Comhshaol, Pobal agus Rialtas Áitiúil
Environment, Community 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
Monkstown Bay Marina Company Ltd.

B. Address(es) of Applicant(s) in full
Monkstown, Cork Harbour, Cork.

Telephone 021 4841031 **Mobile** N/A

Fax N/A **E-mail** monkstownmarina@gmail.com

RSI/PPS No:/CRO No: 422115

C. Signature of Applicant

James O' Brien (Director) **Date:** 30 August 2012

(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, Engineer, Cronin Millar Consulting Engineers

Address Ivy Fort House,
5 Cathedral Place, Cobh, Co. Cork

Telephone 021 4815441 **Mobile** N/A

Fax 021 4815441 **E-mail** shanemccarthy@cmce.ie

** Legislation ApplicableForeshore 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*

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)

Barry C Galvin & Sons Solicitors
91 South Mall, Cork

Telephone 021 4271962 **Fax** 021 4272835 **E-mail** queries@bcgalvin.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 marina location is adjacent to Monkstown Creek, Cork Harbour. The applicant currently operates An 82 berth marina at the site and intends to extend this marina to accommodate 285 berths.
The proposed works will comprise the installation of a 285 berth marina with floating concrete pontoons, dredging of sea bed to increase bed depth, permanent reclamation of foreshore to accommodate a three storey marina facilities building, rowing club equipment store, slipway and pontoon, public amenity walkway and viewing platform and 174 space car park.

(B) A Statement of reason for the works

Provide safe, all tide access, mooring facilities for vessels using Monkstown Bay and Cork Harbour. The marina will be used by members of local sailing clubs, rowing clubs, schools and the general public. The recently developed 82 berth marina is currently close to capacity. The development will provide over 200 additional berthing spaces. Boat users in Cork Harbour have limited onshore facilities. The development will provide toilets, changing facilities, showering facilities, chandlery, café/bar/restaurant, gym, provision shop, diesel and petrol refuelling facilities, and car parking spaces.
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 Monkstown Bay, Cork Harbour.

(ii) County Cork

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

Lat: 51deg 50min 39.527sec, **Long:** -8deg 20min 2.83sec

(iv) OS Map No. 6472-A, 6472-07, CK087

(v) Size (hectares) 99 Year Foreshore Lease Area: 9.609Ha, Foreshore Freehold Area: 0.348Ha, Section 10 Foreshore Area: 1.165Ha

(vi) Local Authority Cork County 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, such as for sewerage schemes, dredging, marinas and any project requiring an EIS) of all relevant documents.

(i)	**Ordnance Survey Map (Scale of 1:10,560, ie a six inch map)** 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.	✓
(ii)	**British Admiralty Chart (largest available scale)**	✓
(iii)	**Decision of planning authority or An Bord Pleanála under Planning Acts (Required)** 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.	✓
(iv)	**Copy of licence under Section 4 of Local Government Water Pollution Act, 1977**	**X**
(v)	**Environmental Impact Statement**	✓
(vi)	**Drawings of the structures to be used and/or layout**	✓
(vii)	**Copy of any correspondence with the Department of the Environment, Community and Local Government (Community and Planning Division)**	✓
(viii)	**Certified copy of Company's Memorandum and Articles of Association (Only one copy is required)**	✓
(ix)	**Certificate of Incorporation of a Limited Liability Company/ Rule Book/Constitution for a Club or Co-Operative Society as appropriate**	✓
(x)	**Other (specify)** See Schedule of Documents.	

(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) Date of Lease/Licence/Permission 01 February 2011

(ii) Reference number(s) MS51/8/1340

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, adjacent foreshore is the property of Cork County Council.

Have adjacent land owners, whose properties may be affected by these works been consulted?
Please provide details/permissions as appropriate.
Yes. Planning permission has been received from Cork County Council (Planning Ref: 08/9317)

6. Employment Implications (if any) 7 full time employees, 7 part time employees. Support up to 80 existing jobs in the community.

7. Capital cost of proposed works (€ - Euro) €5,000,000

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 250 private berths and 35 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.)

Navigation lights will be located at the outer corners of the marina in accordance with the specification of the Commissioner of Irish Lights and the Marine Survey Office.

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

Construction risks will be managed as part of the construction phase.
The development will provide for safer berthing facilities for existing leisure craft users in the area, and will regularise mooring arrangements. Navigation lights will aid navigation.

1. What marine activity is there in the area?

Commercial Shipping
Rowing
Sailing
Mooring of leisure craft in swing mooring field and existing marina

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

Commercial shipping will not be negatively affected by the proposed works.
An area of the swing mooring field will be removed to facilitate the marina installation.

3. What mitigating measures will be put in place?

Monkstown rowing club will be facilitated with a new facilities building, slipway and pontoon.
Swing mooring users will have the option to lease a marina berth.
Navigation lights will be located at the outer corners of the marina in accordance with the Commissioner of Irish Lights and Marine Survey Office.

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

No impacts anticipated.

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

Construction and demolition waste during the construction phase.

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

To be managed as part of construction phase.

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

See enclosed Schedule of Documents and submitted documentation

Please send completed application form to:

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

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