access following completion of the Waste to Energy plant construction project).
- e. DPC has purchased 44 hectares of motorway-connected lands 14 km from Dublin Port to create a new External Port Logistics Zone as shown in Appendix 3. This will facilitate the movement of non-core but port-related activities from the Port thereby facilitating a large increase in the utilisation of the Port's existing footprint for cargo throughput.
- f. Taking these factors together, DPC believes that it can handle the projected 77m gross tonnes by 2040 without resorting to the uncertain **Area 8** option provided that:
  - DPC can utilise its **Area 9** lands on the Poolbeg Peninsula for cargo handling
  - DPC develops **Area 11** as an alternative location for the existing MTL container terminal
  - DPC redevelops the MTL container terminal as a Ro-Ro freight terminal
  - NTA develops additional road capacity to link the Dublin Port Tunnel to the South Port area as envisaged in its Transport Strategy for the Greater Dublin Area 2016 to 2035
  - There is no diminution in scale of DPC's lands used to support port related activities within the Poolbeg Peninsula.

In February 2016, DPC announced<sup>3</sup> its intention to commence a review of the Masterplan to consider and take account of the above change in thinking. This review was postponed pending the completion of DCC's consultation process for the Dublin City Development Plan 2016 to 2022. With this latter process nearing completion, DPC will commence the review of the Masterplan in Autumn 2016.

## Dublin City Development Plan

The Poolbeg West SDZ Order has been made at a time when DCC is preparing the next Dublin City Development Plan.

At present, the city is operating on the basis of the 2011 to 2017 plan. A key part of the City Development Plan for DPC is the zoning of port lands. Appendix 4 shows the zoning status of port lands on the Poolbeg Peninsula in the current plan (2011 to 2017).

The purple areas are zoned Z7 (*"To provide for the protection and creation of industrial uses and facilitate opportunities for employment creation"*). This zoning is compatible with current and planned port operations.

Unhelpfully for such operations, the current Dublin City Development Plan zones two large tranches of port lands (outlined in blue) as Z14 (*"To seek the social, economic and physical development and / or rejuvenation of an area with mixed use of which residential ... would be the predominant use..."*). These two tranches comprise port lands within the newly designated SDZ (identified as SDRA 6<sup>4</sup> in the Dublin City Development Plan) and Port lands immediately east of the MTL terminal.

Appendix 4 also shows the similar map from the Draft Dublin City Development Plan 2016-2022 within which the zoning of the lands immediately east of the MTL terminal has been changed from the unhelpful Z14 to the required Z7.

The amendments being introduced in the next Dublin City Development Plan partly address DPC's lands on the Poolbeg Peninsula. The finalisation of the Planning Scheme for the Poolbeg West SDZ will clarify the position as regards the remainder of DPC's lands on the Poolbeg Peninsula.

The inclusion of an objective within the SDZ to make provision for port related activities on these lands is a welcome confirmation of the planning use for DPC lands within the SDZ.

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<sup>3</sup> The intention to commence a review of the Masterplan was announced at presentations given to three DCC Local Area Committees (Central, North Central and South-East) in February 2016.

<sup>4</sup> The SDRA 6 area is now the Poolbeg West SDZ

## Transport Strategy for the Greater Dublin Area 2016 to 2035

The majority of Dublin Port's lands are on the north side of the Liffey and have excellent links with national transport networks, particularly with the national motorway network via the Dublin Port Tunnel.

The link to port lands on the Poolbeg Peninsula, however, is not as good at present. This was recognised in the Masterplan which showed the need for an additional north-south port-interconnector bridge adjacent to the East Link Bridge as shown in Appendix 2.

The provision of such a connection is now an objective of the NTA's Transport Strategy for the Greater Dublin Area 2016 to 2035.

Section 5.8.1 (National Roads) of this Strategy states:

*During the period of the Strategy it is intended to further develop and enhance the national road network including the delivery of the following projects:*

*...Development of a road link connecting from the southern end of the Dublin Port Tunnel to the South Port area, which will serve the South Port and adjoining development areas;...*

This objective provides a clear and coherent link between the Masterplan and DPC's proposed development of its lands in the Poolbeg West SDZ in the context of regional transport planning for the Greater Dublin Area.

### Eastern Bypass

It is an objective of Transport Infrastructure Ireland to build an Eastern Bypass and there is a protected corridor for this in the Dun Laoghaire Rathdown County Development Plan 2016-2022.

The situation in the area of DCC is less clear cut and there is opposition from the elected members to the inclusion of provisions for the Eastern Bypass in the Dublin City Development Plan.

Notwithstanding this, it appears that DCC is required to continue to have regard to a possible future Eastern Bypass in the Dublin City Development Plan 2016-2022.

In a similar vein, it is likely that the Planning Scheme for the SDZ will also have to be compatible with the possible provision of an Eastern Bypass interchange within the area of the SDZ.

DPC believes that this requirement can be addressed in the Planning Scheme by designating **Area 9** in Appendix 2 for Port related activities with a portion of these lands potentially sacrificial for the construction of an Eastern Bypass interchange if and when this might be required. In this way, DPC could get economic use of its lands, perhaps for decades, and the potential of these lands being

blighted for development by an over-hanging provision for an Eastern Bypass (which might never be built) could be avoided.

## National Ports Policy

National Ports Policy brings together the various policies and plans discussed above into a coherent framework for the operation and future development of Dublin Port:

- The policy identifies Dublin Port as a Port of National Significance (Tier 1) based on two criteria.<sup>5</sup>
  - Firstly, Tier 1 ports are ports which are responsible for 15% to 20% of overall tonnage through Irish ports and Dublin handles 44%.
  - Secondly, Tier 1 ports are required to have the clear potential to lead the development of future port capacity in the medium and long term, when and as required.
- The policy states explicitly that *The Government endorses the core principles underpinning the company's Masterplan, and the continued commercial development of Dublin Port Company is a key strategic objective of National Ports Policy.*<sup>6</sup>
- National Ports Policy requires that ports be self-financing: *The policy outlined in the 2005 Ports Policy Statement that the ports sector should receive no further Exchequer funding for infrastructure development or otherwise will be maintained.*<sup>7</sup>
- Sooner or later in the period post 2030, it is likely that DPC will have to develop new and ancillary port facilities elsewhere on the east coast. The policy recognises that *the State will require additional significant unitised capacity in the post-2030 period.*<sup>8</sup> To do this, DPC must ensure that its operations in Dublin Port remain efficient and competitive while achieving the necessary scale to finance large and expensive port developments outside of Dublin.
- This latter point is further supported in the policy: *The planning, financing and development of largescale infrastructure projects, such as major port capacity proposals, require significant organisational, operational and financial resources. It is important that, in the State commercial ports sector, bodies bringing forward significant port capacity developments have the resources required to ensure that the State's and the public's interest is protected and enhanced.*<sup>9</sup>
- Finally, National Ports Policy states that *The interconnections between the national primary road network and the commercial port network will continue to be of primary importance.*<sup>10</sup>

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<sup>5</sup> National Ports Policy, Page 13

<sup>6</sup> *ibid*, Page 25

<sup>7</sup> *ibid*, Page 14

<sup>8</sup> *ibid*, Page 44

<sup>9</sup> *ibid*, Page 44

<sup>10</sup> *ibid*, Page 45



DPC's ideas and comments in this submission in relation to the Poolbeg West SDZ are fully compatible with the above statements from National Ports Policy.

## Long-term vision for port lands on the Poolbeg Peninsula

Including **Area 5** and **Area 11** in Appendix 2, DPC has a potential 52 hectares of lands for port activities on the Poolbeg Peninsula. Of these, 17 hectares, or one-third, are located within the SDZ

One of the Masterplan's main objectives is to fully utilise existing lands before seeking to expand the footprint of the Port.

A second important objective in the Masterplan is to achieve a better integration of the Port with the City.

Based on these two objectives, DPC has developed an overall vision for port lands on the Poolbeg Peninsula, both within the SDZ area and outside it. This vision is shown in Appendix 5 and the main features of it are explained below (with references to the Masterplan options drawing shown in Appendix 2):

- A. The building of a new deepwater berth (**Area 5**).
- B. The development of most of **Area 9** for unitised cargo.
- C. The reopening of Shellybanks Road to provide a link between the new deepwater berth in **Area 5** and the **Area 9** lands.
- D. Moving MTL to a new terminal constructed in **Area 11**.
- E. Creation of a new public realm area at the western end of the existing MTL terminal.
- F. Expansion of the existing MTL terminal area into adjoining port lands to create a Ro-Ro freight terminal.
- G. The development of a large hotel (perhaps 600 bed) which would simultaneously support the development of Dublin as a turnaround port for cruise and provide much needed additional hotel capacity for the city.<sup>11</sup> Such a development would create an appropriate transition and buffer between the new residential area on the IGB lands to the south and the Port's Ro-Ro freight terminal activities to the north.
- H. Development of the western end of **Area 9** as a public park to provide an appropriate transition and buffer between the new residential area on the IGB lands and port activities on the south of the Poolbeg Peninsula.
- I. Development of the new road link connecting the southern end of the Dublin Port Tunnel to the South Port area as planned by the NTA.
- J. Realignment of Westbank Road.

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<sup>11</sup> The Draft Dublin City Development Plan 2016-2022 states that *In assessing proposals for the Dublin Port area, Dublin City Council will have regards to ...Facilitating plans to make Dublin a "home port" for cruise tourism, with complementary cruise tourism facilities in the port and wider city/region.* The proposal to provide for a large hotel on port lands within the SDZ is compatible with this Development Standard in the forthcoming City Development Plan. More importantly, the Poolbeg West SDZ explicitly includes *hotel* among the permitted uses.



The above developments are simultaneously compatible with DPC's Masterplan, with the uses specified for the SDZ and with the NTA's long-term infrastructure plans.

## Proper planning and sustainable development

DPC believes that its wider vision for the future use of port lands on the Poolbeg Peninsula and the more specific proposal for port lands in the Poolbeg West SDZ are compatible with the principles of proper planning and sustainable development:

- Dublin Port would be developed in such a way as to maximise utilisation of existing brownfield port lands.
- The development of these port lands would be integrated with plans for the provision of other necessary infrastructure, notably the enhanced connection from the South Port area to the Dublin Port Tunnel.
- There would be appropriate transitions and buffers between new residential areas within the SDZ and port activities.
- By moving the MTL container terminal eastwards to a new site, there would be a reduction in the potential impact of container terminal operations on nearby residential areas, both existing and new.
- The preservation of the option to build a possible future Eastern Bypass would allow DPC to maximise the economic benefit of its lands and avoid the effect of planning blight.
- DPC could put off consideration of a further 21 hectare expansion into Dublin Bay until 2030.
- Between now and 2030, DPC could develop to the financial scale necessary to allow any future consideration of such an infill to be evaluated against the more expensive (but by then financially feasible) alternative of developing ancillary port facilities at another east coast location

This last point is crucial. DPC believes that volumes through Dublin Port will grow inexorably in the decades ahead as they have done in decades past. For example, port volumes increased tenfold over the 60 years from 1950 to 2010.

In providing capacity for this growth, DPC should first maximise all of the port's existing brownfield lands to the greatest extent possible before considering any greenfield expansion whether by infill in Dublin Bay or by the building of new and ancillary port facilities elsewhere on the east coast.

Given the national policy requirement for ports to be self-financing, DPC can only consider development projects which are within its financial means.

DPC believes that it could only contemplate the building of new and ancillary port facilities elsewhere on the east coast when it had attained a volume approaching the 77m gross tonnes

projected for 2040. This would require DPC to begin in 2030 to look at expansion options beyond its current footprint.

Against the above background, the development of port lands on the Poolbeg Peninsula for port activities is an essential stepping stone to DPC being able to provide the required capacity in the decades ahead.

## Conclusions

The nature of the Poolbeg West SDZ is very different to other SDZs in Dublin (Docklands and Grangegorman) in its recognition of a very diverse range of land uses ranging from residential to port related activities.

The planning context in which the proposed Planning Scheme for the SDZ will be considered has been greatly clarified in recent years in a number of important areas including transport connections (NTA), National Ports Policy, Dublin City Development Plan and DPC's own Masterplan.

Against this background, DPC has summarised its ideas and comments about how port lands within the SDZ should be catered for in the proposed Planning Scheme. Beyond this, DPC has identified how best all of its lands on the Poolbeg Peninsula (including those within the SDZ) should be developed in the years ahead.

The proposals to develop port lands largely for port activities are consistent with the permitted uses for the lands of the Poolbeg West SDZ. They are also compatible with major residential development on those lands in the SDZ not owned by DPC. Finally, the proposals are an integral part of the sustainable development path for DPC to provide essential port capacity into the long term.

## Appendix 1 – Public notice 5<sup>th</sup> July 2016



Comhairle Cathrach  
Bhaile Átha Cliath  
**Dublin City Council**



**PUBLIC  
NOTICE**

**PLANNING AND DEVELOPMENT  
ACT 2000, as amended  
PLANNING AND DEVELOPMENT  
(STRATEGIC ENVIRONMENTAL  
ASSESSMENT) REGULATIONS 2004**

**NOTICE OF THE PREPARATION OF A DRAFT  
PLANNING SCHEME FOR THE STRATEGIC  
DEVELOPMENT ZONE: POOLBEG WEST  
(S.I NO. 279 OF 2016)**

On the 17th May 2016, the Government designated Poolbeg West as a Strategic Development Zone (SDZ). The SDZ lands, which comprise approximately 34 hectares, are deemed to be of economic and social importance to the State.

The designated area in the Order is for a mixed use development which may principally include residential development, commercial and employment activities including, office, hotel, leisure and retail facilities, port related activities and the provision of educational facilities, transport infrastructure, emergency services and the provision of community facilities as referred to in Part III of the First Schedule to the Act, including health and childcare services, as appropriate.

Dublin City Council is specified as the Development Agency for the purposes of the Planning Scheme under the SDZ designation in accordance with Part IX Section 166(3) of the Act and accordingly intends to prepare a Planning Scheme.

To assist this process, Dublin City Council is inviting interested individuals and bodies to submit ideas and comments on matters which you think should be addressed in the Draft Planning Scheme for the Poolbeg West Strategic Development Zone.

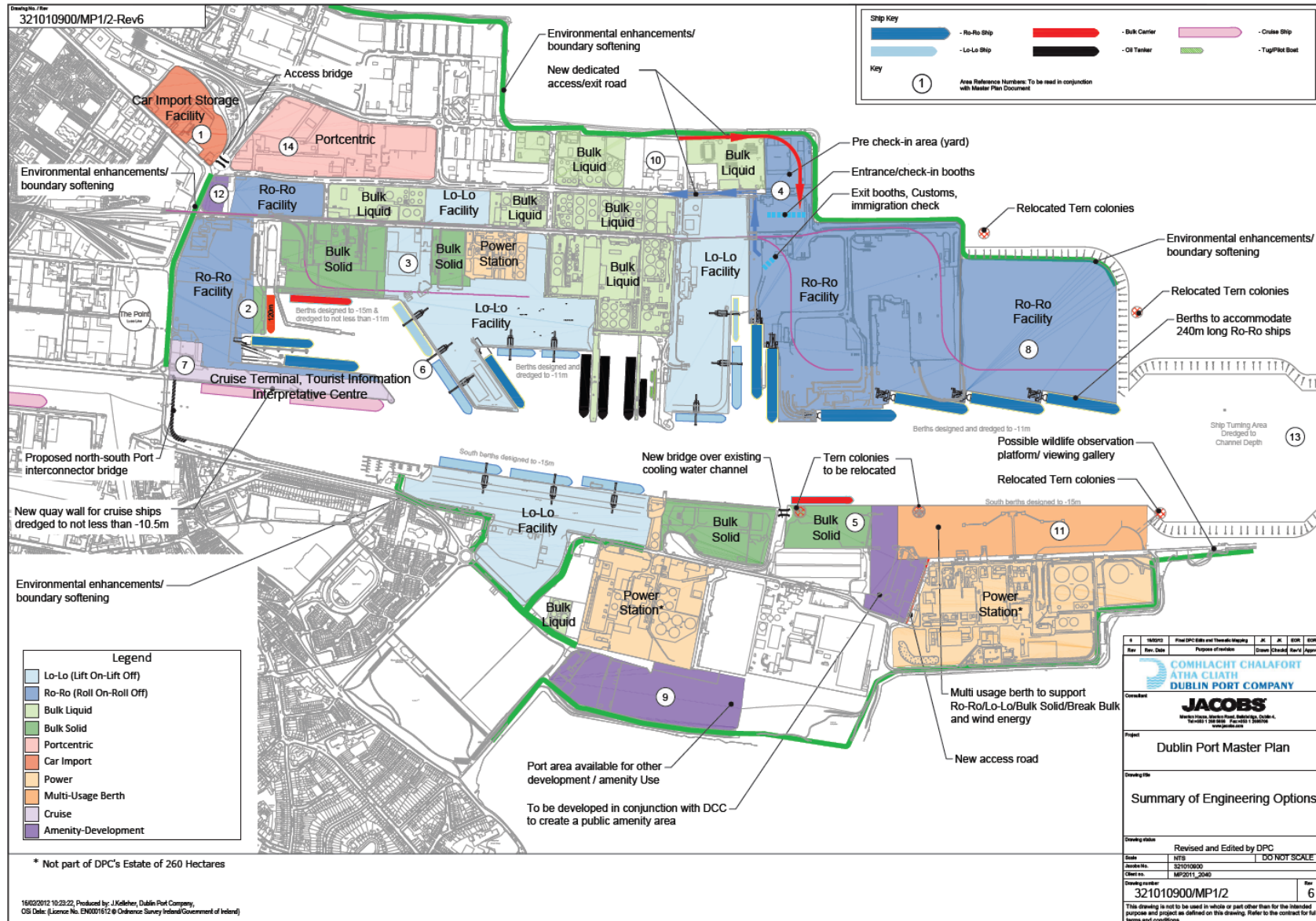
Comments and ideas should be submitted to Dublin City Council before **16.30hrs on Thursday 4th August 2016** and should be addressed to: **John Bruckshaw, Planning and Property Development Department, Civic Offices, Wood Quay, Dublin 8**, or by email to [poolbegwest@dublincity.ie](mailto:poolbegwest@dublincity.ie) Your name, address, and where relevant, the body represented should also be included.

All comments and ideas received within the above time limit will become a matter of public record and will be taken into consideration for the preparation of the Draft Planning Scheme. It is intended that the statutory public display of the Draft Planning Scheme will then take place in the Autumn for a period of 6 weeks, during which time formal submissions on the Draft Scheme will be invited.

A copy of the Official Order designating the area an SDZ is available at <http://www.irishstatutebook.ie/eli/2016/si/279/made/en/pdf>

**dublincity.ie**

## Appendix 2 – Dublin Port Masterplan 2012 to 2040





## Appendix 3 – External Port Logistics Zone

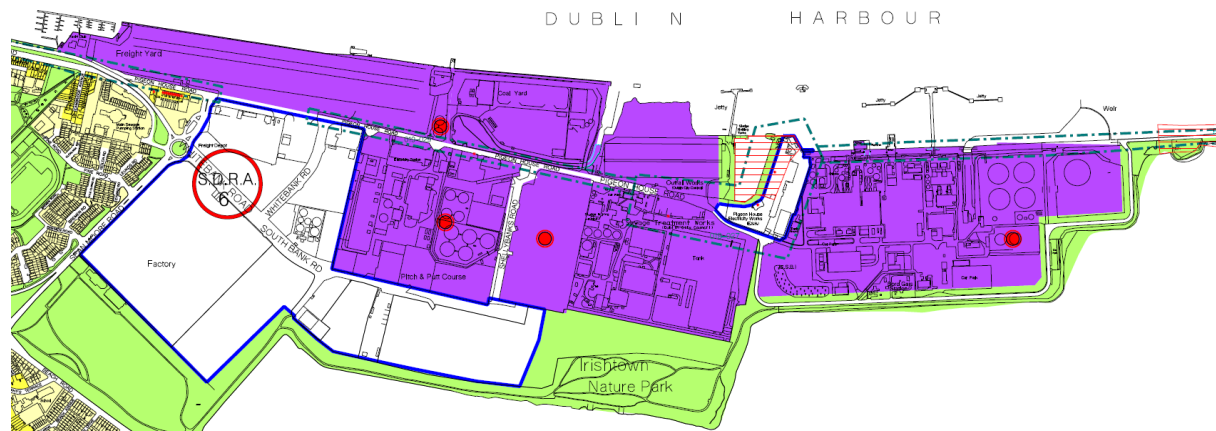


## Appendix 4 – Zoning of port lands on the Poolbeg Peninsula

### Dublin City Development Plan 2011-2017

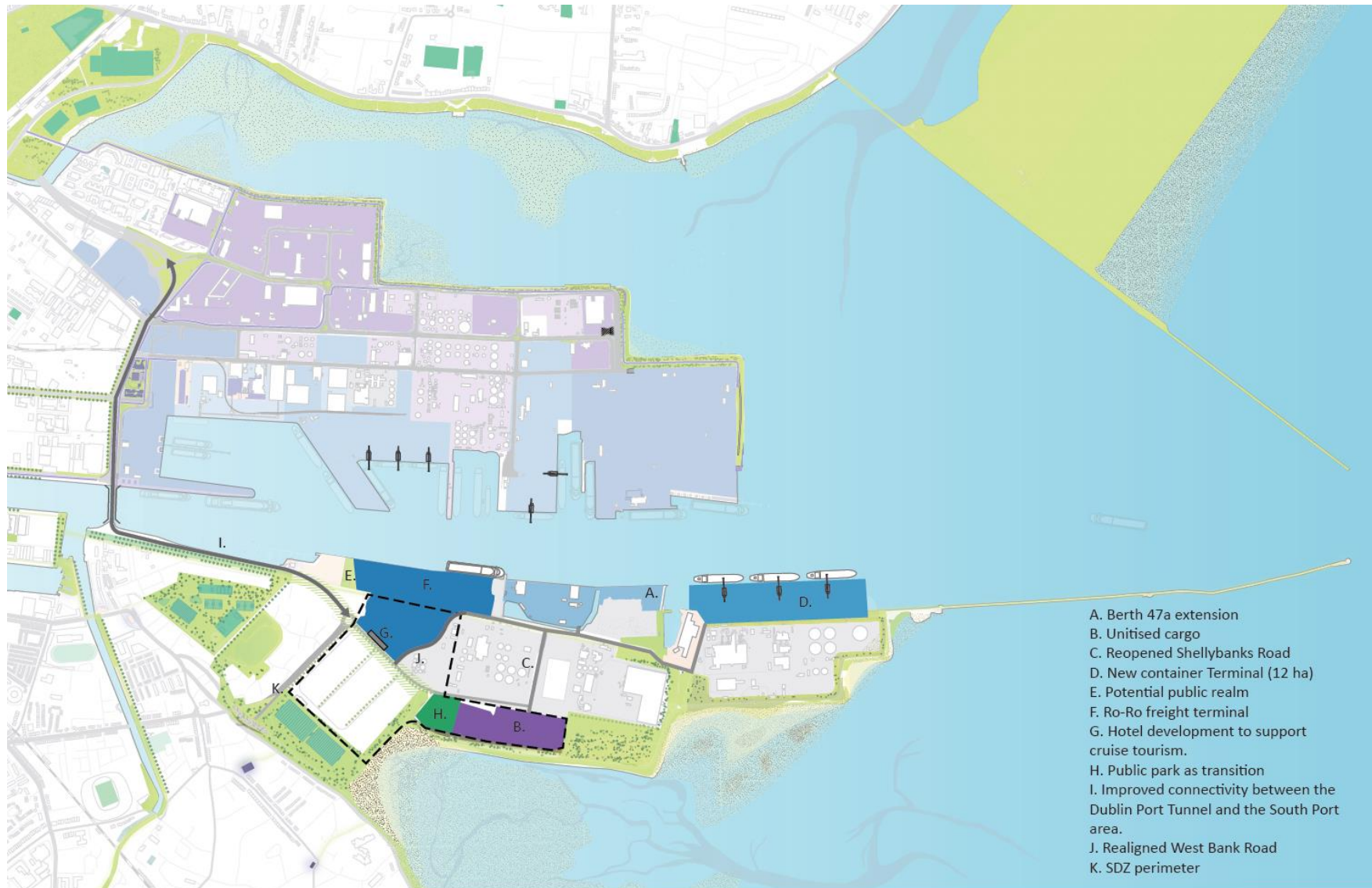


### Dublin City Draft Development Plan 2016-2022





## Appendix 5 – DPC's long-term view of port developments on the Poolbeg Peninsula



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