

**An Roinn Tithíochta,
Pleanála agus Rialtais Áitiúil
Department of Housing,
Planning and Local Government**



Mr. Gilbert Power,
Fingal County Council,
County Hall,
Main Street,
Swords,
Co. Dublin.

31 July 2018

Ref: FS006845
(please quote on all correspondence)

Dear Mr. Power,

I wish to inform you that the Minister for Housing, Planning and Local Government (hereinafter referred to as "the Minister"), has given approval, under Section 10 of the Foreshore Act, 1933 (as amended), for the maps, plans, and specifications submitted by Fingal County Council (hereinafter referred to as "the Consent holder") in respect of construction of a Storm Water outfall at Baldoyle Estuary, Portmarnock, Co. Dublin.

The area of foreshore the subject of this consent is 0.0014 hectares as shown on the drawing titled "Foreshore Licence/Lease Map", dated December 2017 attached hereto.

The said approval by the Minister is subject to compliance with the attached conditions. Acceptance of these conditions by the consent holder should be confirmed by the signature of the attached conditions documents by an authorised officer of the Council. Two copies of the signed conditions document should then be returned to Foreshore Unit.

Yours sincerely,

Jeannine Dunne
Assistant Principal
Marine Environment and Foreshore Section
Department of Housing, Planning and Local Government
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Encls.

Conditions attached to Approval under Section 10 of the Foreshore Act, 1933 (as amended) granted by the Minister for Housing, Planning and Local Government to Fingal County Council on 27 July 2018 in respect of construction of a Storm Water outfall at Baldoyle Estuary, Portmarnock, Co. Dublin.

The Consent holder agrees the following:

1. The Consent holder shall use the area of foreshore in question for the purposes outlined in the application and for no other purpose whatsoever.
2.
 - a. The Consent holder shall take measures to ensure that the Outfall pipeline and associated infrastructure (inclusive of wing walls, apron, tidal flex valve etc.) is maintained in a state of good repair and condition to prevent it becoming injurious to public health and safety or a source of pollution or littering.
 - b. The Consent holder shall use the area of foreshore in question for the purposes outlined in the application and for no other purpose whatsoever.
 - c. On-going monitoring arrangements shall be put in place in order to ensure compliance with 1(a) and 1(b) above.
3. The Consent holder may temporarily use the adjacent foreshore for the purpose of carrying out the works and maintenance and shall restore the said foreshore to its original condition on completion of the works or maintenance.
4. The Consent holder shall notify the Department of Housing, Planning and Local Government 14 days in advance of the commencement of works.
5. Contractors Method Statements for all construction operations on the foreshore, in accordance with best environmental practice, shall be submitted by the Consent holder to the Department of Housing Planning and Local Government prior to the commencement of any works on the foreshore.
6. The Consent holder shall inform the Department of Housing, Planning and Local Government of the completion of works within two months of completion and shall provide certification by an engineer stating that they conform to the relevant Irish or British Standard Specification or Codes of Practice for strength, stability and durability that the works were completed in accordance with the Plans and Drawings approved by the Minister.
7.
 - a. Any damage caused to the Foreshore in connection with the works shall be made good on completion of the works to the satisfaction of the Department of Housing Planning and Local Government. This shall be inclusive where relevant of the reinstatement of any sea wall knocked out to its previous condition.
 - b. All works on the foreshore shall be undertaken at Low Water.
8.
 - a. The site shall be secured during the course of the works from public access or encroachment by means of suitable barriers and the Consent holder shall comply with the relevant Health & Safety Legislation.

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- b. **Surface Water Drainage arrangements for the site contributing to the outfall pipe shall conform to the S.U.D.S principals.**
 - c. **The surface water drainage network shall include for the provision of Hydrocarbon Interceptors and silt trap facilities of appropriate capacity to deal with the contributing hydraulic loading to the Outfall Pipe.**
 - d. **Appropriate method of operation shall be adopted during the Construction period in order to ensure that no spillage of fuel, cement or any other pollutant matter occurs to the Baldoyle Estuary.**
9.
 - a. **Mitigation Measures as set out at 4.4 of the Natura Impact Statement shall be adopted in order to protect estuarine ecology and birdlife.**
 - b. **Mitigation Measures as set out at Section 5 (Pg.4/5) of the Engineering Report 2018 shall be adopted.**
 - c. **Archaeological Mitigation Measures, as set out in Section 8 of the "Courtney Deery Archaeological Report" dated Dec 2017(ref Pgs. 50-57) in relation to the construction stage works, shall be implemented in full.**
10. **The Consent holder shall dispose of unsuitable excavated material in connection with the outfall installation and associated works in conformance to the relevant waste disposal legislation.**
11. **The Consent holder is required to arrange the publication of a local marine notice. This local marine notice should give a general description of operations and approximate dates of commencement and completion. The notice should be placed in a locally read newspaper at least two weeks prior operations.**
12. **The Consent holder will submit to IFI a Construction Management Plan (CMP) and IFI would require agreeing with this Plan in advance of any works commencement. The final CMP as agreed with IFI (Eastern RBD) shall be submitted to Department of Housing Planning and Local Government prior to the commencement of any works on the foreshore.**
13. **The Consent holder is required to engage the services of a suitably qualified archaeologist to monitor all areas the proposed storm water outfall (which have not previously been the subject archaeological monitoring). It is recommended that the archaeologist be licensed under the National Monuments Acts 1930-2004 where a monitoring strategy will be agreed by the Department of Culture , Heritage and the Gaeltacht (Underwater Archaeology Unit)**
14. **Should archaeological material be found during the course of monitoring, the archaeologist shall have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be advised by the Department of Culture, Heritage and the Gaeltacht with regard to any necessary mitigating action (e.g. preservation in situ, dive and/or geophysical survey or excavation). The Consent holder shall facilitate the archaeologist in recording any material found.**

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15. The Department of Culture, Heritage and the Gaeltacht shall be furnished with a report describing the results of the archaeological monitoring.
16. Adequate maintenance testing and inspection regimes must be maintained during the construction stage, and right through the operational phase of the system to ensure that the possibility of pollution or unwanted discharges are minimised. Hydrocarbon interceptors, swales and other flow control devices should be fit for purpose and reviewed as per where relevant manufacturer's guidelines.

I/We agree to abide by the above conditions:

Signed for and on behalf of Fingal County Council by: _____



Print Name: _____

GILBERT DOWLER

Position: _____

DIRECTOR OF SERVICES ENVIRONMENT & WATER

Date: _____

1/8/2018

