



MINERAL DEVELOPMENT IN IRELAND: PLANNING AND CONSENTING

Presentation to SUMEX, 23th November 2021

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OUTLINE OF THE PRESENTATION

- Overview of the land use planning system in Ireland
- Consent
- Good practice examples:
 - Galmoy
 - Lisheen

MINING IN IRELAND - BACKGROUND

- Largest producer of zinc in Europe and among the top ten in the world.
- 1 active lead and zinc mine: Tara Mine
- 2 closed lead and zinc mines: Galmoy and Lisheen
- 1 planned reopening: Galmoy
- Rich zinc and lead ore, extensive mineral exploration activities
- Fraser Institute survey of mining companies 2020:
 - 4th for policy perception

THE LAND USE PLANNING SYSTEM

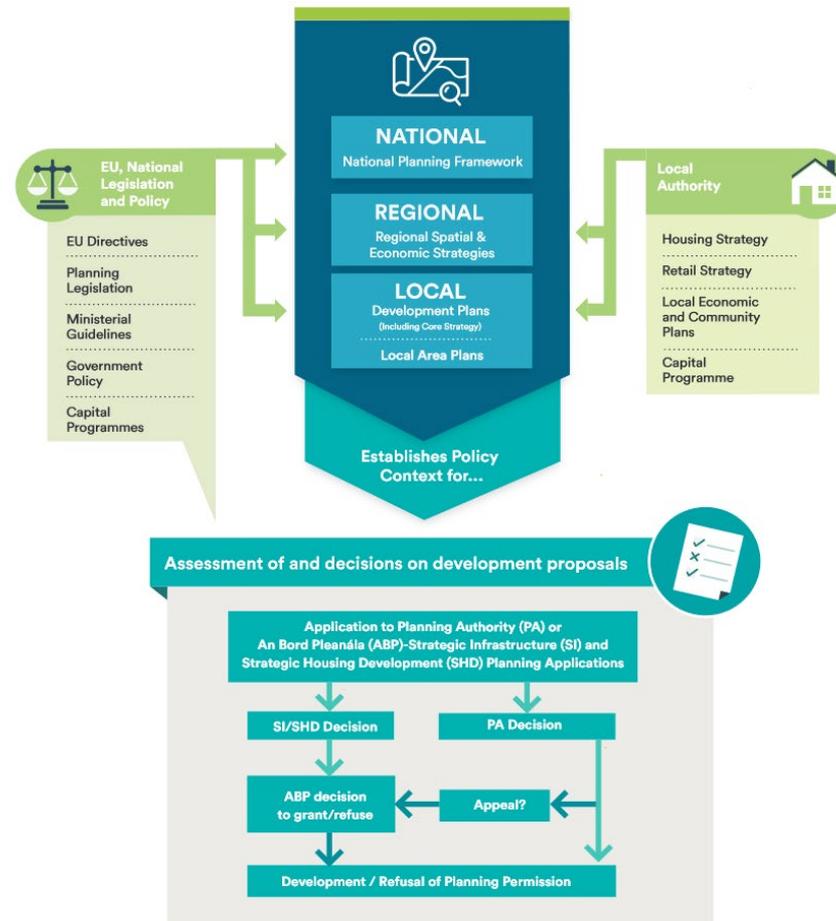
Organised around two strands:

- Legislation: sets out procedures
 - Primary legislation: acts
 - Secondary legislation: regulations
- Policy: sets out the strategic direction for spatial development

THE FORWARD PLANNING SYSTEM

Irish Planning System An Overview

Source: npf.ie



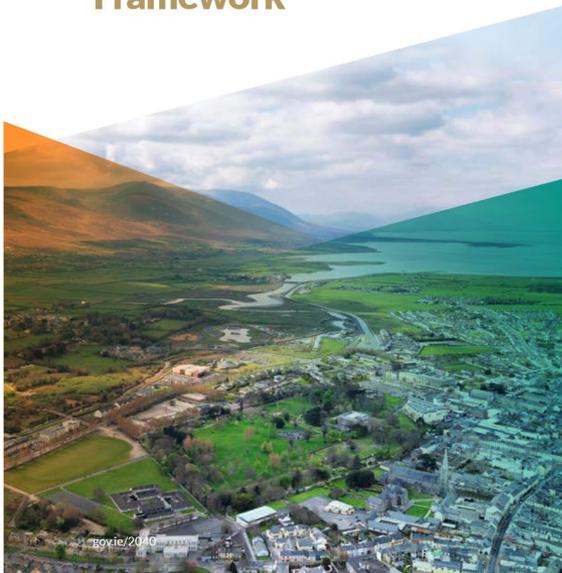
THE NATIONAL PLANNING FRAMEWORK 2040



Rialtas na hÉireann
Government of Ireland

Project Ireland 2040

National Planning Framework



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Planning Environment Economics

SUPPORT FOR MINING AT NATIONAL LEVEL

National Policy Objective 23

Facilitate the development of the rural economy through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting the natural landscape and built heritage which are vital to rural tourism.



Rialtas na hÉireann
Government of Ireland

Draft Policy Statement on Mineral Exploration and Mining

Published for Consultation

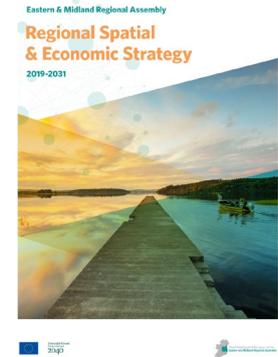
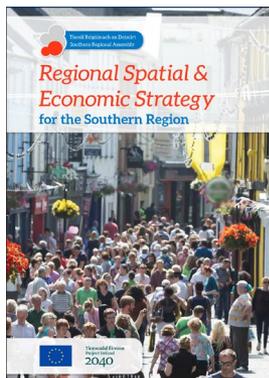
July 2021

Prepared by the Department of the Environment, Climate & Communications
gov.ie/decc



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REGIONAL SPATIAL AND ECONOMIC STRATEGIES



THE DEVELOPMENT PLAN

- Prepared every 6 years
- Can be varied (i.e modified)
- Composed of
 - A Written Statement
 - Land use zoning maps; and
 - Appendices (supporting technical documentation).
- Prepared for Counties, cities or large towns.
- Adopted by Local Councillors.
- Evidence-based.

THE DEVELOPMENT PLAN – ROLE

- Guides development at county / local level
- Sets the framework (policies and objectives) for assessment of development proposals.
- And development management standards (technical requirements to be complied with)

THE DEVELOPMENT PLAN AND MINING

- Mining and quarrying generally form part of generic term '**extractive industry**'.
- Forms part of the economic development strategy and can be important components of rural enterprise and industry.
- All plans where mineral development activities occur include policies on safeguarding mineral extraction interests.
- No dedicated spatial land use designation or zoning designation.

TYPES OF CONSENTS REQUIRED FOR MINING DEVELOPMENT



Assessment under the requirements of the EIA Directive

Appropriate Assessment under the requirements of the Bird and Habitats Directives

THE DEVELOPMENT PROCESS – PLANNING STAGE

Application is made to the **local planning authority**:

- Assesses the principle of development against the policies of the Development Plan and environmental impacts.
- Public consultation phase (5 weeks).
- Third party right to make a submission / observation on the application.
- Grant, refuse or seek further information.
- Permission generally given for periods of 10-12 years for mining.

THE DEVELOPMENT PROCESS – PLANNING STAGE

Appeal stage to **An Bord Pleanála**, the national planning appeal board

- First party: developer appeals the decision or condition(s) attached to grant of permission.
- Third Party appeals the decision to grant permission.
- Possibility to organise an oral hearing.
- Assessed by a Planning Inspector who makes recommendations
- Decided upon by the Board of An Bord Pleanála

THE DEVELOPMENT PROCESS - IPPC

- Once planning permission has been secured, an Integrated Pollution Prevention Control licence is required.
- Assessed by the **Environmental Protection Agency**.
- Subject to EIA (same EIA as planning permission, but EPA can ask for more details on certain elements).
- Subject to public consultation (4 weeks).
- Requires the preparation of Closure, Restoration and Aftercare Management Plan (CRAMP).

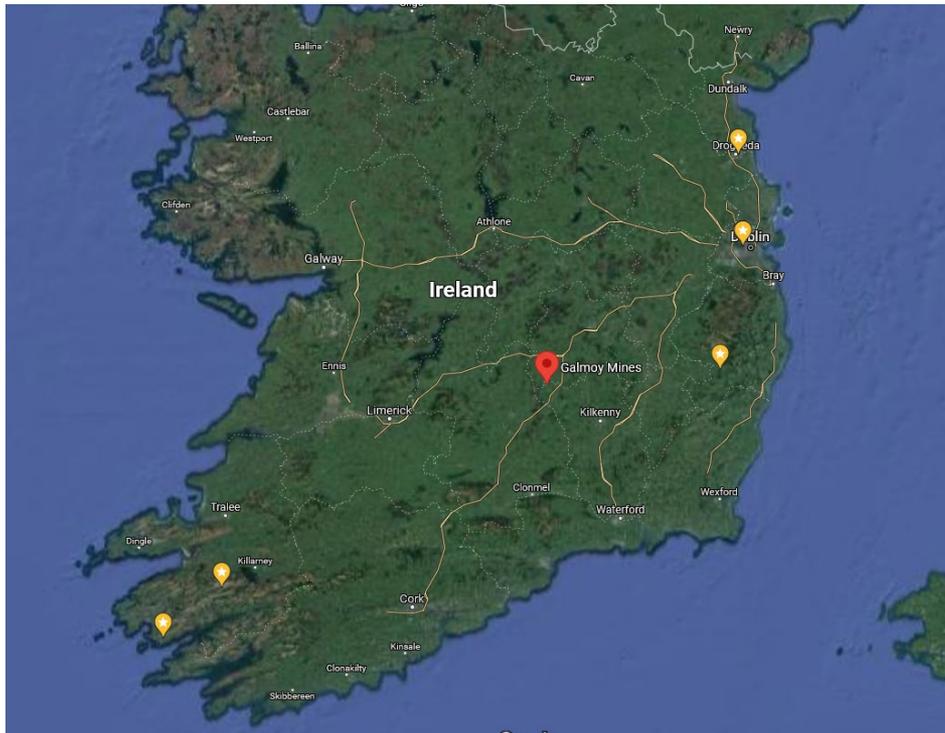
THE DEVELOPMENT PROCESS – STATE MINING LEASE / LICENCE

- C. 60% of all minerals in Ireland are State-owned.
- Exclusive right to works minerals vested in the Minister for Environment, Climate and Communications under the Mineral Development Act 1979.
- To secure a State Mining Lease / Licence, applicants must be holder of the Mineral prospecting lease / licence.
- Subject to EIA and AA.

CONSIDERING BEST PRACTICE

- Central government support to Planning authority in dealing with applications for mining development.
- Independent role of the Environmental Protection Agency.
- Different permits allow for thorough assessment of all elements and impacts.
- Requirement to prepare CRAMPs: appropriate and timely consideration of options for the mine upon closure.
- Transparency with the public owing to statutory public consultation.

BEST PRACTICE EXAMPLE: GALMOY MINE



- Located in County Kilkenny
- Historical mine
- ARCON International Resources PLC
- Active for 15 years
- Closure: 2012
- Planned reopening

BEST PRACTICE EXAMPLE: GALMOY MINE

Aspect no. 1: Successful Rehabilitation

- Significant investment in local infrastructure (transport, roads) during mining operation-> highly beneficial to local communities.
- Planning permission secured in 2018 for the use of the site as a bioenergy facility

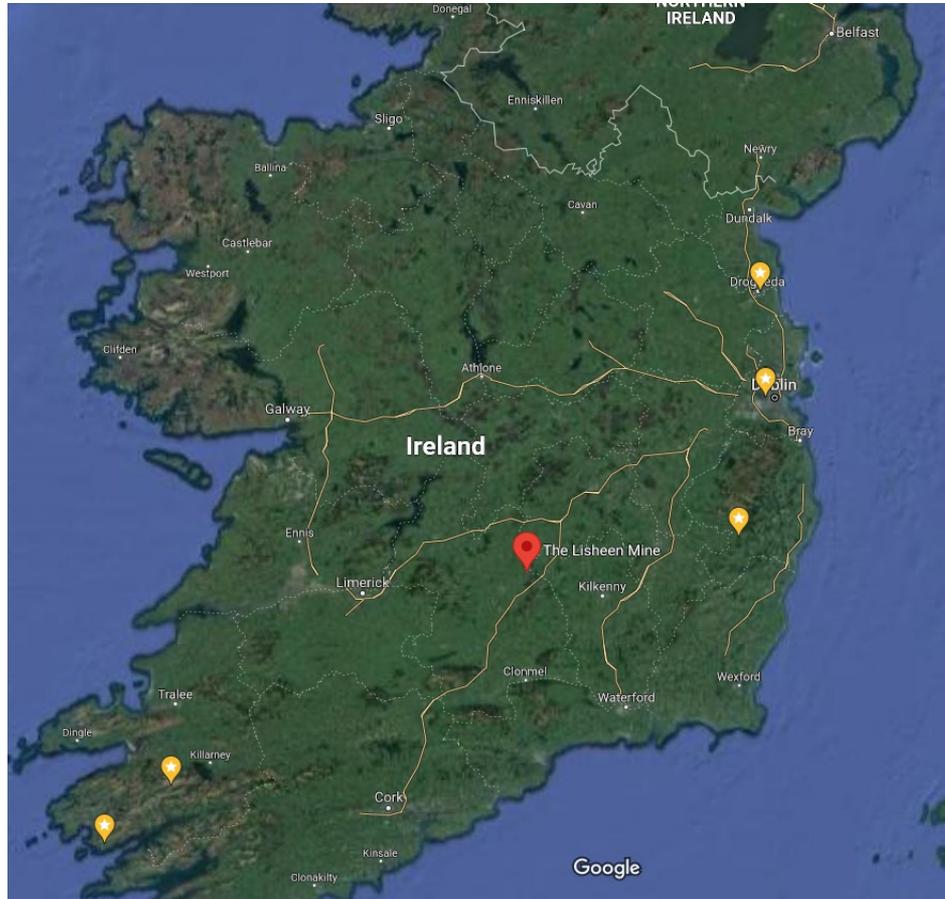
BEST PRACTICE EXAMPLE: GALMOY MINE

Aspect no. 2: Environmental Benefits

As part of CRAMP, innovative solutions were developed:

- TMF converted to a self-sustaining wetland ecosystem.
- Contributed to the restoration of the land.
- Allowed establishment of an effective and sustainable passive treatment system for surface water run-off
- Observations during birdlife monitoring:
 - Rehabilitation of the site improved bird diversity in the area.
 - The site now attracts rare vagrants.
- Green Apple Award for Environmental Best Practice for the Galmoy Wetland Project in 2016.

BEST PRACTICE EXAMPLE: LISHEEN MINE



- Located in county Tipperary
- Historical mine
- Vedanta Zinc International
- Active for 17 years
- Closure: 2015

BEST PRACTICE EXAMPLE: LISHEEN MINE

Aspect no. 1: Public Consultation

- Lessons from Galmoy taken on board.
- Mining company made efforts to engage with local communities early.

Aspect no. 2: Mine Closure Committee

Loss of 400 jobs locally BUT

- Committee set up two years ahead. Included Tipperary CC, the EPA and the Exploring and Mining division of Department of Communication, Climate Action and the Environment.
- Began an outplacement programme, providing staff with upskill and training programs. Some staff re-employed by Vedanta at other operations.

BEST PRACTICE EXAMPLE: LISHEEN MINE

Aspect no. 3: Closure, Remediation and Aftercare Management Plan

- €24 million in bonds set aside, including:
 - €19.5 million in closure and rehabilitation works
 - €3.3 million for aftercare monitoring by the EPA
 - €1.1 million for potential compensation to landowners
- Updated annually to account for best practice
 - Based on current best practices methods
 - Resulted in changes to initial proposals:
 - Capping of TMF specified a wet closure but dynamic update of CRAMP allowed for a dry closure concept.

CONCLUSION

Some lessons from Ireland

- Three-pronged approach underpinned by EIA and public consultation to consent allows for thorough assessment.
- Closure, Remediation and Aftercare Management Plans are dynamic documents that can significantly influence decision-making regarding closure and its outcomes.
- Cross-fertilisation between mining operations is critical to successful operations.

THANK YOU

Any questions?

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