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**An Bille um Chuan Bhaile Átha Cliath, 2021**  
**Dublin Bay Bill 2021**

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*Mar a tionscnaíodh*

*As initiated*

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## ACTS REFERRED TO

Local Government Act 1991 (No. 11)

Planning and Development Act 2000 (No. 30)



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**AN BILLE UM CHUAN BHAILE ÁTHA CLIATH, 2021**  
**DUBLIN BAY BILL 2021**

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# **Bill**

*entitled*

An Act to establish a special committee of the Eastern and Midland Regional Assembly 5  
to serve as a Dublin Bay Authority; to provide as an objective for the Authority the  
preservation for current and future generations of the distinctive character of Dublin Bay  
and its ecology as a coastal resource; to confer on the Authority the function of  
proposing and promoting policies and priorities for the protection and enhancement of  
the environment, and in particular the water quality, of Dublin Bay and of its natural 10  
habitats and wildlife; and to provide for connected matters.

**Be it enacted by the Oireachtas as follows:**

## **Interpretation**

1. In this Act—

“Act of 1991” means the Local Government Act 1991; 15

“Act of 2000” means the Planning and Development Act 2000;

“Assembly” means the Eastern and Midland Regional Assembly;

“Dublin Bay” means so much of the sea as lies westward of an imaginary line drawn  
from the Baily Lighthouse on the north in the County of Dublin and extending through  
the North Burford Bank Buoy and thence through the South Burford Bank Buoy and 20  
thence to Sorrento Point on the south, including the Port of Dublin, the harbours of  
Bulloch, Sandycove, Dún Laoghaire, Coliemore and Sutton and all other harbours, bays,  
creeks and tidal docks and all waters within that area.

## **Establishment of Dublin Bay Authority**

2. (1) On the coming into operation of this Act, the Assembly shall establish a special 25  
committee, to be known as the Dublin Bay Authority and in this Act referred to as the  
“Authority”.

(2) To the extent that any function conferred by this Act on the Authority is a function  
performable by the Assembly, the function is deemed to have been delegated to the  
Authority by the Assembly under section 43 of the Act of 1991. 30

(3) Save to the extent that they are inconsistent with this Act, section 43 of the Act of  
1991 and the Local Government Act 1991 (Regional Assemblies) (Establishment)

Orders 2014 and 2015 (S.I. Nos. 573 of 2014 and 62 of 2015) apply to the Authority.

### **Membership of Authority**

3. The Authority shall consist of—

- (a) members of each of the councils of the counties of Dun Laoghaire-Rathdown, Fingal and South Dublin, and the city of Dublin, and 5
- (b) persons who are not members of the Assembly and are appointed from among persons having an interest or expertise in the protection and sustainable development of Dublin Bay or the maritime environment generally.

### **Functions of Authority**

4. (1) The functions of the Authority shall be— 10

- (a) to propose and promote policies and priorities for the protection and enhancement of the environment of Dublin Bay and of the natural habitats and wildlife in and around the Bay, 15
- (b) to co-ordinate, promote and support strategic planning and sustainable development in and around Dublin Bay, 15
- (c) to make recommendations to regulate and control pollution in and around Dublin Bay,
- (d) to monitor and to publicise and inform the public generally about both—
  - (i) levels of compliance with environmental protection laws and regulations, and 20
  - (ii) cases of contravention of such laws and regulations, in so far as they affect Dublin Bay,
- (e) to promote public interest in and respect for Dublin Bay as a public amenity, and
- (f) to co-ordinate the activities of public bodies and other organisations and persons in matters connected with the performance of its functions. 25

(2) The objective of the Authority in the performance of its functions shall be to preserve for current and future generations the distinctive character of Dublin Bay and its ecology as a coastal resource, by promoting and applying adequate land use planning.

(3) In the performance of its functions the Authority shall be guided by:

- (a) the need to adopt a perspective which takes account of the interdependence and disparity of the natural systems and human activities with an impact on Dublin Bay; 30
- (b) the need to adopt a long-term perspective which takes account of the precautionary principle and the needs of present and future generations;
- (c) the need for adaptive management to facilitate adjustments in policy as scientific knowledge concerning the evolution of Dublin Bay develops; 35
- (d) the need to consult with and involve interested persons and organisations in the

management of Dublin Bay;

- (e) the need to establish or maintain appropriate links with other interested persons and organisations, with the aim of improved coordination in the formulation and execution of policies.

## **Strategic plan for Dublin Bay**

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5. (1) Dublin Bay shall be a strategic planning area within the Eastern and Midland Region, and the Authority shall be the strategic planning area committee in respect of that area.
- (2) The Authority shall be responsible for making a regional spatial and economic strategy for Dublin Bay for the purposes of Chapter III of Part II of the Act of 2000 and it shall, as soon as may be after the coming into operation of this Act, agree any necessary arrangements and procedures for preparing and making the first such regional spatial and economic strategy. 10
- (3) Without prejudice to the requirements of Chapter III of Part II of the Act of 2000, a regional spatial and economic strategy for Dublin Bay shall— 15
- (a) set out a vision for Dublin Bay as a resource to improve the quality of life for the people of Dublin,
  - (b) set out the environmental, economic, social and other issues relevant to the condition of Dublin Bay and proposals to address those issues,
  - (c) set out in particular considerations arising from the need for environmental sustainability, the duty to conserve habitats and wildlife and the impact of climate change arising from global warming, 20
  - (d) identify those areas in and around Dublin Bay where detailed proposals and plans for the renewal, preservation, conservation, restoration, development or redevelopment of land would be appropriate, 25
  - (e) set out design guidelines for the area around Dublin Bay, or any part thereof, including guidelines relating to building conservation and landscaping, and
  - (f) include proposals relating to public access and public amenities, including public transport and pedestrian access to Dublin Bay and its environs.

## **Amendment of Bathing Water Quality Regulations 2008**

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6. The Bathing Water Quality Regulations 2008 (S.I. No. 79 of 2008) are amended in Regulation 2 by the substitution for the definition of “bathing season” of the following:

“ ‘bathing season’ in any year means—

- (a) in relation to bathing waters in Dublin Bay, the entirety of that year, and 35
- (b) in relation to bathing waters other than in Dublin Bay—
  - (i) the period from 1 June to 15 September in that year, or
  - (ii) such longer period as may be specified by the local authority

within the functional area of which the bathing waters concerned lie;”.

#### **Cost control**

7. (1) The Authority, in performing the functions conferred on it by this Act, shall have regard to— 5
- (a) the resources, wherever originating, that are available to it for the purpose of such performance, the need to secure the most beneficial, effective and efficient use of those resources, and the need to ensure that the cost of performing those functions does not exceed the Authority’s income, and
  - (b) the need for co-operation with, and the co-ordination of its activities with those of, other local and public authorities. 10
- (2) The Assembly and the Authority, in performing functions conferred on them by or in connection with this Act, shall ensure that the cost of performing those functions can be met from within the resources available to them and on the presumption that the moneys provided by the Oireachtas towards meeting the costs of local government will not, by reason only of the passing of this Act, be increased. 15

#### **Short title and commencement**

8. (1) This Act may be cited as the Dublin Bay Act 2021.
- (2) This Act comes into operation 3 months after its passing.





# BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do bhunú coiste speisialta de chuid Thionól Réigiúnach an Oirthir agus Lár Tíre chun fónamh mar Údarás Chuan Bhaile Átha Cliath; do dhéanamh socrú chun go mbeidh sé mar chuspóir ag an Údarás sainchálíocht agus éiceolaíocht Chuan Bhaile Átha Cliath a chaomhnú mar acmhainn chósta don ghlúin seo agus do na glúine atá le teacht; do thabhairt feidhm don Údarás maidir le beartais agus tosaíochtaí a mholadh agus a chur chun cinn chun comhshaol Chuan Bhaile Átha Cliath a chosaint agus a fheabhsú, cáilíocht an uisce go háirithe, mar aon lena ghnáthóga nádúrtha agus a fhiadhúlra; agus do dhéanamh socrú i dtaobh nithe comhghaolmhara.

*An Teachta Ivana Bacik a thug isteach,*

*7 Nollaig, 2021*

# BILL

(as initiated)

entitled

An Act to establish a special committee of the Eastern and Midland Regional Assembly to serve as a Dublin Bay Authority; to provide as an objective for the Authority the preservation for current and future generations of the distinctive character of Dublin Bay and its ecology as a coastal resource; to confer on the Authority the function of proposing and promoting policies and priorities for the protection and enhancement of the environment, and in particular the water quality, of Dublin Bay and of its natural habitats and wildlife; and to provide for connected matters.

*Introduced by Deputy Ivana Bacik,*

*7th December, 2021*

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

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