

**FORESHORE LICENCE APPLICATION**

**for**

**DRAINAGE OUTFALL**

**Shannon LNG Limited  
March 2008**



## **FORESHORE ACTS 1933 TO 2003 - GENERAL GUIDANCE NOTES**

The Foreshore Acts require that before the commencement of any works or activity (including the erection of any structures) on State-owned foreshore a licence or lease must be obtained from the Minister for Communications, Marine and Natural Resources. Such a lease or licence is subject to an annual rental payable to the Exchequer. Foreshore is the land and seabed between the high water of ordinary or medium tides (shown HWM on Ordnance Survey Maps) and the twelve-mile limit (twelve nautical miles is approximately 22.24 kilometres).

Applicants for a lease or licence are urged to consult the Department well in advance of finalising their proposals. 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 each of the following documents and be sent to:

**Foreshore Section  
Coastal Zone Management Division,  
Department of Communications, Marine and Natural Resources,  
Building C,  
West Cork Technology Park,  
Clonakilty, Co. Cork.**

1. Completed application form.
2. Ordnance Survey Map of 6" scale (latest edition) showing the precise area and the hectareage involved below the line of high water of medium tides clearly marked on the Map in distinctive colour. Applicants must certify and date all maps submitted, stating the area of foreshore involved in metric measurements (i.e. hectares or square kilometres etc).
3. Plan, elevation and sectional drawing showing clearly the nature of the proposed works and lines and levels of high and low water of Spring tides.
4. Longitudinal section showing clearly how such works will be laid in relation to the surface of the seabed and having delineated on it the lines and levels of high and low water of Spring tides.
5. Certified copy (only 1 copy required) of the Company's Memorandum and Articles of Association and Certificate of Incorporation of a Limited Liability Company/Rule Book/Constitution for a club or Co-Operative Society as appropriate to the particular circumstance.

Additional copies or any or all documents may be requested to facilitate examination by the Department's specialist advisors.

Applicants are required to publish notice of their proposals in newspapers circulating in the area. The Department will prepare the notice and specify the newspapers in which it should be published. A three week period is allowed for representations and objections to be made to the Minister. The applicant is allowed an opportunity to comment on these before the final report is made to the Minister. That report will detail the proposal, the process that has been gone through, objections and commentary on them, and recommend whether or not to grant a lease or licence and if so under what conditions.

Certain developments are subject to the European Communities (Environmental Impact Assessment) Regulations, 1989 to 1999. An application for any development above the relevant threshold in the Regulations 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. The public consultation period for an application requiring EIS is one month and a copy of the EIS must also be provided by the applicant to the consultative bodies named in the Foreshore (Environmental Impact Assessment) Regulations, 1990 [SI N° 220 of 1990].

**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. 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.

Applicants seeking permission to lay an outfall or discharge pipe on the foreshore should also apply to the local authority or the Environmental Protection Agency for a licence under the Local Government (Water Pollution) Acts.

Developments on privately owned foreshore also requires the prior permission of the Minister under the Foreshore Acts.

Priority will be given to cases where emergency works are required for the preservation of human life. In such cases the Department should be contacted immediately by an application form with the required documents and drawings made available by whatever means allow for speediest arrival, with an undertaking to comply with any advice or instructions given by the Department. These completed applications would be dealt with as a priority in accordance with standard procedures, but it may be necessary for the Department to require modification of works carried out or their replacement with more permanent works of a design and nature acceptable to the Minister.

The Department of Communications Marine & Natural Resources (Coastal Zone Management Division) will be pleased to assist with any enquiries.  
Telephone: (01) 678 2137      Fax: (01) 678 2159      Email: [foreshore@dcmnr.gov.ie](mailto:foreshore@dcmnr.gov.ie)      Internet: [www.dcmnr.ie](http://www.dcmnr.ie)



## 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

SHANNON LNG LIMITED

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

FITZWILLIAM HALL, 25-26 FITZWILLIAM PLACE, DUBLIN 2, IRELAND

Telephone (01) 6698557 Mobile \_\_\_\_\_

Fax (01) 6698558 E-mail SECRETARY@SHANNONLNG.IE

C. Signature of Applicant

*P. Power*

Date: 28 March 2008

(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

EOGHAN LYNCH

Address ARUP CONSULTING ENGINEERS

15 OLIVER PLUNKETT STREET, CORK, IRELAND

Telephone (021) 4277670 Mobile \_\_\_\_\_

Fax (021) 4272345 E-mail EOGHAN.LYNCH@ARUP.COM

\* 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

**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)

\_\_\_\_\_  
MATHESON ORMSBY PRENTICE

\_\_\_\_\_  
70 SIR JOHN ROGERSONS QUAY, DUBLIN 2

Telephone (01) 2322000 Fax (01) 2323333 E-mail MOP@MOP.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).

PLEASE REFER TO ATTACHED DESCRIPTION AND METHOD STATEMENT

- (B) A Statement of reason for the works

PLEASE REFER TO ATTACHED DESCRIPTION AND METHOD STATEMENT

\_\_\_\_\_  
\_\_\_\_\_  
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 SHANNON ESTUARY

(ii) County KERRY

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

OUTFALL CENTRELINe AT HWM = 52d 34m 58.392s, 09d 26m 17.320s; 102567E, 148881N

OUTFALL CENTRELINe AT LWM = 52d 34m 59.480s, 09d 26m 17.796s; 102559E, 148915N

REFER TO DRAWING NO. FL-011 FOR FURTHER DETAILS

(iv) OS Map No. Rural Place Map Sheet Reference 4852

(v) Size (hectares) 0.3025ha

(vi) Local Authority KERRY 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)**  y  
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)**  y
- (iii) **Decision of planning authority or An Bord Pleanála under Planning Acts (Required)**  1  
*See Note 1 below*  
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**  n/a
- (v) **Environmental Impact Statement**  y
- (vi) **Drawings of the structures to be used and/or layout**  y
- (vii) **Copy of any correspondence with the Department of the Environment, Heritage and Local Government (Heritage and Planning Division)**  2  
*See Note 2 below*
- (viii) **Certified copy of Company's Memorandum and Articles of Association (Only one copy is required)**  y
- (ix) **Certificate of Incorporation of a Limited Liability Company/ Rule Book/Constitution for a Club or Co-Operative Society as appropriate**  y
- (x) **Other (specify) Drawings and documents listed in 'Any additional Information' below**  
(Note:It may not be necessary to include all of the above documents please refer to the accompanying "Guidance Notes".

**Note 1:** A planning application for the proposed Shannon LNG terminal development was submitted to An Bord Pleanála under the Planning and Development (Strategic Infrastructure) Act 2006 on 24 September 2007. A decision on this application is due from An Bord Pleanála on 01 April 2008.

**Note 2:** A series of meetings and consultations have taken place with the National Parks and Wildlife Service and National Monuments Service of the Department of the Environment, Heritage and Local Government during the course of the planning phase of the proposed development.

**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** 13 December 2006
- (ii) **Reference number(s)** MS51/9/584

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.

NO ADJACENT PROPERTY WILL BE AFFECTED BY THE PROPOSED OUTFALL WORKS. SHANNON DEVELOPMENT, THE CURRENT OWNER OF THE PROPOSED DEVELOPMENT SITE HAVE BEEN CONSULTED.

6. **Employment Implications (if any)** \_\_\_\_\_

N/A

7. **Capital cost of proposed works (€ - Euro)** ESTIMATE €50,000

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)**

PRIVATE USE:

DISCHARGED WATER WILL ORIGINATE FROM WITHIN THE SITE ONLY

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

PLEASE REFER TO ATTACHED DESCRIPTION AND METHOD STATEMENT.

FOUL EFFLUENT WILL BE TREATED TO REQUIRED STANDARDS PRIOR TO DISCHARGE

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

PLEASE REFER TO ATTACHED DESCRIPTION AND METHOD STATEMENT

**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**

THE FOLLOWING DOCUMENTATION IS INCLUDED WITH THIS APPLICATION:

- SHANNON LNG TERMINAL ENVIRONMENTAL IMPACT STATEMENT
- DESCRIPTION AND CONSTRUCTION METHOD STATEMENT FOR DRAINAGE OUTFALL FORESHORE LICENCE APPLICATION

- LIST OF DRAWINGS INCLUDED:

FL-001: SITE LOCATION MAP (1:10560)

FL-002: SITE LOCATION MAP (1:2500)

FL-003: ADMIRALTY CHART

FL-004: AERIAL PHOTOGRAPHY

FL-011: WORKING AREA

FL-012: SITE DRAINAGE LAYOUT

FL-013: SECTION ALONG OUTFALL PIPE

A planning application for the proposed development serviced by the outfall was submitted to An Bord Pleanála under the Planning and Development (Strategic Infrastructure) Act 2006 on 24 September 2007.

Copies of this application were issued to the Coastal Zone Management Division of the Department of Communications, Marine and Natural Resources at that time. Further copies of this application are available upon request.

During the course of the project to date, consultations have been carried out with the following bodies, among others:

- Coastal Zone Management Division of the Department of Agriculture Fisheries and Food
- Engineering Division of the Department of Communications Energy and Natural Resources
- National Park and Wildlife Service of Dept of Environment Heritage and Local Government
- National Monuments Service of Dept of Environment Heritage and Local Government
- Shannon Development
- Shannon Foynes Port Company



- Shannon Regional Fisheries Board

**Please send completed application form to:**  
**Foreshore Section**  
**Coastal Zone Management Division**  
**Department of Communications, Marine and Natural Resources**  
**Leeson Lane, Dublin 2**

**Tel:** + 353 1 678 2000  
**LoCall:** 1890 44 99 00  
**Fax:** + 353 1 678 2159  
**E-mail:** foreshore@dcmnr.gov.ie

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