



Comhshaol, Oidhreacht agus Rialtas Áitiúil  
Environment, Heritage and Local Government

## **APPLICATION FOR A LEASE/LICENCE/PERMISSION UNDER THE FORESHORE ACT 1933 (AS AMENDED)\***

*(This form should **NOT** be used for Applications for Offshore Electricity Generating Stations)*

*Please read Guidance Notes before completing this form*

**USE BLOCK CAPITALS IN BLACK INK**

For Office Use

Application Ref. No. \_\_\_\_\_

Date of receipt. \_\_\_\_\_

**1. A. Name(s) of Applicant(s) in full**

Cove Sailing Club Limited

**B. Address(es) of Applicant(s) in full**

PO Box 12, Cobh, Co. Cork

**Telephone** 021 4815441

**Mobile** N/A

**Fax** N/A

**E-mail** adamcronin@cmce.ie

**RS/PPS No./CRO No:** 395196

**Date of Birth:** N/A

**C. Signature of Applicant**

Desmet Allister COMMODORE

**Date:** 27th JANUARY 2011

(where the signatory is an officer of a local authority or a company, the position held should be stated and the signatory's name should also be provided in block capitals).

**D. Name of contact person if different from above**

Shane McCarthy

**Address** Cronin Millar Consulting Engineers, The Mews, 7 Copperfields,

Cobh, Co. Cork.

**Telephone** 021 4815441

**Mobile** N/A

**Fax** 021 4815441

**E-mail** shanemccarthy@cmce.ie

\* Legislation Applicable Foreshore Act, 1933 (No. 12); Foreshore (Amendment) Act, 1992 (No. 17); Fisheries and Foreshore (Amendment) Act, 1993 (No. 54); Fisheries (Amendment) Act, 2003 (No. 21); European Communities (Environmental Impact Assessment Regulations, 1989 to 1999; Foreshore (Environmental Impact Assessment) Regulations, 1990 (S.I. No. 220); Planning and Development Act 2000 (No. 30) Part XV

Dept. of Environment, Heritage  
& Local Government

- 7 FEB 2011

Wexford

**E. Name and Address of Applicant's Legal Advisors**

(Applicants are strongly advised to seek legal assistance, prior to agreeing to accept an offer of a foreshore lease/licence/permission as all are legally binding documents. Where an offer is made of a Foreshore Lease/Licence/Permission it will be done through the Applicant's Legal Advisors)

Mr. Francis C Kelleher,

Frank Kelleher & Co.,

1 Pearse Square,

Cobh,

Co. Cork.

**Telephone** 021 4812300

**Fax** 021 4816601

**E-mail** fkelleher@fks.ie

2. (A) A detailed description of the proposed works which are to be carried out on the foreshore.  
(Please feel free to use additional sheets, which should be signed and dated).

The proposed works will comprise the installation of a 74 berth marina with access  
platform, gangway and associated infrastructure. The marina will be constructed of floating  
concrete pontoons and protected from waves by floating concrete breakwaters. The marina  
will be restrained by a chain and anchor system.

**(B) A Statement of reason for the works**

Provide safe, all tide access, mooring facilities for vessels in Cobh and Cork Harbour.

The marina will be used by members of local sailing clubs, schools, and the general public.

See also Additional Information Section.

A statement of the disturbance to the foreshore, arising from these works, should be attached covering the impact on the marine environment including the impact on coastal erosion, navigation, fishing, fisheries (various species known to inhabit the area), pleasure boating and sailing, air navigation (if appropriate).

- (C) Provide the following location details in respect of the area of foreshore for which the  
Lease/Licence/Permission is sought

(i) Bay Cork Harbour

(ii) County Cork

(iii) Geographic co-ordinates in degrees, minutes and seconds

Lat: 51deg 50min 43sec, Long: 8deg 18min 33sec

(iv) OS Map No. 6472 - 09

(v) Size (hectares) 2.6287 hectares

(vi) Local Authority Cobh Town Council



### 3. RECORD OF DOCUMENTS ENCLOSED WITH THIS APPLICATION



An application for a lease or licence must be accompanied by 10 copies (15 copies if there is a possibility of significant impact on the marine environment and any project requiring an EIS) of all relevant documents.

- |        |  |                                     |
|--------|--|-------------------------------------|
| (i)    | <b>Ordnance Survey Map (Scale of 1:10,560, ie a six inch map)</b><br>Applicants must certify and date all maps submitted, stating the area of foreshore involved in metric measurements (i.e. hectares or square kilometres etc) with the area involved clearly delineated in red thereon.   | <input checked="" type="checkbox"/> |
| (ii)   | <b>British Admiralty Chart (largest available scale)</b>   | <input checked="" type="checkbox"/> |
| (iii)  | <b>Decision of planning authority or An Bord Pleanála under Planning Acts (Required)</b><br>Developments on the foreshore require planning permission in addition to a Foreshore Lease/Licence/Permission. All Foreshore Leases, Licences and Permissions are without prejudice to the powers of the local planning authority. Applicants should, therefore, consult initially with the local planning authority regarding their proposal. | <input checked="" type="checkbox"/> |
| (iv)   | <b>Copy of licence under Section 4 of Local Government Water Pollution Act, 1977</b>   | <input type="checkbox"/>            |
| (v)    | <b>Environmental Impact Statement</b>  | <input type="checkbox"/>            |
| (vi)   | <b>Drawings of the structures to be used and/or layout</b>   | <input checked="" type="checkbox"/> |
| (vii)  | <b>Copy of any correspondence with the Department of the Environment, Heritage and Local Government (Heritage and Planning Division)</b>   | <input type="checkbox"/>            |
| (viii) | <b>Certified copy of Company's Memorandum and Articles of Association (Only one copy is required)</b>  | <input checked="" type="checkbox"/> |
| (ix)   | <b>Certificate of Incorporation of a Limited Liability Company/ Rule Book/Constitution for a Club or Co-Operative Society as appropriate</b>   | <input checked="" type="checkbox"/> |
| (x)    | <b>Other (specify)</b> <u>See cover letter for full schedule of submitted supporting documentation.</u>  |                                     |

(Note: It may not be necessary to include all of the above documents please refer to the accompanying "Guidance Notes".

### 4. Details of any previous Leases/Licences/Permissions received by the applicant for this or any adjoining sites (if appropriate)

- |      |  |
|------|--|
| (i)  | <b>Date of Lease/Licence/Permission</b> <u>N/A</u> |
| (ii) | <b>Reference number(s)</b> <u>N/A</u>              |

5. **Is all or any part of the Foreshore (the subject of this application) in private ownership?**  
(This search should be carried out in the Registry of Deeds and Land Registry and copies of results, including where appropriate, folio maps should be included).

If yes, please provide details of ownership.

No

**Have adjacent land owners, whose properties may be affected by these works been consulted?**  
Please provide details/permissions as appropriate.

Yes, Cobh Town Council and the Port of Cork have been consulted.

6. **Employment Implications (if any)** 1 Full time employee, 1 Part time employee.

7. **Capital cost of proposed works (€ - Euro)** €1,500,000 (approximately)

8. **Do the proposed works involve the draw down of European Union or State funding?**

No

If "Yes" give details, including any time restrictions, etc. applying

N/A

9. **Do the proposed works provide for public use, restricted use or strictly private use? (give details)**

The proposed works will provide 64 private berths and 10 dedicated visitor berths.



**10. Are there public health/safety implications arising from the proposed works? (e.g. effluent disposal, removal of derelict or dangerous structures etc.)**

N/A

**10a. Are there public navigational safety implications arising from the proposed works?**

None Anticipated. The Port of Cork were consulted in this regard.

**1. What marine activity is there in the area?**

A swing mooring field is located within the footprint of the marina and surrounding area. A public slipway to the west of the development is used by the general public and Cove Sailing Club for launching and recovering small vessels. The Port of Cork cruise liner turning basin is located to the east of the development.

**2. How will the marine activity be affected by the proposed works?**

The proposed works will provide additional and safer marina berthage space within Cork Harbour. The existing swing moorings within the footprint of the marina and the immediate surrounding area will be removed to accommodate the development. The public slipway to the west of the development will benefit from the increased level of shelter provided by the proposed marina. The Port of Cork cruise liner operations will not be affected by the development, as they were consulted regarding the proximity of the development to their turning basin.

**3. What mitigating measures will be put in place?**

The users of existing swing moorings that will be affected by the development will be encouraged to relocate to the new marina, which will provide safer sheltered year round berthing. The marina design has been refined to ensure that a minimum distance of 65m be maintained between the turning basin and nearest point of the marina following extensive consultations with the Port of Cork. Navigation lighting will be placed on the pontoon to the specifications of the Marine Survey Office and the Commissioner of Irish Lights.

**4. How will the proposed works affect Marine Navigation in the future?**

No affects anticipated.

**11. Will the works involve the storage and/or disposal of waste?**

Yes. See additional information.

**If “Yes” please give details of the type of waste and the proposed method of storage and/or disposal (including location)**

*\*Certain developments are subject to the European Communities (Environmental Impact Assessment) Regulations, 1989 to 1999. It is the responsibility of the applicant to consult and comply with these Regulations. Where the relevant threshold in the Regulations is exceeded an application for permission under the Foreshore Acts must include an Environmental Impact Statement (EIS). Applicants are encouraged to seek the Department’s opinion at the scoping stage of the EIS.*

*An appraisal of the environmental effects of a development below the threshold must be submitted by the applicant to allow the Minister to decide whether it is likely to have significant effects on the environment. Where the decision is “yes” an EIS is mandatory.*

*In the case of developments on foreshore for, by or on behalf of a Local Authority where an EIS is required, applications should be made to An Bord Pleanála under Part XV, Planning and Development Act, 2000. 10 copies of any applications made under this Act must be sent to this Department at the time of application to An Bord Pleanála.*

*Note: While every effort will be made to deal promptly with applications, priority will be given to dealing with applications involving public infrastructure, public health, public use and those having employment implications.*

**Any additional Information**

**Section 2B:**

The development of this marina will have minimal impact on the foreshore:

Pleasure Boating and Sailing

The proposed marina is located in the site of an existing swing mooring field. Many of the users are members of Cove Sailing Club. The swing mooring field presents many issues in relation to health and safety and access to vessels. The proposed works will provide safe, all tide access, mooring facilities for recreational and sailing vessels.

Navigation

The proposed marina will provide much needed, safe, all tide access berths. It is expected that many of the users of existing swing moorings in the area will move their vessels into the marina. Navigation in this part of Cork Harbour includes commercial shipping, leisure sailing and rowing. All of the organisations representing these activities have been consulted and are in support of the development.

Fishing Activities

There is no known commercial or leisure fishing activities in the area of the proposed marina.

Fisheries

The potential marine species that may inhabit the area are as follows:

- |                    |                        |
|--------------------|------------------------|
| ⇒ Sea Sponges      | ⇒ Velvet Swimming Crab |
| ⇒ Anemones         | ⇒ Hermit Crab          |
| ⇒ Plumose Anemones | ⇒ Sand Goby            |
| ⇒ Snake Pipefish   | ⇒ Flounders            |
| ⇒ Mussels          | ⇒ Common Brittlestars  |
| ⇒ Common Prawn     |                        |

The proposed development will have little, if any impact on the above species as it will not involve any dredging and the form of construction of both the marina and access platform will have a minimal footprint on the seabed (please see enclosed Natura Impact Statement & Appropriate Assessment Screening).



#### Coastal Erosion

The Cobh Town Council car park and public walkway, connecting to the marina access platform, is currently protected by a vertical stone seawall. The proposed marina and access platform will not have any adverse impact on the hydrodynamic regime in the area.

#### Air Navigation

Air Navigation will not be affected by the proposed development.

#### Maritime Cultural Heritage

The site is of low maritime cultural heritage value. It is unlikely that there will be any negative impact on maritime cultural heritage (please see Maritime Cultural Heritage Assessment).

#### **Section 11:**

Foul water will be generated from two sources at the proposed development: shower and toilet facilities at the dinghy park; and the pump out unit at the marina. It is proposed to treat these effluents with an on-site package treatment plant before discharging to the existing public foul water drainage system at Whitepoint Moorings.

Solid waste streams will be catered for by the provision of dedicated waste receptacles, which be located at the Cove Sailing Club Dinghy Park. A bank of waste receptacle bins will have provisions for the following waste streams:

- ⇒ Hazardous (batteries, etc.)
- ⇒ Recyclables (paper, plastic, glass, etc.)
- ⇒ Refuse (general refuse)

The waste facilities will be managed and operated in accordance with Cobh Town Council requirements. A licensed waste collection company will be appointed to collect all waste streams.

**Please send completed application form to:**

**Foreshore Unit  
Department of Environment, Heritage and Local Government  
Newtown Road  
Wexford**

**Incorrectly completed or incomplete application forms cannot  
be processed and will be returned.**