



THE DEPARTMENT OF
AGRICULTURE, FISHERIES & FOOD
AN ROINN TALMHAÍOCHTA, IASCAIGH AGUS BIA

Marine Engineering

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WFD, Foreshore Development and Government Departments

- Foreshore Acts 1933 to 1998
- Planning and Development Act 2000, Part XV (Sec 224 –228)
- Strategic Infrastructure Act 2006
- Government Decision July 07, Transfer of Foreshore functions



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Foreshore Acts 1933 to 1998

- State property from H.W. out to 12 mile limit
- State may lease, licence or sell.
- Conditions on development or actions.
- Licences range from one day race meeting to gas interconnector pipelines
- State must act in the public interest having regard to fishing, navigation and the environment



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Planning and Development Act 2000, Part XV (Sec 224 –228)

- Development on foreshore adjacent to L.A. functional area subject to planning permission.
- Development on foreshore by Local Authorities requiring EIS: F.S. Acts do not apply. Application made to An B.P. Sub EIS threshold development may be referred to an B.P.
- Property aspects must still be dealt with under the F.S. act (lease / sell)



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Strategic Infrastructure Act 2006

- Planning applications for Strategic Infrastructure Development by any organisation may be made directly to an B.P.
- An Bord Pleanála decide if the development comes under the Act pre application.
- DAFF is a statutory consultee and must be copied with the application.
- 6 weeks time for observations, which may highlight need for further information.
- Pre-Application meetings with an B.P. and with DAFF highly important.
- Property aspect dealt with under Foreshore Act. Sell or lease. Public good, valuation, environmental impact etc.



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Transfer of Foreshore functions

- Government Decision July 07 to transfer certain functions under the Foreshore Acts to new DAFF and others to the DEHLG.
- As of 19th October all functions of DCMNR under the Foreshore Acts transferred to DAFF.
- Work progressing on transferring functions in relation to F.S licensing in respect of harbours in the 1st schedule of the 1996 Harbours Act, all energy developments and aggregate or mineral extraction to DEHLG
- Also transferring responsibility for Dumping at Sea, Coast Protection and Coastal flooding to DEHLG.



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- Thank You