IRIS OIFIGIÚIL

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IRISH STANDARDS

All European Standards (ENs) developed by the European Committee for Standardization (CEN) and the European Committee for Electrotechnical Standardization (CENELEC) are adopted by NSAI as Irish Standards as they are published and are available from the NSAI website: www.standards.ie.

All ENs published by European Telecommunications Standards Institute (ETSI) are adopted by NSAI as Irish Standards and are available from the ETSI website: www.etsi.org.

Copies of Irish Standards may be purchased from: www.standards.ie or contacting:

NATIONAL STANDARDS AUTHORITY OF IRELAND,
Irish Standard Sales,
1 Swift Square,
Northwood,
Santry,
D09 A0E4.
Tel: (01) 8576730
(01) 8576731

IRISH STANDARD REVOCATIONS

Irish Standards based on adopted European Standards (ENs) published between 1961 and 1998 under the Industrial Research and Standards Act 1961, the Science and Technology Act 1978 and the National Standards Authority of Ireland Act 1996 remain current until revised by European Organizations responsible for them.

These standards (where they have been revised) are hereby revoked and details of their replacement standards are available on the NSAI website (www.nsai.ie).

[1]

S.I. No. 328 of 2022.

EUROPEAN UNION (OFFICIAL CONTROLS IN RELATION TO FOOD LEGISLATION) (IMPORTS OF FOOD OF NON-ANIMAL ORIGIN) (AMENDMENT) (No. 3) REGULATIONS 2022.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These Regulations give further effect to Commission Implementing Regulation (EU) 2022/913 of 30 May 2022 amending Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No. 178/2002 of the European Parliament and of the Council.

These Regulations amend the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) Regulations 2020 (S.I. No. 575 of 2020) in the manner specified in these Regulations.

These Regulations may be cited as the European Union (Official Controls in relation to Food Legislation) (Imports of Food of Non-Animal Origin) (Amendment) (No. 3) Regulations 2022.

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100.

Price: €3.00.

[9A]

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For places in Britain the normal rate applies. For other places the printed paper rate by weight applies.

S.I. No. 329 of 2022.

DESIGNATION UNDER REGULATION 17 OF THE EUROPEAN UNION (OFFICIAL CONTROLS IN RELATION TO FOOD LEGISLATION) REGULATIONS 2020 (S.I. No. 79 OF 2020).

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100.

Price: €1.50.

[9B]

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S.I. No. 330 of 2022.

EUROPEAN UNION (CIVIL AVIATION SECURITY) REGULATIONS 2022.

The Minister for Transport, through these regulations, confers powers on airport operators and other entities, including the Defence Forces, necessary to undertake screening and security controls under European civil aviation security regulations.

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100. Email: publications@opw.ie.

Price: €3.00.

[10]

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S.I. No. 331 of 2022.

PATERNITY LEAVE AND BENEFIT ACT 2016 (COMMENCEMENT) ORDER 2022.

This Order appoints the 1st day of July 2022 as the day on which paragraph (b)(iii) of the definition of "relevant parent" in section 2(1) of the Paternity Leave and Benefit Act 2016 (No. 11 of 2016) shall come into operation.

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100.

Price: €1.50.

[21A]

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S.I. No. 332 of 2022.

PARENT'S LEAVE AND BENEFIT ACT 2019 (COMMENCEMENT) ORDER 2022.

This Order appoints the 1st day of July 2022 as the day on which paragraph (b)(iii) of the definition of "relevant parent" in section 2(1) of the Parent's Leave and Benefit Act 2019 (No. 35 of 2019) shall come into operation.

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100.

Price: €1.50.

[21B]

S.I. No. 333 of 2022.

PARENT'S LEAVE AND BENEFIT ACT 2019 (EXTENSION OF PERIODS OF LEAVE) ORDER 2022.

This Order appoints the 1st day of July 2022 as the day on which the entitlement of an employee who is a relevant parent to parent's leave under section 5(1) of the Parent's Leave and Benefit Act 2019 (No. 35 of 2019) is extended from 5 weeks to 7 weeks.

This Order also appoints the 1st day of July 2022 as the day on which the entitlement of an employee who is a surviving parent upon the death of a relevant parent to parent's leave under section 16(1) of Parent's Leave and Benefit Act 2019 (No. 35 of 2019) is extended from 5 weeks to 7 weeks.

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100.

Price: €1.50.

[21C]

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S.I. No. 334 of 2022.

SOCIAL WELFARE ACT 2021 (SECTION 8) (COMMENCEMENT) ORDER 2022.

This Order provides for the commencement of section 8 of the Social Welfare Act 2021 with effect from 01 July 2022.

The purpose of section 8 is to provide for an extension of the entitlement to Parent's Benefit for each qualifying parent from 5 weeks to 7 weeks.

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100. Email: publications@opw.ie

Price: €1.50.

[41]

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S.I. No. 335 of 2022.

COMPANIES (CORPORATE ENFORCEMENT AUTHORITY) ACT 2021 (COMMENCEMENT) ORDER 2022.

The Minister for Enterprise, Trade and Employment, Mr. Leo Varadkar T.D., has made the Order entitled as above.

The Order appoints 6th July 2022 as the day on which the Companies (Corporate Enforcement Authority) Act 2021 (No. 48 Of 2021) comes into operation except for section 35.

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100. Email: publications@opw.ie

Price: €1.50.

[42]

S.I. No. 337 of 2022.

COMPANIES ACT 2014 (CORPORATE ENFORCEMENT AUTHORITY) (ESTABLISHMENT DAY) ORDER 2022.

The Minister for Enterprise, Trade and Employment, Mr. Leo Varadkar T.D., has made the Order entitled as above.

The Order provides that the 7th day of July 2022 is appointed to be the establishment day for the purposes of Chapter 3A (inserted by section 10 of the Companies (Corporate Enforcement Authority) Act 2021 (No. 48 of 2021)) of Part 15 of the Companies Act 2014 (No. 38 of 2014).

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100. Email: publications@opw.ie

Price: €3.00.

[35]

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S.I. No. 338 of 2022.

EUROPEAN UNION (RESTRICTIVE MEASURES CONCERNING IRAN) REGULATIONS 2022.

The Tánaiste and Minister for Enterprise, Trade and Employment, Leo Varadkar, T.D., in exercise of the powers conferred on him by section 3 of the European Communities Act 1972 (No 27 of 1972) has made Regulations that may be cited as the European Union (Restrictive Measures Concerning Iran) Regulations 2022.

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EU) No 359/2011 as amended, regarding restrictive measures concerning Iran. The Regulations provide that competent authorities of the State may issue directions for the purpose of giving full effect to the sanctions. The Regulations create offences for breach of the Council Regulations or for failure to comply with the directions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100. Email: publications@opw.ie

Price: €3.00.

ORLAIGH QUINN,
Secretary General,
Department of Enterprise, Trade and Employment.

[37A]

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S.I. No. 339 of 2022.

EUROPEAN UNION (RESTRICTIVE MEASURES CONCERNING THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA) REGULATIONS 2022.

The Tánaiste and Minister for Enterprise, Trade and Employment, Leo Varadkar, T.D., in exercise of the powers conferred on him by section 3 of the European Communities Act 1972 (No 27 of 1972), has made Regulations that may be cited as the European Union (Restrictive Measures concerning the Democratic People's Republic of Korea) Regulations 2022.

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EU) No 2017/1509 as amended, regarding restrictive measures concerning the Democratic Republic of Korea. The Regulations provide that competent authorities of the State may issue directions for the purpose of giving full effect to the sanctions. The Regulations create offences for breach of the Council Regulations or for failure to comply with the directions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100. Email: publications@opw.ie

Price: €3.00.

ORLAIGH QUINN,
Secretary General,
Department of Enterprise, Trade and Employment.

[37B]

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S.I. No. 340 of 2022.

EUROPEAN UNION (RESTRICTIVE MEASURES CONCERNING SOUTH SUDAN) REGULATIONS 2022.

The Tánaiste and Minister for Enterprise, Trade and Employment, Leo Varadkar, T.D., in exercise of the powers conferred on him by section 3 of the European Communities Act 1972 (No 27 of 1972) has made Regulations that may be cited as the European Union (Restrictive Measures Concerning South Sudan) Regulations 2022.

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EU) No 2015/735 as amended, regarding restrictive measures concerning South Sudan. The Regulations provide that competent authorities of the State may issue directions for the purpose of giving full effect to the sanctions. The Regulations create offences for breach of the Council Regulations or for failure to comply with the directions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties
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Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100. Email: publications@opw.ie

Price: €3.00.

ORLAIGH QUINN,
Secretary General,
Department of Enterprise, Trade and Employment.

[37C]

S.I. No. 341 of 2022.

RESIDENTIAL TENANCIES ACT 2004 (PRESCRIBED FORM) (No. 2) REGULATIONS 2022.

The Minister for Housing, Local Government and Heritage, Darragh O'Brien, T.D., has made the above Regulations.

These Regulations prescribe:

– in Part 1 to the Schedule, the application form to be furnished to the Residential Tenancies Board (RTB) by a landlord or by his or her authorised agent for the purposes of section 134 of the Residential Tenancies Act 2004 (No. 27 of 2004), as amended, when registering a tenancy of a dwelling (or a licence in student specific accommodation);

– in Part 2 to the Schedule, the letters and statement to be sent by the RTB to the landlord and the tenant upon the registration of a tenancy (or a licence in student specific accommodation) for the purposes of section 135(4) of the Residential Tenancies Act 2004 (No. 27 of 2004)).

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100. Email: publications@opw.ie

Price: €6.50.

[40]

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S.I. No. 342 of 2022.

HOUSING ASSISTANCE PAYMENT (AMENDMENT) REGULATIONS 2022.

The Minister for Housing, Local Government and Heritage, Darragh O'Brien, T.D., has made the above regulations with the consent of the Minister for Public Expenditure and Reform.

These Regulations amend the Housing Assistance Payment Regulations 2014 (S.I. No. 407 of 2014) as last amended by the Housing Assistance Payment (Amendment) Regulations 2017 (S.I. No. 56 of 2017). The Regulations provide that the maximum rent limits set out in the Table under Regulation 10 may be exceeded by not more than 35 per cent in all local authority administrative areas, where this is necessary to source suitable accommodation for a household that is qualified for social housing support.

Copies of the regulations may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin 8, D08 XAO6. (Tel: 046 942 3100 or E-mail: publications@opw.ie)

Price: €3.00.

[38]

S.I. No. 343 of 2022.

CÓRAS IOMPAIR ÉIREANN PENSION SCHEME FOR REGULAR WAGES STAFF (AMENDMENT) SCHEME (CONFIRMATION) ORDER 2022.

The Minister for Transport in accordance with Section 44 of the Transport Act 1950 has made the Order entitled as above.

This Order confirms the amendment of existing schemes relating to the CIÉ regular wages staff scheme. It provides for the continuance of subsisting rights or liabilities accrued by any person who died, or retired from or left service prior to the Operative Date, various amendments relating to those in active service including to normal retirement age, lump sum gratuity payable, promotions and provisions for new entrants to the scheme as well as certain governance changes.

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100. Email: publications@opw.ie

Price: €13.00.

[39A]

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S.I. No. 344 of 2022.

CÓRAS IOMPAIR ÉIREANN SPOUSES' AND CHILDREN'S PENSION SCHEME FOR REGULAR WAGES STAFF (AMENDMENT) SCHEME (CONFIRMATION) ORDER 2022.

The Minister for Transport in accordance with Section 44 of the Transport Act 1950 has made the Order entitled as above.

This Order confirms the amendment of the existing CIÉ regular wages staff spouses' and children's pensions schemes consistent with amendments to the related main scheme, the Córas Iompair Éireann Pension Scheme for Regular Wages Staff.

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100. Email: publications@opw.ie

Price: €4.50.

[39B]

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S.I. No. 345 of 2022.

CÓRAS IOMPAIR ÉIREANN DEFINED CONTRIBUTION SCHEME FOR REGULAR WAGES STAFF SCHEME (CONFIRMATION) ORDER 2022.

The Minister for Transport in accordance with Section 44 of the Transport Act 1950 has made the Order entitled as above.

This Order confirms the scheduled CIÉ contribution scheme to establish a defined contribution pension scheme for members of the Córas Iompair Éireann Pension Scheme for Regular Wages Staff which will operate in conjunction with that scheme in certain circumstances.

Copies of the above may be purchased from Government Publications, Mountshannon Road, Kilmainham, Dublin, D08 XA06.
Phone: 046 942 3100. Email: publications@opw.ie

Price: €8.00.

[39C]

ÓGLAIGH NA hÉIREANN

Ag gníomhú dó ar chomhairle an Rialtais, tá an tUachtarán tar éis

Beircheart Iacób
(Ben Richard Jacob)

a cheapadh mar oifigeach de na Buan-Óglaigh i gcéim choimisiúnta Captaen ar feadh tréimhse bliana, le héifeacht ón 29 Meitheamh, 2022.

JOHN CALLINAN
Ard-Rúnaí an Rialtais

BAILE ÁTHA CLIATH,
An 4ú lá seo d'Iúil, 2022.

[23A]

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ÓGLAIGH NA hÉIREANN

Ag gníomhú dó ar chomhairle an Rialtais, tá an tUachtarán tar éis

Seán Ó Donnabháin
(Shane O'Donovan)

a cheapadh mar oifigeach de na Buan-Óglaigh i gcéim choimisiúnta Fo-Leifteanant, le héifeacht ón 5 Iúil, 2022.

JOHN CALLINAN
Ard-Rúnaí an Rialtais

BAILE ÁTHA CLIATH,
An 4ú lá seo d'Iúil, 2022.

[23B]

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FÓGRA
(Notice)

Do shínigh an tUachtarán an Bille i gcóir an Achta a luaitear thíos ar an 5ú lá d'Iúil, 2022 agus tá sé ina dhlí dá réir sin.

The Bill for the undermentioned Act was signed by the President on the 5th day of July, 2022 and has accordingly become law.

REGULATION OF PROVIDERS OF BUILDING WORKS AND MISCELLANEOUS PROVISIONS ACT 2022
(No. 15 of 2022)

GEORGE BURKE
Leas Ard-Rúnaí an Uachtaráin
(Deputy Secretary General to the President)

An 5ú lá seo d'Iúil, 2022. This 5th day of July, 2022.

[26]

FÓGRA
(Notice)

Do shínigh an tUachtarán an Bille i gcóir an Achta a luaitear thíos ar an 6ú lá d'Iúil, 2022 agus tá sé ina dhlí dá réir sin.

The Bill for the undermentioned Act was signed by the President on the 6th day of July, 2022 and has accordingly become law.

DEFENCE FORCES (EVIDENCE) ACT 2022
(No. 16 of 2022)

GEORGE BURKE
Leas Ard-Rúnaí an Uachtaráin
(Deputy Secretary General to the President)

An 6ú lá seo d'Iúil, 2022. This 6th day of July, 2022.

[27]

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BOARD APPOINTMENTS

The Minister for the Environment, Climate and Communications has made the following Board Appointment:

Ms Rosa Sanz García, Ministerial Appointee Member, **Eirgrid** for the period 23 May 2022 to 22 May 2027.

Department of the Environment, Climate and Communications.

[15]

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NOTICE OF DETERMINATION

In accordance with Section 21A of the Foreshore Act, 1933 (as amended) the Minister of State, Department of Housing, Local Government and Heritage with special responsibility for Planning and Local Government ("the Minister") hereby gives notice that he has determined an application dated 08/05/2018 for a Lease under Section 2(1) of the Foreshore Act, 1933 made by Shannon Foynes Port Company ("the Applicant") of Harbour Office, Mill House, Foynes, Co. Limerick in respect of the construction of an open jetty structure to facilitate the connection of the existing East Jetty and West Quay structures, thereby extending the length of the existing berths, at Port of Foynes, Co. Limerick. (Application Reference Number: FS006837).

DETERMINATION

The Minister has determined pursuant to the provisions of the Foreshore Act, 1933 (as amended) to grant a Foreshore Lease to the Applicant in respect of the development described in the application, subject to the conditions set out in the Foreshore Lease.

MAIN REASONS AND CONSIDERATIONS

The Minister has had regard to the following matters in determining the application for a Foreshore Lease:

— the application for a Foreshore Lease together with accompanying documents;

— the submissions received from prescribed bodies and the applicant's responses;

— the submissions received during the public consultation and the applicant's responses;

— the nature of the proposal and its purpose;

—- the consent conditions to be attached to the Foreshore Lease;

— the Technical Review of the environmental impact assessment report, prepared by Roughan & O'Donovan (Independent Environmental Consultant for the Department) and adopted by the Minister, of the proposed development under domestic and EU law, including the EIA Directive, and its conclusions and recommendations in this regard;

— the pre-screening for environmental impact assessment of the proposed works under domestic and EU law, including the EIA Directive, and its conclusions and recommendations in this regard;

— the Environmental Impact Assessment-Reasoned Conclusion Statement of the proposed development prepared by the Department's Recommending Officer and adopted by the Minister under domestic and EU law, including the EIA Directive, and its conclusions and recommendations in this regard;

— the Screening for Appropriate Assessment (Stage 1) and the Minister's Screening Determination for Appropriate Assessment, prepared by Roughan & O'Donovan and adopted by the Minister, under domestic and EU law, including the Birds Directive and the Habitats Directive and its conclusions and recommendations in this regard

— the Screening for Appropriate Assessment, signed by the Minister;

— the Appropriate Assessment prepared by Roughan & O'Donovan and adopted by the Minister, under domestic and EU law, including the Birds Directive and the Habitats Directive and its conclusions and recommendations in this regard.

— the Appropriate Assessment Determination, signed by the Minister;

— the technical assessment, including the agreement and adoption of the environmental assessment, of the proposed works by the Marine Licence Vetting Committee ("MLVC") under domestic and EU law, including the EIA, Birds and Habitats Directives, and its conclusions and recommendations in this regard, including specific conditions;

— the advice of Foreshore Section of the Department of Housing, Local Government and Heritage.

Having had regard to the foregoing, and in particular having regard to the consent conditions attached to the Foreshore Lease, and having adopted the environmental reports and agreed with the recommendation of the MLVC, the Minister is satisfied (i) that the proposed development on the foreshore would not have significant adverse impacts on human health and safety, nor on the marine environment; (ii) that the proposed development on the foreshore either alone or in-combination with other plans or projects would not adversely affect the integrity of any European site; and (iii) that it is in the public interest to grant the Foreshore Lease having regard to the nature of the proposal.

The following information is available on the website of Department of Housing, Local Government and Heritage at:

https://www.gov.ie/en/foreshore-notice/8218c-shannon-foynes-port-company/

(i) Notice of Determination;
(ii) Approval of the Minister to Grant the Foreshore Lease;
(iii) Foreshore Lease as executed between the parties, including conditions attached to the determination (which form part of the Foreshore Lease);
(iv) Screening for Appropriate Assessment, adopted by the Minister;
(v) Appropriate Assessment, adopted by the Minister;
(vi) Pre Screening for Environmental Impact Assessment;
(vii) MLVC Report;
(viii) Information on the public participation process, including copies of all submissions received, and the applicant's responses to those submissions;
(ix) Submissions made by prescribed bodies, and the applicant's responses to those submissions;
(x) Application for a Foreshore Lease together with supporting materials;
(xi) Screening for Appropriate Assessment Determination;
(xii) Appropriate Assessment Determination;
(xiii) Submission (Screening for Appropriate Assessment Determination);
(xiv) Submission (Appropriate Assessment Determination);
(xv) Submission (FS006837 Foreshore Lease Application).

This material may also be inspected free of charge at the following office of the Department:

Foreshore Section,
Department of Housing, Local Government and Heritage,
Newtown Road,
Wexford.
Y35 AP90

Tel: 1890 20 20 21
Email: foreshoreORE@housing.gov.ie

REVIEW PROCEDURE

A review procedure is available before the High Court whereby the substantive or procedural legality of the Minister's determination may be challenged. The review procedure is governed by Order 84 of the Rules of the Superior Courts, 1986 (S.I. 15 of 1986). A person wishing to avail of the review procedure must first file (i) a statement of grounds; and (ii) a verifying affidavit, in the Central Office of the High Court. It is then necessary to make an application for leave to apply to the High Court.

An application for leave to apply for judicial review shall be made within three months from the date when grounds for the application first arose, under Section 21(1) of the Order 84 of the Rules of the Superior Courts as amended by S.I No 691 of 2011. The time-limit for such a review commences from the Date of Publication of this Notice of Determination. Practical information on the review mechanism can be obtained from the Citizens Information's website at citizensinformation.ie

Section 50B of the Planning and Development Act, 2000 as amended applies inter alia to Judicial Review Proceedings. The matter of costs is addressed under Subsections (2), (2A), (3) & (4). Notwithstanding anything contained in Order 99 of the Rules of the Superior Courts (S.I. 15 of 1986) and subject to subsections (2A), (3) &(4), in proceedings to which this section applies, each party to the proceedings (including any notice party) shall bear its own costs. The full text of Section 50B is available at:

http://www.irishstatutebook.ie/2010/en/act/pub/0030/sec0033.html#sec33 and

http://www.irishstatutebook.ie/2011/en/act/pub/0020/sec0021.html#sec21

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND HERITAGE.

08/07/2022.

[13]

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NOTICE OF DETERMINATION

In accordance with Section 21A of the Foreshore Act, 1933 the Minister of State, Department of Housing, Local Government and Heritage with special responsibility for Planning and Local Government ("the Minister") hereby gives notice that he has determined an application dated 06 June 2019 for a Lease under Section 2(1) of the Foreshore Act, 1933 made by Irish Water ("the Applicant") of Colvill House, 24 – 26 Talbot Street, Dublin 1, D01 NP86 in respect of the reclamation of foreshore and pipe laying works in the Avoca River for the construction of interceptor sewers and sheet pile walls at Arklow, Co. Wicklow (FS006862).

DETERMINATION

The Minister has determined pursuant to the provisions of the Foreshore Act, 1933 (as amended) to grant a Foreshore Licence to the Applicant in respect of the development described in the application, subject to the conditions set out in the Foreshore Licence.

MAIN REASONS AND CONSIDERATIONS

The Minister has had regard to the following matters in determining the application for a Foreshore Licence:

- the application for a Foreshore Licence together with accompanying documents;
- the submissions received from prescribed bodies and the applicant's responses;
- the submissions received during the public consultation and the applicant's responses;
- the consent conditions to be attached to the Foreshore Licence, if granted;
- the nature of the proposal and its purpose;
- the appropriate assessment of the proposed development by the MLVC under domestic and EU law, including the Birds Directive and the Habitats Directive and its conclusions and recommendations in this regard;
- the environmental impact assessment of the proposed development by the MLVC under domestic and EU law, including the EIA Directive, and its conclusions and recommendations in this regard;
- the MLVC assessment and recommendation including specific conditions;
- the advice of the Marine Advisor and Foreshore Section of the Department of Housing, Local Government and Heritage.

Having had regard to the foregoing, and in particular having regard to the consent conditions attached to the Foreshore Licence, and having agreed with the recommendation of the MLVC, the Minister is satisfied (i) that the proposed development on the foreshore would not have significant adverse impacts on human health and safety, nor on the marine environment; (ii) that the proposed development on the foreshore would not adversely affect the integrity of any European site; and (iii) that it is in the public interest to grant the Foreshore Licence having regard to the nature of the proposal.

The following information is available on the website of Department of Housing, Local Government and Heritage at:

https://www.gov.ie/en/foreshore-notice/19a60-irish-water-arklow-waste-water-treatment-plant/?referrer=http://www.housing.gov.ie/planning/foreshore/applications/irish-water-arklow-waste-water-treatment-plant

i. Notice of Determination;
ii. Approval of the Minister to Grant the Foreshore Lease and Licence;
iii. Foreshore Licence as executed between the parties, including conditions attached to the determination (which form part of the Foreshore Licence);
iv. MLVC Report;
v. Appropriate Assessment Report
vi. EIAR Volumes 1 to 3
vii. EIAR Appendices 1.1 to 16.2
viii. Information on the public participation process, including copies of all public submissions received and the applicant's responses to the submissions;
ix. Submissions made by prescribed bodies and the applicant's responses to the submissions;
x. Development Map;
xi. Licence Site Specific Conditions;
xii. Planning permission granted by An Bord Pleanala and,
xiii. Application for a Foreshore Lease and Licence together with supporting materials;

This material may also be inspected free of charge at the following office of the Department:

Foreshore Section,
Department of Housing, Local Government and Heritage,
Newtown Road,
Wexford.
Y35 AP90
Tel: 1890 20 20 21
Email: foreshore@housing.gov.ie