

Cork City Council

Cork Docklands North and South Quays Maritime Usage Licence Application

Attachment 4.1 Consistency of Proposed Maritime Usage with Objectives of the National Marine Planning Framework

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List of Acronyms/ Glossary

EIAR	Environmental Impact Assessment Report
IMO	International Maritime Organisation
MARA	Maritime Area Regulatory Authority
MARPOL	International Convention for the Prevention of Pollution from Ships
MSFD	Marine Strategy Framework Directive
MUL	Maritime Usage Licence
NIS	Non-Indigenous Species
NMPF	National Marine Planning Framework
NPF	National Planning Framework
OMPP	Overarching Marine Planning Policies
RIB	Rigid Inflatable Boat
SAC	Special Area of Conservation
SOLAS	Safety of Life at Sea Convention
SPA	Special Protection Area

1. Introduction

The National Marine Planning Framework (NMPF), published in 2021, sets out Ireland's overarching spatial plan for the sustainable development of the maritime area and serves as the maritime equivalent of the National Planning Framework. The proposed Cork Docklands North and South Quays surveys align with the NMPF ecosystem-based approach. The Overarching Marine Planning Policies (OMPPs) underpin all marine activities and are grouped under three main pillars: environmental, social, and economic. Within each pillar, specific planning policies outline the requirements to avoid, minimise, or mitigate potential adverse impacts.

2. Main pillars of NMPF

The proposed environmental surveys directly align with these pillars as follows:

- **Environmental** - The surveys will provide baseline data for the Cork Docklands and River Lee to characterise existing seabed conditions in the receiving environment. These data will support the protection of Annex IV marine mammals found within the River Lee including seals (*Halichoerus grypus* and *Phoca vitulina*) and otters (*Lutra lutra*), and broader MSFD ocean-health objectives. These data will also aim to inform the potential repair or replacement of aging quay walls and jetties and the addition of flood defences to protect the riverbanks from further erosion. The surveys will support the transformation of the Docks into an accessible urban space with improved connections to the city, promoting the use of bicycles and walking to promote greener transport in the city.
- **Social** – The surveys will further inform the design and suitability of creating a world class amenity project on the River Lee which encourages outdoor dining and producing improved infrastructure to tourists and locals in the city. The River Lee and its ecological services are areas of significant natural-capital, cultural heritage, and recreational value which support tourism in the city. By also enabling well-informed design and mitigation for upgraded flood defences, the surveys support the long-term protection of the riverscape, foraging resources for marine mammals (mainly otter) and the continued enjoyment of the marine surrounds for coastal recreation and environmental education.
- **Economic** – The surveys will indirectly support increased economic growth in Cork City by providing the evidence base for upgraded flood defences and high-quality public realm

improvements that attract greater footfall, cyclists and tourism to the Docklands area. By integrating new and repaired flood defences, the project will protect the existing economic activity of businesses at risk from coastal flooding and create a secure environment for further commercial investment as flood risk decreases over time. Establishing robust baseline conditions for future impact avoidance and mitigation planning ensures that maritime usage safeguards marine ecological integrity while enabling sustainable 25-year agglomeration growth in line with the NMPF economic pillar and its emphasis on resilient, best-practice infrastructure and compliance with relevant EU Directives.

3. Consistency with NMPF Policy Objectives

The proposed marine environmental surveys in the River Lee have been assessed against relevant policies of the NMPF. **Table 1** demonstrates how the overall project is consistent with, and in several cases, actively supports the achievement of relevant policy objectives.

Table 1: Consistency of Propose Maritime Usage with relevant NMPF policy objectives.

Relevant NMPF Policies	Description	Compliance Assessment
Environmental – Ocean Health Policy 1	Compliance with NMPF policies relating to: Biodiversity, Non-Indigenous Species, Water Quality, Seafloor and Water Column Integrity, Marine litter, Underwater Noise. Should include demonstration of contribution to relevant MSFD targets identified.	Compliant for both North and South Quays – please see Attachment 4.6 for Consistency of Maritime Usage with Marine Strategy Framework Directive and Ireland's Marine Strategy
Biodiversity 1	Proposals incorporating features that enhance or facilitate species adaptation or migration, or natural native habitat connectivity will be supported, subject to statutory environmental assessment and decision by the competent authority. Proposals that may have significant adverse impacts must demonstrate (in order of preference): avoid, minimise, or mitigate significant adverse impacts on species adaptation/migration or habitat connectivity, or set out reasons for proceeding if not possible.	N/A
Biodiversity 2	Proposals that protect, maintain, restore and enhance the distribution and net extent of important habitats and important species will be supported, subject to statutory environmental assessment and decision by the competent authority. Proposals must avoid significant reduction in distribution/net extent of important habitats and avoid disturbance/displacement of habitats relied upon by important species.	Compliant for both North and South Quays – please see Attachment 4.6 for Consistency of Maritime Usage with Marine Strategy Framework Directive and Ireland's Marine Strategy.
Biodiversity 3	Where marine or coastal natural capital assets are recognised by Government: proposals must seek to enhance assets where possible; demonstrate (in order of preference): avoid, minimise, or mitigate significant adverse impacts on natural capital assets, or set out reasons for proceeding if mitigation is not possible.	Compliant for both North and South Quays – please see Attachment 4.6 for Consistency of Maritime Usage with Marine Strategy Framework Directive and Ireland's Marine Strategy.

Relevant NMPF Policies	Description	Compliance Assessment
Biodiversity 4	Proposals must demonstrate (in order of preference): avoid, minimise, or mitigate significant disturbance/displacement of highly mobile species.	Compliant for both North and South Quays – please see Attachment 4.3 for Supporting Information of Screening for Appropriate Assessment and Attachment 4.4 for risk assessment for Annex IV species.
Protected Marine Sites 1	Proposals must demonstrate they can be implemented without adverse effects on integrity of SACs or SPAs. Where adverse effects remain after mitigation, consent cannot be granted unless Habitats Directive Article 6(4) prerequisites are met.	Compliant for both North and South Quays – please see Attachment 4.3 for report for Supporting Information of Screening for Appropriate Assessment and Attachment 4.6 for Consistency of Maritime Usage with Marine Strategy Framework Directive and Ireland's Marine Strategy.
Protected Marine Sites 2	Proposals supporting objectives of protected marine sites should be supported and: be informed by appropriate guidance; demonstrate accordance with legal requirements including statutory advice from relevant authorities.	N/A
Protected Marine Sites 3	Proposals enhancing a protected marine site's ability to adapt to climate change, enhancing resilience, should be supported, informed by guidance and in accordance with legal requirements including statutory advice.	N/A
Protected Marine Sites 4	Until ecological coherence of protected marine site network is examined, proposals should identify features that may be required to further establish the network using best available evidence and demonstrate (in order of preference): avoid, minimise, or mitigate significant impacts on those features, or set out reasons for proceeding if mitigation is not possible.	N/A
Non-Indigenous Species 1	Reducing risk of introduction/spread of NIS is a requirement of all proposals. Proposals must demonstrate a risk-management approach to prevent introduction/spread, particularly when: moving equipment/boats/livestock between waterbodies; introducing settlement-suitable structures; or spread of known NIS. Vessels must comply with latest IMO, SOLAS, and national territorial/offshore requirements to reduce NIS risk.	Compliant for both North and South Quays – survey vessels, diving equipment, grab gear, sonar equipment and sampling equipment will follow biosecurity cleaning/disinfection between waterbodies. IMO/SOLAS/MARPOL vessel classification compliance reduces NIS introduction/spread risk.
Water Quality 1	Proposals with potential for significant adverse impacts on water quality must demonstrate (in order of preference): avoid, minimise, or mitigate significant adverse impacts on water quality.	Compliant for both North and South Quays – the survey will be temporary and localised, with no significant adverse effects. South Quays grab sampling may cause minor, localised sediment disturbance with no long-term effects on water quality. North Quays works will not involve grab

Relevant NMPF Policies	Description	Compliance Assessment
		sampling, dredging or riverbed excavation. Any required coring or chipping will be confined to the quay structures, with debris and cutting water contained and removed for onshore disposal. Underwater coring will only be undertaken where a specific need has been identified through above-water and underwater inspections, and will employ the same containment measures to minimise and mitigate any potential inputs. Survey vessels will comply with pollution prevention requirements. For more information, please see Attachment 4.5.
Water Quality 2	Proposals delivering improvements to water quality or enhancing habitats/species beneficial to water quality should be supported, subject to statutory assessment, where contributing to NMPF objectives.	N/A
Sea-floor Integrity 1	Proposals incorporating measures supporting resilience of marine habitats should be supported. Proposals with potential for significant adverse impacts on marine/deep-sea habitats must demonstrate (in order of preference): avoid, minimise, or mitigate significant adverse impacts, or set out reasons for proceeding if mitigation is not possible.	Compliant for both North and South Quays – seabed disturbance at the South Quays is restricted to grab sampling and the spatial footprint is very small and temporary, with physical recovery expected in <12 months. No grab sampling or seabed excavation is proposed at the North Quays, where interaction with the seabed will be limited to diver-led inspection of the wall toe and scour conditions and sonar or echo-sounding surveys. Usage supports resilience by informing baseline condition and future mitigation planning. For more information see Attachment 4.6 for Consistency of Maritime Usage with Marine Strategy Framework Directive and Ireland's Marine Strategy.

Relevant NMPF Policies	Description	Compliance Assessment
Sea-floor Integrity 2	Proposals, including those that increase access to the maritime area, must demonstrate that they will, in order of preference: avoid, minimise, or mitigate adverse impacts on important habitats and species.	Compliant for both North and South Quays – South Quays grab sampling will be temporary, spatially very small and is not expected to adversely affect important habitats or species. North Quays works will not involve grab sampling or seabed excavation and will be limited to diver-led inspection, sonar or echo-sounding surveys and targeted sampling of existing quay structures. Survey vessels will, where practicable, use dynamic positioning rather than seabed anchoring, thereby avoiding or minimising physical interaction between anchors and the seabed and reducing disturbance to benthic habitats. Please see Attachments 4.3, 4.5 and 4.6.
Sea-floor Integrity 3	Proposals must take account of the space required for coastal habitats, ecosystem functioning and provision of ecosystem services and demonstrate that they will, in order of preference: avoid, minimise, or mitigate net loss of coastal habitat.	Compliant for both North and South Quays – the surveys will not result in permanent works or net loss of coastal habitat. South Quays intertidal and subtidal sampling will be temporary and spatially very small. North Quays works will be confined to inspection and targeted testing of existing quay structures, with no permanent alteration of coastal habitats. Please see Attachments 4.3, 4.4 and 4.6.
Marine Litter 1	Proposals facilitating waste re-use/recycling or reducing marine/coastal litter should be supported. Proposals potentially increasing litter must demonstrate (in order of preference): avoid, minimise, or mitigate litter via waste plan, and manage all waste without litter creation. Pollutants/waste will not be disposed at sea; refuse kept onboard and disposed onshore per MARPOL.	Compliant for both North and South Quays – surveys will not intentionally dispose of any material at sea. Concrete debris, core spoil, cuttings, and other survey-related waste will be contained and returned to shore for appropriate disposal. Vessel waste will be retained onboard and disposed of onshore via standard vessel waste procedures in accordance with national waste legislation.

Relevant NMPF Policies	Description	Compliance Assessment
Underwater Noise 1	Proposals must take account of spatial distribution, temporal extent, and levels of impulsive/continuous underwater noise that may be generated, and potential for significant adverse impacts on marine fauna. If potential for significant impact identified, a Noise Assessment Statement must be prepared and inform determinations. Must include demonstration of compliance with legal requirements including Annex IV and Wildlife Act species protections where relevant.	Compliant for both North and South Quays. Surveys will be undertaken using Best Available Techniques and in accordance with relevant statutory guidance to avoid unnecessary underwater noise and to minimise and, where necessary, mitigate any acoustic disturbance. Temporary, low-level continuous underwater noise may arise from survey vessels, the South Quays ROV and geophysical equipment, and the North Quays sonar, echo-sounding and diver-support vessels, but this will be short-term and localised. On this basis, the surveys are not anticipated to result in significant adverse effects on marine fauna and will comply with the legal requirements for the protection of Annex IV species under the Habitats Directive and relevant Wildlife Act provisions. Please see Attachment 4.4 Risk Assessment for Annex IV Species and Attachment 4.6 for Consistency of Maritime Usage with the Marine Strategy Framework Directive and Ireland's Marine Strategy.
Air Quality 1	Proposals supporting reduction in air pollution should be supported, subject to statutory assessment, where contributing to NMPF objectives. Proposals must demonstrate consideration of contribution to air pollution (direct/cumulative).	N/A
Air Quality 2	Vessels must comply with latest IMO, SOLAS, and national emissions requirements when operating in territorial/offshore waters.	Compliant for both North and South Quays – vessels will comply with IMO, SOLAS, and national emissions standards during the temporary survey period.
Climate Change 1	For lifetime of proposal, must demonstrate: estimation of likely GHG emissions (direct/indirect); measures supporting reductions; impact of climate effects on proposal (e.g., SLR, acidification, weather); adaptation measures; impact on coastal climate-adaptation measures and adjacent activities; and demonstrate (in order of preference): avoid, minimise, mitigate impacts, or set out reasons for proceeding if mitigation is not possible.	Compliant for both North and South Quays - The proposed surveys will be carried out using low-emission methods and will support the design of high-quality public realm and active travel infrastructure, thereby indirectly reducing transport-related carbon emissions in Cork City through a shift away from private vehicle use.
Climate Change 2	Avoid adverse changes to physical coast; enhance/restore/recreate habitats providing flood defence or carbon-sequestration services where possible.	Compliant for both North and South Quays – the surveys will not permanently alter the shoreline, tidal regime, channel morphology or sediment-transport processes and

Relevant NMPF Policies	Description	Compliance Assessment
Co-existence 1		will not remove habitats providing flood-defence or carbon-sequestration services. Intrusive activities will be small and targeted. The structural information obtained will support the design and repair of resilient quay infrastructure and future waterfront works.
	Consider space optimisation including co-existence/co-operation with other activities. If unable to avoid significant adverse impacts/displacement, must (in order of preference): minimise, mitigate, or set out reasons for proceeding.	Compliant for both North and South Quays – survey deployments are short-duration and spatially minimal, enabling co-existence with existing river users. No exclusion zones or displacement of ongoing activities anticipated.
Infrastructure 1	Appropriate land-based infrastructure facilitating marine activity (and vice versa) should be supported; proposals facilitating diversification/regeneration of marine industries should be supported.	Compliant for both North and South Quays – The surveys will provide essential baseline data to inform the regeneration and upgrade of quay walls, jetties and associated marine infrastructure along Cork Docklands South and North Quays. At Horgan's Quay, the Turning Basin and North Deep-Water Quay, the surveys will also assess the capacity of the existing structures to accommodate the proposed public realm works and associated additional loading. This directly supports appropriate land-based infrastructure which facilitates safe and enhanced marine activity.
Access 1	Tourism/recreation proposals must demonstrate (in order of preference): avoid, minimise, or mitigate significant adverse impacts on public access.	Compliant for both North and South Quays – surveys are temporary, spatially very small, and undertaken from land, quay walls and survey or support vessels. Any short-term restrictions required around individual quay sections, diving operations or survey vessels will be limited to the minimum area and duration required; no significant restriction to coastal or marine public access is anticipated.
Access 2	Proposals demonstrating enhanced/inclusive public access should be supported where contributing to NMPF objectives, subject to statutory assessment.	Compliant for both North and South Quays – The surveys will be used to inform the design and operation of the Cork Docklands North and South Quays projects, supporting enhanced and inclusive public access to the River Lee waterfront through improved pedestrian and cyclist routes, riverfront amenities and open public spaces. At the North Quays, the proposed public realm includes

Relevant NMPF Policies	Description	Compliance Assessment
		open public amenity space and dedicated pedestrian and cycling corridors.
Employment 1	Demonstrate contribution to a net increase in marine-related employment, especially aligned to Irish coastal community skills and sustainable resource use/skills diversification.	N/A
Heritage Assets 1	Enhance significance of heritage assets where possible; otherwise demonstrate (in order of preference): avoid, minimise, or mitigate harm; or show public benefits outweigh harm if mitigation not possible.	Compliant - The surveys will be used to inform the redesign of the Docks into an accessible urban space, encouraging public benefits in Cork City.
Rural Coastal and Island Communities 1	Proposals contributing to access, communications, energy self-sufficiency or sustainability of rural/island communities should be supported and be inclusive of ongoing education, skills development, and marine-sector training, improving sustainability, social benefits and resilience.	N/A
Seascape and Landscape 1	Demonstrate how likely significant impacts on seascape/landscape were considered. Must demonstrate (in order of preference): avoid, minimise, or mitigate significant adverse impacts; or set out reasons for proceeding if mitigation is not possible.	Compliant for both North and South Quays – usage is temporary, spatially very small, and involves rapid RIB- and ROV-based deployments at the South Quays and temporary land-based, vessel-based and diving operations at the North Quays. No long-term seascape or landscape effects are anticipated from the surveys.
Social Benefits 1	Proposals enhancing/promoting social benefits should be supported; otherwise must demonstrate (in order of preference): minimise, or mitigate significant adverse impacts displacing activities generating social benefits.	Compliant for both North and South Quays – The surveys will be used to inform the redesign and regeneration of the Cork Docklands North and South Quays for increased societal benefit, including the promotion of walking and cycling, outdoor dining and public amenity space.
Social Benefits 2	Proposals increasing understanding/enjoyment of marine environment (natural, historic, social value) or promoting conservation management, education, and skills should be supported.	Compliant for both North and South Quays – The surveys will generate detailed datasets on the natural, historic and structural characteristics of the River Lee quays. The South Quays surveys will provide natural, historic and structural information, while the North Quays surveys will provide structural, material-condition and riverbed-profile information, enhancing understanding of the marine environment.

Relevant NMPF Policies	Description	Compliance Assessment
Transboundary 1	Proposals with transboundary impacts beyond maritime/terrestrial or neighbouring jurisdictions must show evidence of consultation with relevant public bodies and consider transboundary impacts across lifetime.	N/A
Sectoral policies		
Ports, Harbours & Shipping 1	Freedom of navigation and safety of life at sea should be safeguarded; proposals must not compromise navigation routes, VTS or emergency response.	Compliant for both North and South Quays – Short-duration surveys will be undertaken from RIBs and other survey or support vessels within operational port waters. Subject to Port of Cork coordination and appropriate navigational controls, the surveys will not cause disruption to shipping lanes or harbour operations.
Ports, Harbours & Shipping 2	Proposals that may have a significant impact upon current activity and future opportunity for expansion of port and harbour activities should demonstrate that they will, in order of preference: a. avoid, b. minimise, or c. mitigate significant adverse impacts. If it is not possible to mitigate significant adverse impacts, proposals should set out the case for proceeding	Compliant for both North and South Quays – The surveys pose no significant adverse impacts on current or future port activities or expansion, with surveys being short-term, of low footprint, and essential for the provision of baseline data to support sustainable quay and jetty regeneration at the North and South Quays.
Ports, Harbours & Shipping 4	Proposals likely to affect port/harbour operations should engage early with relevant port authority and Maritime Safety Office	Compliant for both North and South Quays – The surveys will include pre-application liaison with the Port of Cork and relevant maritime authorities to agree survey specifications, including working hours, permissions, notices, vessel movements and diving safety arrangements.
Ports, Harbours & Shipping 7	Proposals supporting safe/efficient port maintenance, including dredging and disposal, should be prioritised where aligned with port masterplans.	Compliant for both North and South Quays – The surveys will indirectly facilitate future port maintenance dredging and operation by mapping riverbed bathymetry which will inform safe and efficient asset management.
Sport and Recreation 2	Proposals should demonstrate the potential impact on sports clubs, recreational users, facilities, access to and along the shore, access to the water, recreational use, navigational routes and the natural environment.	Compliant for both North and South Quays – surveys will be temporary, spatially very small and undertaken from land, quay structures and survey or support vessels. Any short-term restrictions will be limited to the minimum area and duration required, with no significant adverse impact on

Relevant NMPF Policies	Description	Compliance Assessment
		recreational users, waterfront access or navigational routes anticipated. The surveys will positively support the future provision of improved pedestrian and cycling routes, public amenity space, riverfront access and recreational use along the Cork Docklands waterfront.
Sport and Recreation 4	Proposals that improve access to marine and coastal resources for tourism activities, and sport and recreation should be supported, where appropriate, at the applicable scale and aligned with existing development plans.	Compliant for both North and South Quays – The surveys will be used to inform the design and regeneration of the Cork Docklands North and South Quays, supporting improved access to the River Lee waterfront for tourism, sport and recreation through enhanced pedestrian and cycling routes, outdoor recreational use and public amenity space.
Tourism 1	Where appropriate, proposals enabling, promoting or facilitating sustainable tourism and recreation activities, particularly where this creates diversification or additional utilisation of related facilities beyond typical usage patterns, should be supported.	Compliant for both North and South Quays – The surveys will provide essential baseline information to inform the regeneration of the Cork Docklands North and South Quays, indirectly facilitating sustainable tourism and recreation through improved pedestrian and cycling routes, riverfront amenities and public open spaces.
Tourism 2	Proposals must identify possible impacts on tourism. Where a potential significant impact is identified, the proposal must demonstrate how negative consequences for tourism will be minimised and that the benefits are not outweighed by potential negative impacts.	Compliant for both North and South Quays – the surveys will be temporary and localised and are not expected to result in significant adverse impacts on tourism or visitor use of the River Lee waterfront. The surveys will positively support the regeneration of the Cork Docklands waterfront by informing improved public access, riverfront amenities, walking and cycling routes and attractive public spaces for residents and visitors.