

**Dublin City Council**  
**Dublin Waste to Energy Project – Community Gain**

**1. Introduction**

My name is Con Coll. I am an Executive Manager in the City Council's Environment and Engineering Department. My responsibilities include managing the Department's Capital and Revenue Budgets and the procurement of major strategic projects, including regional waste management projects. I also manage on a day to day basis a number of Sections and operational Divisions within the Department and I am a member of a number of Steering Bodies responsible for the formulation and implementation of regional policies, including waste management policies.

As described in section 13 of the EIS, Dublin City Council is proposing as part of the project a Community Gain provision for the Ringsend/Irishtown/Sandymount area. It has 3 elements:

- (a) The first element is the establishment of a Community Gain Fund, comprising a once-off capital contribution and an annual revenue contribution to support local facilities and services.
- (b) The second element of the proposal is the provision by Dublin City Council of the Pigeonhouse Powerstation and Hotel site for redevelopment for uses that would primarily benefit the local community.
- (c) The third element is the provision of District Heating from the Waste to Energy Plant.

I propose to deal with the first two of these elements. The third element, District Heating, is being dealt with separately by Mr. Olivier Gaillot of RPS Consulting.

**2. History of Community Gain Proposals**

The City Council has been involved for quite some time in projects that involve Community Gain funding. For example an Urban Renewal Scheme adopted in 1999 approved five Integrated Area Plans for the City. Each Plan had a schedule of tax-designated sites and to qualify for tax designation a developer had to contribute to community gain either in the form of a financial contribution or through the direct provision of facilities. Where financial contributions have been provided a "Community Gain Fund" was established and that fund was "ring fenced" and invested in the provision of general community facilities and services in the Plan areas.

As part of the funding process, a Grants Scheme for major and minor facilities was established. A Monitoring Committee and a Technical Assessment Panel with an independent external chair were also put in place.

In addition to this Scheme, the City Council has in recent years initiated major urban renewal projects in different parts of the City, such as Fatima Mansions, St. Michael's Estate, O'Devaney Gardens and Dominick Street. Each of the projects included Community Gain proposals. One example is the Fatima Mansions Project, which had a capital cost of approximately €200m and a Community Gain Fund of €6m.

So the concept of Community Gain is well established in Dublin City.

### **3. Community Gain in Waste Management Projects**

With regard to Community Gain relating to waste management projects, the Government waste management policy statement "**Changing our Ways**", published in 1998 contains the following statement in paragraph 9.2:

*"Local Authorities, working closely with local communities, should utilise a proportion of income from waste charges and gate fees to mitigate the impact of such facilities on these communities through appropriate environmental improvement projects."*

In the Government waste management policy statement "**Taking Stock and Moving Forward**" published in April 2004, *Key Point 20* states

*"As a valid instrument in terms of the delivery of major waste facilities, Government policy in relation to the concept of community gain will be applied by the relevant authorities in their decision on applications for planning consent for such facilities"*

So in view of these statements of Government policy, it is now standard practice for a Community Gain condition to be attached to the grant of planning permission for major waste management infrastructural projects. For example, such conditions were included by An Bord Pleanála in two previous decisions to grant permission to a private operator for similar facilities at Carranstown, County Meath and Ringaskiddy, County Cork. Those conditions required the applicant to contribute to a Fund to support local environmental improvements and recreational or community amenities in the locality of the projects and for the establishment of a Community Liaison Committee.

Accordingly, the City Council has taken a proactive approach by including a Community Gain proposal for this project. As I will outline later, this is a highly significant proposal that can contribute greatly to the development of social and community infrastructure in the catchment area of the plant and it will give the local community a high degree of control over the services and facilities that will be provided.

It is also worth noting that the Planning and Development (Strategic Infrastructure) Act 2006, inserts a new section 175(9)(b) which expands upon the power of An Bord Pleanála to impose conditions on local authority developments for the provision of funds and services for the local community, which is very much in line with what Dublin City Council is

proposing in this project.

#### **4. Background to the Community Gain Proposal for the WtE Project**

##### **a. Development of Community Gain Fund Proposal**

In order to assess the needs of the local area, Dublin City Council commissioned:

- **Market Research Surveys;** and
- **Social and Community Infrastructure Audit Report** in the area. For ease of reference I will refer to the latter in my presentation as the “Audit Report”.

In relation to the **Market Research Surveys**, these were carried out by TNS MRBI and included:

- An in-depth face to face interview with 1000 residents in the local area and
- A postal survey involving special interest groups

The Market Research Surveys were primarily designed to ascertain the views of the local community on two matters; firstly, the facilities and services that should be supported by a Community Gain Fund and secondly the preferred representation on the Body that would be established to administer the Fund. The surveys also obtained other information including local attitudes to the proposed waste to energy plant and the quality of existing services being provided in the area by the City Council.

- The surveys revealed support for a range of facilities and services including: Youth, Sport and Community facilities;
- Parks;
- Transport facilities; and
- Services for the elderly.

As far as the representation on the Body to administer the Fund was concerned, the surveys showed very strong support for people from the local community to be represented. There was also support to have local councillors and business people represented.

The results of the surveys were given to the consultants who were engaged to carry out the **Audit Report** i.e. Trutz Haase (social and economic consultant) in association with consultants Brady Shipman Martin.

These consultants were asked to:

- Carry out a physical audit of the existing facilities and services in the area;
- Carry out a comparison of these with facilities and services in other similar communities;
- Carry out an analysis of gaps in existing services;

- Identify the priority areas that should be supported by a new Community Gain Fund.

As part of the assessment process, the consultants engaged in an extensive consultation process with local residents and special interest groups over a period of 3-4 months.

The report issued by the consultants recommended a consultation, negotiation and consensus building process between the City Council, the local community, the developers of the waste to energy plant and other appropriate stakeholders. It also recommended the preparation of an integrated plan for the area that would address much broader issues than the Community Gain Fund proposal was intended to address.

Many of the issues dealt with in the report, while certainly worthy of consideration in a different context, cannot in our view be addressed by a Community Gain Fund proposal that is made in the context of this planning application. I refer to issues such as overall land use strategy for the Poolbeg Peninsula; conservation of Dublin Bay; benefits accruing to local communities from the redevelopment of the Docklands; and general transportation issues.

The report, however, identified 5 priority areas that should be supported by the Fund:

- More sports facilities for young people
- More playgrounds
- Better community services for elderly people
- Better community health services
- Improving the environment

The report recommended that the Fund should largely be used for the development of **two flagship projects**;

- a large scale re-building of the Ringsend and Irishtown community centre;
- secondly, a new community centre for the Sandymount Area.

These could act as centres of community support for the five priority areas identified. They could also act as a focus for developing better structures of community representation and towards a process by which the communities can enter into effective consultation and negotiation with the respective authorities.

## **b. EIS Proposal**

Having considered the results of the Market Research Surveys, the Community Audit Report and Community Gain conditions previously imposed by An Bord Pleanála on planning approvals granted to similar projects, the City Council prepared a Community Gain proposal and included it as part of the EIS along with the Executive Summary of both the Market Research Survey report and the Community Audit Report, as prepared by the authors.

The Audit Report and the Market Research Surveys were commissioned by the City Council to assist the City in formulating a proposal for the EIS for this project for Community Gain. Neither report was ever intended to be included in the EIS itself. In fact, as I mentioned earlier, the Audit report dealt with many broad issues that are outside the scope of this planning application. Nonetheless, the Executive Summary of both the Audit Report and the Market Research Surveys, as prepared by the authors, were included in the EIS as background information. I must stress to An Bord Pleanála that it is Dublin City Council's proposal which is being put before An Bord Pleanála and the public for consideration.

Dublin City Council made the full Audit Report freely available to the public and a copy was given to each elected City Councillor for the local area and to the area planners.

It must also be noted that some of the written submissions made to An Bord Pleanála appear to confuse the Market Research Surveys that were carried out on behalf of Dublin City Council by TNS MRBI with a separate survey which was carried out on behalf of the National Roads Authority at around the same time. Only the surveys carried out on behalf of Dublin City Council were taken into account in the development of its Community Gain proposals outlined in the EIS.

### **c. The Community Gain Fund**

The Community Gain Fund would be established to support facilities and services in the catchment area, providing additional support rather than replacing services or facilities funded from other sources.

The Fund would include:

- A once off capital contribution equivalent to 3% of the capital cost of the facility. This contribution is estimated at €8m
- An annual revenue contribution equivalent to 0.5% of the revenue generated by gate fees, subject to an annual ceiling of €500,000. This contribution is estimated to be initially in the region of €265,000 per annum.

A Community Gain Fund Administration Board would be established to:

- Decide on the projects to be supported by the fund, subject to each project satisfying an independent sustainability and community benefit analysis. Significant projects would be subject to a consultation process with local communities.
- The Board would also carry out an ongoing review on the operation of the waste to energy facility and report to the wider community.

It is proposed that the Board would have **10 members** consisting of:

- An Independent Chair

- 3 local community representatives
- 3 elected members of Dublin City Council
- 2 officials from Dublin City Council
- 1 representative from the developers.

It should be noted that this composition would give local community representatives and elected members a majority representation on the Board.

Having established the Fund and Administration Board, it is proposed that a special Community Fund Account should be set up to deal with administering the finances. The contributions from the Fund would go directly to this account and all payments on projects supported by the Fund would be made from the Account. The Account would also be subject to independent audits.

It is proposed that the City Council, as a public body, would be responsible for the actual day to day management of the account but the Administration Board would decide on the projects that would be supported. The information gathered through the Market Research Surveys and the Audit Report would greatly assist the Board in developing the type of projects that the area needs.

This proposal by the City Council goes much further than previous Community Gain conditions imposed in planning decisions. In view of the composition of the Administrative Board, the proposal gives effective local control on how the Community Gain Fund should be spent while conditions in previous planning decisions gave the planning authority this power after consulting with the local Liaison Committee.

## **5. Pigeonhouse Powerstation and Hotel Site**

I will now give a summary of the proposal to provide the Pigeonhouse Powerstation and Hotel site for redevelopment for community type uses.

This is a 2.2 hectare site that is situated on the Poolbeg Peninsula. It comprises two substantial disused buildings – the powerstation and the former hotel and it is in Dublin City Council ownership. Dublin City Council proposes to redevelop the site primarily for community purposes **in partnership with the local community** and this will include the refurbishment or redevelopment of the two buildings.

The proposed process is that Dublin City Council will prepare a Development Brief in consultation with the local community and seek development proposals from the private sector. Any development would of course be subject to planning approval.

The area of the powerstation and hotel is zoned Z8 in the City Development Plan which provides for the protection of existing architecture and civic design character. Among permitted developments are cultural and recreational buildings and uses, educational facilities, residential developments and small-scale economic activity. The adjoining harbour

environs are zoned Z9 - to preserve, provide and improve recreational amenity and open space.

In view of the harbourside setting of this site at the mouth of the River Liffey and its proximity to local beaches and the Nature Park, Dublin City Council believes that it has tremendous development potential. The Z8 and Z9 Zonings permit uses that would be of particular benefits to local communities and the proximity of the site to the proposed waste to energy plant would make it highly feasible for any development to be heated by district heating from the plant.

Dublin City Council is confident that the hotel building is structurally sound and can be retained and refurbished but further evaluation will have to be carried out on the powerstation building to determine its suitability for retention.

## **6. Conclusions on Community Gain**

The statement of Government policy, **“Taking Stock and Moving Forward”** states with regard to community gain:

*“The concept of community gain recognises the reality that if Ireland is to deal with its waste in a modern, environmentally progressive way, new facilities have to be provided. It operates on the basis that the facilities have to be located somewhere and that there should be a mechanism by which some benefit can accrue to the communities in the locations ultimately chosen”.*

Dublin City Council has embraced the concept of Community Gain for quite some time, as outlined earlier in my presentation. The proposed Community Gain proposal is hugely significant, both in terms of monetary value and in terms of the benefits that it will bring to the local community. The proposal also involves the active participation of the local community in the decision making process and, in fact, the structures proposed by us will give that community a high degree of control over the type of services and facilities that will be provided.