

# Submission AGR 00549-19: Recommendation to Refuse Aquaculture/Foreshore Licences for 1 site (T06/386A)

TO: Minister  
STATUS: Completed  
PURPOSE: For Decision

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DIVISION: Coastal Zone Management  
DECISION BY:

## Final comment

Minister determines that the Aquaculture/Foreshore Licences be refused for the reasons outlined.

## Action required

Ministerial Determination on Aquaculture/Foreshore Licensing Application (T06/386A)

## Executive summary

The Minister's determination is requested please in relation to an application for an Aquaculture Licence from Mr. Pat Moran, The Mount, Cheekpoint, Co. Waterford. The application is for the cultivation of Pacific Oysters using bags and trestles on Site T06/386A, a 4.9 hectare site on the foreshore in Bunaclugga Bay, Shannon Estuary, Co. Kerry.

There is also a submission in respect of this application for a Foreshore Licence, for the Minister's consideration.

It is recommended that the Minister determines that the Aquaculture/Foreshore Licences **be refused** for the reasons outlined in the 'Detailed Information' section below.

## Detailed information

**Note: Tabs may contain additional information which is subject to redaction if transmitted to third parties.**

### Recommendation to Refuse an Aquaculture Licence for one site (ref: T06/386A)

#### DECISION SOUGHT

The Minister's determination is requested please in relation to an application for an Aquaculture Licence from Mr. Pat Moran, The Mount, Cheekpoint, Co. Waterford for a site numbered T06/386A in Bunaclugga Bay, Shannon Estuary, Co. Kerry.

A submission in respect of the application for a Foreshore Licence is also set out below, for the Minister's consideration.

#### BACKGROUND

Marine aquaculture operations require separate Aquaculture and Foreshore Licences and Ministerial approval is required in respect of this submission (Aquaculture Submission) and submission below (Foreshore Submission) which refer to the same site.

The Aquaculture Licence defines the activity that is permitted on a particular site and the Foreshore Licence allows for the

occupation of that particular area of foreshore. The continuing validity of each licence is contingent on the other licence remaining in force.

## **APPLICATION FOR AN AQUACULTURE LICENCE**

An application for an Aquaculture Licence has been received from the applicant referred to above (in conjunction with an application for a Foreshore Licence) for the cultivation of Pacific Oysters using bags and trestles in relation to one site - T06/386A, totalling 4.9 ha on the foreshore in Bunaclogga Bay, Shannon Estuary, Co. Kerry (see **Tab A**).

## **LEGISLATION**

Section 7 of the Fisheries (Amendment) Act 1997 provides that the Licensing Authority (i.e. the Minister, delegated officer or, on appeal, the Aquaculture Licences Appeals Board) may, if satisfied that it is in the public interest to do so, license a person to engage in aquaculture.

Article 6 (3) of the Habitats Directive provides that "Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon ... shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives ... the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned ..."

## **CONSULTATION AND PUBLIC COMMENT**

The application was sent to the Department's technical experts, statutory consultees and was also publicly advertised in a composite public notice covering both aquaculture and foreshore elements.

### **Technical Consultation**

Observations/Comments were made by Technical Advisers as follows (see **Tab B**):

Marine Engineering Division (MED): MED have no objection to the licensing of this site. This application is for new aquaculture activity at Bunaclogga Bay, Co. Kerry. MED stated that the bay is relatively sheltered and the consistency of the seabed at this location is firm which is suitable for the proposed aquaculture. The applicant proposes to access the site from a local country road. The Strategic Integrated Framework Plan (SIFP) for the Shannon Estuary identifies this area as being suitable for aquaculture development. This proposed site in Bunaclogga Bay is in an area of low population density which does not attract a significant number of visitors. The Kerry County Development Plan 2014 identifies the area as rural, secondary amenity landscape with sections of the R551 regional road as having views and prospects of note. MED stated that the proposed site is obscured from the R551 and is not visible from the Wild Atlantic Way which passes nearby.

Marine Survey Office (MSO): The MSO have no objection to this application from a navigational viewpoint. They provided details on the navigational markings to be placed at the site in the event of licensing.

Sea Fisheries Protection Authority (SFPA): The SFPA stated that the cultivation of oysters on this site would have no negative impact on local sea fishing operations.

### **Statutory Consultation**

Regulation 10 of the Aquaculture (Licence Application) Regulations, 1998 requires certain statutory bodies to be notified of an Aquaculture Licence application.

Observations/Comments were made by Statutory Consultees as follows (see **Tab C**):

Marine Institute (MI): The MI noted that the site is located within the West Shannon Ballylongford Shellfish Growing Waters area and oysters in the bay currently have a "B" Classification. The MI recommended that the applicant be required to provide details of steps that would be taken to ensure that the risk of the introduction of any invasive non-native species into the proposed site with seed stock or structures is minimised.

The MI stated that the site is located within the Lower River Shannon Special Area of Conservation (SAC) and the River Shannon and River Fergus Estuaries Special Protection Area (SPA) and noted the findings of the Appropriate Assessment reports and the Licensing Authority's Natura Conclusion Statement. The MI recommended that full account be taken of the conclusions and recommendations of the Appropriate Assessment process and the mitigation measures set out in the Natura Conclusion Statement with regards to the impacts on the Conservation Objectives within the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA.

The Appropriate Assessment outlined concerns relating to the likely impacts of existing and proposed aquaculture activities on the

distribution of the Ringed Plover in the Bunaclogga/Ballylongford area. The MI observed that Site T06/386A directly overlaps with the habitat type which is considered important to the Ringed Plover (i.e. dry intertidal, sandy shore habitat) and therefore, the risk of disturbance to this bird species on the basis of location (and preferred community type) cannot be discounted.

Commissioners of Irish Lights (CIL): CIL had no objection to the granting of this licence and noted that all structures should be clearly marked as required by the regulations.

Department of Culture, Heritage and the Gaeltacht (DCHG): The DCHG provided nature conservation and underwater archaeology observations on this application.

They commented on the Appropriate Assessment reports and the Natura Conclusion Statement for the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA from a nature conservation perspective. They observed the in-combination effects of the aquaculture activities and activities within the Oyster Fishery Order (OFO) areas for designated habitats and the potential for interactions with the Bottlenose dolphin. They acknowledged that the Natura Conclusion Statement identifies potential displacement impacts for a number of bird species within the SPA. Concerns were raised regarding the lack of data surrounding the exact nature and level of current and proposed activities within the Fishery Order areas. The DCHG requested a review of the local knowledge available and further actions which might be required in the event of deterioration of conservation status of the features at the Shannon Natura 2000 sites.

The Department and its scientific advisers, the Marine Institute, considered the DCHG concerns including the extent of the Fishery Order areas in the Estuary. These issues are addressed in the updated Natura Conclusion Statement (see **Tab D**) along with a summary of mitigation measures and management actions that are being implemented as a consequence of the findings in the Appropriate Assessment reports.

The Marine Institute have also provided comments on the DCHG observations at the Department's request (see Tab E). The main concerns have been responded to as follows:

- The DCHG noted that the 15% threshold for a number of community types has been exceeded and that a precautionary approach be adopted in future licensing decisions. In addition, they highlight the risk to Bottlenose dolphin habitat.

The MI's Appropriate Assessment report for aquaculture activities within the Lower River Shannon SAC acknowledges the unknown nature and extent of the activities within the Oyster Fishery Order areas. To this end, a precautionary approach was employed such that any aquaculture activities likely to result in disturbance were considered in-combination with those as likely to occur in the OFOs. On this basis, the MI advised that caution be applied when considering if certain proposed aquaculture activities, including Site T06/386A, were to be licensed. As identifying the extent of the activities within the OFOs was not possible for the assessment and as the management of these areas is within the remit of the Department of Communications, Climate Action and Environment, it was not possible to dictate the extent of activity that may or may not be permitted within the OFO areas. The MI, therefore, assumed 100% occupancy/utility of the OFO areas.

The unknown nature of the activities and their extent within the OFOs also meant that the MI assumed full occupancy of these areas and assumed disturbance in their assessment of the Bottlenose dolphin habitat. The MI, however, stated that conservative assumptions were applied in the Appropriate Assessment in relation to the Bottlenose dolphin and they noted a recent study that concluded that shellfish farms appeared to have a positive impact on dolphin occurrence, with increased Bottlenose dolphin occurrence in waters close to aquaculture zones.

- The DCHG also make reference to the likely disturbance of shorebird species from aquaculture activities.

In the Bunaclogga/Ballylongford area, the development of intertidal aquaculture sites may cause moderate displacement to the Ringed Plover. This area holds a relatively high proportion of the total SPA Ringed Plover population, however, the birds may be widely spread across the full extent of intertidal habitat within the area.

It is proposed that this application for a new aquaculture site (T06/386A) cannot be licensed on the basis that a moderate risk of disturbance (particularly on the Ringed Plover) was concluded. The MI observed that Site T06/386A directly overlaps with habitat which is considered important to the Ringed Plover (i.e. dry intertidal, sandy shore habitat) and therefore, the risk of disturbance to this bird species on the basis of location (and preferred community type) cannot be discounted. An ongoing bird monitoring review of IWeBS data will determine if consideration can be given to future licensing in this area.

The Marine Institute have provided comments on the DCHG observations at the Department's request (see **Tab E**).

The DCHG also recommended that a full underwater archaeological impact assessment be carried out as the Bunaclogga/Ballylongford area is of high archaeological potential. An underwater archaeological study was commissioned for the

area and it found no evidence of known archaeological sites at the proposed site. In addition, the intertidal survey did not reveal any previously unrecorded archaeological sites. Given the nature of placing the short legs of the trestles directly onto the surface of the foreshore, the likely direct impact of the proposed development on known archaeological sites is classified as null. The likely direct impact of the development on potential unknown archaeological sites is classified as imperceptible. The assessment concluded that no further archaeological mitigation measures are deemed necessary for the proposed site, T06/386A.

The Underwater Archaeological Impact Assessment (UAIA) Report (see **Tab E**) was forwarded to the Underwater Archaeology Unit (UAU) of the National Monuments Service in DCHG for their comments. They stated that the results of the UAIA were comprehensive and they concurred with the recommendations in the report. They confirmed they have no objection to the proposed aquaculture at this site from an underwater archaeological perspective.

An Taisce: An Taisce noted that the site is located within the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA and the importance of these Natura 2000 sites in terms of designations and as a coastal wetland site. They raised a number of issues regarding the risks of displacement to a number of bird species and to the Bottlenose dolphin. They also raised concerns in relation to certain aquaculture activities in combination with Fishery Order areas and stated that further clarification regarding the extent of current and planned aquaculture activities within the Fishery Order areas should be sought. These issues are dealt with in the Licensing Authority's updated Natura Conclusion Statement.

Concerns were also raised in relation to the potential impact of aquaculture on water quality in the Shannon Estuary. An Taisce considered the cumulative impacts with other aquaculture projects, Fishery Order areas and with point source outfalls from wastewater treatment plants and septic tanks. This issue has been examined by the Department's scientific advisers, the MI (see **Tab E**). Their view is that water quality degradation in the Shannon Estuary from aquaculture activity is unlikely. They stated that the water quality comments from An Taisce have little or no bearing on shellfish culture which is not a 'fed' aquaculture practice.

Bord Iascaigh Mhara (BIM): BIM have no objection and are satisfied that the application does not conflict with any other aquaculture or inshore fisheries interests in the area.

Inland Fisheries Ireland (IFI): The IFI made a number of observations on proposed licensing conditions but had no objection to this application.

Harbour Master: The Harbour Master of the Shannon Foynes Port Company is satisfied that the aquaculture locations in Bunaclogga Bay do not impact on commercial shipping activities.

Department of Housing, Planning and Local Government (DHPLG): No observations were received from the DHPLG in respect of this application from a water quality or foreshore perspective.

Fáilte Ireland: No comments were received from Fáilte Ireland in respect of this application.

Irish Water: No comments were received in respect of this application.

Kerry County Council: No comments were received on this application.

Údarás na Gaeltachta: No comments were received on this application.

## **Public Consultation**

The application was publicly advertised using a composite public notice covering both aquaculture and foreshore elements in 'The Kerryman' on 30<sup>th</sup> May 2018. The application and supporting documentation were available for inspection at Listowel Garda Station for a period of 4 weeks from the date of publication of the notice in the newspaper.

There was **one** submission received during the public consultation period. The Ballylongford Enterprise Association expressed some concerns in relation to the proposed aquaculture sites in the area stating that they are close to potential development sites at the Tarbert-Ballylongford Land Bank. This comprises of land already zoned for marine-related industry, compatible or complimentary industries and enterprises which require deep water access. The Association are concerned that shellfish farming would have a negative impact on future commercial shipping in this area should the Land Bank developments go ahead.

The Harbour Master of the Shannon Foynes Port Company, the Marine Survey Office and the Commissioners of Irish Lights have already indicated that there are no navigational concerns in respect of this proposed site. Furthermore, it should be possible for aquaculture to co-exist with the proposed developments at the Land Bank.

## **Response to Statutory and Public Consultation**

In accordance with statutory requirements, copies of the observations received during the consultation process were forwarded to

the applicant for comment.

The applicant did **not** provide a response to the submissions received during the consultation period.

## CRITERIA IN MAKING LICENSING DECISIONS

The Licensing Authority, in considering an application, is required by statute to take account, as appropriate, of the following points and also be satisfied that it is in the public interest to license a person to engage in aquaculture:

- the suitability of the place or waters

*Scientific advice is to the effect that the waters are suitable for the cultivation of oysters. Technical advice indicates that the hydrodynamic regime is suitable for this type of aquaculture. The site is located in an area that has been identified as an Area of Opportunity for Aquaculture in the Strategic Integrated Framework Plan (SIFP) for the Shannon Estuary.*

- other beneficial uses of the waters concerned

*The Shannon Estuary is a significant deep-water port with associated marine activity including commercial, fishing and marine leisure activity. Public access to recreational and other activities can be accommodated by this project.*

- the particular statutory status of the waters

### Natura 2000

*The proposed site is located within the Lower River Shannon Special Area of Conservation (SAC) and the River Shannon and River Fergus Estuaries Special Protection Area (SPA). An Article 6 Appropriate Assessment has been carried out in relation to aquaculture activities in the SAC and SPA and the reports are available on the Department's website. The Licensing Authority's Natura Conclusion Statement (also available on the Department's website) outlines how certain proposed aquaculture activities shall not be permitted as the risk of disturbance to the integrity of the SAC and SPA cannot be discounted given the conclusions and recommendations of the Appropriate Assessment process.*

*The Appropriate Assessment outlined concerns relating to the likely impacts of existing and proposed aquaculture activities on the distribution of the Ringed Plover in the Bunaclogga/Ballylongford area. The MI observed that Site T06/386A directly overlaps with the habitat type which is considered important to the Ringed Plover (i.e. dry intertidal, sandy shore habitat) and therefore, the risk of disturbance to this bird species on the basis of location (and preferred community type) cannot be discounted.*

### Shellfish Waters

*The site is located within the West Shannon Ballylongford Shellfish Growing Waters area. The MI stated that oysters in this area currently have a "B" Classification which means that the oysters may only be placed onto the market for human consumption after treatment in a purification centre or relaying.*

- the likely effects on the economy of the area

*Aquaculture has the potential to provide a range of benefits to the local community such as employment, the attraction of investment capital, development of support services etc.*

- the likely ecological effects on wild fisheries, natural habitats, flora and fauna

*No significant issues arose regarding wild fisheries. The potential ecological impacts of aquaculture activities on natural habitats, flora and fauna are addressed in the Appropriate Assessment reports for the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA and in the Licensing Authority's Natura Conclusion Statement (which are available on the Department's website).*

- the effect on the environment generally

*The Marine Institute advised that the impacts of existing aquaculture on protected shorebird species be monitored before granting certain proposed aquaculture activities which could potentially result in disturbance for protected shorebird species.*

*The DCHG requested an underwater archaeological study of the area. A report was commissioned which found that the likely direct impact of the proposed development on known archaeological sites is classified as null. The likely direct impact of the development on potential unknown archaeological sites is classified as imperceptible. The Underwater Archaeological Impact Assessment (UAIA) Report (see **Tab E**) concluded that no further archaeological mitigation measures are deemed necessary for the proposed site, T06/386A.*

## RECOMMENDATION

It is recommended that the Minister:

**refuses the granting** of an Aquaculture Licence to Mr. Pat Moran, The Mount, Cheekpoint, Co. Waterford for the cultivation of Pacific Oysters using bags and trestles in relation to one site - T06/386A, totalling 4.9 ha on the foreshore in Bunaclogga Bay, Shannon Estuary, Co. Kerry.

This recommendation is based on the findings and conclusions of the Appropriate Assessment process for the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA and the Licensing Authority's updated Natura Conclusion Statement.

The proposed aquaculture activity at this site is not consistent with the Conservation Objectives for the SPA and could potentially disturb protected shorebird species in the area. A moderate risk of disturbance arises, particularly on the Ringed Plover, if licensing were permitted at this proposed site. Site T06/386A directly overlaps with the habitat type which is considered important to the Ringed Plover (i.e. dry intertidal, sandy shore habitat) and therefore, the risk of disturbance to this bird species on the basis of location (and preferred community type) cannot be discounted. The Ringed Plover numbers will continue to be monitored through IWebs to assess their long-term site usage. The provision of ongoing bird monitoring will determine if consideration can be given to any future licensing in this area.

## REASONS FOR DECISION

The Minister for Agriculture, Food and the Marine is required to give public notice of both the licensing determination and the reasons for it. To accommodate this, it is proposed to publish the following on the Department's website, subject to the Minister approving the above recommendation:

### **"Determination of Aquaculture/Foreshore Licensing Application – T06/386A"**

*Mr. Pat Moran, The Mount, Cheekpoint, Co. Waterford has applied for authorisation to cultivate Pacific Oysters using bags and trestles on one site numbered T06/386A totalling 4.9 ha on the intertidal foreshore in Bunaclogga Bay, Shannon Estuary, Co. Kerry.*

*The Minister for Agriculture, Food and the Marine has determined that it is **not in the public interest** to grant Aquaculture and Foreshore Licences for this site. In making his determination the Minister considered those matters which by virtue of the Fisheries (Amendment) Act, 1997 and other relevant legislation he was required to have regard.*

*Such matters include any submissions and observations received in accordance with statutory provisions. The following are the reasons and considerations for the Minister's determination to **refuse** the licences sought:-*

- *The proposed site is located within the Lower River Shannon Special Area of Conservation (SAC) and the River Shannon and River Fergus Estuaries Special Protection Area (SPA). An Article 6 Appropriate Assessment has been carried out in relation to aquaculture activities in the SAC and SPA and the reports are available on the Department's website. The Licensing Authority's Natura Conclusion Statement (also available on the Department's website) outlines how certain proposed aquaculture activities, including this site, shall not be permitted as the risk of disturbance to the integrity of the SAC and SPA cannot be discounted given the conclusions and recommendations of the Appropriate Assessment process;*

- *The precautionary principle must be evoked in relation to the licensing of certain areas in the Shannon Estuary given that the exact nature and level of existing and proposed activities within the Oyster Fishery Order areas is subject to change. The proposed aquaculture activity at this site is not consistent with the Conservation Objectives for the SPA and could potentially disturb protected shorebird species in the area. A moderate risk of disturbance arises, particularly on the Ringed Plover, if licensing were permitted at this proposed site. Site T06/386A directly overlaps with the habitat type that is considered important to the Ringed Plover (i.e. dry intertidal, sandy shore habitat) and therefore, the risk of disturbance to this bird species on the basis of location (and preferred community type) cannot be discounted;*
- *Taking account of the issues raised during the public and statutory consultation phase."*

## **Recommendation to Refuse a Foreshore Licence for one site (ref: T06/386A)**

### **DECISION SOUGHT**

The Minister's determination is requested please in relation to an application for a Foreshore Licence from Mr. Pat Moran, The Mount, Cheekpoint, Co. Waterford for a site in Bunaclogga Bay, Shannon Estuary, Co. Kerry in which it is proposed to conduct aquaculture.

### **BACKGROUND**

Marine aquaculture operations require separate Aquaculture and Foreshore Licences and Ministerial approval is required in respect of this submission (Foreshore Submission) and submission above (Aquaculture Submission), which refer to the same site.

The Foreshore Licence allows for the occupation of the particular area of foreshore while the Aquaculture Licence defines the activity that is permitted in this area. The continuing validity of each licence is contingent on the other licence remaining in force.

### **APPLICATION FOR A FORESHORE LICENCE**

An application for a Foreshore Licence has been received from the applicant referred to above (in conjunction with an Aquaculture Licence application), relating to the occupation of the foreshore associated with the Aquaculture Licence application which covers one site (T06/386A) totalling 4.9 ha on the foreshore in Bunaclogga Bay, Shannon Estuary, Co. Kerry (see Tab A).

### **LEGISLATION**

Section 3 of the Foreshore Act, 1933 gives power to the Minister to license the use of foreshore, if he is of the opinion that it is in the public interest to do so.

### **CONSULTATION AND PUBLIC COMMENT**

The application was sent to the Department's technical experts and was also publicly advertised in a composite public notice covering both aquaculture and foreshore elements.

This application was also sent to the Department of Housing, Planning and Local Government (DHPLG) in accordance with subsection (1B) of Section 3 of the Foreshore Act, 1933, which requires consultation between the Minister for Agriculture, Food and the Marine and the Minister for Housing, Planning and Local Government. Whilst aquaculture legislation requires certain statutory bodies to be notified of an aquaculture application, no other statutory bodies are prescribed consultees under Fisheries related foreshore legislation.

DHPLG: No observations were received from the Department of Housing, Planning and Local Government in respect of this application from a water quality or foreshore perspective.

### **Technical Consultation**

Marine Engineering Division (MED): MED have no objection to the licensing of this site. This application is for new aquaculture activity at Bunaclogga Bay, Co. Kerry. MED stated that the bay is relatively sheltered and the consistency of the seabed at this location is firm which is suitable for the proposed aquaculture. The applicant proposes to access the site from a local country road. The Strategic Integrated Framework Plan (SIFP) for the Shannon Estuary identifies this area as being suitable for aquaculture

development. This proposed site in Bunaclugga Bay is in an area of low population density which does not attract a significant number of visitors. The Kerry County Development Plan 2014 identifies the area as rural, secondary amenity landscape with sections of the R551 regional road as having views and prospects of note. MED stated that the proposed site is obscured from the R551 and is not visible from the Wild Atlantic Way which passes nearby.

Marine Survey Office (MSO): The MSO have no objection to this application from a navigational viewpoint.

Sea Fisheries Protection Authority (SFPA): The SFPA stated that the cultivation of oysters on this site would have no negative impact on local sea fishing operations.

### Public Consultation

The application was publicly advertised using a composite public notice covering both aquaculture and foreshore elements in 'The Kerryman' on 30<sup>th</sup> May 2018. The application and supporting documentation were available for inspection at Listowel Garda Station for a period of 4 weeks from the date of publication of the notice in the newspaper.

There was **one** submission received during the public consultation period. The Ballylongford Enterprise Association expressed some concerns in relation to the proposed aquaculture sites in the area stating that they are close to potential development sites at the Tarbert-Ballylongford Land Bank.

### CRITERIA IN MAKING LICENSING DECISIONS

The Minister, in considering an application for a Foreshore Licence, may, if satisfied that it is in the public interest to do so, grant such a licence.

Section 82 of the Fisheries (Amendment) Act, 1997 stipulates that the Minister, in considering an application for a licence under the Foreshore Acts, which is sought in connection with the carrying on of aquaculture pursuant to an Aquaculture Licence, shall have regard to any decision of the Licensing Authority in relation to the Aquaculture Licence.

### RECOMMENDATION

It is recommended that the Minister, taking account of the decision on the related aquaculture licence application:

**refuses the granting** of a Foreshore Licence to Mr. Pat Moran, The Mount, Cheekpoint, Co. Waterford for the occupation of a site, T06/386A, totalling 4.9 ha on the foreshore in Bunaclugga Bay, Shannon Estuary, Co. Kerry.

The reasons for the recommendation to refuse the granting of the licence are as follows:

- This recommendation is based on the findings and conclusions of the Appropriate Assessment process for the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA and the Licensing Authority's updated Natura Conclusion Statement;
- The proposed aquaculture activity at this site is not consistent with the Conservation Objectives for the SPA and could potentially disturb protected shorebird species in the area. A moderate risk of disturbance arises, particularly on the Ringed Plover, if licensing were permitted at this proposed site. Site T06/386A directly overlaps with the habitat type which is considered important to the Ringed Plover (i.e. dry intertidal, sandy shore habitat) and therefore, the risk of disturbance to this bird species on the basis of location (and preferred community type) cannot be discounted. The Ringed Plover numbers will continue to be monitored through IWebs to assess their long-term site usage. The provision of ongoing bird monitoring will determine if consideration can be given to any future licensing in this area.

Submitted for approval, please.

Aquaculture and Foreshore Management Division.

### Related submissions

There are no related submissions.

### User details



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