

Planning Department,  
Tipperary County Council,  
Civic Offices,  
Limerick Road,  
Nenagh,  
Co. Tipperary,  
E45 A099.

Date: 9<sup>th</sup> December, 2024

**Re: Carrick-On-Suir Local Area Plan 2025-2031**

Dear Sir/Madam,

We acknowledge receipt of your email correspondence, dated 25<sup>th</sup> October 2024, in relation to consultation on the Carrick-On-Suir Local Area Plan 2025-2031.

The Maritime Area Regulatory Authority, or MARA, is a new state agency that was established on 17<sup>th</sup> July 2023. MARA's functions, are set out under the Maritime Area Planning Act, 2021, and extend to the entire maritime area, from high water of ordinary tides to the outer limit of the continental shelf, encompassing the State's territorial seas and Exclusive Economic Zone. MARA facilitates a streamlined consenting process for projects in the maritime area and a route for projects to the planning system, by assessing applications for Maritime Area Consents (MACs) which are the right to occupy the seabed. MARA's functions in this new consenting system for the maritime area include the following;

- Assessing Maritime Area Consent (MAC) applications for the maritime area, which are required by developers before development permission can be sought;
- Granting Marine Usage licencing (MUL's) for specified activities;
- Compliance and enforcement of MACs, licences and offshore development consents;
- Investigations and prosecutions;
- Administration of the existing Foreshore consent portfolio;
- Fostering & promoting co-operation between regulators of the maritime area.
- MARA is a body under the aegis of the Department of the Environment, Climate and Communications

To assist in the associated environmental assessments of the Draft LAP, the following links to Maritime Area Consents, Maritime Usage Licences and Foreshore Act Consents may be of relevance for your consideration.

**address:**

An tÚdarás Rialála Limistéir Mhuiri / Maritime Area Regulatory Authority  
An Dara Urlár, Teach Menapia, Páirc Ghnó Dhraighní, Draighneach, Loch Garman, Y35RF29.  
2nd Floor, Menapia House, Drinagh Business Park, Drinagh, Wexford, Y35RF29.

**email:**

[info@mara.gov.ie](mailto:info@mara.gov.ie)

**website:**

[www.maritimeregulator.ie](http://www.maritimeregulator.ie)

MAC Applications:

[Applications Received - MARA - The Maritime Regulator](#)

[Applications Determined - MARA - The Maritime Regulator](#)

Maritime Usage Licences:

[Applications - MARA - The Maritime Regulator](#)

[Applications Determined - MARA - The Maritime Regulator](#)

Foreshore:

[Foreshore Applications - MARA - The Maritime Regulator](#)

Foreshore:

[gov - Foreshore Notices \(www.gov.ie\)](http://gov.gov.ie)

An Bord Pleanála:

[Maritime Area Planning | An Bord Pleanála \(pleanala.ie\)](#)

Local Government Planning Authorities:

[Local Government Ireland Planning System](#)

**Coastal Planning Authority**

Having regard to the extent of the maritime area, which extends along the River Suir westwards from Carrick on Suir, the Local Area Plan (LAP) should be cognisant of the requirements of the Maritime Area Planning Act and the obligations of Tipperary County Council as a coastal planning authority. In this regard MARA would remind the coastal planning authority of the having regard to the objectives of the National Marine Planning Framework (NMPF) in the preparation of both the plan itself and the associated environmental assessments.

MARA recommends that careful consideration be given to the obligation to have regard to the Marine Strategy Framework Directive (MSFD) also. At the core of the MSFD is the determination, achievement and maintenance of Good Environmental Status (GES) according to 11 qualitative condition descriptors. This forms the environmental pillar of maritime spatial planning under Directive 2014/89/EU (i.e. the MSP Directive). Ireland has established a total of 25 binding environmental targets and associated methodological standards that are at the forefront concerning progress towards GES achievement in the marine environment. These environmental targets established in 2020 represent Ireland's overarching and core policy statements on its marine environment under the MSFD. The Draft LAP should be considered in the context of these GES descriptors and the associated Irish Marine Strategy environmental targets.

MARA notes a number of policies relating to blue ways, river crossings and river related projects or activities which may require Maritime Usage Licences (MUL's) or maritime

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**website:**

[www.maritimeregulator.ie](http://www.maritimeregulator.ie)

area consents, and early consultation with MARA would be encouraged to ascertain same.

### **MARA as a prescribed body**

The Maritime Area Regulatory Authority (MARA) welcomes the opportunity to submit our views on the planning applications within and directly adjacent to the maritime area. MARA is a prescribed body by virtue of Section 279A of the Planning & Development Act 2000 (as amended) for the purposes of Part XXI, and as set out in Schedule 1 of the Planning and Development (Maritime Development) Regulations, 2023. Section 320 of the Planning & Development Act, 2000 (as amended) also provides for “*A coastal planning authority may consult with the Maritime Area Regulatory Authority for the purposes of this Part.*”

### **Maritime Area Consent**

Any proposed development within the maritime will in general require a Maritime Area Consent (MAC) prior to seeking planning permission, unless privately owned maritime site, or an existing foreshore lease or licence for the proposed can be demonstrated. Please note that a MAC specifies the permitted maritime usage and accordingly, the planning application and approval should only consider this usage.

The MAC also specifies the spatial representation (map) of the consent area. Accordingly, the planning application should only consider and consent maritime development within that spatial extent. Any change to the spatial extent can only be done by a material amendment to the MAC by MARA in advance of any planning application.

In accordance with Section 96 of the Maritime Area Planning Act 2021, the holder of a MAC shall, before expiration (if any) of the MAC, rehabilitate that part of the maritime area subject of the MAC, and any other part of the maritime area, adversely affected by the maritime usage the subject of the MAC.

### **Rehabilitation Schedule**

In accordance with Section 96 of the Maritime Area Planning Act 2021, the holder of a MAC shall, before expiration (if any) of the MAC, rehabilitate that part of the maritime area subject of the MAC, and any other part of the maritime area, adversely affected by the maritime usage the subject of the MAC. The Planning Authority should be cognisant in their assessment of any future applications in the maritime area, for decommissioning, rehabilitation, and the long term implications to the State of leaving structures or materials in situ. The management of the States maritime area is the responsibility for MARA.

The making of submissions or observations by the Maritime Area Regulatory Authority under this section shall not prejudice the performance by it of any of its other functions.

For any further information on MARA or to view any MAC or MUL applications, please visit the MARA website: [www.maritimeregulator.ie](http://www.maritimeregulator.ie)

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An tÚdarás Rialála Limistéir Mhuiri  
Maritime Area Regulatory Authority

If you have any queries or require further information in relation to this matter, please contact the undersigned in the Assessment, Research and Data Unit of MARA directly. I would be grateful if receipt of this correspondence, could be formally acknowledged by email to the following [consultation@mara.gov.ie](mailto:consultation@mara.gov.ie) .

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Niamh Lennon".

**Niamh Lennon**  
Senior Marine Advisor Planner  
Assessment, Research and Data Unit

**address:**

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