



**PROVISION OF INFORMATION REGARDING APPROPRIATE ASSESSMENT SCREENING**  
**OUTDOOR EVENT LICENSE FOR PROPOSED MULTI-STAGE CONCERT EVENT**  
**JULY 2018, MARLAY PARK, RATHFARNHAM, DUBLIN 16**

Prepared for Dún Laoghaire-Rathdown County Council

Project Reference:		180024			
Draft	Status	Author	Reviewed By	Approved By	Issue Date
D01	Draft	CC	PS	PS	12.04.2018
D02	Draft	CC	PS	PS	13.04.2018
R01	Final	CC	PS	PS	19.04.2018

Scott Cawley. College House. 71-73 Rock Road. Blackrock. Co. Dublin. A94 F9X9. Ireland

---

Tel+353(1)676-9815 Fax +353(1) 676-9816

---

## TABLE OF CONTENTS

<b>1</b>	<b>Introduction.....</b>	<b>1</b>
<b>2</b>	<b>Local Authority Policies .....</b>	<b>1</b>
<b>3</b>	<b>Methodology .....</b>	<b>2</b>
<b>4</b>	<b>Screening for Appropriate Assessment .....</b>	<b>3</b>
<b>4.1</b>	<b>Location and context of the Proposed Event to European Sites</b>	<b>3</b>
<b>4.2</b>	<b>Determining the Zone of Influence of the Proposal</b>	<b>4</b>
<b>4.3</b>	<b>Details of the Proposal and other Plans that Could Cumulatively Affect European Sites</b>	<b>5</b>
<b>4.4</b>	<b>Identification of Potential Impacts</b>	<b>5</b>
<b>5</b>	<b>Conclusions of the Screening Assessment .....</b>	<b>18</b>
<b>6</b>	<b>References.....</b>	<b>19</b>

## LIST OF TABLES

<b>Table 1: Analysis of European Sites within 15km .....</b>	<b>7</b>
--	----------

## LIST OF FIGURES AND APPENDICES

<b>Figure 1: All European Sites within 15km of the proposed development .....</b>	<b>15</b>
<b>Figure 2: European sites within the vicinity of the foul water treatment plant .....</b>	<b>16</b>
<b>Figure 3: Marlay Park in relation to vicinity and surface water network. ....</b>	<b>17</b>

## 1 Introduction

The information in this report forms part of, and should be read in conjunction with the documentation for the proposed outdoor event at Marlay Park, Rathfarnham, Dublin 16. The proposed event includes the concerts and the set up and exiting site operations between 30<sup>th</sup> June 2018 and 20<sup>th</sup> July 2018.

This report, which contains information required for the competent authority (in this instance Dún Laoghaire-Rathdown County Council) to undertake a screening exercise for Appropriate Assessment (AA), was prepared by Scott Cawley Ltd. It provides information on and assesses the potential for the proposed development to significantly affect Natura 2000 sites (hereafter “European Sites”<sup>1</sup>).

It is necessary that the proposal has regard to Article 6 of the *Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora* (as amended) (hereafter “the Habitats Directive”). This is transposed in Ireland primarily by *the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011)* (hereafter the Birds and Habitats Regulations) and the Planning and Development (Amendment) Act, 2010 as amended.

An AA is required if likely significant effects on European Sites arising from a proposed development cannot be ruled out at the screening stage, either alone or in combination with other plans or projects.

It is the responsibility of the competent authority to make a decision as to whether or not the proposed development is likely to have significant effects on European Sites, either individually or in combination with other plans or projects. In accordance with the legislation and national guidance, the competent authority issues an AA Screening Determination which will set out their decision and the reasons for it.

Following the preparation of this report it may be objectively concluded that there is no possibility of any significant effects on any European Sites arising from the proposed development, either alone or in combination with other plans or projects. Therefore it is our view that an Appropriate Assessment is not required in this instance. The information in the tables below provide a summary of the information gathered for this screening exercise and the conclusions made.

## 2 Local Authority Policies

The subject lands fall within the area of the *Dún Laoghaire-Rathdown County Development Plan 2016-2022* (Dún Laoghaire-Rathdown County Council, 2016). The county development plan sets out policies and objectives in relation to land use and development within the County area.

---

<sup>1</sup> Natura 2000 sites are defined under the Habitats Directive (Article 3) as a European ecological network of special areas of conservation composed of sites hosting the natural habitat types listed in Annex I and habitats of the species listed in Annex II. The aim of the network is to aid the long-term survival of Europe's most valuable and threatened species and habitats. In Ireland these sites are designed as *European Sites* - defined under the Planning Acts and/or Birds and Habitats Regulations as (a) a candidate site of Community importance, (b) a site of Community importance, (c) a candidate special area of conservation, (d) a special area of conservation, (e) a candidate special protection area, or (f) a special protection area. They are commonly referred to in Ireland as candidate Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

### 3 Methodology

This report was prepared with regard to the following guidance documents, where relevant:

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities.* (Department of Environment, Heritage and Local Government, 2010 revision).
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.* Circular NPW 1/10 & PSSP 2/10.
- *Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission Environment Directorate-General, 2001); hereafter referred to as the EC Article 6 Guidance Document. The guidance within this document provides a non-mandatory methodology for carrying out assessments required under Article 6(3) and (4) of the Habitats Directive.
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (EC Environment Directorate-General, updated April 2015); hereafter referred to as MN2000.
- *Guidance Document on Article 6(4) of the 'Habitats Directive' 92/43/EEC. Clarification of the Concepts of Alternative Solutions, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence.* Opinion of the European Commission (European Commission, January 2007).
- *Communication from the Commission on the precautionary principle.* European Commission (2000).

The above referenced guidance sets out a staged process for carrying out Appropriate Assessment. To determine if Appropriate Assessment is required, documented screening is required. Screening identifies the likely significant effects on European Sites, if any, which would arise from a proposed plan or project, either alone or in combination with other plans and projects.

If the conclusions at the end of screening are that there is no likelihood of significant effects occurring on any European Sites, as a result of the proposed plan or project, either alone or in combination with other plans and projects, then there would be no requirement to undertake Appropriate Assessment.

However, even if screening makes a finding of no likely significant effects, and therefore concludes that Appropriate Assessment is not required, these findings should be clearly documented in order to provide transparency of decision-making, and to ensure the application of the 'precautionary principle'<sup>2</sup>.

Screening for Appropriate Assessment involves the following:

- Determining whether a project or plan is directly connected with or necessary to the conservation management of any European Sites;

---

<sup>2</sup> One of the primary foundations of the precautionary principle, and globally accepted definitions, results from the work of the Rio Declaration. Principle #15 declaration notes:

*"In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation."*

- Describing the details of the project/plan proposals and other plans or projects that may cumulatively affect any European Sites;
- Describing the characteristics of relevant European Sites (Table 1); and,
- Assessing the likelihood of significant effects on relevant European Sites (see Table 1).

The information that was collected to allow the competent authority to screen the proposal was based on a desk study carried out on 13<sup>th</sup> April 2018. Information relied upon included the following sources, which included maps, ecological and water quality data:

- Ordnance Survey Ireland mapping and aerial photography available from OSI online GeoHive mapping resource (Ordnance Survey Ireland, 2018);
- Data on protected species and European sites, available for download and interrogation from the National Parks and Wildlife Service maps and data page (NPWS, 2018);
- Spatial information relevant to the planning process including land zoning and planning applications from Department of Housing Planning, Community and Local Government web map portal (DoHPCLG, 2018);
- Data on waterbodies, available for download and interrogation from the Environmental Protection Agency web map service (EPA, 2018);
- Information on soils, geology and hydrogeology in the area available for download and interrogation from the Geological Survey Ireland online Spatial Resources service (GSI, 2018);
- Information on the location, nature and design of the events supplied by the applicant's design team;
- Information on the status of EU protected habitats and species in Ireland (National Parks & Wildlife Service, 2013a & 2013b).

## 4 Screening for Appropriate Assessment

### 4.1 Location and context of the Proposed Event to European Sites

Based on examination of the database of protected sites held by the NPWS, the subject lands do not overlap with and are not located directly adjacent to any European sites (NPWS, 2018).

The proposed event is centred on O 15459 26405 (see Figure 2) within the grounds of Marlay Park, Rathfarnham, Co. Dublin. The site encompasses grassland, woodland and parkland within the demesne of Marlay Park. Marlay Park is located on the southern edge of the Dublin urban area, and is bordered to the south by the M50 ring road, to the east and north by suburban housing, and to the west by the Grange Golf Club.

The Little Dargle Stream passes through the subject lands (see Figure 3) and is impounded to form a series of lakes within Marlay Park. The Little Dargle joins with the River Dodder in Churchtown, c. 3.8km downstream, which in turn discharges to the River Liffey Estuary and Dublin Bay 11.2km further downstream. Surface waters from the park discharge directly to the local surface water network, and therefore there is a hydrological connection between the proposed event and European sites in Dublin Bay.

The closest European sites to the proposed event are the Wicklow Mountains SAC (002122), c. 3.3km to the south, and Wicklow Mountains SPA (004040), c. 3.6km south, although the lands are not connected to either of these European sites (see Section 4.2).

The closest European sites with a connection (in this case via the surface water networks) to the proposed event are South Dublin Bay SAC (000210), c. 6km northeast, and South Dublin Bay and River Tolka Estuary SPA (004024). South Dublin Bay SAC (000210) is designated for a several marine and coastal habitats. South Dublin Bay and River Tolka Estuary SPA (004024) has been designated for a range of overwintering wetland bird species. Some of these bird species (*e.g.* light-bellied brent goose *Branta bernicla hrota*, oystercatcher *Haematopus ostralegus*, plover species) are known to visit amenity grassland sites outside of the SPA boundary in the Dublin region for supplementary forage (NPWS, 2014; Benson, 2009). There are no records of brent geese or other overwintering wetland bird species, which are special conservation interests of European sites in Dublin Bay, utilising the lands at Marlay Park as an *ex situ* foraging site. Black-headed gull *Larus ridibundus* are known to occur in small numbers within the park, where they have been observed foraging on occasion (Scott Cawley, 2017).

In addition to the aforementioned European sites, the event is connected to European sites in the Cavan River catchment, to which treated foul waters will be directed following their collection from portable toilets in Marlay Park, and treatment at McBreen Environmental Drain Services Limited facility at Lismagraty, Cootehill Road, Cavan, Co. Cavan. The relevant European sites within the Cavan River catchment are Lough Oughter and Associated Loughs SAC (000007) and Lough Oughter Complex SPA (004049). The former has been designated for the Annex I habitats [3150] 'natural eutrophic lakes with *Magnopotamion* or *Hydrocharition* – type vegetation' and [91D0] 'bog woodland', and the Annex II species otter *Lutra lutra*. The latter site has been designated for its overwintering population of waterfowl and its breeding population of great crested grebe *Podiceps cristatus*.

## 4.2 Determining the Zone of Influence of the Proposal

The zone of influence is a distance within which the proposed works could potentially affect the conservation condition of qualifying interest habitats or species or special conservation interest species. There is no set recommended distance for which European sites are considered as being relevant (*i.e.* within the zone of influence of proposed works) for AA. Available guidance (NPWS, 2010) recommends that “the distance should be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in-combination effects”. As a general rule of thumb, it is often considered appropriate to examine all European sites within 15km as a starting point. In some instances where there are far-reaching hydrological/hydrogeological connections, a whole river catchment or a groundwater aquifer may need to be included in determining the zone of influence. All European sites within 15km of the proposed works are listed in Table 2 below and shown on Figure 1.

European sites within Dublin Bay (see Figure 1) and the catchment of the Cavan River to c. 5km downstream of the discharge point of the McBreen Environmental Drain Services Limited facility (see Figure 2) are considered to be within the zone of influence of the proposed event, as the lands are connected to these sites via the surface water and foul water networks, respectively. No other European sites are connected to the subject lands. In the case of the closest European site, Wicklow Mountains

SAC (002122), although the lands are known to contain a population of the qualifying interest species otter *Lutra lutra*, this population is considered to be separate to the population within the European site: No part of the River Dargle, which transects the subject lands, occurs within Wicklow Mountains SAC (002122).

### 4.3 Details of the Proposal and other Plans that Could Cumulatively Affect European Sites

The proposed event encompasses:

- 2 no. single-stage music concerts on 8<sup>th</sup> and 12<sup>th</sup> July 2018, with gates opening at 16:30 and the event finishing at 23:00; and,
- A three-day multistage music event (Longitude Festival) over the days 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> July 2018. Gates will open at 13:30 on each day, and the events will terminate at 23:00 on each night.

The anticipated audience attending the event each day will be a maximum of 40,000 persons. The anticipated foul water loading from the event is 60,000L per night during longitude and 50,000L per night during other concert events. The foul waters will be collected under waste collection permit NWCPO-14-11283-01 on-site at portable toilet facilities. The collected waste from the event will be disposed of and treated at McBreen Environmental Drain Services Limited facility (waste facility permit WFP-CN-16-001-01(01)), prior to discharge of treated effluent to the Cavan River upstream of Cavan Town (see Figure 2).

Surface waters from the event will discharge to Dublin Bay via the Little Dargle Stream and the River Dodder.

Based on a search of the *Visit Dublin* website (Fáilte Ireland, 2018), there are 36 listed events, constituting concerts, festivals and cultural exhibitions scheduled in Dublin between 1<sup>st</sup> and 16<sup>th</sup> July 2018, and therefore either overlapping with or occurring close to the proposed events in Marlay Park. The scale of these events varies between events based at small galleries and therefore anticipated to attract relatively small crowds, and large stadium events, such as those planned at Croke Park, with capacity in the tens of thousands. There is potential for “*in-combination*” effects of proposed events and other plans and projects within the catchment of Ringsend WWTP that occur simultaneously with the proposed event and which could influence water quality conditions in Dublin Bay.

### 4.4 Identification of Potential Impacts

The only source-receptor-pathways between the subject lands and European sites in Dublin Bay is via the surface water networks, which drain from the lands to Dublin Bay. The subject lands are not considered to be an important *ex situ* site for any special conservation interest species of European sites within the zone of influence of the event as the lands do not contain a regularly occurring population of special conservation interest bird species for which any European sites within the locality have been designated. The lands also do not contain any qualifying interest habitats for which European sites within the locality have been designated. This conclusion has been reached based on a desk study which included a search of records from the NBDC and NPWS, and data collected during Ecological Surveys by Scott Cawley undertaken in 2017 (Scott Cawley, 2017).

While there is potential for sediments and other pollutants to be mobilised to Dublin Bay during the setup, operation and decommissioning of the proposed event, no significant effects are possible for the following reasons:

- The event duration is short, confined to a 21-day period between 30<sup>th</sup> June 2018 and 20<sup>th</sup> July 2018;
- The area of proposed works is relatively small, with earthworks and works with potential to generate sediments (such as installation of temporary pontoons, bridges and fencing) being confined to discreet, confined locations within the Park;
- There is a significant downstream distance (c. 15km) between the park and the discharge point of the surface water network to European sites in Dublin Bay/River Liffey Estuary. Any silts, sediments and/or pollutants generated from the event will be diluted and absorbed to an extent that they will not be discernible within Dublin Bay; and,
- Based on review of water quality data for the Liffey Estuary Lower and Dublin Bay (*i.e.* where surface waters from the lands discharge) available from the EPA mapviewer (EPA, 2018), both are currently listed as '*Unpolluted*', in spite of poor water quality within the Liffey and its tributaries upstream of both sites.

Foul waters from the proposed event will be collected at McBreen Environmental Drain Services Limited facility (waste facility permit WFP-CN-16-001-01(01)) for treatment prior to release to the Cavan River. There is no possibility of significant effects on European sites in the Cavan River catchment, as the facility has the capacity to adequately treat foul waters arising from the event prior to their release.



**Table 1: Analysis of European Sites within 15km (European Sites within 1km, 5km and 15km of the proposed development site are shown in Figure 1 below)**

Site name and code	Distance from Proposed Development (approximate)	Reasons for designation <sup>3</sup> (*= Priority Habitat) (Sourced from NPWS online Conservation Objectives Generic Version 5.0 for SACs and 5.0 for SPAs, unless otherwise stated).	Relevant source-pathway-receptor links between proposed development and European Site?  No sites are “Relevant” to the Proposed Development. (European Sites are “Relevant” where a relevant source-pathway-receptor link <sup>4</sup> exists).
<b>Special Areas of Conservation</b>			
Wicklow Mountains SAC [002122]	c. 3.3km south of the Park	<p><b>Conservation Objectives: Wicklow Mountains SAC 002122. Version 1 (NPWS, 2017a)</b></p> <p>[1355] Otter <i>Lutra lutra</i></p> <p>[3130] Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or of the <i>Isoëto-Nanojuncetea</i></p> <p>[3160] Natural dystrophic lakes and ponds</p> <p>[4010] Northern Atlantic wet heaths with <i>Erica tetralix</i></p> <p>[4030] European dry heaths</p> <p>[4060] Alpine and Boreal heaths</p>	No impact pathway connects the event location to the European site and the event site does not provide any stepping stone or supporting function to the European site and its qualifying interests. The population of otter within the park is considered to be separate to that of the SAC in light of the absence of a connecting watercourse between the European site and the subject lands.

<sup>3</sup> “Qualifying Interests” for SACs and “Special Conservation Interests” for SPAs based on relevant Statutory Instruments for each SPA, and NPWS Conservation Objectives for SACs downloaded from [www.npws.ie](http://www.npws.ie) in July 2015.

<sup>4</sup> For significant effects to arise, there must be a risk enabled by having a 'source' (e.g. construction works at a proposed development site), a 'receptor' (e.g. a SAC), and a pathway between the source and the receptor (e.g. a watercourse connecting a proposed development site to a SAC). The identification of a pathway does not automatically mean significant effects will arise. The likelihood for significant effects will depend upon the characteristics of the source (e.g. duration of construction works), the characteristics of the pathway (e.g. water quality status of watercourse receiving run-off from construction) and the characteristics of the receptor (e.g. the ecology including conservation status of the SAC reason for designation). When expert judgment determines, that significant effects are likely to arise, both the pathway, and the European Site are considered “Relevant”, and an Appropriate Assessment is triggered

**Table 1: Analysis of European Sites within 15km (European Sites within 1km, 5km and 15km of the proposed development site are shown in Figure 1 below)**

		<p>[6230] Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and sub-mountain areas, in Continental Europe)</p> <p>[7130] Blanket bogs (* if active only)</p> <p>[8110] Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>)</p> <p>[8210] Calcareous rocky slopes with chasmophytic vegetation</p> <p>[8220] Siliceous rocky slopes with chasmophytic vegetation</p> <p>[91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p>	
Lough Oughter and Associated Loughs SAC (000007)	c. 3.8km east of the waste treatment facility and hydrologically connected to it	<p>[1355] Otter <i>Lutra lutra</i></p> <p>[3150] Natural eutrophic lakes with <i>Magnopotamion</i> or <i>Hydrocharition</i> – type vegetation</p> <p>[91D0] Bog woodland*</p>	<p>The project is hydrologically linked to the European site via the foul water network: Foul waters from portable toilets used during the event will be treated at McBreen Environmental Drain Services Limited facility at Lismagratty, Cootehill Road, Cavan, Co. Cavan - Waste Facility Permit (WFP-CN-16-001-01(01)). After treatment at the facility, waters will be discharged to the local surface water network, which connect to Lough Oughter via the Cavan River. Despite the presence of a hydrological link between the two, there is no possibility of significant effects for the following reasons:</p> <ul style="list-style-type: none"> <li>• The waste facility has the capacity to treat waste waters to a standard meeting the criteria of its waste treatment licence; and,</li> </ul>

**Table 1: Analysis of European Sites within 15km (European Sites within 1km, 5km and 15km of the proposed development site are shown in Figure 1 below)**

			<ul style="list-style-type: none"> <li>There is a large distance of separation and hydrological buffer between the discharge point from the facility and the European site over which any nutrients would be absorbed.</li> </ul>
South Dublin Bay SAC (000210)	c. 6km northeast of the Park and hydrologically connected via the surface water network	<p><b>Conservation Objectives: South Dublin Bay SAC 000210. Version 1. (NPWS, 2013c).</b></p> <p>[1140] Mudflats and sandflats not covered by seawater at low tide</p> <p>[1210] Annual vegetation of drift lines</p> <p>[1310] <i>Salicornia</i> and other annuals colonising mud and sand</p> <p>[2110] Embryonic shifting dunes</p>	<p>The project is hydrologically linked to the European site via the surface water pathways. However, there is no possibility of any significant effects on the European site for the following reason:</p> <ul style="list-style-type: none"> <li>The event duration is short, confined to a 21-day period between 30th June 2018 and 20th July 2018;</li> <li>The area of proposed works is relatively small, with earthworks and works with potential to generate sediments (such as installation of temporary pontoons, bridges and fencing) being confined to discreet, confined locations within the Park;</li> <li>Significant downstream distance (c. 15km) between the park and the discharge point of the surface water network to European sites in Dublin Bay/River Liffey Estuary. Any silts, sediments and/or pollutants generated from the event will be diluted and absorbed to an extent that they will not be discernible within Dublin Bay; and,</li> <li>Based on review of water quality data for the Liffey Estuary Lower and Dublin Bay (i.e. where surface waters from the lands discharge) available from the EPA mapviewer (EPA, 2018), both are currently listed as 'Unpolluted', in spite of poor water quality within the Liffey and its tributaries upstream of both sites.</li> </ul>

**Table 1: Analysis of European Sites within 15km (European Sites within 1km, 5km and 15km of the proposed development site are shown in Figure 1 below)**

Glenasmole Valley SAC (001209)	c. 11.8km southwest of the Park	<p>[6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites)</p> <p>[6410] <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>)</p> <p>[7220] Petrifying springs with tufa formation (<i>Cratoneurion</i>)</p>	No as there is no source-receptor pathway link between the proposed event and the European site: the European site is designated for groundwater dependent qualifying interests which are a large distance upstream of the proposed development, and for terrestrial habitats which do not occur within the subject lands. The subject lands do not form an <i>ex situ</i> site for any of the qualifying interest of the European site.
Knocksink Wood SAC (000725)	c. 7.2km southeast of the Park	<p>[7220] Petrifying springs with tufa formation (<i>Cratoneurion</i>)*</p> <p>[91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)*</p>	No as there is no source-receptor pathway link between the proposed development and the European site: the European site is designated for groundwater dependent qualifying interests which are a large distance upstream of the proposed development. The proposed development does not form an <i>ex situ</i> site for any of the qualifying interest of the European site.
Ballyman Glen SAC (000713)	c. 9.4km southeast of the Park	<p>[7220] Petrifying springs with tufa formation (<i>Cratoneurion</i>)*</p> <p>[7230] Alkaline fens</p>	No as there is no source-receptor pathway link between the proposed development and the European site: the European site is designated for groundwater dependent qualifying interests which are a large distance upstream of the proposed development. The proposed development does not form an <i>ex situ</i> site for any of the qualifying interest of the European site.
North Dublin Bay SAC (000206)	c. 10.7km north of the Park	<p><b>Conservation Objectives: North Dublin Bay SAC 000206. Version 1 (NPWS, 2013d).</b></p> <p>[1140] Mudflats and sandflats not covered by seawater at low tide</p> <p>[1210] Annual vegetation of drift lines</p>	As per South Dublin Bay SAC (above).

**Table 1: Analysis of European Sites within 15km (European Sites within 1km, 5km and 15km of the proposed development site are shown in Figure 1 below)**

		<p>[1310] <i>Salicornia</i> and other annuals colonising mud and sand</p> <p>[1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>[1395] Petalwort <i>Petalophyllum ralfsii</i></p> <p>[1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>[2110] Embryonic shifting dunes</p> <p>[2120] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)</p> <p>[2130] Fixed coastal dunes with herbaceous vegetation (grey dunes)</p> <p>[2190] Humid dune slacks</p>	
Rockabill to Dalkey Island SAC (003000)	c. 11.5km east of the Park	<p><b>Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1 (NPWS, 2013e)</b></p> <p>[1170] Reefs</p> <p>[1351] Harbour porpoise <i>Phocoena phocoena</i></p>	No, as there is a large distance of separation and marine water buffer between the outfall of surface and foul waters from the proposed development and the European site (c. 6.8km from the discharge point at Ringsend WWTP) over which any sediments and pollutants would be absorbed and diluted to non-discernible levels.
Bray Head SAC (000714)	c. 14.2km southeast of the Park	<p><b>Conservation Objectives: Bray Head SAC 000714. Version 1 (NPWS, 2017b).</b></p> <p>[1230] Vegetated sea cliffs of the Atlantic and Baltic coasts</p> <p>[4030] European dry heaths</p>	No due to the large distance of separation and the lack of any pathway between the proposed development and the European site: The European site is designated for terrestrial habitats which are not physically linked to the subject lands. The subject lands do not form an <i>ex situ</i> site for any of the qualifying interest of the European site.
<b>Special Protection Areas</b>			

**Table 1: Analysis of European Sites within 15km (European Sites within 1km, 5km and 15km of the proposed development site are shown in Figure 1 below)**

Wicklow Mountains SPA (004040)	c. 3.6km south of the Park	[A098] Merlin <i>Falco columbarius</i> [A103] Peregrine <i>Falco peregrinus</i>	No as there is no source-receptor pathway link between the proposed event and the European site. The proposed development does not form an <i>ex situ</i> site for any of the special conservation interests of the European site.
Lough Oughter Complex SPA (004049)	c. 4.9km east of the waste treatment facility and hydrologically connected to it	[A005] Great crested grebe <i>Podiceps cristatus</i> [A038] Whooper swan <i>Cygnus cygnus</i> [A050] Wigeon <i>Anas penelope</i> [A999] Wetland and waterbirds	The project is hydrologically linked to the European site via the foul water network: Foul waters from portable toilets used during the event will be treated at McBreen Environmental Drain Services Limited facility at Lismagratty, Cootehill Road, Cavan, Co. Cavan - Waste Facility Permit (WFP-CN-16-001-01(01)). After treatment at the facility, waters will be discharged to the local surface water network, which connect to Lough Oughter via the Cavan River. Despite the presence of a hydrological link between the two, there is no possibility of significant effects for the following reasons: <ul style="list-style-type: none"> <li>• The waste facility has the capacity to treat waste waters to a standard meeting the criteria of its waste treatment licence; and,</li> <li>• There is a large distance of separation and hydrological buffer between the discharge point from the facility and the European site over which any nutrients would be absorbed.</li> </ul>
South Dublin Bay and River Tolka Estuary SPA (004024)	c. 5.8km northeast of the Park and hydrologically connected via the surface water network	<b>Conservation Objectives: South Dublin Bay and River Tolka Estuary SPA 004024. Version 1 (NPWS, 2015a).</b> [A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i> [A130] Oystercatcher <i>Haematopus ostralegus</i> [A137] Ringed Plover <i>Charadrius hiaticula</i> [A141] Grey Plover <i>Pluvialis squatarola</i>	The proposal is hydrologically connected to the European site via the surface water networks. There is no possibility of significant effects on the European site in light of the following <ul style="list-style-type: none"> <li>• The event duration is short, confined to a XX-day period;</li> <li>• The area of proposed works is relatively small, with earth works and works with potential to generate sediments (such</li> </ul>

**Table 1: Analysis of European Sites within 15km (European Sites within 1km, 5km and 15km of the proposed development site are shown in Figure 1 below)**

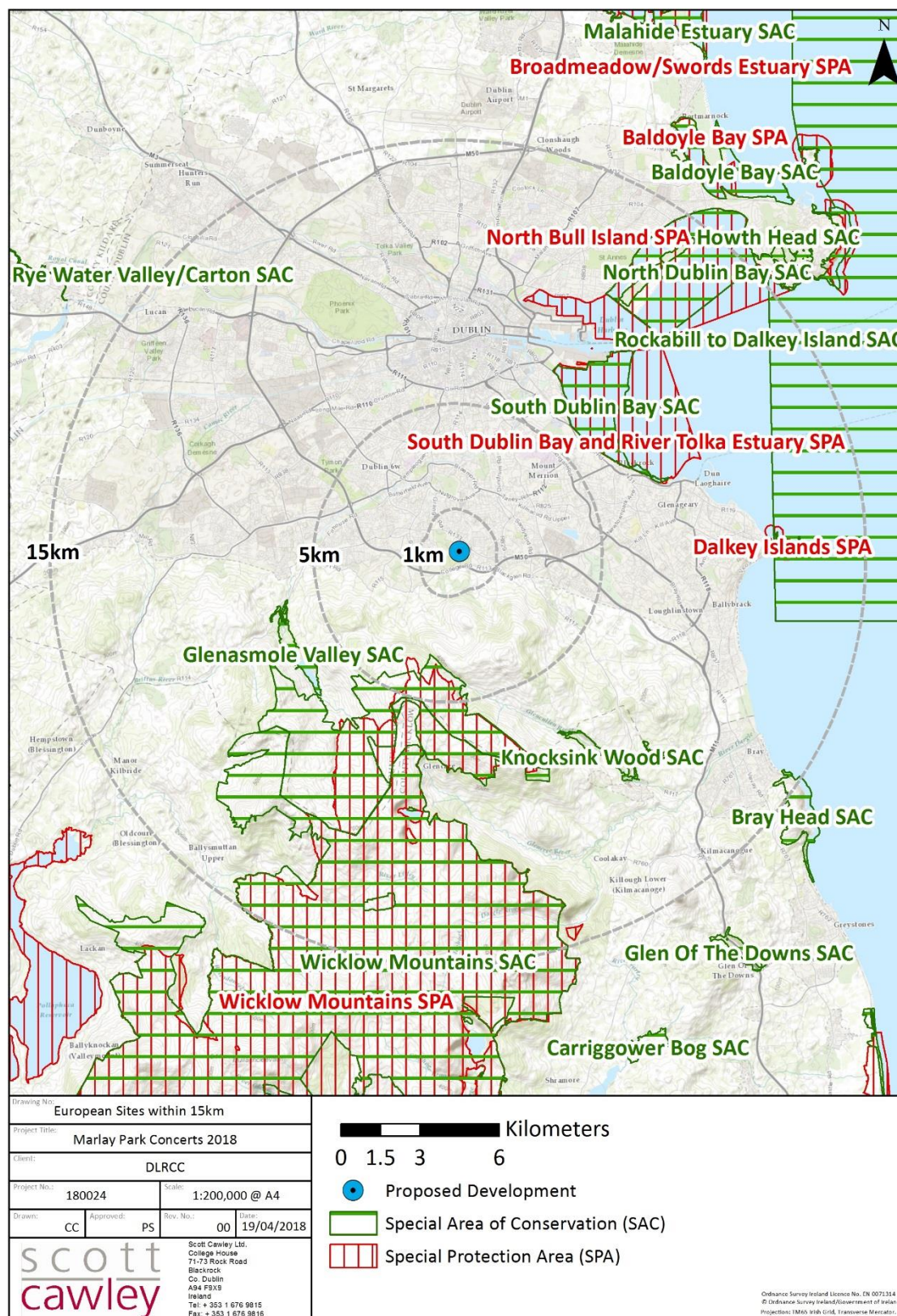
		<p>[A143] Knot <i>Calidris canutus</i></p> <p>[A144] Sanderling <i>Calidris alba</i></p> <p>[A149] Dunlin <i>Calidris alpina</i></p> <p>[A157] Bar-tailed Godwit <i>Limosa lapponica</i></p> <p>[A162] Redshank <i>Tringa totanus</i></p> <p>[A179] Black-headed Gull <i>Croicocephalus ridibundus</i></p> <p>[A192] Roseate Tern <i>Sterna dougallii</i></p> <p>[A193] Common Tern <i>Sterna hirundo</i></p> <p>[A194] Arctic Tern <i>Sterna paradisaea</i></p> <p>[A999] Wetland and Waterbirds</p>	<p>as installation of temporary pontoons, bridges and fencing) being confined to discreet locations within the Park;</p> <ul style="list-style-type: none"> <li>• There is a significant downstream distance (c. 15km) between the park and the discharge point of the surface water network to European sites in Dublin Bay/River Liffey Estuary. It is anticipated that any silts, sediments and/or pollutants generated from the event will be diluted and absorbed to an extent that they will not be discernible within Dublin Bay;</li> <li>• Based on review of water quality data for the Liffey Estuary Lower and Dublin Bay (i.e. where surface waters from the lands discharge) available from the EPA mapviewer (EPA, 2018), both are currently listed as 'Unpolluted', in spite of poor water quality within the Liffey and its tributaries upstream of both;</li> <li>• The lands are not considered to be an important <i>ex situ</i> site for special conservation interest species of the European sites.</li> </ul>
North Bull Island SPA (004006)	c. 10.7km northeast of the park and hydrologically connected via the surface water network	<p><b>Conservation Objectives: North Bull Island SPA 004006. Version 1 (NPWS, 2015b).</b></p> <p>[A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i></p> <p>[A048] Shelduck <i>Tadorna tadorna</i></p> <p>[A052] Teal <i>Anas crecca</i></p> <p>[A054] Pintail <i>Anas acuta</i></p> <p>[A056] Shoveler <i>Anas clypeata</i></p>	As per South Dublin Bay and River Tolka Estuary SPA, above.

**Table 1: Analysis of European Sites within 15km (European Sites within 1km, 5km and 15km of the proposed development site are shown in Figure 1 below)**

		[A130] Oystercatcher <i>Haematopus ostralegus</i> [A140] Golden Plover <i>Pluvialis apricaria</i> [A141] Grey Plover <i>Pluvialis squatarola</i> [A143] Knot <i>Calidris canutus</i> [A144] Sanderling <i>Calidris alba</i> [A149] Dunlin <i>Calidris alpina</i> [A156] Black-tailed Godwit <i>Limosa limosa</i> [A157] Bar-tailed Godwit <i>Limosa lapponica</i> [A160] Curlew <i>Numenius arquata</i> [A162] Redshank <i>Tringa totanus</i> [A169] Turnstone <i>Arenaria interpres</i> [A179] Black-headed Gull <i>Croicocephalus ridibundus</i> [A999] Wetlands & Waterbirds	
Dalkey Islands SPA (004172)	c. 11.2km east of the park	[A192] Roseate Tern <i>Sterna dougallii</i> [A193] Common Tern <i>Sterna hirundo</i> [A194] Arctic Tern <i>Sterna paradisaea</i>	No as there is no source-receptor pathway link between the proposed development and the European site. The lands do not contain suitable foraging or roosting habitat for any of the special conservation interest species, which are associated with marine habitats.

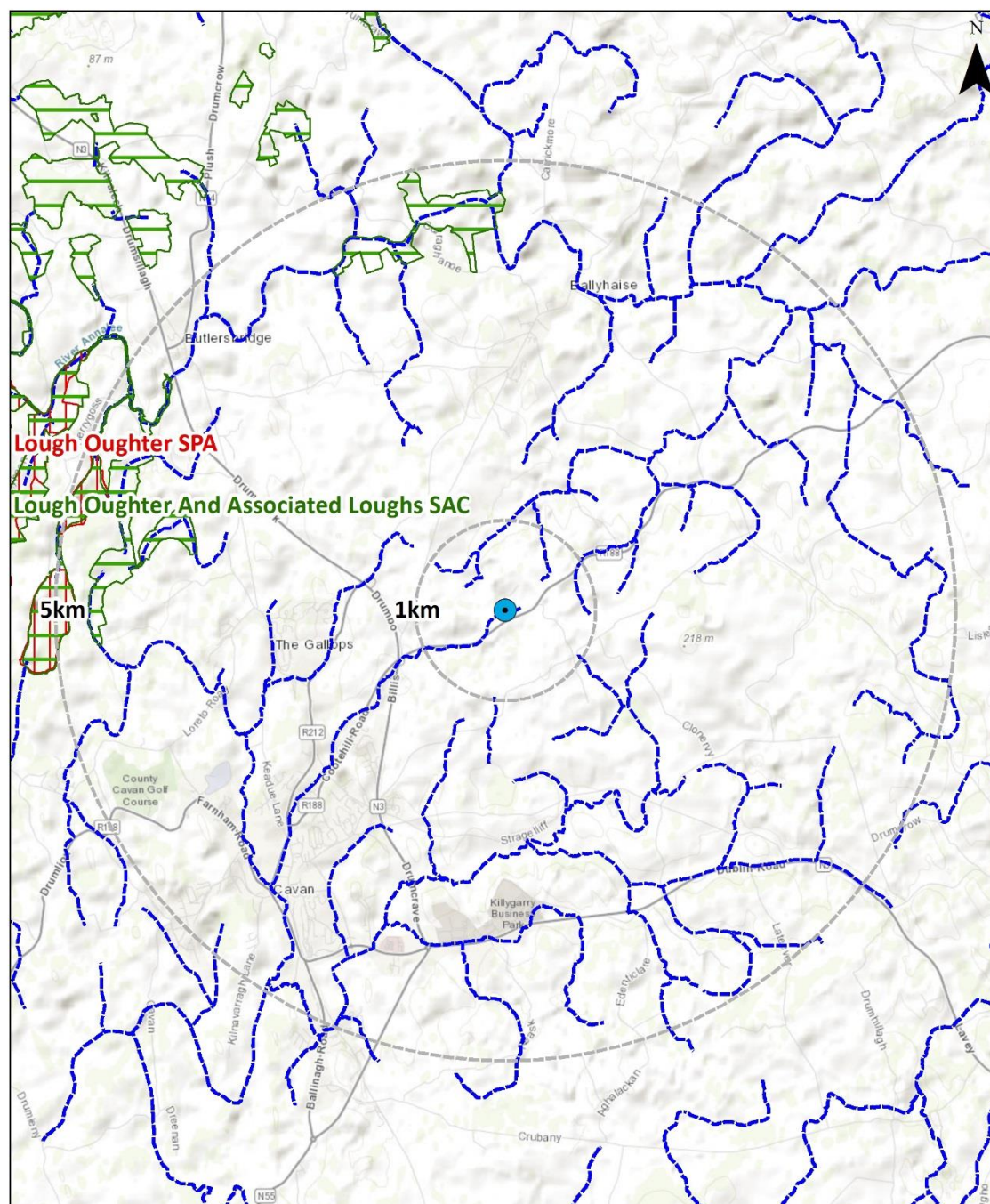


Figure 1: All European Sites within 15km of the proposed development










**Figure 2: European sites within the vicinity of the foul water treatment plant (McBreen Environmental)**



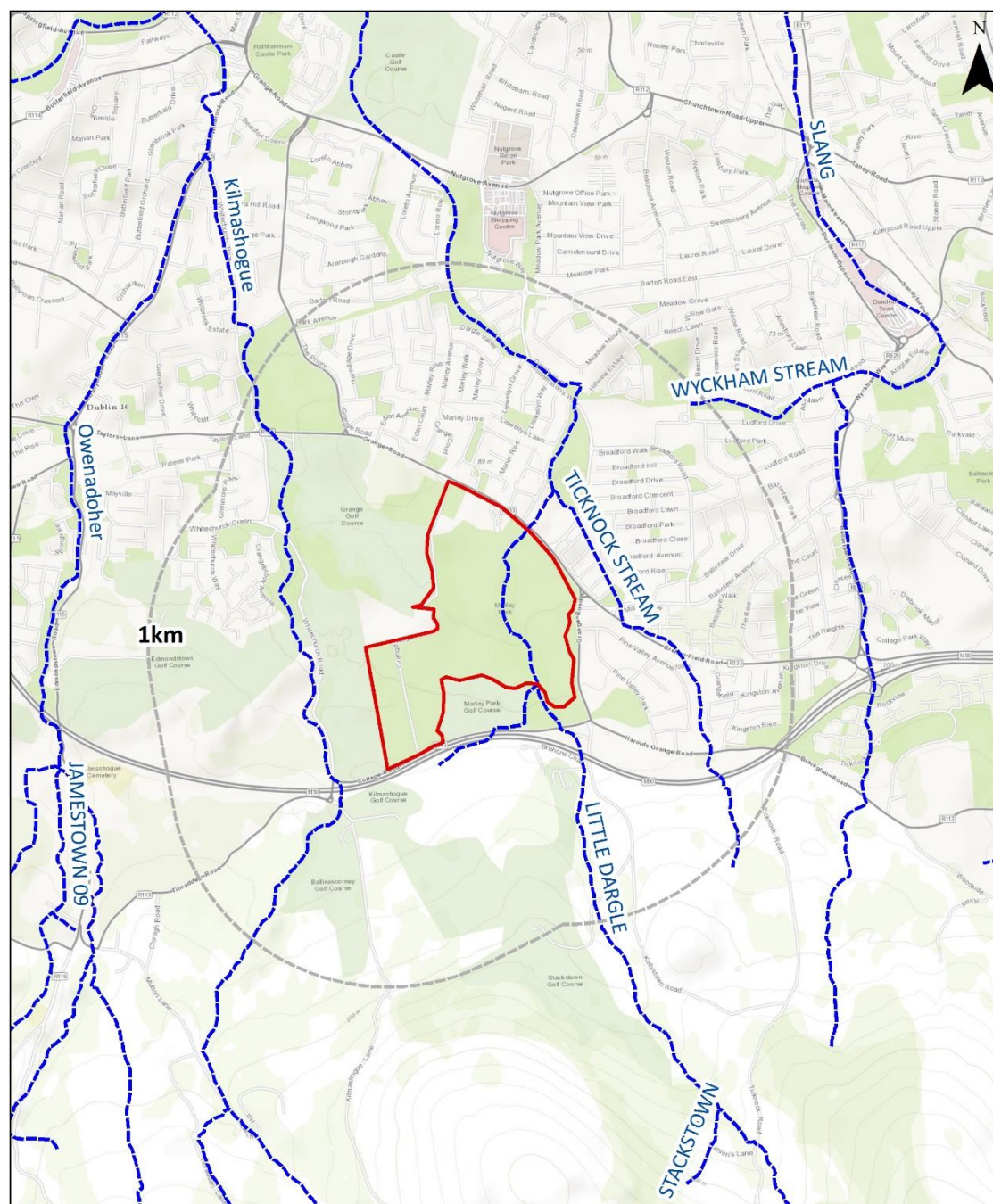
Drawing No. <b>European Sites within Cavan River Catchment</b>			
Project Title: <b>Marlay Park Concerts 2018</b>			
Client:			
DLRCC			
Project No.: <b>180024</b>		Scale: <b>1:200,000 @ A4</b>	
Drawn: <b>CC</b>	Approved: <b>PS</b>	Rev. No.: <b>00</b>	Date: <b>19/04/2018</b>
		Scott Cawley Ltd. College House 71-73 Rock Road Blackrock Co. Dublin A94 P9J9 Ireland Tel: + 353 1 676 9815 Email: info@scottcawley.ie	

 Kilometers  
 0 0.5 1 2  
 McBreen Environmental Facility  
 Special Area of Conservation (SAC)  
 Special Protection Area (SPA)  
 Watercourses (EPA)

Ordnance Survey Ireland Licence No. EN 0071314  
© Ordnance Survey Ireland/Government of Ireland  
Projection: TM65 Irish Grid, Transverse Mercator.



**Figure 3: Marlay Park in relation to vicinity and surface water network.**



Drawing No: Park in relation to surroundings			
Project Title: Marlay Park Concerts 2018			
Client: DLRC			
Project No.: 180024	Scale: 1:200,000 @ A4		
Drawn: CC	Approved: PS	Rev. No.: 00	Date: 19/04/2018
		Scott Cawley Ltd. College House 71-73 Rock Road Blackrock Co. Dublin A94 P9X9 Ireland Tel: +353 1 676 9815 Fax: +353 1 676 9816	

0 0.2 0.4 0.8 Kilometers

0 0.2 0.4 0.8

Special Area of Conservation (SAC)

Special Protection Area (SPA)

Watercourses

Ordnance Survey Ireland (Licence No. 1N 00/733.6)  
 © Ordnance Survey Ireland/Government of Ireland  
 Projection: TM05 Irish Grid, Transverse Mercator.

## 5 Conclusions of the Screening Assessment

Following an examination, analysis and evaluation of the relevant information, including in particular, the nature of the proposal and their potential relationship with European sites, as well as considering other plans and projects, and applying the precautionary principle, it is the professional opinion of the authors of this report that **it is possible to rule out likely significant effects on all European sites**. The judgement has been reached for the reasons outlined below:

The AA Screening process has identified that there is a potential source-receptor-pathway between the proposed event and European sites in Dublin Bay and the Cavan River catchment via the surface water and foul water networks, respectively. Nonetheless, there is no possibility of significant effects on European sites arising from the proposed development either alone or in-combination with other plans and projects due to the following:

- The event duration is short, confined to a 21-day period between 30<sup>th</sup> June 2018 and 20<sup>th</sup> July 2018;
- The area of proposed works is relatively small, with earth works and works with potential to generate sediments (such as installation of temporary pontoons, bridges and fencing) being confined to discreet locations within the Park;
- There is a significant downstream distance (c. 15km) between the park and the discharge point of the surface water network to European sites in Dublin Bay/River Liffey Estuary. It is anticipated that any silts, sediments and/or pollutants generated from the event will be diluted and absorbed to an extent that they will not be discernible within Dublin Bay;
- Based on review of water quality data for the Liffey Estuary Lower and Dublin Bay (*i.e.* where surface waters from the lands discharge) available from the EPA mapviewer (EPA, 2018), both are currently listed as '*Unpolluted*', in spite of poor water quality within the Liffey and its tributaries upstream of both; and,
- Foul waters from the proposed event will be collected at McBreen Environmental Drain Services Limited facility (waste facility permit WFP-CN-16-001-01(01)) for treatment prior to release to the Cavan River. There is no possibility of significant effects on European sites in the Cavan River catchment, as the facility has the capacity to adequately treat foul waters arising from the event prior to their release

However, the authors of this report acknowledge that it is for Dún Laoghaire-Rathdown County Council, as the competent authority, to carry out a screening for AA and to reach one of the following determinations:

- a) AA of the proposed development is required if it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will have a significant effect on any European sites;
- b) AA of the proposed development is not required if it can be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will have a significant effect on any European sites.

## 6 References

- Benson, L. (2009).** *Use of inland feeding sites by light-bellied brent geese in Dublin 2008-09: A new conservation concern?* Irish Birds 8:563-570.
- Council of the European Communities (1992)** *Council Directive of 21 May 1992 on The Conservation of Natural Habitats and of Wild Fauna and Flora (92/43/EEC).* O. J. L 206/35, 22 July 1992.
- DoAHG (2011).** *Actions for Biodiversity 2011 – 2016 Ireland’s National Biodiversity Action Plan (Department of Arts, Heritage and the Gaeltacht)*
- DoEHLG (2010).** *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities* (Department of Environment, Heritage and Local Government, Rev Feb 2010).
- DoHPCLG (2018).** *National Planning Application Database.* Available online at <https://housinggov.ie/maps.arcgis.com> Accessed 16<sup>th</sup> April 2018. Department of Housing, Planning, Community and Local Government.
- EPA (2018).** EPA Maps. Available online at <https://gis.epa.ie/EPAMaps/> Accessed 16<sup>th</sup> April 2018. Environmental Protection Agency, Ireland.
- European Commission (EC) (Updated April 2015).** *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitat’s Directive 92/43/EEC* (EC Environment Directorate-General, 2000); hereinafter referred to as “MN2000”.
- European Commission (EC) (2007).** *Guidance Document on Article 6(4) of the 'Habitats Directive' 92/43/EEC. Clarification of the Concepts of Alternative Solutions, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence.* Opinion of the European Commission.
- European Commission (EC) (2000).** *Communication from the Commission on the precautionary principle.*
- European Commission (EC) (2001).** *Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission Environment Directorate-General).
- European Parliament and European Council (2009).** *Directive 2009/147/EC of 30<sup>th</sup> November 2009 on the Conservation of Wild Birds (2009/147/EC).* O.J. L20/7, 26<sup>th</sup> January 2010.
- Fáilte Ireland (2018).** *Visit Dublin.* Website promoting tourism in Dublin. [www.visitdublin.com](http://www.visitdublin.com) Accessed 13/04/2018.
- GSI (2018).** *Geological Survey Ireland Spatial Resources.* Available online at <https://dcenr.maps.arcgis.com/apps/MapSeries/> Accessed 16<sup>th</sup> April 2018. Geological Survey Ireland, Department of Communications, Climate Action and Environment.
- NPWS (2010).** *Circular NPW 1/10 & PSSP 2/10 Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.* (Department of Environment, Heritage and Local Government, March 2010).
- NPWS (2013a).** *The Status of EU Protected Habitats and Species in Ireland. Species Assessments Volume 2, Version 1.0.* Unpublished Report, National Parks & Wildlife Services. Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland.

**NPWS (2013b).** *The Status of EU Protected Habitats and Species in Ireland.* Species Assessments Volume 3, Version 1.0. Unpublished Report, National Parks & Wildlife Services. Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland.

**NPWS (2013c).** *Conservation Objectives: South Dublin Bay SAC 000210. Version 1.* National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

**NPWS (2013d).** *Conservation Objectives: North Dublin Bay SAC 000206. Version 1.* National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

**NPWS (2013e).** *Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1.* National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

**NPWS (2014).** *North Bull Island Special Protection Area (Site Code 4006) and South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code 4024) Conservation Objectives Supporting Document. Version 1.* National Parks and Wildlife Service, October 2014.

**NPWS (2015a).** *Conservation Objectives: South Dublin Bay and River Tolka Estuary SPA 004024. Version 1.* National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

**NPWS (2015b).** *Conservation Objectives: North Bull Island SPA 004006. Version 1.* National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

**NPWS (2017a).** *Conservation Objectives: Wicklow Mountains SAC 002122. Version 1.* National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

**NPWS (2017b).** *Conservation Objectives: Bray Head SAC 000714. Version 1.* National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs

**NPWS (2018).** *National Parks and Wildlife Service Map Viewer.* Available online at <http://webgis.npws.ie/npwsviewer/> Accessed 16<sup>th</sup> April 2018. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht, Dublin.

**Ordnance Survey Ireland (2018).** *GeoHive online mapping resource.* Available online at [map.geohive.ie/mapviewer.html](http://map.geohive.ie/mapviewer.html) Accessed 16<sup>th</sup> April 2018. Ordnance Survey Ireland, Phoenix Park, Dublin 8,

**Scott Cawley (2017).** *Ecological Monitoring and Supervision of Marlay Park Concerts 2017.* Report produced by Scott Cawley Ltd. on behalf of Dún Laoghaire-Rathdown County Council.