

Cork City Council

Cork Docklands North and South Quays Maritime Usage Licence Application

Attachment 4.10 Consistency of the Proposed Maritime Usage with the Ireland's 4th National Biodiversity Action Plan

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AQUAFACT REF: P20039

2026

COMMERCIAL IN CONFIDENCE

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Address: City Hall, 1-2 Anglesea Street, Cork T21T997
Reference no: P20039
Date of issue: 30/07/2026
Version Number: Final

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Tax Reference Number: 9773384O
Tax Clearance Number: 559674

Report Approval Sheet

Client	Cork City Council
Report Title	Cork Docklands North and South Quays Maritime Usage Licence Application
Job Number	P20039
Report Status	Final
Issue Date	30/07/2026
Report Type	Attachment 4.10 National Biodiversity Action Plan Consistency report

Rev	Status	Issue Date	File Name	Author(s)	Approved By
1	Draft	27/07/2026	Attachment 4.10 Compliance with the NBAP_CDSNQ_v1	AM, AK	AL
2	Final	30/07/2026	Attachment 4.10 Compliance with the NBAP_CDSNQ_final	AM, AK	AL

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List of Acronyms/ Glossary

MUL	Maritime Usage Licence
NBAP	National Biodiversity Action Plan
CCC	Cork City Council
EEA	European Environment Agency
EUNIS	European Nature Information System
JNCC	Joint Nature Conservation Committee
MSFD	Marine Strategy Framework Directive
NBAP	National Biodiversity Action Plan
SPA	Special Protection Area
WFD	Water Framework Directive

1. Introduction

1.1. Background

This report accompanies a Maritime Usage Licence (MUL) application by Cork City Council in respect of the proposed site investigation surveys associated with the Cork Docklands North and South Quays Projects, located primarily along the northern and southern banks of the River Lee, Cork City. These site investigation surveys will inform the planning, design, and delivery of the proposed public realm and flood defence works along the North and South Quays and Marina Park areas (see Attachment 3.1 Description of the Proposed Maritime Usage for more information).

Cork City Council has appointed Mott MacDonald to provide consultancy services for the Cork Docklands North and South Quays Projects. The South Quays project extends approximately 3.4 km along the southern bank of the River Lee, from Kennedy Quay to Blackrock Village. The North Quays project area includes Horgan's Quay, the Turning Basin and North Deep-Water Quay. The site investigation surveys precede the proposed project, whose ultimate aim is to provide a high-quality public realm scheme, including improved pedestrian and cyclist access, enhanced river frontage amenities, and the repair and upgrading of quay walls and associated infrastructure, incorporating integrated flood defence measures.

The Maritime Usage Licence application relates specifically to site investigation surveys within the marine environment below the High-Water Mark of the River Lee. The survey programme includes structural investigations at both the North and South Quays, as well as ecological and archaeological investigations within the South Quays area. The structural investigations include above-water and underwater inspections, material testing, riverbed and quay wall investigations and sonar or echo sounding surveys where required. These surveys are required to characterise the existing environmental and physical conditions, assess the condition of quay walls, jetties and riverbed substrates, and identify ecological sensitivities within the relevant survey areas. The surveys will provide baseline information to inform environmentally responsible planning and design of the Cork Docklands North and South Quays Projects.

This report has been prepared to demonstrate the consistency of the proposed site investigation surveys with the objectives of Ireland's 4th National Biodiversity Action Plan (NBAP) 2023–2030.

1.2. Ireland's 4th National Biodiversity Action Plan

In 1996, Ireland signed the United Nations Convention on Biological Diversity, which is implemented at a national level through the development and implementation of National Biodiversity Strategies and Action Plans. Ireland's 3rd National Biodiversity Action Plan (NBAP) aligned with global biodiversity commitments and EU policy in place at that time. The 4th NBAP is the first to place a legal obligation on public and statutory bodies to have regard to the plan's objectives and targets, through the Wildlife (Amendment) Act 2023. The 4th NBAP also places increased emphasis on accountability, implementation structures, and wider stakeholder involvement, reflected in its 'whole-of-government, whole-of-society' approach. Overall, Ireland's 4th NBAP (hereafter referred to as 'the Plan') represents a shift towards a more ambitious and transformative agenda, aiming to reverse biodiversity loss and address the biodiversity crisis.

The 4th National Biodiversity Action Plan ('the Plan') 2023–2030 sets out Ireland's strategic framework for halting and reversing biodiversity loss, while ensuring that the sustainable use of natural resources underpins social and economic well-being. The Plan is structured around five overarching objectives:

- Adopt a Whole-of-Government, Whole-of-Society Approach to Biodiversity
- Meet Urgent Conservation and Restoration Needs
- Secure Nature's Contribution to People
- Enhance the Evidence Base for Action on Biodiversity
- Strengthen Ireland's Contribution to International Biodiversity Initiatives.

2. Assessment of Consistency

Any marine activity proposed within Irish waters, including the proposed site investigation surveys within the River Lee, must be considered in the context of the objectives of Ireland's 4th National Biodiversity Action Plan (NBAP) and demonstrate consistency with the Plan. The proposed maritime usage comprises site investigation surveys undertaken to inform the Cork Docklands North and South Quays Projects and will be temporary, localised, and limited in extent within the Lower Lee Estuary. The following subsections describe how the proposed site investigation surveys are consistent with the five objectives of The Plan.

2.1. Adopt a Whole-of-Government, Whole-of-Society Approach to Biodiversity

Objective 1 of Ireland's 4th National Biodiversity Action Plan establishes the overarching governance framework for the Plan, emphasising the need to mainstream biodiversity across all sectors of society and the economy through a whole-of-government, whole-of-society approach.

The Cork Docklands North and South Quays Project, promoted by Cork City Council (CCC), reflects this integrated governance approach by embedding biodiversity, environmental protection and heritage considerations into the early planning and investigative stages of the scheme. The Project extends approximately 3.4 km along the northern and southern banks of the River Lee and comprises public realm enhancement, quay wall repair, flood defence integration and improved access to the waterfront. While the Maritime Usage Licence (MUL) application relates solely to site investigation surveys below the High-Water Mark, they are proposed to inform the design and environmental assessment of the wider public realm and flood defence scheme. They are designed to establish robust baseline environmental data, identify ecological sensitivities, and inform appropriate mitigation and design responses prior to any construction works, aligning with the overall objective.

The proposed MUL aligns with Target 1C3 of the NBAP, which requires that the objectives of the NBAP are considered as part of Phase 2 of the National Land Use Review. As a strategic urban regeneration and waterfront enhancement scheme within Cork City, the Docklands Project aligns with the overall aims of Phase 2 of the National Land Use Review and contributes to integrating biodiversity considerations into land use planning, flood resilience, public realm design, and river corridor management. The generation of high-quality ecological baseline data through the South Quays ecological surveys, together with structural, hydrographic and riverbed information from the South and North Quays survey areas, supports informed spatial planning and ensures that biodiversity considerations are embedded in future land-use decision-making.

Both the North and South Quays projects support the intent of Target 1E3, which seeks to increase compliance with wildlife legislation through enhanced awareness, coordination, and enforcement. All surveys are being undertaken in accordance with relevant environmental legislation, licensing requirements, and best-practice guidance, including the Habitats Directive, Wildlife Acts, and National Monuments Acts.

The Cork Docklands North and South Quays Projects are located within a sensitive estuarine environment and rely on a clean and functioning river ecosystem to support public amenity, flood

resilience and waterfront enhancement. In this context, the structured programme of site investigation surveys, together with adherence to statutory licensing and environmental assessment requirements, demonstrate that biodiversity considerations are embedded within its governance and operational decision-making. This reflects the intent of Objective 1 of Ireland's 4th National Biodiversity Action Plan, which seeks to mainstream biodiversity across sectors and promote a whole-of-government, whole-of-society approach to addressing biodiversity loss.

2.2. Meet Urgent Conservation and Restoration Needs

Objective 2 of The Plan focuses on addressing the most urgent conservation and restoration challenges facing biodiversity across terrestrial, freshwater and marine environments. In the marine context, the Objective emphasises the protection of Natura 2000 sites, the achievement and maintenance of High or Good Ecological Status and Good Environmental Status under the Water Framework Directive (WFD) and Marine Strategy Framework Directive (MSFD), and the integration of environmental targets into planning and licensing systems.

The proposed MUL area is within the wider Cork Harbour estuarine system and partially overlaps with Cork Harbour SPA (004030). In line with Target 2A3 (Protection of Natura 2000 Sites), the North and South Quays survey programme includes ecological surveys to characterise benthic habitats and identify ecological sensitivities, including habitats supporting SPA qualifying interests. Targeted otter surveys are also included, recognising otter as a protected species under Annex IV of the EU Habitats Directive. The structural survey activities at the North and South Quays, including vessel-supported inspections, diver-led underwater surveys, material testing and sonar or echo sounding where required, are considered within the statutory environmental assessments supporting the MUL application

In accordance with Target 2A4 (Protection of Natura 2000 Sites), the MUL application is subject to statutory environmental assessment, including Appropriate Assessment screening, ensuring that activities within the SPA are sustainable and consistent with site conservation objectives.

Target 2D5 (Flood Risk Management and Ecosystem Services) seeks to optimise biodiversity and ecosystem service benefits within flood risk management planning. The baseline surveys are intended to inform environmentally sensitive flood defence, quay wall and public realm design and to provide essential data to support solutions that minimise biodiversity loss and protect ecosystem services.

Targets 2D9 (WFD) and 2D10 (MSFD) aim to achieve and maintain High or Good Ecological Status and Good Environmental Status, and to integrate marine environmental targets into planning and consenting systems. All marine, intertidal and subtidal survey activities, including structural inspections, material testing, sonar or echo sounding, archaeological investigations and ecological sampling, will be undertaken in accordance with recognised standards, with explicit measures to prevent pollution and minimise disturbance. Furthermore, Attachment 4.5 and Attachment 4.6 of this MUL application address the consistency of the proposed MUL with the WFD and MSFD in detail, respectively.

2.3. Secure Nature's Contribution to People

Objective 3 of The Plan focuses on recognising and safeguarding the ecosystem services provided by biodiversity, and on ensuring that biodiversity considerations are embedded within planning, development, education, and private-sector decision-making. The Plan recognises that 'biodiversity underpins our everyday life' through the ecosystem services it provides and emphasises the role of Ireland's planning system and the private sector in ensuring that development is sustainable and does not negatively impact the environment.

In accordance with Ireland's planning and licensing framework, the proposed site investigation surveys are subject to Appropriate Assessment (AA) screening, as appropriate. These assessment processes ensure that potential impacts on biodiversity, marine ecosystems, and associated ecosystem services are systematically identified, scientifically assessed, and evaluated using baseline environmental data, targeted surveys, and relevant scientific literature. Particular consideration is given to potential effects on water quality, benthic habitats and designated European sites.

In line with Target 3A3 (Enhancement of Green and Blue Urban Environments), the site investigation surveys inform North and South Quays Projects which aim to enhance the biocultural value of Cork City's blue urban environment through the regeneration of the river corridor as a public amenity. The site investigation surveys to inform the proposed improvements promote equitable access to the River Lee, encourage active travel, outdoor recreation and community use of the waterfront, and support the integration of cultural and recreational services within the urban landscape. By improving access to and engagement with the river environment, while ensuring that ecological sensitivities are identified and safeguarded through ecological surveys and environmental assessment, the surveys support a project that contributes to the enhancement of green and blue urban environments within the local authority area.

2.4. Enhance the Evidence Base for Action on Biodiversity

Objective 4 of The Plan focuses on strengthening the evidence base for biodiversity-related decision-making through improved environmental data collection, accessibility, integration and long-term monitoring. It emphasises the importance of high-quality baseline information to inform Environmental Impact Assessment (EIA), Appropriate Assessment (AA), marine planning and future project-level assessments.

In line with Target 4B1 (accessibility of environmental assessment data), the environmental data collected will be documented and reported in a structured and accessible format. Baseline ecological data, sediment characteristics, benthic community analyses and archaeological survey outputs from the South Quays surveys, together with hydrographic information, structural inspection records, material testing results and sonar or echo sounding outputs from the South and North Quays surveys, will be available to inform future project-related environmental and engineering assessments within the Docklands and wider Cork Harbour area. The surveys therefore contribute to the objective of improving the availability and usability of environmental monitoring data associated with environmental authorisations and informed project planning.

In relation to Target 4B7 (availability of biodiversity data), biodiversity and related data generated through the intertidal and subtidal surveys will be recorded using recognised classification systems (including EUNIS and JNCC Marine Habitat Classification) and georeferenced using standard coordinate systems. This ensures compatibility with national datasets and facilitates potential integration into wider biodiversity data repositories, supporting national open data objectives.

With respect to Target 4B8 (availability of field derived data), the project includes detailed field-derived habitat mapping and sediment analysis within the River Lee. Intertidal and subtidal habitat maps, supported by Particle Size Analysis and benthic macrofaunal assessment, will enhance understanding of estuarine habitats within the study area. The structural and sonar or echo-sounding surveys will also generate field-derived information on the condition of quay structures, riverbed levels, scour, undermining, and physical conditions adjacent to the quay walls. These outputs improve access to field-derived habitat data and may support future integration with broader land-cover and marine habitat mapping initiatives.

Overall, through structured environmental assessment, high-resolution survey methodologies, standardised habitat classification and comprehensive reporting, the proposed Maritime Usage

Licence supports the delivery of Objective 4 of the NBAP by enhancing the evidence base for biodiversity protection and informed marine planning within Cork Harbour and the River Lee estuary.

2.5. Strengthen Ireland's Contribution to International Biodiversity Initiatives

Objective 5 of Ireland's 4th National Biodiversity Action Plan focuses on strengthening Ireland's contribution to international biodiversity cooperation, governance and data exchange. It emphasises Ireland's role in supporting European and global biodiversity reporting frameworks and contributing high-quality environmental data to EU and international data hubs and networks.

In line with Target 5C1, biodiversity and related environmental data generated through the ecological surveys and the environmental assessment will be prepared in accordance with recognised national and international standards, including established marine habitat classification systems and hydrographic survey specifications. Where relevant, datasets arising from the project may contribute, via national reporting mechanisms, to biodiversity data streams used at European level, including those coordinated through the European Environment Agency (EEA) and other international biodiversity data hubs.

Overall, through regulatory compliance, comprehensive environmental and archaeological survey, structured monitoring and reporting, and the generation of high-quality georeferenced datasets, the proposed Maritime Usage Licence investigations are consistent with Objective 5 of the Plan and support Ireland's contribution to national, European and international biodiversity data frameworks.

3. Conclusion

The proposed site investigation surveys for the Cork Docklands North and South Quays Project are consistent with the objectives of the Plan. Across Objectives 1 to 5, The MUL application demonstrates that biodiversity considerations are embedded within its governance, assessment and planning frameworks in alignment with national, EU and international biodiversity policy.

The surveys are undertaken within a sensitive estuarine environment and are subject to robust environmental assessment and statutory licensing requirements. The project incorporates comprehensive ecological, hydrographic and archaeological surveys, applies recognised survey standards and environmental safeguards, and contributes to the generation of high-quality baseline environmental data. In doing so, it supports the mainstreaming of biodiversity considerations within

urban regeneration and flood resilience planning, safeguards ecosystem services within the River Lee, avoids adverse effects on designated sites and protected species, and aligns with wider conservation objectives.