



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

For Office Use

Ref. No. _____

Application date: _____

Date of receipt: _____

Date Validated: _____

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

- Applications for Offshore renewable energy (ORE) projects should use an ORE specific form.
- Please complete the form electronically. Type details in the boxes provided, space will expand as you type.
- The enclosures checklist should also be completed
- Tá an leagan Gaeilge den fhoirm seo ar fáil ar iarratas.

**BEFORE FILLING OUT THIS FORM PLEASE READ THE DECLARATION AND
CONSENT ON PAGE 9:**

**IT IS IMPORTANT TO NOTE THAT A CHANGE IN APPLICANT NAME WILL REQUIRE
A NEW APPLICATION.**

DATA PROTECTION

The Office of the Data Protection Commissioner states that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including prosecution. It is the responsibility of persons or entities wishing to use any personal data on an application form for direct marketing purposes to be satisfied that that they may do so legitimately under the requirements of the Data Protection Acts 1998 and 2003 and with regard to General Data Protection Regulation (2016/679) requirements.

Applicant Name and Address:

Full Name of Applicant (not Agent):

Elizabeth O'Hanlon

Company/Organisation:

Ion Organics Ltd

Address:

The Acres, Ballyduff, Kerry

Eircode:

V92 WFK2

Applicant Contact Details:

Phone No: 0667 131744

E-mail address:
corballycottageorganic@gmail.com

Agent (if any) Address/Contact Details:

Person/Agent acting on behalf of the Applicant: N/A
Company:
Address:
Eircode:
Phone No:
E-mail address:

Applicant's Legal Advisor:

Name: Louis O'Connell, Bailly's Solicitors
Address: Church St, Tralee, Co. Kerry,
Eircode: V92CRF4
Phone No: 066 7121015
E-mail address: info@baillys.ie

Part 1: Proposal Details (Attach additional documents as required)

1.1	Description of proposed works/activity. Hand harvesting of seaweed for the purpose of the manufacture of bath and beauty products. Access to harvesting bed by foot and when tide is out.
1.2	Describe the nature and scale of any structure to be erected on the foreshore. Is the structure proposed to be temporary or permanent? No structure is required.

1.3	<p>Indicative timing of the works/activity: (i) Start date (ii) Duration (iii) Any other information relevant to timing.</p> <p>Commencement of harvesting on the approval of license and continuing for the duration of the license.</p>																
1.4	<p>Primary usage for proposed development (please tick)</p> <table border="1" data-bbox="352 544 1206 835"> <tr> <td>Use</td> <td></td> </tr> <tr> <td>Industrial</td> <td></td> </tr> <tr> <td>Commercial</td> <td>x</td> </tr> <tr> <td>Within Fishery Harbour Centre</td> <td></td> </tr> <tr> <td>Sea Fisheries</td> <td></td> </tr> <tr> <td>Local Authority</td> <td></td> </tr> <tr> <td>Community/Co Op scheme</td> <td></td> </tr> <tr> <td>Other(specify)</td> <td></td> </tr> </table>	Use		Industrial		Commercial	x	Within Fishery Harbour Centre		Sea Fisheries		Local Authority		Community/Co Op scheme		Other(specify)	
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Other(specify)																	
1.5	<p>Do the proposed works provide for public use, commercial use, restricted use or strictly private use? Provide Details</p> <p>Not applicable</p>																
1.6	<p>Might the proposed works restrict public use/enjoyment of the foreshore? Provide details.</p> <p>No. Harvesting will be managed by one person, on foot, approximately once per week.</p>																
1.7	<p>Has the applicant held or does the applicant hold any previous Foreshore Licences, Leases or applications over the area sought or over any other area including pending applications? (Give details including Department's file reference number(s)).</p> <p>No.</p>																
1.8	<p>Status of planning permission application: Pending/granted/not required.</p> <p>Consent Authority: Reference Number:</p> <p>(Please provide copies of consents granted)</p> <p>Not required.</p>																

1.9	<p>Are any other consents required for this proposal? Please detail.</p> <p>Consent type Consent Authority: Reference Number: Status of application:</p> <p>(Please provide copies of consents granted)</p> <p>Not required.</p>
1.10	<p>Employment Implications (if any)</p> <p>None.</p>
1.11	<p>Capital cost of proposed works (€ - Euro)</p> <p>Not applicable</p>
1.12	<p>Do the proposed works involve the draw down of European Union or State funding? If "Yes" give details, including any time restrictions, etc. applying</p> <p>No.</p>

Part 2: Proposed Site. (Attach additional documents as required)

2.1	<p>County: KERRY</p>
2.2	<p>Location name and nearest townland name: Black Rock, Ballyheigue</p>
2.3	<p>Geographic co-ordinates of the area under application in degrees minutes and seconds WGS84 for offshore developments and where the area can also be identified on the Ordnance Survey map and /or is connected to the seashore/mainland , specify Ordnance Survey map no and Irish National Grid co-ordinates</p> <p>47609,624748. Map: 5332</p>
2.4	<p>Please indicate the size of the Foreshore area (Ha²) or (M2) or (KM2)</p> <p>(7.3ha)</p>

2.5	<p>If offshore please indicate distance from shore (Km):</p> <p>Not applicable</p>
2.6	<p>Is any of the foreshore in the proposed site in private ownership? If yes please provide documentary evidence of same (e.g. folio)</p> <p>No.</p>
2.7	<p>Any other site details considered relevant:</p>

Part 3. Maps and Drawings, Please refer to Guidance on map and drawing requirements.

3.1	<p>Site location map attached? Please include reference no(s).</p> <p>Attached.</p>
3.2	<p>Foreshore Lease/Licence map attached? Please include reference no(s).</p> <p>Not applicable</p>
3.3	<p>Drawings of structures to be used and or layout (if required) attached? Please detail and include reference no(s).</p> <p>Not applicable</p>
3.4	<p>Admiralty Chart attached?</p> <p>Yes.</p>
3.5	<p>Other maps/drawings attached ?– please detail and include reference numbers.</p> <p>Please refer to the Natura 2000 Impact Report;</p> <p>Figure 2.1 (Page 4) Seaweed harvesting Location and access point...</p> <p>Figure 4.1 (Page 24) Natura 2000 sites within 15km of the Black Rock proposed harvesting area.</p>

Part 4: Pre- application consultations

4.1	<p>Describe briefly any consultations undertaken with the following bodies:</p> <p>National Parks & Wildlife Service (NPWS) of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs</p> <ul style="list-style-type: none">• National Monuments Service (NMS) of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs• Inland Fisheries Ireland• Sea Fisheries Protection Authority• Marine Institute• Marine Survey Office <p>Please also provide copies of correspondence.</p> <p>A Natura Impact Statement was commissioned for the purposes of this application, during the preparation of the report consultation was carried out with the National Parks and Wildlife Service (NPWS) of the Department of Culture, Heritage and the Gaeltacht (DCHG) to identify the scoping opinion of the NPWS in relation to the proposal and to the ecological constraints and sensitivities of the habitats and species in the area. (Please see attached report prepared by Aquafact International Services Ltd.)</p> <p>E Mail correspondence with the following: (E Mails attached)</p> <p>1) Noel Dillon, Marine Engineering Division, Department of Agriculture, Food and the Marine.</p> <p>2) Francis O’Beirn, Marine Institute.</p>
4.2	<p>Describe briefly any consultations undertaken with other relevant authorities (e.g. Local Authority, Port/Harbour authority etc) or State Agencies.</p> <p>Continuous communication with Lorraine Walsh, Department of Housing, Planning and Local Government.</p>
4.3	<p>Describe any consultations undertaken to date with other foreshore users.</p> <p>None.</p>

4.4	<p>Describe any likely interactions with activities of the public or other foreshore users during the construction and operational phases of the works/activities (e.g. fishing, aquaculture, sailing, and surfing swimming, walking). Describe any measures proposed to minimise inconvenience to other users.</p> <p>No inconvenience to any other foreshore users. Access to the harvesting area will be on foot at low tide on average once per week. The harvested seaweed will be carried in a back pack by one man.</p>
4.5	<p>Have adjacent land owners, whose properties may be affected by these works been consulted? Please provide details/permissions as appropriate.</p> <p>No private properties are in close proximity to the shoreline. Because of the very small footprint of the enterprise any land owners further inland will not be impacted.</p>

Part 5: Environmental Considerations
(your consultations with National Parks and Wildlife Service and National Monuments Service may inform your answers. Attach additional reports as required and mark under the R column)

www.epa.ie/downloads/advice/ea/guidelines/

www.environ.ie/en/DevelopmentHousing/PlanningDevelopment/EnvironmentalAssessment/

<http://www.npws.ie/protectedsites/appropriateassessment/>

<http://webgis.npws.ie/npwsviewer/>

	Environmental legislative requirements	Yes	No	R
5.1	Is an Environmental Impact Statement required for this proposal?		X	
5.2	Is a Natura Impact Statement required for this proposal? Please see attached	X		X
5.3	Is the area within or adjacent to a NHA, pNHA, SAC, SPA, or National Park? Specify site names and code(s). 1) Tralee Bay Complex SPA (Site Code: 04188) 2) Akerag, Banna and Barrow Harbour SAC (Site Code: 0332)	X		
5.4	Describe any other projects or plans for the area, anticipated or developed, that in combination with this proposal, may have a significant effect on a Natura 2000 site: Please list with planning reference numbers (where available). None.		X	

	Environmental Considerations	Yes	No	R
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5.5	<p>Will the proposal have any potential environmental impacts? If yes, please describe</p> <p>Please refer to the attached Natura 2000 Impact Report.</p>		X	
5.6	<p>Are you proposing any measures to mitigate the potential environmental impacts? If yes, please describe</p> <p>Harvesting will be on a rotational basis providing three years for re growth. The estimated yield per annum will be approximately 2% of the harvesting area. Please refer to the attached Natura 2000 Impact Report.</p>	X		
5.7	<p>Are there public health/safety implications arising from the proposed works? (e.g. effluent disposal, removal of derelict or dangerous structures etc.) If yes, please describe</p>		X	
5.8	<p>Will the works involve the storage and/or disposal of waste? If "Yes" please give details of the type of waste and the proposed method of storage and/or disposal (including location)</p>		X	
5.9	<p>Any other Environmental Considerations? If yes, please specify.</p>		X	

		Yes	No	R
	Built Heritage Considerations			
5.10	<p>Does the area contain an archaeological site or feature? If yes, please specify.</p>		X	
5.11	<p>Does the area contain or adjoin a listed archaeological site or monument? If yes, please specify.</p>		X	
5.12	<p>Will the proposal have any potential impacts on the archaeological integrity of the site? If yes please describe</p>		X	

5.13	Are you proposing any measures to mitigate potential archaeological impacts? If yes, please describe?		X	
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Part 6: Navigational Safety Considerations. (Your consultations with relevant stakeholders may inform your answers. Attach additional documents as required and mark under the R column)

	Navigational Safety Considerations.	Yes	No	R
6.1	Are there public navigational safety implications arising from the proposed works?		X	
6.2	What marine activity is there in the area? None as this is a rocky intertidal area.		X	
6.3	How will the marine activity be affected by the proposed works? N/A		X	
6.4	What mitigating measures will be put in place? N/A		X	
6.5	How will the proposed works affect Marine Navigation in the future? N/A		X	

Part 7: Fishing/Aquaculture considerations (your consultations with IFI, SFPA, DAFM may inform your answers. Attach additional documents as required and mark under the R column)

	Fishing/Aquaculture considerations	Yes	No	R
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7.1	<p>Is the proposal located in proximity to any of the following:</p> <ul style="list-style-type: none"> • aquaculture operation • designated Shellfish Growing Waters • fish spawning ground • other sensitive fisheries location <p>Please Illustrate on appropriate chart including distance in Km.</p> <p>The Oyster Fishery Order (T06/004), licensed to Tralee Oyster Fisheries Society Ltd. Extends from Kerry Head to Brandon Point and encompasses the Black Rock (proposed area). However, we are advised by Noel Dillon, Marine Engineering Division, Department of Agriculture Food and the Marine that the activities of oyster production and seaweed growth are mutually exclusive due to their differing requirements. (E mail correspondence attached)</p>	x		x
7.2	<p>Are there other potential impacts of the proposal on fishing/aquaculture in the area? If yes, please describe.</p>		x	
7.3	<p>Are there any measures proposed to mitigate potential impacts on fisheries or aquaculture? If yes, please describe.</p> <p>Strict adherence to best practice to maintain the health of the harvesting area. This includes record keeping and adhering to the principle of rotational harvesting.</p>	x		

Part 8 – Additional information

8.1	<p>Please detail any additional relevant information.</p>
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Declaration and Consent:

The details provided here are correct to the best of my knowledge.

I understand that no works will be commenced, by me or my agents on the proposed site, without the prior written consent of the Minister.

By submitting this application form, I agree that the details provided (with personal contact details redacted) are to be published on the Department of Housing website and also that the full information provided including contact details are to be processed and retained by the Department of Housing, Planning and Local Government and shared with all appropriate Prescribed Bodies (as part of the Prescribed Bodies Consultation process) in furtherance of consideration for a foreshore Consent under the Foreshore Act 1933 (and Foreshore Amendment Act 2011).

I give consent to the Minister and his servants to copy this application and to make (a redacted) copy available for inspection and copying by the public. This consent relates to this application, to any further information, or submission provided by me or on my behalf and to the publication of the licence document.

Signature of Applicant (or his or her Agent):



Name of above Signatory (block letters):

_____ ELIZABETH O'HANLON _____

Position Held:
DIRECTOR

Date: 06 / 03 / 2019 _____

Return completed applications to:

Marine Environment and Foreshore Section
Department of Housing, Planning and Local Government
Newtown Road
Wexford
Y35 AP90

Enquiries to: Foreshore@housing.gov.ie (Other contact details to be included in Guidance materials)

Email a copy of application documents: Foreshore@housing.gov.ie