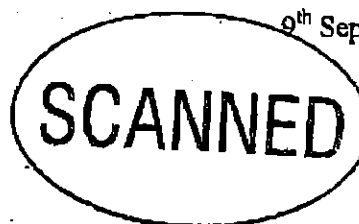


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P09/433

PER REGISTERED POST9th September 2009

An Taisce
Tailor's Hall
Back Lane
Dublin 8



Re: Declaration under Section 5 for works currently in progress and proposed to be commenced shortly, all being carried out by Shell E&P Ireland Limited, ancillary to construction and instillation of the Corrib gas pipeline and being carried out above the median high water mark and pursuant to consent issued under Section 40 of the Gas Act 1976, granted in April 2002 – An Taisce

Dear Sirs,

I refer to your request of a Declaration under Section 5 of the Planning & Development Act, 2000.

WHEREAS a question has arisen as to whether the construction works being carried out by Shell E&P Ireland Ltd. in the townland of Glengad which are related to the accommodation of the Corrib Gas pipeline on land above the Median High Water Mark and as set out in Section 1.1 of the "Corrib Field Development Project Onshore Works – Landfall Site Establishment Environmental Management Plan" 2009 are exempted development;

AND WHEREAS the said construction works consist of; the erection of temporary perimeter site works fencing and access entrance, installation of temporary offices, store, canteen and toilets, installation of temporary utility requirements including power, water and communications, temporary electrical grounding and lightning protection, temporary power generation and distribution, temporary lighting and associated junction boxes, provision of fire, safety and security protection, fire detection and protection to all temporary works preparation of a laydown area, erection of temporary intertidal site works fencing maintenance of roads and hardstand area, top soil removal and safe storage, excavation of cliff face and construction of a temporary causeway in Broadhaven Bay including importation of suitable fill material, if required, construction of an intertidal trench using land based machinery from the temporary causeway, including a water winning pit, installation of equipment for pipeline pull ashore, removal of imported temporary causeway material off site reinstatement of intertidal trench, reinstatement of cliff face, removal of temporary site facilities and fencing, reinstatement of site area including repair if required to damaged areas, noise control, air emissions, vibration and

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dust control, collection and disposal of all waste materials by a licensed waste contractor, waste water collection and treating offsite;

AND WHEREAS a declaration on the said question was requested by An Taisce from Mayo County Council on 29th day of May 2009 in accordance with the Planning & Development Acts 2000-2006;

Mayo County Council wishes to point out having regard particularly to:

- a) Section 3(1) of the Planning and Development Acts 2000 – 2006,
- b) Section 4(2)(ii) of the Planning and Development Acts 2000 - 2006,
- c) Article 6(1) and 6(3) Planning and Development Regulations 2001 – 2008,
- d) Article 9(1)(a)(ii), (vi) and(x) of the Planning and Development Regulations 2001 - 2008, and
- e) Classes 16 and 25(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 – 2008;

AND WHEREAS, Mayo County Council has concluded that:

- a) the works as set out in Section 1.1 of the "Corrib Field Development Project Onshore Works – Landfall Site Establishment Environmental Management Plan" 2009 are required temporarily in connection with the carrying out of works which are being carried out pursuant to a development which is exempted development under Class 25(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, that being the construction of a gas pipeline which is the subject of a consent by the Minister of the Marine and Natural Resources under section 40 of the Gas Act 1976;
- b) the works as set out in Section 1.1 of the "Corrib Field Development Project Onshore Works – Landfall Site Establishment Environmental Management Plan" 2009 do not consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width;
- c) the works as set out in Section 1.1 of the "Corrib Field Development Project Onshore Works – Landfall Site Establishment Environmental Management Plan" 2009 do not interfere with the character of a landscape or a view or prospect of special amenity value or special interest the preservation of which is an objective of the Mayo County Development Plan 2008 to 2014;
- d) the works as set out in Section 1.1 of the "Corrib Field Development Project Onshore Works – Landfall Site Establishment Environmental Management Plan" 2009 do not consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility.

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It is concluded that:

Mayo County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Acts 2000 - 2006, hereby decides that the construction works being carried out by Shell E&P Ireland Ltd. in the townland of Glengad which are related to the accommodation of the Corrib Gas pipeline on land above the Median High Water Mark and as set out in Section 1.1 of the "Corrib Field Development Project Onshore Works - Landfall Site Establishment Environmental Management Plan" 2009 is development and is exempted development.

Yours sincerely,

MARY KILLORAN COYNE, A.O.
PLANNING SECTION

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