

27 June 2019

CRDPS058

Development Plan Team
Planning Department
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Dear Madam or Sir,

RE: Counter Representation to Draft Local Development Plan 2030

Reference number of earlier submission: DPS296

I wish to make a representation, with the possibility of myself or an agent attending, to be heard orally at the independent Examination as per para.15 of the PAC document procedures.

At the outset I wish to object to the pre-determined structure, format and design of the draft local development plan. The authors of this draft plan have essentially pre-determined an overly rigid framework, in essence making sufficient provisions to ensure that the mining of precious metals and minerals plus the installation of wind turbines in The Sperrins AONB would be guaranteed, against the will of the people. The methodology appears fundamentally flawed. This Draft Plan has at no point allowed local people the opportunity to choose what we want or do not want in our area. This contradicts both the objective and the essence of what LDP 2030 portrays.

The vast majority of people do not want precious metal & minerals extraction or processing nor the installation of yet more wind turbines; instead they want The Sperrins to be left intact and indeed developed sympathetically as a core tourism destination. This Council Draft Plan has essentially side-lined The Sperrins as an integral element of the tourism strategy, which should have the potential to secure our economic livelihoods and our environment for generations to come.

The travesty of this draft plan is that by allowing or facilitating the industrialisation of The Sperrins, Fermanagh and Omagh District Council (FODC) would put at risk the health of our people, aiding the devastation of our environment and destroying Sperrins AONB tourism, agriculture and fishing. The focus on tourism and developing a truly sustainable tourism product for future generations would be abandoned in the interest of financial gain for foreign corporations and their investors, with little benefit to our economy. Not only that,

but the opportunity-cost would also include the rape and pillage of our natural resources and the legacy of a toxic time bomb with an immeasurable price tag. FODC, if it pursues this agenda to advocate this draft local development plan in its current form, would be facilitating the detrimental health, environmental and economic consequences of the industrialisation of the Sperrins.

The Draft LDP risks making the Council liable for future health and environmental adverse claims based on their role in designing, facilitating, advocating and implementing these high risk and environmentally destructive proposals. As the local authority, FODC has responsibility for environmental health matters in the District and has a level of awareness of the serious concerns and risks to health and to the environment from these industries. As in other spheres of responsibility, the Council will be liable for future claims arising as a result of this policy.

An unnecessarily complicated and confusing consultation process:

This process has been made extremely complicated for the lay person to participate and engage in. One example is the requirement to base consultation responses on the soundness principle. At the same time, it transpired that those leading the public consultations were not familiar with the details of the 'soundness test'.

A further instance is that at this stage of 'counter representation' consultation, it is a condition to be limited to 'site specific' issues. In relation to applying it to an environmentally destructive industry such as precious mineral mining, it is not clear what this means. There is a feeling that this opaque language is designed to discourage the large number of representations already received during the initial consultation period, many of which focused on opposing the proposed goldmining and cyanide processing plant and the industrialisation of the Sperrins. The draft local development plan would appear to have been designed around permitting valuable minerals development in our Council area, with selectively worded exclusions to facilitate the precious metals and minerals agenda. My counter representation principally relates to the submissions from Dalradian Resources (DPS 271), Crown Estate (DPS 021) and QPANI (DPS 105).

Given FODC's stated prioritisation for sustainability and for the environment, key site specifics that this new Local Development Plan must rule out in the future are: precious metals and minerals extraction and processing in the Sperrins; Uranium mining; a Geological Disposal Facility in The Sperrins to store radioactive waste including Naturally Occurring Radioactive Materials (NORM); wind turbines in the Sperrins; the roll out of 5G, an experimental technology that is medically and expertly proven to cause harm to humans and environment. These should all be prohibited in the LDP, until it is proved beyond reasonable doubt that there are no detrimental health and environmental consequences.

Whereas Dalradian has only officially identified one mining site (997 hectares) in its planning application, the company Chief Executive has made it clear that they propose to develop a "mine camp" (Patrick Anderson, MD of Dalradian) on its 122,000 hectares exploration and prospecting licenced area. It is unacceptable that the consultation methodology would rule out consideration of the cumulative health and environmental impacts of plans such as this that are already in the public domain.

The Local Development Plan must acknowledge and highlight the rich treasure trove of archaeology, cultural heritage and designated sites in the Sperrins AONB. It is shocking however that the current draft effectively airbrushes out these core resources including the Black Bog RAMSAR site, Creggan Nature Reserve, the archaeological sites within The Sperrins area, the historical sites including the Green Road and the Battle of Formaal site, while also demoting other Special Areas (SACs, ASSIs) to permit the industrialisation of The Sperrins. This is without even having an opportunity to discuss the imminent plans to impose 5G, an experimental microwave technology that is intended to be rolled out across the entire district, once again non site specific.

It seems that the authors of the Draft LDP have unilaterally assumed a preferred option in favour of precious metal and minerals mining and the industrialisation of the Sperrins areas (ANOB) with disregard to the local communities, ignoring the main focus of the Strategic Environment Assessment (SEA) and consequently the related European Legislation, Regional Development Strategy (RDS), 2035, Habitats Regulation Assessment (HRA), and Strategic Planning Policy Statement (SPPS).

In terms of 'site specific' consideration regarding gold mining, The Sperrins AONB is relevant with a focus on, but not limited to, the 997 hectares identified in Dalradian's planning application. It is disingenuous to present gold mining as though it was a massive development opportunity for the District when the reality is that gold mining is a risk of incalculable proportions. Whether the risks have been hidden by a developer, ignored or simply not known by the relevant statutory authorities is a separate issue. At this point in time the Council must honour its obligations and adopt a position of professional honesty in all aspects of its decision making. In the drafting of this LDP, it can no longer act as if it were unaware of the risks and of the unsuitability of the Sperrins as a site for gold mining. The gold mining project is proposed to be situated in an Area of Outstanding Natural Beauty, approximately a kilometre from the local primary school and pre-school facility, community centre, playing fields, church and village of Greencastle. It is on an elevated hillside (approx. 300m above sea level) exposed to wind, snow, rain, with numerous underground water channels, ideal to spread pollution, and certainly not suitable for a proposed dry stack tailings storage facility. The high risk discharge into the local rivers includes acid water (sulphuric acid), mercury, lead, cadmium, chromium, zinc, copper, arsenic iron, nickel, etc. The area has one of the highest radon levels in the Britain and Ireland, and as mining would

release radon gas into the atmosphere there is an ominous risk of radioactivity damaging people's health. Dalradian proposes to use at least 2 tonnes of cyanide per day, 365 days a year, as the quality of the ore is such that only the traditional method of cyanide leaching can make the project financially feasible.

The huge toxic waste storage facility will be 895m by 365m by 53m (17 storeys) high, when exposed to the air will release toxic chemicals such as lead, arsenic mercury, zinc and cadmium, etc. The risk of skin, kidney, respiratory illnesses or cancers are excessive. This toxic tailings dust, given the elevated site and high wind levels, will spread widely to agricultural land, be ingested by native wildlife/agricultural animals and enter our food chain.

The requirements for this single mine (the developer has indicated that this is just the first of a "mine camp") involve: Settlement ponds for 145million litres of toxic discharge, 4.3m litres of diesel to run plant annually, electrical power equivalent to run 15,000 homes annually, 750,000 litres of water per day from rain water, recycling and underground aquifers.

Removing headwater streams and lowering the water-table would totally change the hydrology of the region. The impacts on the rivers and water systems have not been satisfactorily addressed and many critical questions remain.

This draft LDP plan should take cognisance of the fact that on 28th April 2017 the European Parliament voted with an unprecedented vote of 566 in favour and 8 against for the European Commission to ban the use of cyanide-based mining in the European Union. With environmental awareness growing apace, planning and development policy needs to ensure that we do not allow our District to be the dumping ground for dirty industry even allowing cyanide leaching, that the developer's own experts acknowledge will inevitably involve pollution of the ground & water (linking in with the newly formed Environmental Justice Network Ireland, and working with local environmental and community groups would be strongly advised and hugely beneficial).

Water quality issues in lakes and rivers:

It is time to face up to the deteriorating quality of the water in the rivers in the North of Ireland. Two thirds of the rivers and lakes are failing to meet mandatory EU quality standards. Bob Foy, who has spent 40 years working on water quality, points out the residual problems from nutrients arising from decades of intensification of agriculture and the increasing problem of leaching of phosphorous from slurry (BBC NI 24 June 2019).

The biggest pressures on rivers come from agriculture, wastewater treatment, domestic septic tanks and development. Targets for water quality in the rivers are contained in the six-year River Basin Management Plans and progress on agreed plans to improve water quality is due to be reported to the EU again in 2021. A mid-point review, published in 2018, showed a deterioration in overall condition of the rivers. In this context proposals for significantly increased discharges of heavy metals: mercury, arsenic, copper, lead, zinc, iron, uranium, chromium, cadmium, etc. and sulphuric acid and suspended solids into the

Owenkillew/Owenreagh Rivers from gold mining would be insupportable (Environmental & Social Impact Assessment, SRK November 2014). Ammonia is also a by-product of the cyanidation gold processing as planned for Greencastle.

The new awareness of the failure of our rivers and lakes for water quality targets means that derogation from EU standards is no longer an option. The FODC draft LDP must include this recognition and plan for: an immediate halt to the NIEA/DAERA policy of seeking derogation from implementing the targets; robust environmental enforcement of regulations to protect SACs, ASSIs and AONBs; no precious mineral mining; no hydraulic fracturing for shale gas. Further it requires an immediate halt to the granting of permits for pig and chicken factory farm businesses that are adding to the toxic time-bomb being built up for the next generation. The implementation guidelines for environmental regulation must be changed so that businesses are not being given advice by public bodies on how to evade the environmental regulations (advising businesses to break their factory pig farm up into units of 1,999 to evade Habitats regulation). On the back of the RHI scandal this is another disgrace that makes a mockery of public sector probity and adds to the loss of public trust in public governance. It needs to start at local Council level and it needs to start now with this LDP.

Currently Omagh & Fermanagh District employs 3,500 in tourism, with a tourism revenue of £54m per annum – 2016 (NISRA.gov.uk). Let's take a modest growth of 3% per annum over 20 years (NI Exec using 6% growth) – this equates to 2821 new sustainable local jobs, generating additional tourism revenue of £43.5m after year 20, if tourism continues on its current path. Tourism NI Chief Executive, John McGrillen (IN Business 7 June 2019) said, "As we plan ahead for the next decade, our ambition is to double the value of tourism to £2bn a year by 2030....It will also require further investment in new attractions and experiences and in developing the skills the industry needs." Contrast that to the scenario where goldmining and cyanide processing plant was operational and assume a modest 3% decrease in jobs equating to an overall reduction of 1163 jobs by year 20, reducing tourism revenue by £18m. This scenario planning test would suggest that the economy would be less well off by approximately 4000 jobs/job opportunities and by £61m. Neither the NI Executive nor the statutory departments have undertaken an environmental, health or economic review on the precious metals and minerals agenda and hence cannot meaningfully make an input in this process. When considering such a high risk industry it is problematic that government accepts as fact data provided by a company that itself is compromised by its financial interest in same.

A related fact that requires strategic consideration in the LDP is that our water treatment plants do not test for or treat heavy metals. Heavy metals are a by-product of mining & processing, hence we will be consuming these chemicals essentially oblivious to our regulatory bodies. There are no plans for modernisation of water treatment plants, given the vast expense, so people will effectively be slowly poisoned and this to the knowledge of

our relevant statutory agencies, government departments. It appears that this will be permitted as we do not have an Independent Environment Protection Agency (EPA) and the NIEA's role is to primarily support the developer, in the pursuit of economic growth, regardless of risk, providing the developer can get their consultant to sign off on a 'positive' report.

Below are examples of where the draft LDP has failed to meet the soundness test.

Procedural tests

P1 Has the LDP been prepared in accordance with the council's timetable and the Statement of Community Involvement?

Community involvement (specifically from the people of Greencastle) has been ignored at the expense of mineral development (precious metal and minerals specifically), designation of areas, furtherance of the installation of wind turbines at the expense of community health, environment or objections

P2 Has the council prepared its Preferred Options Paper and taken into account any representations made?

They have essentially ignored the outcry regarding the goldmining and use of cyanide and have accepted unenforceable mitigating measures that are dependent on the self-monitoring in good faith of a tarnished industry. The outcry regarding wind turbines has been essentially ignored, even areas which are saturated with wind turbines is deemed to still have capacity while The Sperrins ANOB is now a targeted area for Wind turbines. The protection of the environment has been ignored in the pursuit of industrialisation hence the re-designations and opening up the region for industrialised processes. The recent motions taken by the council and expanded on by the local councillors to ban goldmining and stop Permitted Development Rights must be included in the LDP.

P3 Has the DPD been subject to sustainability appraisal including Strategic Environmental Assessment?

No the key elements of the SEA, sustainable development has not been considered in relation to the overall plans for the industrialisation of The Sperrins AONB. The Sperrins AONB must remain intact, hence the entire LDP must be re-written to accommodate same. The bad practice of granting permits for factory farms that are facilitated by the NIEA to evade EIA has not been considered. The perilous quality of water in rivers and lakes throughout the region has not been factored into consideration. The claim by a Canadian mining company that there is a draft plan for downgrading the target water quality status in the Owenreagh / Owenkillew River(s) that would facilitate discharge of waste from

goldmining has not been considered. (DAERA have said that the company was referring to a wrong draft document.)

Consistency tests

C1 Did the council take account of the Regional Development Strategy?

No

RG11 text states that areas of landscape quality should be protected and that the countryside should be protected from inappropriate development. The Draft Policy Min01 clarification should be used to protect The Sperrins environment, the health of the people and the tourism infrastructure and to facilitate sustainable family farming. As detailed in RDA key concerns are the air quality and water quality of Northern Ireland. These must be reinforced in the policy clarifications.

The RDS proposes to Protect and extend the ecosystems and habitats that can reduce or buffer the effects of climate change. Many ecosystems and habitats (such as peat bogs) act as sinks or stores for carbon if undisturbed. The current draft LDP appears to miss the point totally and instead would facilitate the destruction of these areas by the adoption of this minerals development policy.

The RDS 2035 does not mention mineral development at any point let alone linking it to precious metals and minerals which FODC has done. By contrast the key Strategic Guidance for the LDP highlights: Economy, Society and Environment with all areas prioritising sustainable development. In terms of the economy the actual focus is on tourism. The environment is fully focused on sustainability, particularly protection of our air, water and natural environments while minimising waste (something which precious metals & minerals cannot achieve by the very nature of this dirty industry).

Prior to that the Regional Development Strategy Volume 1 Environmental Report 2010, does indeed refer to mineral development; however, this mineral development purely focuses on aggregates with no mention of precious metals at any point.

The Strategic Environmental Assessment refer to minerals on many occasions, however, not once is it implied that the minerals are precious metals or minerals.

FODC in 4.72 defines Minerals as “includes all minerals and substances in or under land of a kind ordinarily worked for the removal by underground or surface working except that it does not include turf (peat) cut for purposes other than sale.” The author of the LDP does not identify the source of this definition and it seems not to be found in the previous related publications.

The draft LDP notes that “aggregates such as sand, gravel, and limestone are widespread within the council area and can be found within the council area and can be found in areas

of high scenic value and environmental sensitivity.” It would be helpful if a breakdown of the data behind this statement were included. This should include detail on sand and gravel quarries in AONBs, in or beside SACs, in ASSIs, in areas with archaeological significance.

“Valuable minerals such as gold, silver, lead and copper are also present but are more limited in occurrence.”

This is the only reference to minerals that propose to change the classification to precious metals and minerals. There is a fundamental difference between minerals as aggregates and precious minerals extraction in that the latter requires processing with toxic chemicals and by default will generate toxic waste of a different order.

Furthermore, precious metal and mineral extraction will cause acid rock drainage for generations, hence resulting in potentially hundreds of millions of pounds for remediation. Already in 2013 acid water drainage has been identified as a problem at Curraghinalt. Min02 does not address this sufficiently.

Furthermore, in terms of Draft Policy Min01 – Minerals Development The word ‘unacceptable’ in the first line should be removed as this is subjective and open to abuse by planners as Planning has appeared unreasonably favourable to precious metal and minerals mining. Any adverse impacts based on the listed 6 criteria should not be supported by the local Council.

The second part for (vii) to (xi) should be removed as they are explicitly related to precious metals and minerals as re-defined by FODC.

In terms of Policy Clarifications 4.75 – 4.80 these should be deleted as they are providing the planner with methods to circumvent the restrictions of points (i) to (vi).

It is wrong that the last sentence in each paragraph, excepting 4.79, is worded to permit mineral extraction irrespective of the first 6 points.

Indeed, when undertaking this strategic environmental assessment and environmental Impact assessment the overall cumulative impact of numerous precious metal and mineral mines, extraction of various other minerals and substances (cobalt, uranium, lithium, zinc, silver etc) and their associated chemical processes have to be considered on the environment, tourism, health and agriculture. Consideration must be given to the well documented and immensely negative impact on air, water - ground/surface, plus existence of radon, (radiation from Chernobyl and potential uranium radiation). This has in effect been ignored to date, by both RDS, SEA and specifically totally ignored by FODC draft strategy.

An independent body should assess this appointed by FODC to establish a baseline.

Dalradian to date is seeking planning for one underground mine. The company has stated that there will be several others including open cast mines. The impact of all precious metals

and minerals mining and processing, and installation of wind turbines and 5G must be considered holistically with the cumulative impact on health, environment and economy assessed. Failing to undertake these assessments clearly makes FODC liable for any future claims. Once The Sperrins AONB is industrialised for mining and wind turbines, it can never be restored to its former state of unspoilt natural beauty.

The entire draft LDP, particularly relating to this site specific reference, has failed to take into account any Health legislation and indeed Human Rights (Under the Charter for Fundamental Rights) Legislation. The entire LDP fails to comply with the Aarhus Convention and Climate Change legislation

C2 Did the council take account of its Community Plan?

“Community planning is a process whereby councils, statutory bodies and communities themselves work together to develop and implement a shared vision for their area. It involves service and function delivery to produce a community plan that sets out the direction of a council area which promotes community cohesion and improves the quality of life for all its citizens.”

The plans for the mineral development (precious metal and minerals) is totally rejected in the community particularly in the ANOB, specifically in the areas surrounding Greencastle. This community sees sustainable development through tourism and family farm agriculture as the key drivers in this area. The draft LDP is promoting mineral development, industrialisation of the existing AONB through redesignation while allowing wind turbines to be introduced to one of the most scenic areas of Tyrone, plus the destruction of the Ramsar Black Bog Site. Yesterday’s planning model indeed!

C3 Did the council take account of policy and guidance issued by the Department?

The draft plan seems to have an imbalanced and controlling input from Dalradian and raises issues particularly in the re designation of ANOB, MIN01 etc.,

The provision of Appendix 8 is extremely worrying particularly the mention of Section 76 of the Planning Act – why is this mentioned here in the Local Development Strategy quickly followed by developer contributions, community benefits and financial guarantees, all from Dalradian’s application and seen as a sop to enforcement. Where has community planning gone here?

C4 Has the plan had regard to other relevant plans, policies and strategies relating to the council’s district or to any adjoining council’s district?

The plan has failed to take into account the cumulative impact of precious metal and mineral mining on other areas and the impact on its people’s health, environment and

economies, particularly relating to this site specific reference. Transboundary arrangements have been ignored in terms of water and air pollution. In proposing that areas of mineral constraint should be designated in the Fermanagh and Omagh Council District where other development would be blocked to facilitate goldmining is perverse and undemocratic. Despite the known risks to health and to the environment and despite the Council decision against goldmining, the authors of the draft LDP would appear to be somehow of the view that goldmining can be forced on local communities in any site irrespective of the environmental protection status or the attendant risks. This must not be allowed to go forward to the next draft of the LDP.

The LDP drafters have conveniently ignored the fact that Fermanagh and Omagh District Council passed a motion on 5th February 2019 claiming to oppose the goldmining and precious metals and minerals mining in FODC. This motion MUST take precedence over all other policies as the motion was passed 27 votes to 0.

FODC is also expressly opposed to the granting of Permitted Development Rights to Dalradian on the proposed Greencastle site. Since this is a FODC decision it should be included in the Local Area Development Plan.

FODC, on the 2nd April 2019 also passed a motion not to allow a Geological Disposal Facility in FODC – for the storage of radioactive material including NORM material derived from mining activities. This motion should also be reflected in the Draft Local Development Plan.

CE1 The DPD sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant it is not in conflict with the DPDs of neighbouring councils;

Minerals development particularly precious metals and minerals have devastating impact on cross border issues. The Council should highlight the fact that the largest cyanide gold processing plant planning application is intended to be situated in Greencastle, relating to this site specific reference. The consequences of this proposed goldmining operation for communities across the border would be immense. The negative impact of this toxic monstrosity on cross border tourism and agriculture is being ignored.

CE2 The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base;

Cyanidation method, relating to this site specific reference, like fracking should be prohibited. Firstly, it is not the Best Available Techniques as deemed necessary by PPC application as there are other methods of extracting gold that do not require cyanide or mercury.

CE3 There are clear mechanisms for implementation and monitoring;

There is evidence of implementation and monitoring but the focus is on the wrong areas, where protection of people's health and the environment should be paramount. More focus should be placed on improving our tourism offering as per the SEA. e.g. Monitoring point 21-extent of mineral reserves and extracted mineral assets – The Relevant SA Objectives, based on SEA/RDS should be 10, 11, 12, 13, 15 &17. These all need to be revised with this in mind. Fundamentally the health of our people should be foremost with the environment next as our tourism economy hinges on it – Tourism is reported to generate £1bn per annum by 2020.

CE4 It is reasonably flexible to enable it to deal with changing circumstances.

The only manner that this is flexible is in the favour of mineral development, particularly relating to this site specific reference. This entire report appears to be drafted to facilitate the precious metal and mineral plus industrialisation agenda at the expense of the environment, tourism and health. The addition of various exclusion clauses & mitigating measures present no reassurance. This has to be reviewed in its entirety.

It is clear from reading this draft report that it does not incorporate an assessment of environmental effects. It fails to comply with the requirements of the European Directive 2001/42/EC and on the assessment of effects of certain plans and programmes on the environment (SEA Directive) and the Environmental Assessment of Plans and Programmes, Regulations (Northern Ireland) 2004, in relation to Minerals development particularly the provision of mitigating measures and exclusions to allow mineral development (more specifically precious metals and minerals), proposed designations in maps including the areas identified for wind energy, the essential downgrading of the internationally designated Ramsar sites specifically the Black Bog (effectively airbrushed from the report), the merging of native quarrying processes to seamlessly incorporate the development of precious metals and minerals governed by the same rules, regulations and guidelines, ignoring the dangerous, toxic chemicals used in the processing of same.

Having read the SA and SEA it is apparent that FODC has not taken into consideration these reports nor indeed that of the Regional Development Strategy. According to 5.3.11 of Practice Notes 6 (soundness) a Council must be able to demonstrate that it has met all the legislative requirements regarding SA and SEA. Looking at table 2.2 SEA Objectives (Final Environmental Report Sept 2015), all eleven of them support sustainable development with even no. 8 - Material Assets referring to point a) safeguard natural resources including minerals and peatland and minimise unsustainable use.

There were apparently over 900 responses to the initial consultation, from my knowledge a vast number opposed gold mining and the use of cyanide. The current draft report fails to address these concerns. These letters of objection should now be made public to provide full disclosure. Community involvement seems to be sacrificed to allow a minerals development friendly strategy, ignoring the key principles of the SEA.

The Draft Plan Strategy is so totally conflicted that it does not make sense. On one hand tourism is quite rightly being promoted as a sustainable strategy and then mineral extraction is being promoted in an AONB that will potentially effect ASSIs, SAC and even the Ramsar site (Black bog).

Draft Policy TOU01 – Protection of Tourism Assets and Tourism Development refers to the Council not permitting any form of development that would, to paraphrase, ‘have an adverse impact’. How can FODC have a sustainable tourism industry but yet fully embrace a toxic mineral extraction industry and wind turbine installation programme essentially causing the industrialisation of the Sperrins, an AONB? The precious metal agenda has to be removed from this draft strategy to ensure sustainable development.

An Creagán, which according to Department figures attracts 35,000 per year is hardly mentioned in this report and this facility will be decimated with the imposition of the largest cyanide processing plant in Western Europe.

Draft Policy Min02 – restoration and aftercare is woefully inadequate particularly relating to this site specific reference – As shown above, given there is not a policy for a precious metal and mineral strategy, hence MIN02 should be obsolete.

If still in existence and given the potential to harm environment and consequently people - The council should insist that realistic public liability insurance cover must be paid in advance for life of mining operation by the applicant before planning is granted to cover worst case scenario.

At the outset a realistic Warranty and financial bond must be in place for closure and remediation so the public purse is not liable. This must take cognisance of similar projects and environmental circumstances e.g. typical closure costs of gold mining in the US including monitoring and remediation of sulphurification/acid rock is \$200m to \$350m. This has to be paid for in advance and must be paid for at least 100 years - Dalradian has allowed only \$16m throughout life of mine and \$16m on closure.

Draft Policy L01 – Firstly this undermines the AONB designation which should be of the highest protection and conservation. The Proposal Map 1 – North East has only a small area of The Sperrins AONB designated which is mystifying. The recommendation is to extend the entire Sperrins AONB to the highest level as per SEA 1.3 4.

Draft Policy HE02 – Archaeology

The Proposed Area of Significant archaeological interest is too small. Cashel Rock with its ancient fort must be highlighted and the site of the ancient Battle of Formaeol in 965. The ancient Irish highway, the Green Road, pre-dating the 10th Century was an arterial route, even then, and was used by Hugh O’Neill on the Flight of the Earls journey from Tullyhogue to Rathmullan, Co.Donegal. This road and surrounding area should be designated on Map 1 given the potential for archaeological features.

An Creagán (Site specific) and surrounding area should be designated on map 1 – North East given there are 44 archaeological monuments surrounding the centre.

Policy clarification 5.12 should be removed. It remains an outstanding question and disgrace why the amazing treasure trove of archaeological artefacts of the Omagh Sperrins are so neglected by the relevant authorities. The invaluable work of public sector archaeologists under the leadership of people of the calibre of Clare Foley (circa 1980) should not be forgotten nor should the more recent unearthing of the complex series of stone rings on Copney Hill be simply covered up in the bog. This AONB and its archaeology must be valued and protected as a living environment rather than sacrificed for unsustainable industries.

Draft Policy Min04 – Unconventional Hydrocarbon Extraction – should include cyanide and mercury - particularly relating to the aforementioned site specific reference

This proposal affords some form of protection from fracking “until it is proved that there are no adverse effects on the environment or public health”. The same protection should be afforded from goldmining and cyanide processing as is for Draft Policy - they should be prohibited until it is proved that there are no adverse effects on the environment or public health. The Canadian mining company Dalradian states that it proposes at some stage to be a member of the International Cyanide Management Code. This is a voluntary code of the mining industry in response to various mining disasters. It is not regulatory and does not have any powers nor sanctions.

The European Parliament cited that *over the past 25 years more than 30 major accidents involving cyanide spills have occurred worldwide*, and that *"there is no real guarantee that such accidents will not occur again, especially taking into account the increasing incidence of extreme weather conditions, inter alia heavy and frequent precipitation events"*.

In view of the recent storm of 22nd August 2017 when large tracts of the Sperrins slid down the mountainside, and indeed the devastating flash floods (1st & 8th June 2018) in parts of Tyrone, disastrous environmental consequences could have resulted had this toxic waste dump, tailings and settlement ponds been on site.

Given all this, we recommend that FODC should prohibit goldmining and the use of cyanide processing in Draft Min05.

In the same vein, as Draft Policy Min04 and as part of HRA, SEA and indeed the RDS given that FODC is a member of Nuclear Free Local Authorities it is vitally important that the Council LDP specifically rejects radioactive nuclear waste being stored in any Geological Disposal Facility situated in our District Council area. This must be included in the Draft Policy to avoid future issues.

RAMSAR SITE – Black Bog – site specific reference

Draft Policy Ne01 – Nature Conservation states that the council will not support any development that will adversely affect the integrity of an SAC, cSAC, SPA, pSPA site or proposed Ramsar Site unless it is demonstrated that: ...It then goes on to list 3 ways to overrule these decisions with the final being “it meets a social, environmental or economic benefit of national or regional importance and compensatory measures are provided. This is the polar opposite effect of the SEA - 1.3.4 Aims and Objectives particularly in relation to “Furthering Sustainable Development” and Core Planning Principles particularly “Natural Heritage” to assist in meeting international, national and local responsibilities and obligations, reinforced by SEA objectives 2.2.3.

Draft Policy NE01 proposes to downgrade The Black Bog, Ramsar Site .

” A Ramsar site is recognised as being of significant value not only for the country or the countries in which they are located, but for humanity as a whole.” The Black Bog took thousands of years to grow and under no circumstances must it be put in danger. The Black Bog in its own right is a major tourist attraction to this area. It is a natural habitat to various rare flora and fauna. It is an internationally recognised Ramsar site with the following designations (AONB, ASSI and EU Natura 2000). It is protected under the international (Ramsar) Convention whereby adverse changes to the ecological character of a site is prohibited as per Article 3.2 of the Convention and Recommendation 4.8 (1990), which established the Montreux Record.

According to Article 3.2 of the Convention, “Each Contracting Party shall arrange to be informed at the earliest possible time if the ecological character of any wetland in its territory and included in the List has changed, is changing or is likely to change as the result of technological developments, pollution or other human interference.” Contracting Parties commit to inform the Secretariat of such changes.

According to the Department of the Environment for Northern Ireland declaration of Area of Special Scientific Interest (ASSI) at Black Bog Co. Tyrone, Article 24 of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 clearly states the following activities will damage the flora, fauna and physiographical features of the area: The alteration of water levels or water tables or utilisation of water (including storage or abstraction).

According to The Environment (Northern Ireland) Order 2002 Article 28(2) the Environmental and Heritage Management Plan states:

Bogs depend on rainwater and maintaining a high water table is vital to the "health" of the bog. In addition, the peat soils and many of the species that grow there are very sensitive to physical disturbance

Co-incidentally, one of the by-products of cyanide leaching process is ammonia, very damaging to flora, particularly heathers.

Draft Policy RE01 - renewable and Low Carbon Energy Generation - Wind Turbines

Sperrins AONB - site specific reference - Based on SEA and HRA, FODC should be focussed on preserving the entire Sperrins AONB. Instead the Draft LDP seems focussed on carving our area up and allowing wind turbines to proliferate. The Sperrins contain many scenic natural valleys presenting significant opportunity for themed tourism and small farming. It is essential that the Sperrins AONB be classified as an "Area of No Underlying Capacity" to preserve its natural habitat.

By undertaking this local area plan and determining this development plan to allow more wind turbines in certain areas would leave FODC sharing responsibility and liability for health issues arising from these wind turbines. FODC should specifically take cognisance of the health implications of infrasound and low-frequency noise, as by allowing other wind turbine farms the cumulative risks are exacerbated.

Evidence of the risks to wind farm neighbours by the noise generated by giant industrial wind turbines is mounting by the day: Germany's Max Planck Institute has identified sub-audible infrasound as the cause of stress, sleep disruption and more; a Swedish group have shown that it's the pulsing nature of low-frequency wind turbine noise ('amplitude modulation') that is responsible for sleep problems in those forced to live with it; and a Finnish study reckons that the safe setback distance is more like 15,000m from residential dwellings, in contrast to planning rules that allow giant industrial windfarms within a thousand metres of dwellings.

Likewise, by defining certain areas as in an Area of Constraint on Mineral Development and facilitating a massive mining programme, FODC becomes complicit in whatever future health and environmental consequences that result.

This is particular true when mining for precious metals and minerals when toxic chemicals and processes are being utilised, which are well documented to cause health and environmental issues. For example, cyanide is banned in several European countries, a number of US states and various countries throughout the world.

In terms of telecommunications (PU01 and PU02) 5G should be explicitly prohibited, in every site specific location, in particular each town, village and rural area in the LDP given the risks to physical and mental health and to the environment.

5G is experimental microwave technology and its use in communications is not allowed in Israel where the technology was developed. Brussels was the first European City to ban 5G technology (April 2019)

Further Comments Regarding Dalradian Resources' Submission (DPS271)

Dalradian's proposition that goldmining should be allowed in the Sperrins AONB is spurious and self-serving. The site at Curraghinalt presents a host of risks for this high risk mining & cyanide leaching operation with attendant blasting, toxic waste handling, toxic waste dump and tailing ponds. The site is entirely unsuitable for such a high risk, environmentally destructive, toxic discharging series of processes. The protected environments and rivers (SACs) would be assured of destruction and the upland community would be unacceptably adversely affected. The risk to the health of the population and the region from the release of radon gases would be sufficient reason alone as to why the Canadian venture cannot proceed. The proposal that this high risk mining operation should proceed is particularly shocking at this time when environmental awareness is high on people's agenda as is knowledge of the consequences of permitting toxic industry to proceed in the heart of a local community.

Dalradian's objections to Draft Policy MIN01, Draft Policy MIN02 and Draft Policy MIN03 must be rejected and the Canadian company's proposals for more permissive mining policies, conceding totally to the fancies of mining companies to mine wherever they wish, must be rejected out of hand. These cannot be serious proposals but an attempt to boost the already excessive concessions to the company's lobbying that are evident in the current draft LDP.

This submission therefore proposes that the following proposed exceptions in the draft document should be removed from the LDP:

vii. the proposal involves an extension to an existing mineral development; or ix. the mineral is of high value; or x. the mineral is of limited occurrence and there is no reasonable source outside the AMCD; and xi. the development is for less than 15 years' duration.

It is clear that the intervention of the highly paid lobbyist for the industry has unacceptably influenced the writer of the draft LDP. The Consultants drafting this LDP need reminding that this Strategic Development Plan is primarily for the people of FODC and not in the first instance to serve the narrow financial interests of a Canadian mining company, its few local benefactors or the secretive organisation the Crown Estate, that by dubious means controls precious minerals in this jurisdiction.

Further Comments Regarding the submission of Crown Estate (DPS021)

The Crown Estate's proposition that goldmining should be allowed in the Sperrins AONB must be rejected. Also the Crown Estate's proposition for Mineral Safeguarding Areas should be rejected by FODC. The site at Curraghinalt presents a host of risks for this high

risk mining & cyanide leaching operation with attendant blasting, toxic waste handling, toxic waste dump and tailing ponds. The site is entirely unsuitable for such a high risk, environmentally destructive, toxic discharging series of processes. The protected environments and rivers SACs, ASSIs and vulnerable environments throughout the AONB would be assured of destruction and the upland community would be unacceptably adversely affected. The risk to the health of the population and the region from the release of radon gasses would be sufficient reason alone as to why the Canadian venture cannot proceed. The proposal that this high risk gold mining operation should proceed is particularly shocking at this time when environmental awareness is high on people's agenda as is knowledge of the consequences of permitting toxic industry to proceed in the heart of a local community.

The Crown Estate's objections to Draft Policy MIN01, Draft Policy MIN02 and Draft Policy MIN03 must be rejected and their proposals for more permissive mining policies conceding totally to the fancies of mining interests to mine wherever they wish, must be rejected out of hand. These cannot be serious proposals but an attempt to boost the already excessive concessions to the company's lobbying that are evident in the current draft LDP.

This submission therefore proposes that the following proposed exceptions in the draft document should be removed from the LDP:

vii. the proposal involves an extension to an existing mineral development; or ix. the mineral is of high value; or x. the mineral is of limited occurrence and there is no reasonable source outside the AMCD; and xi. the development is for less than 15 years' duration.

The intervention of lobbyists for the goldmining industry has unacceptably influenced the writer of the draft LDP. The Consultants drafting this LDP need reminding that this Strategic Development Plan is primarily for the people of FODC and not in the first instance to serve the narrow financial interests of a Canadian mining company, its few local benefactors or the secretive organisation the Crown Estate, that by dubious means controls precious minerals in this jurisdiction.

Final Comments Regarding the submission of QPANI (DPS105)

QPANI's proposition that goldmining should be allowed in the Sperrins AONB should be rejected by FODC. This organisation and individual has a narrow personal financial interest in promoting this Canadian goldmining company. This undermines the credibility of the QPANI submission. The site at Curraghinalt presents a host of risks for this high risk mining & cyanide leaching operation with attendant blasting, toxic waste handling, toxic waste dump and tailing ponds. The site is entirely unsuitable for such a high risk, environmentally destructive, toxic discharging series of processes. The protected environments and rivers (SACs) would be assured of destruction and the upland community would be unacceptable adversely affected. The risk to the health of the population and the region from the release

of radon gasses would be sufficient reason alone as to why the Canadian venture cannot proceed. The proposal that this high risk mining operation should proceed is particularly shocking at this time when environmental awareness is high on people's agenda as is knowledge of the consequences of permitting toxic industry to proceed in the heart of a local community.

Similarly, QPANI's objections to Draft Policy MIN01, Draft Policy MIN02 and Draft Policy MIN03 must be rejected and their proposals for more permissive mining policies conceding totally to the fancies of mining companies to mine wherever they wish, must be rejected out of hand. These cannot be serious proposals but an attempt to boost the already excessive concessions to the goldmining company's lobbying that are evident in the current draft LDP.

This submission therefore proposes that the following proposed exceptions in the draft document should be removed from the LDP:

vii. the proposal involves an extension to an existing mineral development; or ix. the mineral is of high value; or x. the mineral is of limited occurrence and there is no reasonable source outside the AMCD; and xi. the development is for less than 15 years' duration.

It is clear that the intervention of the highly paid lobbyist for the industry has unacceptably influenced the writer of the draft LDP. The Consultants editing this LDP need reminding that this Strategic Development Plan is primarily for the people of FODC and not in the first instance to serve the narrow financial interests of a Canadian mining company, its few local benefactors or the secretive organisation the Crown Estate, that by dubious means controls precious minerals in this jurisdiction.

Submitted to FODC Development Plan Team

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