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Aarhus, Climate Adaption and Citizen Engagement Division
Department of the Environment, Climate and Communications
Newtown Road
Wexford
Y35 AP90

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Dear Sir/Madam,

Re: Public Consultation on the Implementation of the UNECE Aarhus Convention and PRTR Protocol in Ireland

daa, Head Office, Dublin Airport, Co. Dublin, welcomes the opportunity to comment on the Implementation of the UNECE Aarhus Convention and PRTR Protocol in Ireland. Providing rights to the individual and their associations to access information on the environment, participate in environmental decision making and provide access to justice, this submission provides an opinion on the implementation of the Aarhus Conventions specifically with respect to Dublin and Cork Airports.

Access to Environmental Information

While daa agrees with and supports the release of environmental information, the description of environmental information set out in section 3 of the regulations is very broad. This can result in complex and lengthy requests for information. daa recommends the description of environmental information is reviewed to provide clarity on the scope of information to be provided. Additionally, this should not preclude engagement with the requester. The regulations should allow for engagement between parties to

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understand the nature of the information being sought. This would improve efficiency by potentially reducing the burden of administration, whilst also ensuring a quality response. With that, daa also recommends an extension of 30-day response timelines due to the cumbersome gathering and reviewing of requested information.

The regulations as they stand fail to provide a mechanism for handling vexatious requests and therefore there is potential for a misuse of the process to repeatedly generate requests. daa recommends the right to access information conveyed under the Aarhus Convention is protected by adopting measures to ensure legitimate requests are safeguarded and prioritised over frivolous ones. While there is a mechanism for applying charges to retrieve data, daa believes this should be strengthened and there should be a minimum standard charge applicable to all requests.

Public participation in environmental decision-making

daa welcomes the introduction of statutory instrument no. 180 of 2020, which requires the publication of all planning applications and associated documentation on Local Authority websites within 5 days of receipt. daa welcomes further improvements in this regard that would achieve greater digitisation of the planning system overall. Often throughout 2020 public planning counters were frequently shut to the public due to the pandemic and required appointment only viewing. The introduction of an online planning portal whereby applications, observations and appeals can be submitted online would allow for a more robust planning system to ensure open access for all during times of emergency.

Access to Justice

daa interacts with the planning system through its statutory mandate to commercially operate, manage and develop Dublin and Cork Airports. As such, daa is responsible for delivery of large strategic infrastructure of national importance, such as the north parallel runway, an objective of the National Planning Framework (NPF). If Dublin Airport is to meet the ambitious targets of the NPF such as this, it needs a planning and legislative framework that supports the timely delivery of strategic infrastructure while ensuring good planning and environmental outcomes.

In this regard, daa has participated in the public consultation on the General Scheme of the Housing & Planning and Development Bill 2019, which recommends a number of changes to the legal process in Ireland. daa welcomes the changes proposed under this bill to safeguard the voice of citizens while at the same time, limiting opportunity for vexatious

challenges, which can lead to undue costs and delay to much needed national infrastructure.

Conclusion

This concludes our comments. We would like to thank you for the opportunity to make this submission. As a key stakeholder, we would welcome any opportunity to further discuss the recommendations made in this submission.

Yours faithfully,

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