



An tÚdarás Sláinte agus Sábháilteachta
Health and Safety Authority

☎ 0818 289 389 ✉ landuseplanning@hsa.ie 🌐 www.hsa.ie

Planning Department
Kildare County Council
Aras Chill Dara
Devoy Park
Naas
County Kildare
W91 X77F

06/06/2024

Re: Review of the Collinstown Strategic Employment Lands Masterplan April 2024 & your email of 25/04/2024.

Dear Mr. Dunney,

The Health & Safety Authority (the Authority) is an Authority prescribed under Article 13 of the Planning & Development Regulations 2001-2015 and as such is required to be consulted in relation to Development Plans under sections 11-13 & 24 of the Act.

The approach of the Health and Safety Authority (the Authority) to Land-use Planning is set out in the document 'Guidance on technical land-use planning advice'. It is available from our website at: https://www.hsa.ie/eng/Your_Industry/Chemicals/Legislation_Enforcement/COMAH/Land_Use_Planning/
The document should be consulted to fully understand the advice given in this letter.

The Authority would expect the planning guidelines to contain:

1. An indication of planning policy in relation to major accident hazard sites notified under the regulations, which reflects the intentions of Article 13 of Directive 2012/18/EU.
2. The consultation distances and generic advice, where applicable, supplied by the Authority to Kildare County Council in relation to such sites (has been included for Intel). These distances to be indicated on the various maps included in the plan, as well as any more specific distances and advice supplied by the Authority .
3. A policy on the siting of new major hazard establishments, taking account of Article 13 and the published policy of the Authority in relation to new developments, including developments in the vicinity of such establishments.
4. Mention of the following notified establishments:

A. Establishment 1 Intel – information included in section 2.4.3.

The Authority is satisfied that information as set out in points 1-4 has been provided in the Collinstown Masterplan and has no further comments to make.

If you have any queries please contact the undersigned.

Yours sincerely

Tara Horigan

Tara Horigan

Inspector,

COMAH, Chemical Production & Storage (CCPS)

Encl: Note on the Approach of the HSA to the Provision of Land-use Planning Advice

Note on the Approach of the HSA to the Provision of Land-use Planning advice.

The Authority, acting as the Central Competent Authority under the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (S.I. 209 of 2015), gives technical advice in response to a notice sent by a planning authority under Part 11 of the Planning and Development Regulations 2001-2015. Under Regulation 24(2) of S.I. 209 of 2015, the technical advice on the effects of a proposed development on the risk or consequences of a major accident relates to the following types of developments within the consultation distance for an establishment:

- (a) the siting and development of new establishments;
- (b) modifications to establishments of the type described in Regulation 12(1);
- (c) new developments including transport routes, locations of public use and residential areas in the vicinity of establishments, where the siting, modifications or developments may be the source of, or increase the risk or consequences of, a major accident.

The advice given is for the purposes of assessing new development only. A full explanation of the Authority's Land Use Planning advice system can be found at

http://www.hsa.ie/eng/Your_Industry/Chemicals/COMAH/Land_Use_Planning/

Your attention is drawn to Regulation 24(3) of S.I. 209 of 2015:

(3) The technical advice provided by the Central Competent Authority to a planning authority pursuant to paragraph (2) may be generic or case specific in nature and shall be so formulated that it will assist the planning authority to take into account the need, in the long term—

- (a) to maintain appropriate safety distances between establishments covered by these Regulations and residential areas, buildings and areas of public use, recreational areas, and, as far as possible, major transport routes;*
- (b) to protect areas of particular natural sensitivity or interest in the vicinity of establishments, where appropriate through appropriate safety distances or other relevant measures; and*
- (c) for the operator to take additional technical measures, in the case of existing establishments, in accordance with Regulation 7, so as not to increase the risks to human health and the environment.*

In giving its advice the Authority does not deal with routine emissions. Such emissions will be subject to EPA or Local Authority scrutiny and control.

The operator of an establishment covered by S.I. 209 of 2015 is also required to take all necessary measures to prevent major accidents occurring and to limit the consequences of any such major accidents for human health and the environment