

My name is Mary Hurley. I am the chairperson of Cobh Action for Clean Air. I work part time at the Department of Applied Social Studies UCC where I teach, tutor and act as course coordinator on the Master of Social Work Programme.

Cobh Action for Clean Air was set up to look at the issues surrounding the proposed development of two incinerators at Ringaskiddy. It also came into existence so that we could educate ourselves about the nature of any potential effects of the incinerators might have on our community. We represent a broad range of the population of Cobh. Our members include young and old people, many of us are parents and grandparents. We are employed in many different areas reflecting the wide level of support the campaign has across our community. The group includes homemakers, shop assistants, teachers, shopkeepers, dentists, secretaries, solicitors, homehelps, engineers, doctors, self employed and unemployed persons. You will already have received a submission from the group so I don't want to repeat our paper but I would however like to make a number of points that will hopefully be of some assistance to you and the Board when considering the application.

PUBLIC CONFIDENCE in the proposed Development

Who will benefit

Cobh Action for Clean Air have been involved in this campaign in since 2001. In those early days we knew very little about incineration. However as concerned citizens we attended public meetings where we heard from different medical experts (Dr Gavin Ten Ussher, Professor Paul Connett, Professor Vivian Howard) about the dangers and risks associated with the incineration process for those living in the environs of such developments. We heard about risks to public safety in the event of a fire and accidents. As responsible and reasonable people we asked are there other ways to manage our waste that are less harmful but allow us to deal with our waste responsibly. We heard presentations from international waste management experts who said yes, there are better, more sustainable ways of dealing with waste that are much less harmful to the public and that are also helpful to industry. One of these experts was Professor Ken Guiser from Lowell University Massachusetts. He is the director of the Massachusetts Toxic Use Reduction Institute. He told us how the implementation of the Toxic Use Reduction Act meant that three commercial hazardous waste incinerators planned for Massachusetts did not need to proceed. The legislation came about as a result of community resistance to the siting of hazardous waste incinerators in their neighbourhoods and lead firstly to the 1983 Massachusetts Right to Know Act and then to the Toxic Use Reduction Campaign that ultimately lead to the Toxic Use Reduction Act. This was the first legislation of its type to be adopted in the US. Since its enactment over 12 other states have followed suit with similar legislation. Professor Geiser explained that the Toxic Use Reduction Act (TURA) focuses on

- Prevention rather than Control of hazardous waste production
- Chemical use rather than Chemical release

- Cooperation, rather than regulation.

He outlined how, since the implementation of the Act hazardous waste generation has been reduced by 58%, during a period when production grew by 49%.

Participating companies included international giants such as Polaroid, Digital, AT&T and Monsanto.

We were both alarmed and excited about what we heard. There were known risks associated with incineration but there were also sensible alternative ways of dealing with waste. We were persuaded by these experts' coherent arguments and their practical experience. They gave their time and expertise for free and they had no vested interest. They were not anti industry. They asked us to pause... invited us to consider wider issues. On the basis this information we asked Indaver to resubmit their first planning application under the 2000 Planning Act . This request to allow our fears about health and the environment to be discussed in an open way was the company's opportunity to show us their bona fides. It was a serious request by the community and an occasion for the Indaver to build confidence in the Harbour area. What happened? They refused to consider our request, stating that it was not in the company's economic interest to wait. It is worth noting Inspector that the time period involved for the new Planning legislation to come into being was six weeks. Six weeks. I don't believe that we made an unreasonable request. This proposed development if it went ahead would be part of our lives for at least 20 years. If the company were so convinced about the safety of their facility they has a perfect opportunity to engage with this community and allow genuine concerns to be discussed in an open and transparent manner. That was the time to work with the community and develop trust and good neighbour relations. It did not happen. No in fact they come back with a new planning application for a bigger facility and seeking planning permission for ten years.

You may say that this is a new application and all those matters may now be fully addressed in the present proceedings. This is true but only to an extent. Some of the participants at the Hearing (myself included) still have the threat of Supreme Court costs over our heads. The company is entitled to pursue its costs but if they are seriously trying to develop goodwill in the Harbour I think we can be forgiven for finding it a challenge to believe them. I can assure you Inspector that if there was an alternative to the High Court and Supreme Court challenges the eight individuals involved and the Ringaskiddy Residents Association who put their names to the proceedings would have gladly taken it. None of us want the burden of having these costs hanging over us or our families. We are left feeling vulnerable and we can have little doubt about the extent to which the company will go to pursue its objectives. We wanted to examine the application using proper consultation methods but from a very early stage this was refused. Community trust was undermined at this point and no amount of public relations will repair the damage.

Public Participation in the Planning Process

Inspector I believe the planning process should seek to be inclusive of all its citizens especially in relation to major planning projects. The effects and outcomes of planning decisions are felt long after the grant of planning has been given and the Competent Authorities have left. I have already spoken at the Hearing about my concern regarding how the contributions of the community are evaluated and weighted. I am worried that the process is not able to incorporate the type of contributions presented by the community as they do not fit easily into "readily measurable" categories. I have listened to many of the community presentations as I believe they add depth and a richness to the enquiry. The submissions are usually non technical in nature (though not always) and they refer to the lived experience of people. How does the Oral Hearing Enquiry incorporate these contributions into its analysis? Is it possible to hold up these submissions and test their validity in an objective, rational sense? They are unlike the submissions of the expert/technical presentations where the expertise of the opposing experts can be interrogated and to some extent be tested even if it is only by using models. How do the various contributions get weighted? It is hard for people to keep showing up at these Hearings making submissions, not knowing if contributions are of any relevance. In our case this is our third Oral Hearing.

Assessing Community Contributions

How to evaluate the contributions of community presentations; the case for validating different types of data.

What is the method for evaluating the community contribution? The third party contributions are recorded and listened to by the Inspector. You listen very carefully to the contributors and you have made the experience of presenting as informal as possible. You have explained that you are here to gather data. The more the data is supported by relevant documentation the better able you will be to review it and form an opinion about its relevance and validity. This has been helpful to us Inspector. The type of data you will gather from the community is not only quantitative data though this does form a significant part of the community contribution as represented by the experts for CHASE. In addition Inspector I believe the community contributions are also represented by another type of data i.e. qualitative data. Qualitative research seeks to develop insights rather than statistical perceptions of the world. Qualitative research has a special value for investigating complex and sensitive issues. It is less concerned with making general claims but rather seeks to develop an in-depth understanding of issues as they are experienced by those directly involved. In this case Inspector you will have heard accounts from individuals and groups from all around the Harbour concerning their fears for their neighbourhoods and their vision for how their communities could develop. These submissions form a unique contribution to the Hearing. They put faces to the numbers, we are no longer just talking about "traffic movements" we have to look directly at parents and grandparents who are worried about their children's safety getting in and out of school, playing sport, going to the local beach etc. The contributions allow us to hear the voices of children and teenagers worried about their families and friends who are already living with the effects of cancer. They tell us they already have enough to

cope with. They also point out that they are the people who will have live with the long term effects of the development. We also get to hear the pride in their voices when they speak about their Green School Awards and how waste minimisation and waste prevention are not just buzz words to them, their schools have achieved these targets and lead the way in Greens schools in Europe. We heard from another resident about the financial cost of participating in the planning process and how such costs exclude some members of our community. The following is a list of those who have voiced their concerns and object to the development.

Primary Schools	Ringaskiddy Primary School Board of Management St Marys National School Cobh
Secondary Schools	Colaiste Mhuire Cobh Board of Management, Students Council, Green Schools Representatives
Residents Associations	Ringaskiddy and District Residents Association. Whitepoint Residents Association Cobh Blackpoint Residents Association Cobh The Spires Cobh Ballymore Residents Association Cobh Norwood Court Residents Association Cobh Ballinacrusha and Lisnasky Residents Association Ballynoe Farm Residents Association Cobh
Tourism	Titanic Trail Michael Martin Cobh Tourism Paddy Whitty East Cork Tourism Mary McCaffery
Health	Irish Midwives Association. Chris Brownlow Cobh General Practioners Dr Harry Kelleher Professor of General Practice UCC Dr Colin Bradley Paediatric Nurse Cobh Maura O Driscoll
Farming/Sustainable Living	Irish Farmers Association Carrigaline Midleton Transition Group
Public Representatives	Councillor Paddy Whitty Cobh Senator Dan Boyle Kathy Sinnott MEP Councillor Dominick Donnelly

When I examine the list of objections and look at the names of the objectors two things strike me.

1. The objections come from all groups in our community, business, farming, leisure education, medical and public representatives to mention a few. They represent all age groups. There is not one person who believes that this development will be beneficial. In fact I believe you will be hard pressed to find a community so united in its opposition to a planning application.

2. The profile of the people who have made objections. If you look through the submissions and listen to the presentations you will see that the contributors are regular people. Most of them have never objected to anything in their lives. Many are conservative by nature. Their efforts to make their written and oral submissions were not done lightly. Many found it expensive and the fundraising required to meet our bills will go on long after the Hearing finishes.

All these submissions and presentations form a vast amount of qualitative data . They represent the lived experience of those who will be affected by the proposed development. All these individuals and groups offer insider knowledge about how the proposal will impact on their neighbourhoods and communities. They live in the area and are expert in what will affect them in a positive or negative way. It is not possible to evaluate their contributions using quantitative analysis but I think their contributions can leave you and the Board in no doubt about the extent and the variety of their opposition to this proposed development.

We believe it is important to reflect on and listen carefully to the voices of angry and worried residents of the Harbour. You have heard voices from Ringaskiddy, Youghal, Monkstown, Passage West, Glenbrook, Kinsale, Carrigaline, Crosshaven, Cobh, Midleton and Cork city to mention just a few. How often do we have to repeat ourselves?

PLANNING AS PART OF THE DEMOCRATIC PROCESS

Inspector you will also hear and see our contributions in other places. As representatives of the different community groups and under the umbrella group CHASE, we have made submissions to County Development Plans, Local Area Plans, Local Waste Plans, the Democracy Commission, National Waste Management Conferences, EPA Reviews and indeed we have presented at the Irish Planning Conference. We speak to primary and secondary schools. We have spoken at university conferences. We also contribute the Coastal and Marine Development Unit set up by UCC to promote the organised and sustainable development of the Harbour. As committed communities we believe that it is essential for us participate in all aspects of community development. This is what participatory democracy means to us.

The County Development Plan and the other Plans are the culmination of a public consultation process where citizens, their local representatives and the local authorities come together to make plans about how best to develop the Region for the following five year period. We believe as residents and citizens that we are well placed to contribute to development of such plans after all we have to live with the consequences of these contributions.

The Plans are the result of detailed consultations between State (in this case the Public Authority) and its citizens. This process is what we as citizens rely on to have our views reflected and taken seriously by anyone who wants to develop infrastructure or any other facility in our county. As citizens we have done our part. We have contributed at individual and group levels to the consultation process. We take our commitment to it seriously. We now have the Development Plan. It was arrived at through a democratic process. It is clear and unequivocal. I don't propose to go through the County Development Plan as you already know that incineration has no role to play in any aspect of the Plan. The point is Inspector we have a Plan. We have it so that the democratic process can operate in a coherent fashion. It is completely irrational to deviate away from the Plan. If the Plan is not to be considered when determining this type of development, it makes a farce of the Planning and Democratic systems. You will also no doubt be aware of the circular sent to all Planning Authorities from the Department of the Environment May 2009 which clarifies that waste policy is changing.

“There is an emphasis on moving away from the high reliance on incineration foreseen in the National Development Plan In this regard it is intended that there be an increased commitment to the use of alternative technologies, including those known as mechanical and biological treatment.”

Michael Layde, Principal Officer, Waste Policy: Review and Regulation.

The only grounds under which the last planning application was granted permission was that incineration was the corner stone of National Waste Policy. This is no longer the case.

I want to state that the community welcomes the robust defence by the County and City Councils of our Development Plan. We were heartened by the way their attitude to waste management has been transformed over the last eight years. We are encouraged by their efforts to develop the higher order aspects of the waste hierarchy and in particular their active promotion of prevention as the central plank of all sound waste management activity. They are to be applauded and recognised for their efforts on our behalf. They have confidence and as does the community in our ability to meet the requirements of the Landfill Directive within the designated timeframe. I would however point out that the burden of stopping this development has fallen heavily on the community. We have had to raise substantial funds to have our voices heard. We have had to rely on the courts, we have had to lobby politicians and challenge the hegemony of indifference which was at the heart of the attitude to waste management. We have fought lonely battles but I think the climate has changed . We have developed confidence from our hard work and effort. We know there are better uses of our precious and extraordinary Harbour and we are not afraid to stake our claim.

I believe Inspector the people of Cork and the Harbour area have shown themselves more than up to the task of dealing responsibly with our waste . You need look no further that the contributions of the local schools and public bodies. There you see the level of local engagement and willingness to participate in recycling and waste prevention activities.

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In conclusion, I hope that you will give our submission your careful attention and that you will be mindful of the sustained effort that we have mounted to resist this development. There is no one, apart from the applicants, pushing this application. Public policy no longer requires incineration to be the cornerstone of waste policy. The public bodies have already decided how best to manage waste created in Cork. Finally, the public have turned up to this Hearing in great number to voice their opposition to the proposed development.

Cork can deal very well with its own waste and we have very definite ideas about how we want to develop our Harbour. Locating two monstrous incinerators in our midst does not feature in our plans.

Thank you for listening to our concerns Inspector.

Mary Hurley
Chairperson
Cobh Action for Clean Air