

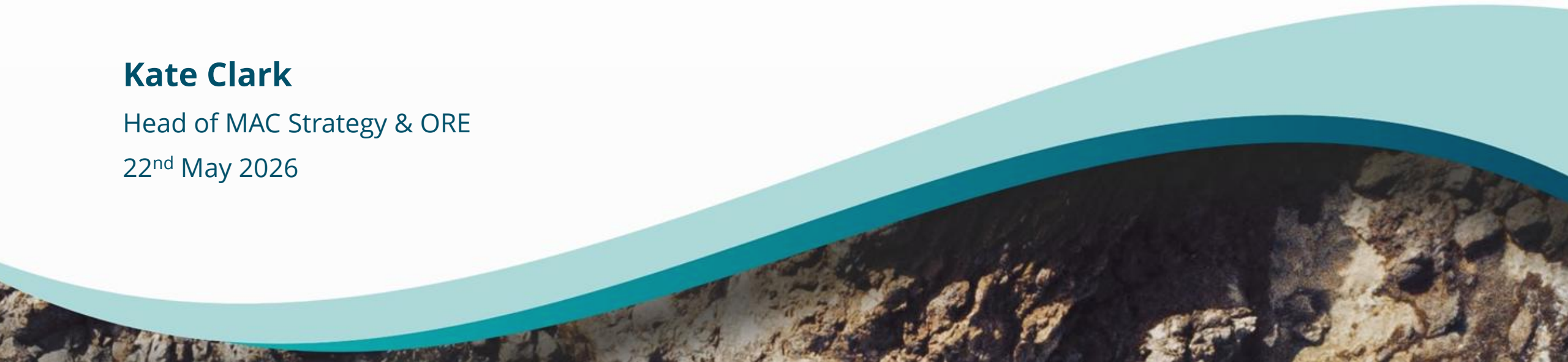
# Maritime Area Regulatory Authority

## Coastal Change Management Webinar Overview of Maritime Area Consent Process

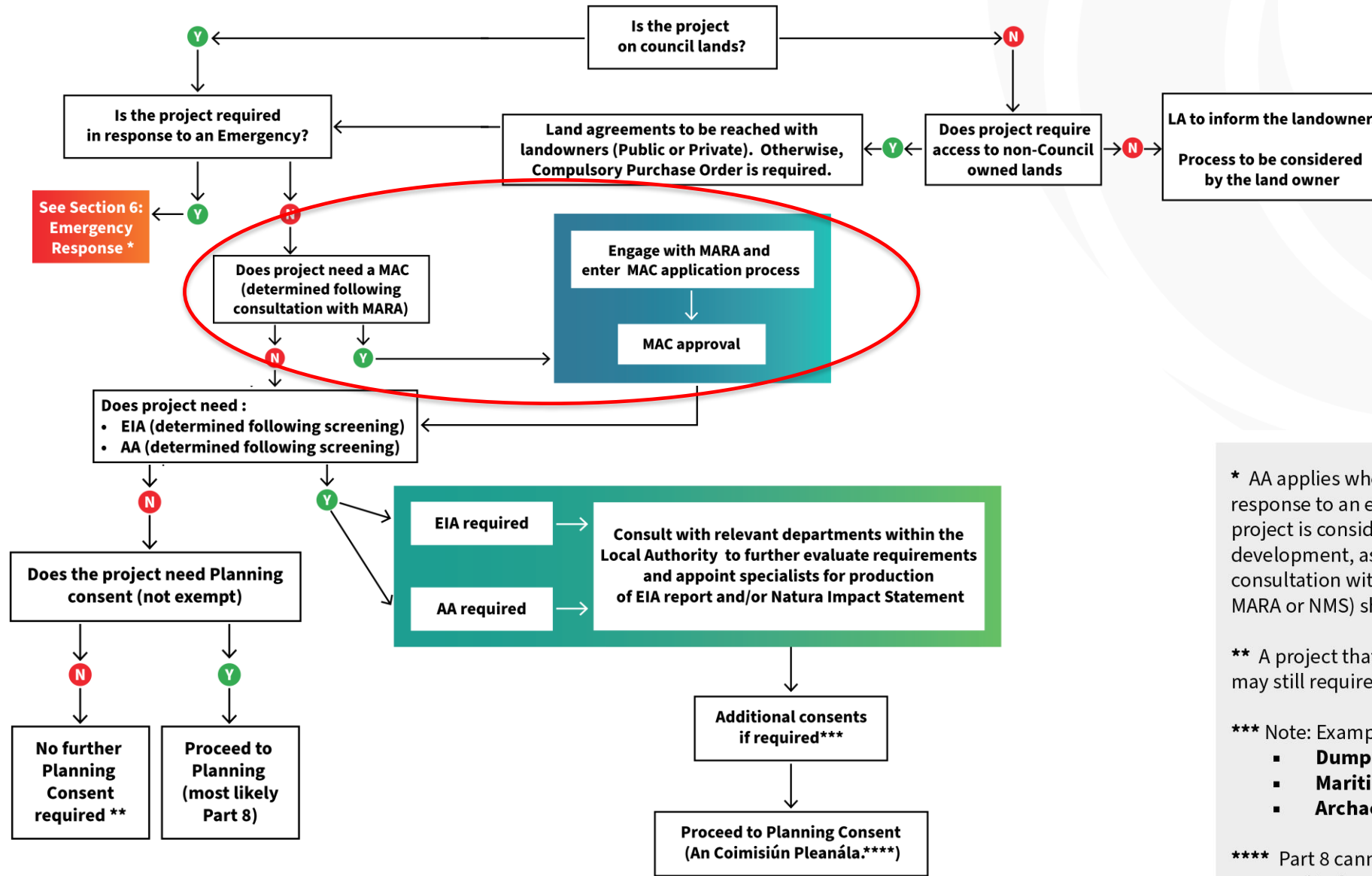
**Kate Clark**

Head of MAC Strategy & ORE

22<sup>nd</sup> May 2026



# Consenting process Overview



\* AA applies whether the project is in response to an emergency or not. When a project is considered emergency development, as a matter of best practice, consultation with relevant bodies (i.e., NPWS, MARA or NMS) should still be sought

\*\* A project that is exempt from planning may still require a MAC

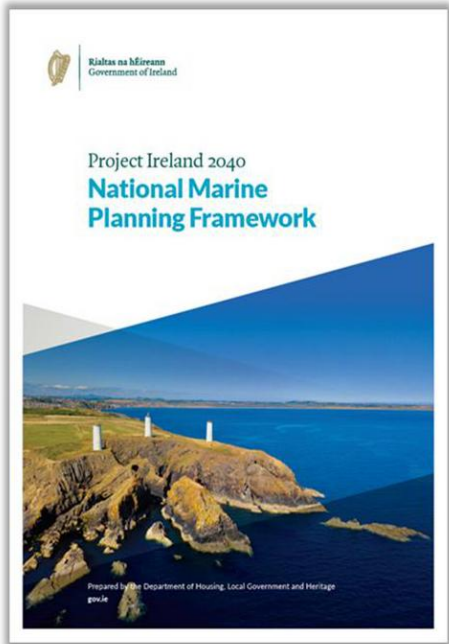
\*\*\* Note: Examples of Additional Consents

- **Dumping at Sea: EPA**
- **Maritime Usage Licence: MARA**
- **Archaeological Licences: NMS**

\*\*\*\* Part 8 cannot be used if a project is screened in for AA or EIA

# Reform of Marine Management in Ireland

“  
New independent agency to manage the occupation of the maritime area and to enforce the provisions of the new planning regime  
”



Number 50 of 2021

Maritime Area Planning Act 2021

Authorisations

Maritime Area Consent (MAC)

Maritime Usage Licence (MUL)

# Maritime Area Consents (MAC)



Manages the relationship between the State and the MAC Holder

“right to occupy”



Gateway into the planning system – required in advance of applying for development permission



No environmental decision-making (MARA are not required to undertake screening for AA or EIA)



No consultation at MAC application



Levy framework for different classes of MACs (ORE, Ports, Cables etc.)

# When a MAC is NOT required

- ✓ In relation to fishery harbours, aquaculture or sea fishing
- ✓ Undertaken on a privately owned part of the maritime area
- ✓ Navigation or fishing
- ✓ Any maritime usage subject to a maritime usage licence
- ✓ Works in relation to lighthouses, radio navigation systems (Commissioner of Irish Lights) for the purposes of, or consisting of, the placement of aids to navigation
- ✓ The exploration or working of petroleum or the restoration of the area in which such exploration for, or working of, such petroleum has taken place
- ✓ Any maritime usage specified in regulations

# Types of activity requiring a MAC

“  
Any usage that is not  
licensable, exempt or  
covered by other legislation  
”



Offshore Renewable Energy (ORE) - Windfarm



ORE- Supporting infrastructure



Port (non- ORE)



Cables



Renewable Energy (non-wind)



State Infrastructure



Storage (gas/ fuel)



Utilities



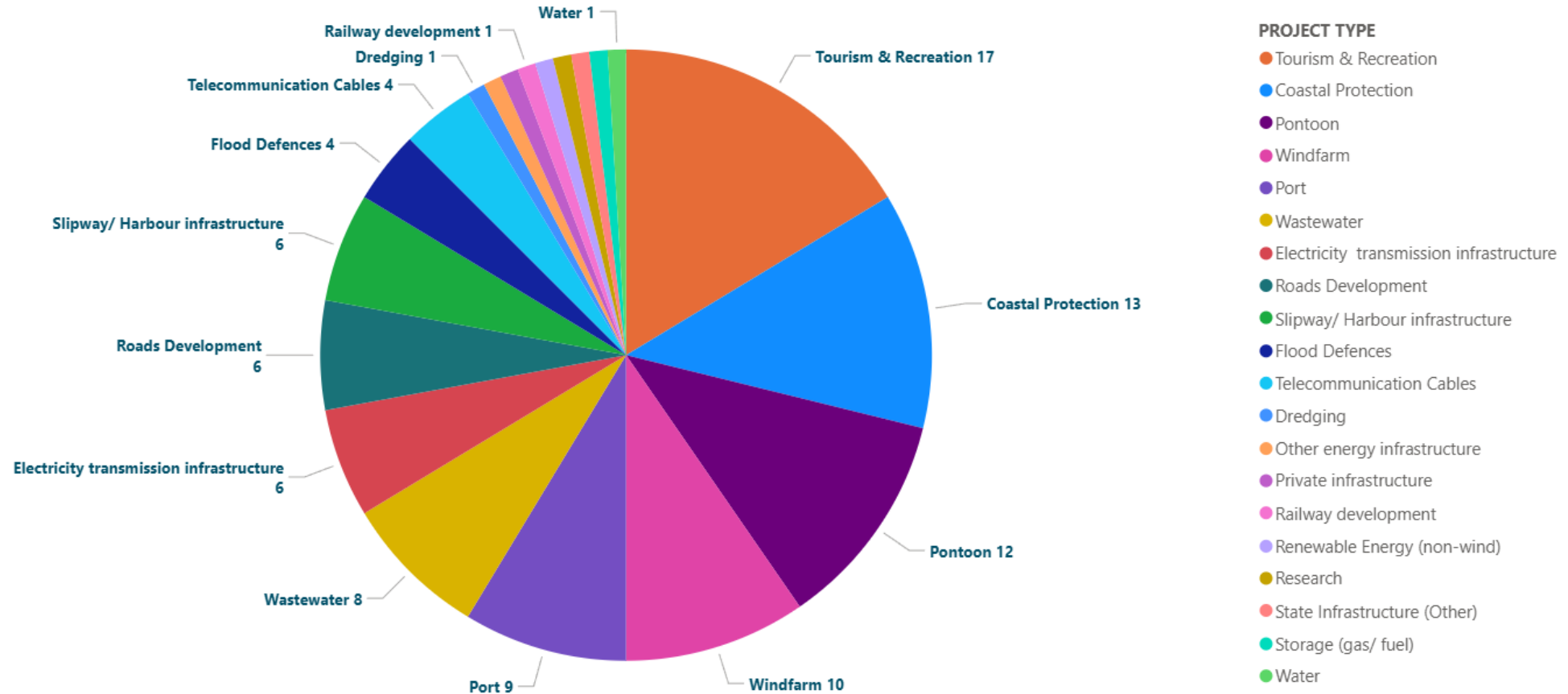
Tourism & Recreation



Coastal Protection/Flood Relief Scheme

# MAC Application Types

MAC Applications: Coastal Protection & Flood Defences



# MAC20230009: Iarnród Éireann, Merrion Gates and Seapoint Beach Co. Dublin

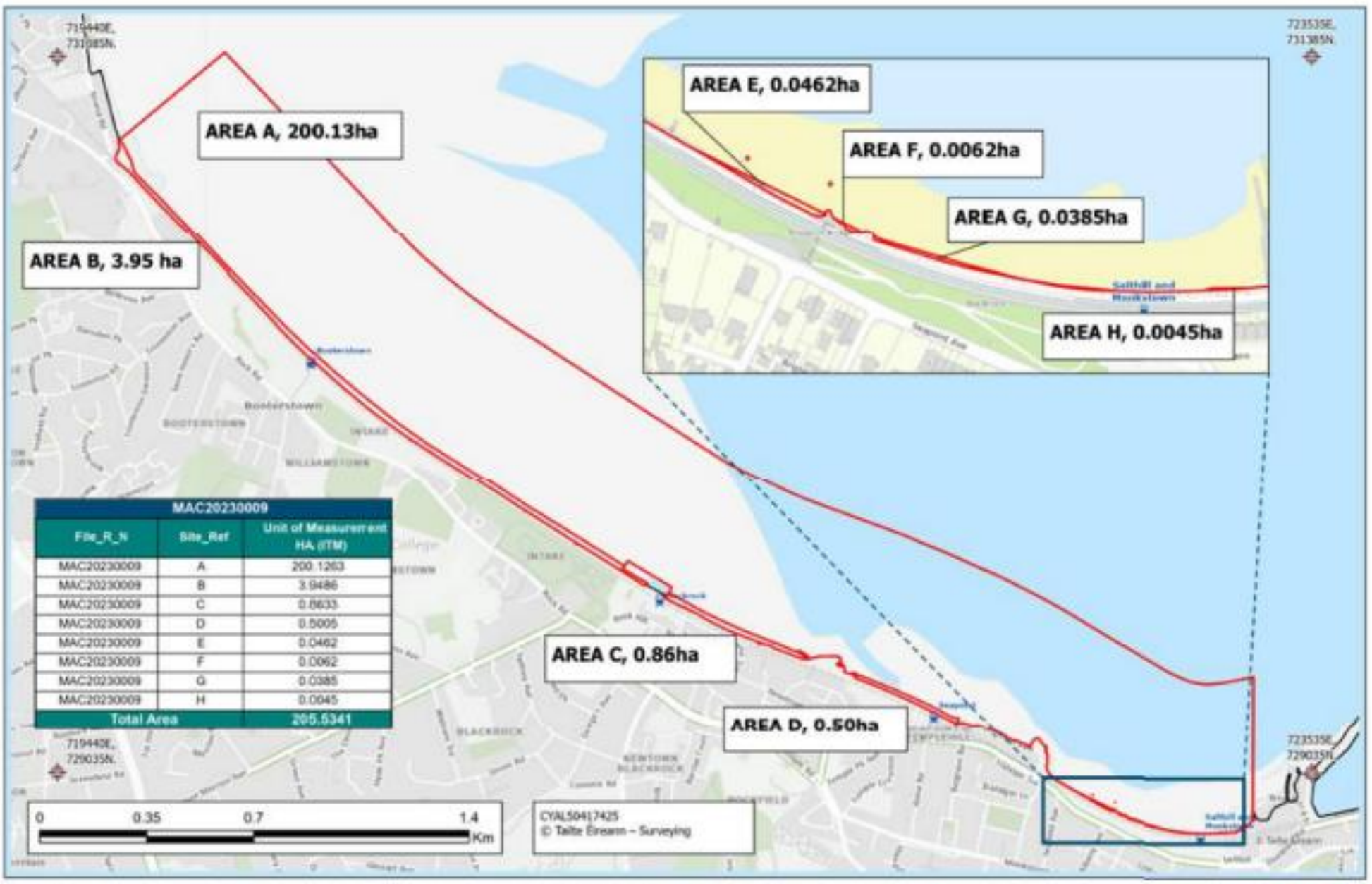


# Project Overview

The proposed project aims to mitigate against coastal erosion, flooding and extreme weather and to enhance coastal protection along the existing East Coast Railway infrastructure between Merrion Gates and Seapoint Beach, Co Dublin. The project is one of five East Coast Railway Infrastructure Protection Projects (ECRIPP) proposed by Iarnród Éireann at key locations between Merrion Gates, Co. Dublin and Wicklow Harbour, Co. Wicklow.

The proposed works include:

- Raising existing seawalls using a combination of in-situ and precast reinforced concrete;
- Constructing new seawalls where existing structures are insufficient to provide the required Standard of Protection;
- Installation of ground anchors and piles to provide the required structural stability.
- Maintaining and improving public access, footpaths, and amenity areas; and
- Using textured formliners to visually integrate new structures with the existing landscape.



Drawn by: JTH  
 Approved by: PN  
 Date: 30/12/2025  
 Dwg. No.: MAC20230009-001  
 Project: JTH

Notes:  
 1. Georeferences using grid coordinate intersects shown.  
 2. Where the MAC edge is or abuts land, wharfs or marks, the High Water Mark as defined by the Chief Boundary Surveyor is the boundary of the MAC area.

Maritime Area Consent Map  
 MAC20230009

- Maritime Area Consent Area
- High Water Mark - Chief Boundary Surveyor
- Grid Coordinate Intersects ITM



**MAC20240007: Fingal County Council,  
Portrane (Burrow) Beach, County Fingal**



# Project Overview

The proposed development aims to mitigate the very significant risk of coastal flooding and ongoing coastal erosion to the Burrow community which is located on a low-lying sandy spit in Co. Fingal. A combination of flood embankments, flood walls and beach works, which includes the construction of seven fish tail groyne structures and beach nourishment along the coast, is required to alleviate the coastal flooding and erosion risk.

The proposed works include:

- Flood embankment at the northern extent of the spit at the end of Burrow Road;
- Flood embankment and flood wall at Marsh Lane; and
- Construction of seven fishtail groynes and beach nourishment along Portrane (Burrow) Beach.





Drawn by: MTM  
 Approved by: PH  
 Date: 06/05/2025  
 Drg. No.: MAC20240007-001  
 Projection: ITM  
 Scale: 1:5,500 @A3

**Notes:**  
 1. Georeference using grid coordinate intersects shown.  
 2. Where the MAC adjoins or abuts land, islands or rocks, the High Water Mark as defined by the Chief Boundary Surveyor is the boundary of the MAC area.

**Maritime Area Consent Map**  
**MAC20240007**

- Maritime Area Consent Area
- High Water Mark - Chief Boundary Surveyor
- Grid Coordinate Intersects ITM



# MAC250009: Cork County Council, Midleton, Co. Cork



# Project Overview

Cork County Council made a MAC application to MARA for the construction of a flood defence scheme at Midleton, Co. Cork (the “Midleton Flood Relief Scheme”).

The proposed works include:

- Restoration of the existing quay walls;
- Installation of new demountable flood defence
- Upgrade of drainage system; and
- Landscaping.

The proposed MAC area include 13 separate areas along the tidal area, densely occupied section of the Ballincurra River at Midleton.



- NOTES**
- COORDINATES TO IRISH TRANSVERSE MERCATOR (TM).
  - ALL LEVELS ARE IN A.D. SEALS.
  - ALL DIMENSIONS IN UNLESS OTHERWISE NOTED.
  - THE LIMIT OF THE MARITIME AREA AT ITS LANDWARD EXTENT IS DEFINED BY THE HIGH WATER LINE OF ORDINARY OR REGULAR TIDE RANGE IN THE HIGH WATER MARK AREA AS DEFINED BY THE CHIEF SURVEYOR. THE OUTWARD REPRESENTATION OF THE AREA AS DEFINED BY THE CHIEF SURVEYOR IS THE ORIGINAL SOURCE (S) TO BE MARKED FOR THE WATERWAY. THE CHIEF SURVEYOR'S MARKS SHALL BE CONSIDERED TO MATCH THE MARKS SHOWN ON THIS DRAWING UNLESS OTHERWISE NOTED.

MARITIME AREA CONSENT ZONES	
AREA A	1089.00 m <sup>2</sup>
AREA B	1732.00 m <sup>2</sup>
AREA C	2233.00 m <sup>2</sup>
AREA D	873.00 m <sup>2</sup>
AREA E	3002.00 m <sup>2</sup>
AREA F	3307.00 m <sup>2</sup>
AREA G	817.00 m <sup>2</sup>
AREA H	1216.25 m <sup>2</sup>

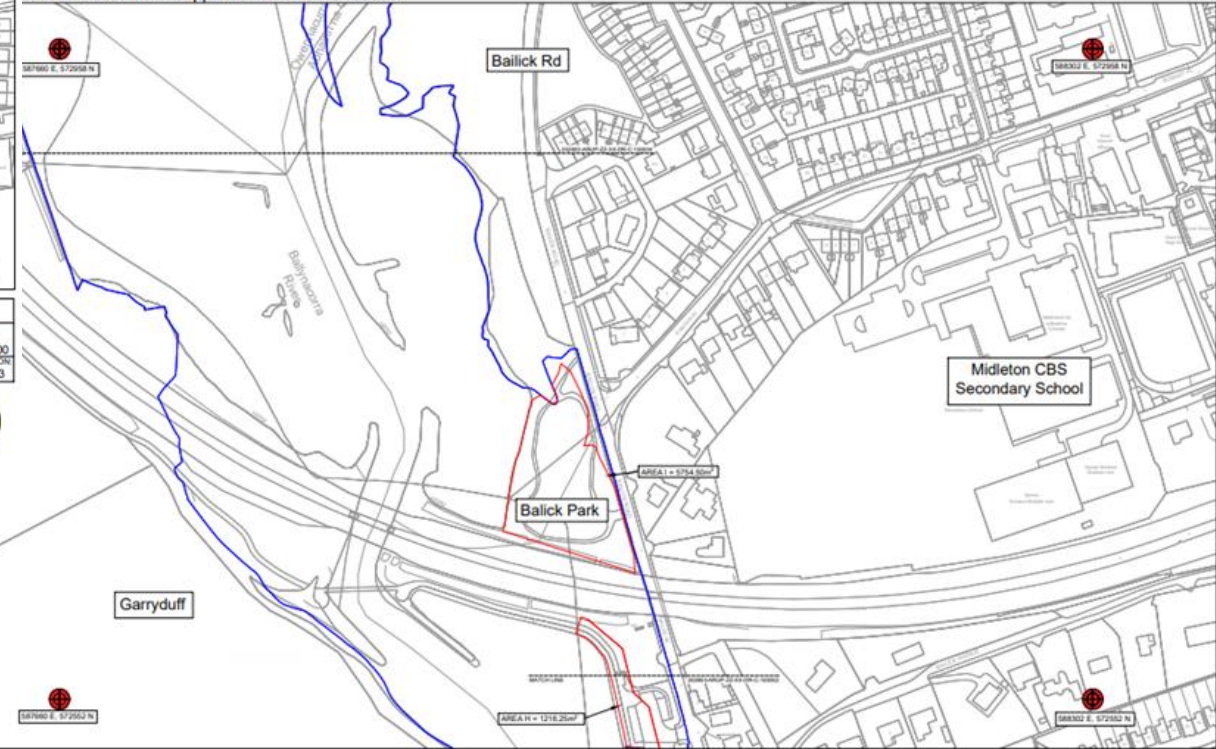
AREA	AREA	AREA
AREA A	AREA B	AREA C
AREA D	AREA E	AREA F
AREA G	AREA H	AREA I

- LEGEND**
- Red line: MARITIME AREA CONSENT ZONES
  - Blue line: HIGH WATER MARK AS DEFINED BY THE CHIEF SURVEYOR'S MARKS

REV	DATE	BY	DESCRIPTION
MC3	01.12.25	SHANE O'FLYNN MENG CEING MEE	BARBRIE O'BREASAIL BE CEING MEE
MC2	29.10.25	SHANE O'FLYNN MENG CEING MEE	BARBRIE O'BREASAIL BE CEING MEE
MC1	07.07.25	SHANE O'FLYNN MENG CEING MEE	BARBRIE O'BREASAIL BE CEING MEE

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**ARUP**



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AREA	AREA	AREA
AREA A	AREA B	AREA C
AREA D	AREA E	AREA F
AREA G	AREA H	AREA I

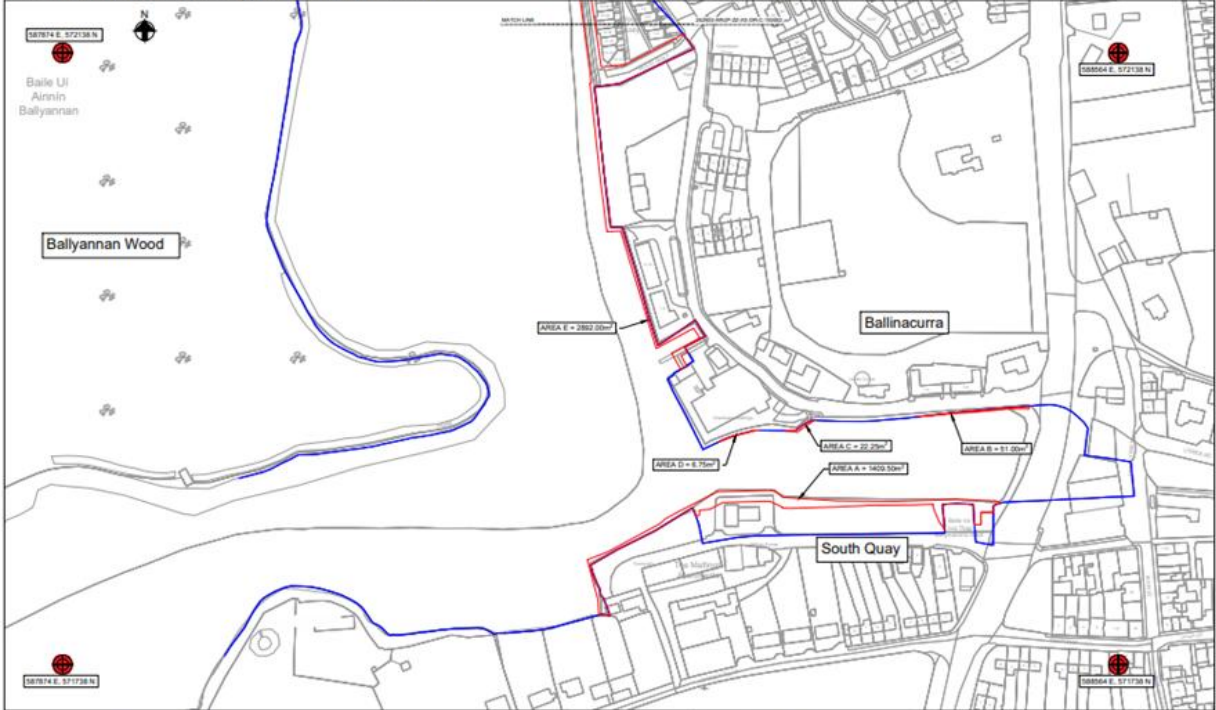
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**ARUP**





**KEY PLAN**

**NOTES:**

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AREA A	1000.00 m <sup>2</sup>
AREA B	1000.00 m <sup>2</sup>
AREA C	22.25 m <sup>2</sup>
AREA D	8.75 m <sup>2</sup>
AREA E	2892.00 m <sup>2</sup>
AREA F	330.75 m <sup>2</sup>
AREA G	81.25 m <sup>2</sup>
AREA H	1216.25 m <sup>2</sup>
<b>TOTAL</b>	<b>12,478.25 m<sup>2</sup></b>

MC#	DATE	SHANE O'FLYNN MEng CEng MIE	BAIRBRE O'BREASAIL BE CEng MICE	MARITIME AREA CONSENT
MC3	01.12.25	SHANE O'FLYNN MEng CEng MIE	BAIRBRE O'BREASAIL BE CEng MICE	MARITIME AREA CONSENT
MC2	29.10.25	SHANE O'FLYNN MEng CEng MIE	BAIRBRE O'BREASAIL BE CEng MICE	MARITIME AREA CONSENT
MC1	07.07.25	SHANE O'FLYNN MEng CEng MIE	BAIRBRE O'BREASAIL BE CEng MICE	MARITIME AREA CONSENT

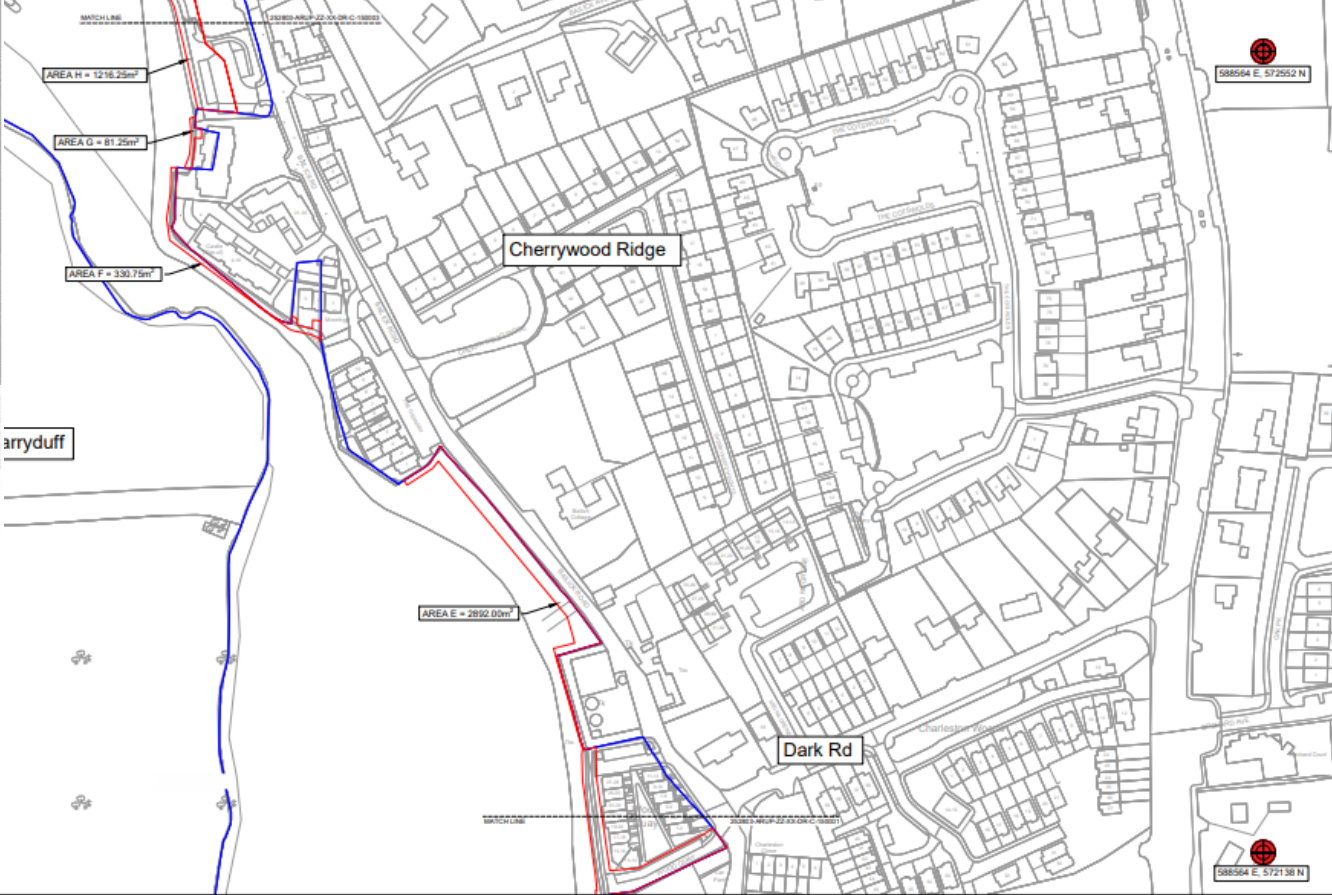
**LEGEND:**

- MAC FOOTPRINT
- HIGH WATER MARK AS DEFINED BY THE CHIEF BOUNDARY SURVEYOR

**DRAWING TITLE:** MAC MAP - SHEET 1  
**SCALE:** 1:2000  
**DRAWING NUMBER:** ARUP-ZZ-XX-DR-C-150001  
**REVISION:** MC3

**ARUP**

Scheme - Application Ref: MAC250009



**KEY PLAN**

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MC#	DATE	SHANE O'FLYNN MEng CEng MIE	BAIRBRE O'BREASAIL BE CEng MICE	MARITIME AREA CONSENT
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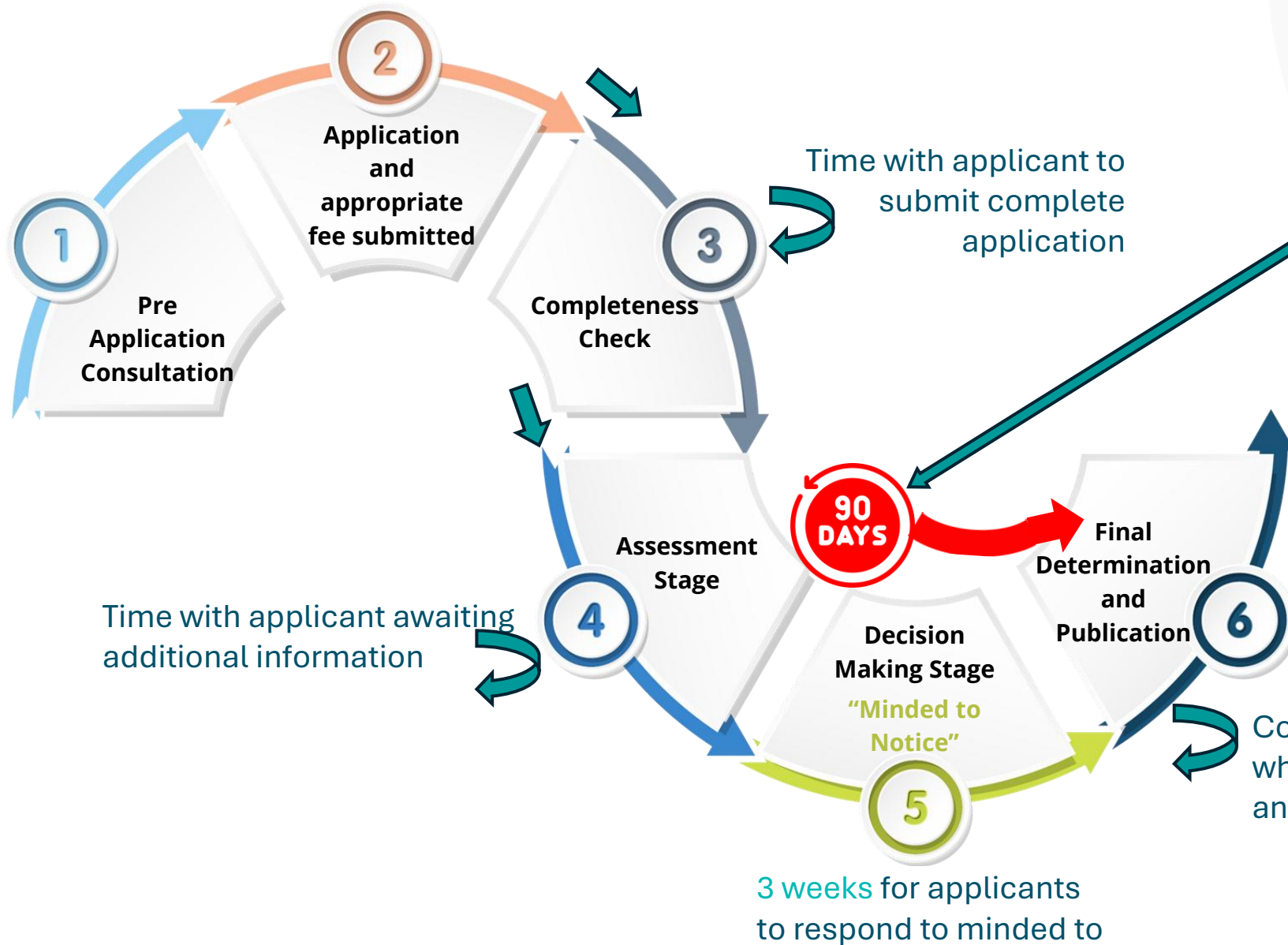
**LEGEND:**

- MAC FOOTPRINT
- HIGH WATER MARK AS DEFINED BY THE CHIEF BOUNDARY SURVEYOR

**DRAWING TITLE:** MAC MAP - SHEET 2  
**SCALE:** 1:2000  
**DRAWING NUMBER:** ARUP-ZZ-XX-DR-C-150003  
**REVISION:** MC3

**ARUP**

# MAC Application Process Overview



Section 81(2): **90-day period starts on the date after which MARA is satisfied that the applicant has complied with all the requirements**

In order for MARA to be satisfied that they have all the required information they need to progress to a determination, then MARA needs to be satisfied that no additional information will be requested from the application. Once MARA is so satisfied, a compliant notice is issued to the applicant, triggering the 90 day clock.

Consideration of any submissions which may require clarification and/or significant consideration

# MAC Assessment

## Project



To ensure the proposed project aligned with policy, in the public interest and located appropriately

## Person (Applicant)



To ensure the relevant person has the technical and financial capability to deliver the project , so to avoid hoarding of the maritime area

## Levy



To ensure the state receives a return for its assets (i.e. state owned maritime area)

Technical Assessment





General Assessment

Technical Capability Assessment

Financial Capability Assessment

# Engineer's Assessment

The engineer's assessment covers the following assessment criteria:

-  Nature, Scope and Duration of the project and delivery timelines
-  Location and spatial extent including the accuracy of maps provided
-  Existing property rights and consents for the site and adjacent sites
-  Preparatory work undertaken to date and planned





# Engineer's Assessment

## Nature, Scope & Duration:

- ✓ Indicative layout and design approach
- ✓ Construction methodology (if known)
- ✓ Delivery timeline and phasing
- ✓ Design life and MAC term

# Engineer's Assessment

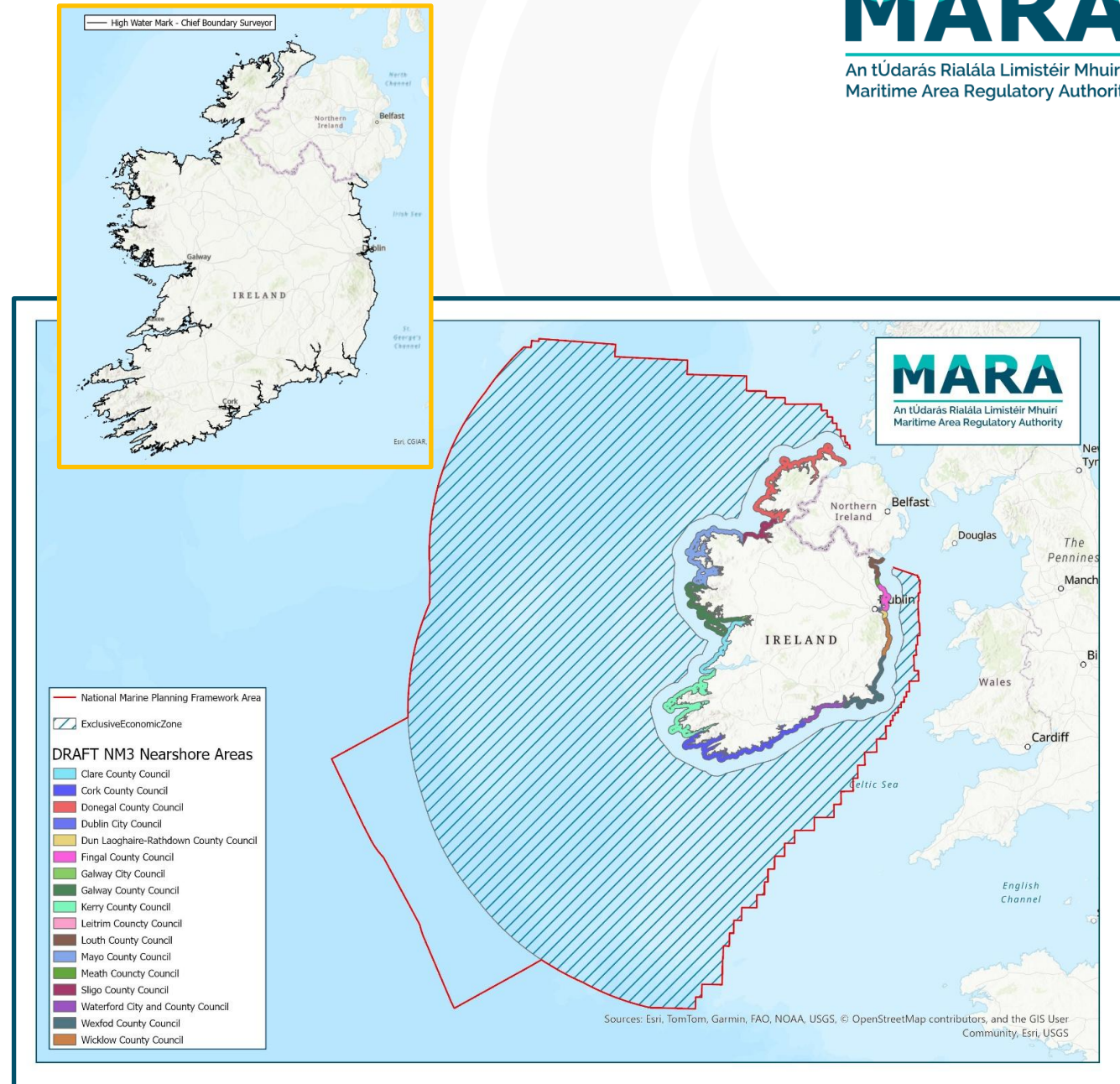
## Location & Spatial Extent:

-  Site suitability and co-existence
-  Interaction with existing maritime uses
-  Accuracy of mapping and boundaries
-  Site inspections (nearshore projects)

# The Maritime Area

## Maritime Area Planning Act 2021 (MAPA)

- Section 3 of the MAP Act / Maritime Jurisdiction Act 2021
  - Extends from the high water mark of ordinary or medium tides to the outer limit of the agreed continental shelf
  - Includes the sea and tidal areas of internal waters – 3NM
  - The territorial seas of the State – 12NM
  - The exclusive economic zone
  - The agreed continental shelf
- The digitised representation of the High Water Mark as defined by the [Chief Boundary Surveyor High Water Mark- Nation Water Marks - Ungeneralised - 2026 | Surveying Open Data Portal](#) should be used when preparing the MAC MAP and GIS shapefile.



# Engineer's Assessment

## Property Rights & Consents:

- ✓ Territorial Seas vs EEZ
- ✓ Foreshore leases and Licences
- ✓ Private Ownership – Section 99
- ✓ Overlap with existing MACs and MULs
- ✓ Other Existing rights of occupation and legal constraints







# Engineer's Assessment

## Preparatory Works Undertaken:

-  Site investigations and surveys
-  Environmental and Regulatory Assessments (AA, Sediment Transport Modelling, Planning Reviews etc.)
-  Preliminary Risk Assessments (NRAs, Flood Risk Studies etc)
-  Ownership and Legal Constraints Checks

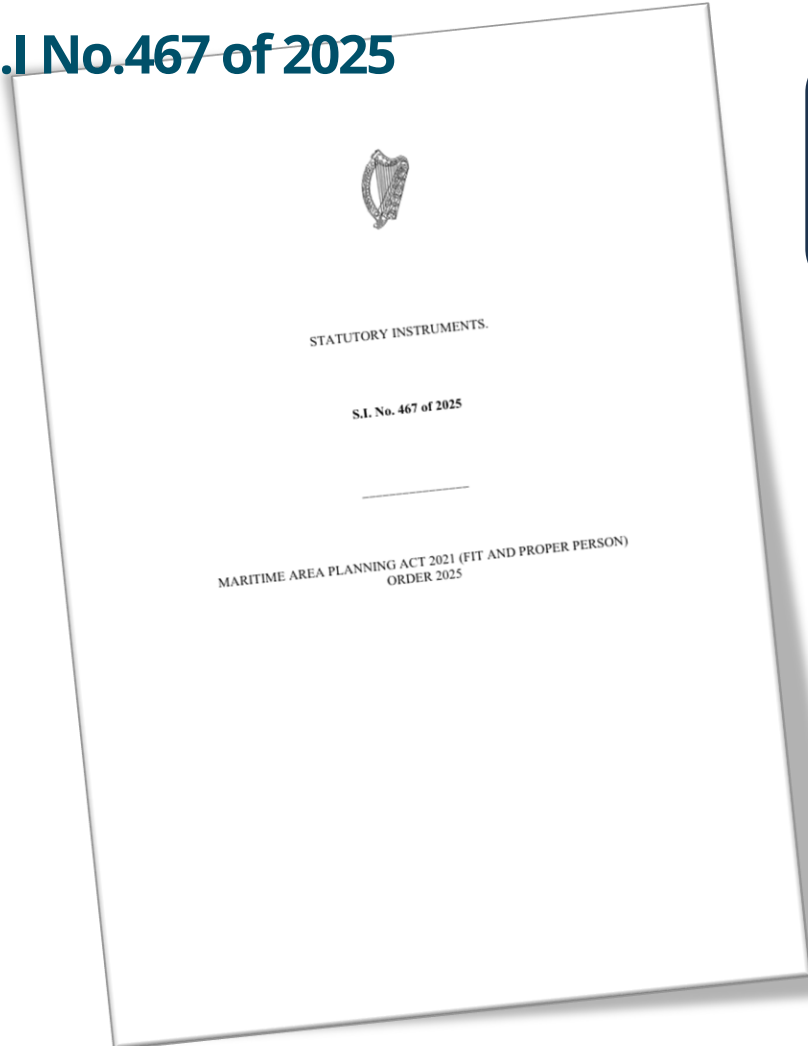
# General Assessment

The general assessment undertaken by the caseworker covers the following assessment criteria:

-  Public interest:
  - Project serves the Public Interest and relevant legislation
-  Consistency with the NMPF and its key sectoral policies and objectives
-  Stakeholder Engagement
-  Tax Compliant
-  Fit & Proper:
  - No Convictions
  - Not Insolvent/ Bankrupt
-  Calculation of applicable levy

# Section 90: Fit & Proper Declaration LAs

S.I No.467 of 2025



This Order declare local authority as fit and proper persons to be granted and hold any class of Maritime Area Consent (MAC).

Signed: 1<sup>st</sup> October 2025



## Streamlines administrative processes for LAs

- Reduced administrative burden
- Reduction in project costs



## Efficiencies in processing of applications

- More efficient timeframes for determinations
- Reduction in project costs



Relates solely to the fit and proper person requirements of the Act. It does not in any way remove any of the other obligations of the Act in circumstances where a local authority is proposing to carry out works in the maritime area.

In accordance with section 47(2)(d) of the Maritime Area Planning Act 2021 (the Act), it is a function of the Board of MARA to “design a comprehensive framework for the setting of levies under Chapter 7 of Part 4 [Maritime Area Consents] of the Act.

A levy framework that is transparent, consistent, predictable, & provides certainty to the applicant from the start.

Initial levy framework will not significantly differ from the existing Foreshore charging regime to ensure consistency with charges for existing leases and fair treatment of existing and new users.

<b>Objective of the MAC Levy</b>	<b>1. The levy should provide a return to the taxpayer for the use of the asset in question, namely the space on the sea bed.</b>	<b>2. The structure of the MAC levy should not act as a disincentive to investment.</b>
----------------------------------	---	---

A standardisation approach will be adopted. The benefits of this approach include:

- keeping the costs of valuation services to the minimum;
- increased efficiencies by eliminating the need to value each individual case;
- increased openness and transparency for both MAC applicants and the public in general.

### Levy Framework – Nearshore

- Base annual charge plus a rate per m<sup>2</sup> (for areas exceeding 100m<sup>2</sup>)
- Based on multiple tiers depending on geographic location
- All developments within nearshore is charged at the same rate (with non-commercial discounts for public use)
- Boundaries of each tier clearly defined using Electoral Divisions
- All cables, pipelines and ducting will be charged a levy on the same basis – base + rate per linear metre

### Levy Framework – Outer Maritime Area\*

- Two categories of standard charges apply to different types of developments:
1. Area-based charges for – Offshore Wind Farms at development state / Other developments e.g. green hydrogen plants etc.
  2. Operational-based charges e.g. for windfarms from COD to decommissioning stage

All cables, pipelines and ducting will be charged on same basis of base annual charge plus a rate per linear metre

\*Outer Maritime Area includes the entire Maritime Area minus the Nearshore which extends 3NM into the Maritime Area from the legal HWM.

# Agenda Overview



**Published:**

30<sup>th</sup> April 2026

**Download at:**

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

[CLICK HERE](#)

# Maritime Area Regulatory Authority (MARA)

## Regulatory Roles and Responsibilities



### Authorisation of:

Maritime Area Consent (MAC)  
Maritime Usage Licence (MUL)



**Prescribed** body for consultation on **ALL** types of planning consents under the planning acts.

This means that planning authorities are required to consult with MARA on all maritime planning applications, including those that are located within the maritime area, could affect it, or involve land below the high water mark.



### Compliance/enforcement and oversight of:

MACs

MULs

Foreshore Authorisations [under section 43(1)(i) MAP Act]

Planning permission and conditions [where the planning application was made directly to ACP]

Unauthorised maritime usage (MAC and MUL activities)

Unauthorised maritime development [in the outer maritime area and/or straddling two or more CPAs]

# Coastal Planning Authorities (CPA)

## Regulatory Roles and Responsibilities

**Note:** roles and responsibilities relate to development situated in a single CPA functional area and excludes the outer maritime area.



May enter into **pre-application consultation** [S.247 of the 2000 Act] with an applicant who has an interest in the nearshore area and has obtained a MAC or foreshore lease or licence.  
(CPA may liaise with MARA in order to verify the applicant's interest in the nearshore area.)



Determine **planning applications** for developments\* within its functional area.

\* Developments that are either wholly in the nearshore area, or partly on the nearshore of that CPA and partly on land.



Issue **declarations** on development and exempted development [S.5 of the 2000 Act] within its functional area.

[Note the CPA may refer any question under S.5 to ACP.]

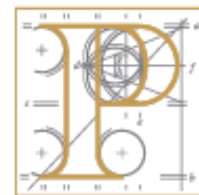


Responsible for **compliance** oversight and **enforcement** of planning permission.

Responsible for enforcement of **unauthorised development** within the nearshore area.

# An Coimisiún Pleanála (ACP)

## Regulatory Roles and Responsibilities



An  
Coimisiún  
Pleanála



**Undertakes mandatory pre-application consultation for all developments to which Part XXI Chapter 3 of the 2000 Act applies**

**Optional consultation** to seek the opinion from ACP as to **flexibility on design** prior to submitting the application under **S.287B of the 2000 Act.**



**Determines applications for permission for certain developments including:**

- ▶ Development in the outer maritime area (in part/wholly).
- ▶ Development in the nearshore of more than one coastal planning authority (CPA).
- ▶ Marine development listed under the **Eighth Schedule of the 2000 Act.**
- ▶ Local Authority 'own' development in nearshore of a CPA where AA and/or EIA is required.

**Determines appeals on CPA decisions.**



**Issue Declarations on Development and Exempted Development.**

- ▶ within CPA functional areas under **S.5 of the 2000 Act** (including referrals directly by CPA).
- ▶ within outer maritime area under **S.314 of the 2000 Act**.

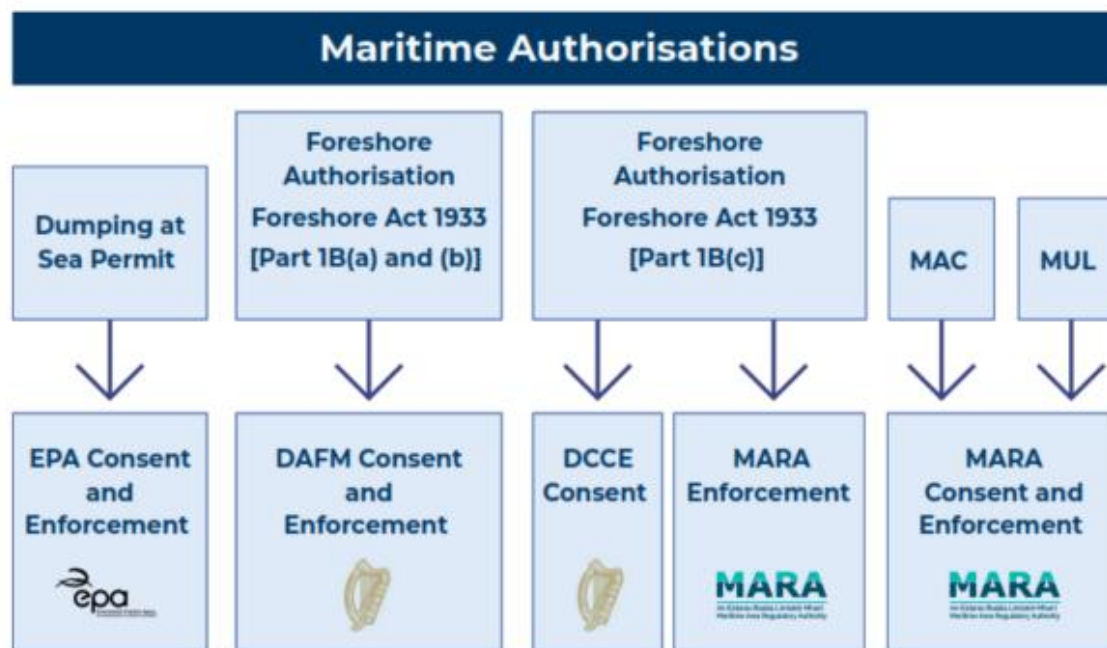


**Compliance oversight of planning conditions and design flexibility conditions.**



**No role in enforcement.**

# Consenting Authorities Responsibilities for Maritime Development



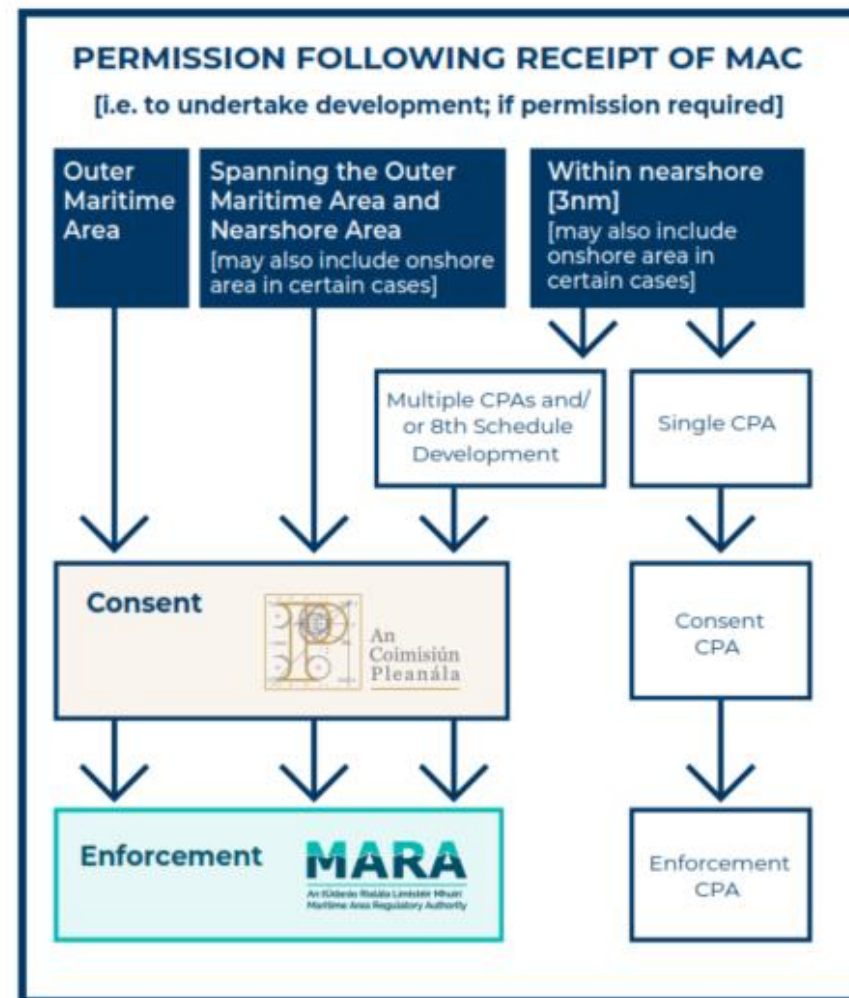
**Important Notes:**

Development permission applications can only be made after a MAC has been granted, unless:

- i. Retrospective provisions Section 75A or 75(4) of the MAP Act apply;
- ii. An application with the foreshore unit exists prior to 17 July 2023 for the purposes of the development on the maritime site;
- iii. A foreshore authorisation provides for the maritime usage for which development permission is sought.

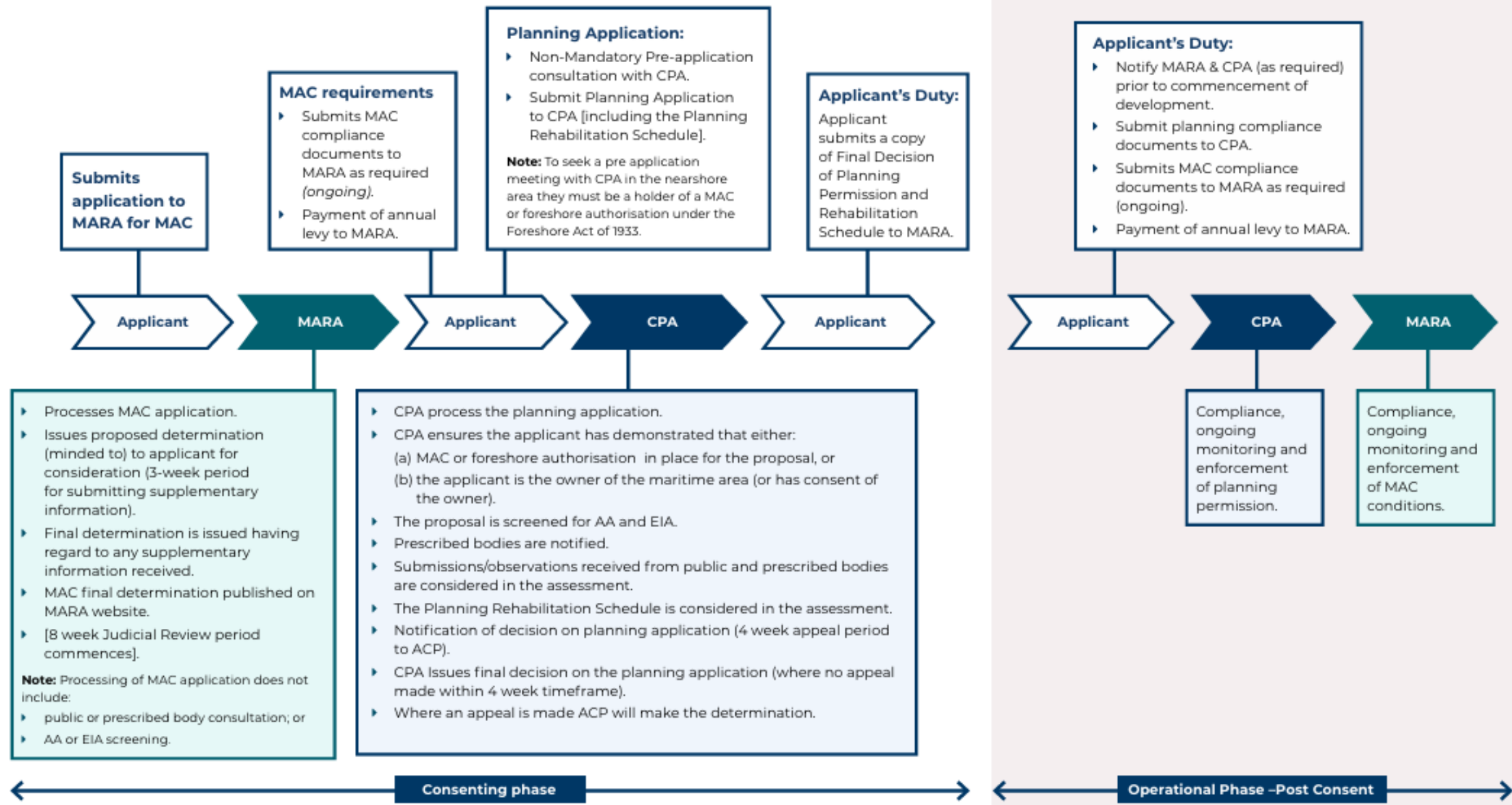
A maritime consent cannot be granted where

- i. The maritime area is privately owned; or
- ii. The maritime usage is a licensable activities exempt from planning (Section 4(1A)(f) of P&D Act); or
- iii. Maritime usage is specified in Schedule 3 and 4 of MAP Act.



# Indicative Process Flowchart 1

## Development in nearshore of a single CPA



# Coastal Planning Authorities (CPA)

## Regulatory Roles and Responsibilities

**Note:** roles and responsibilities relate to development situated in a single CPA functional area and excludes the outer maritime area.



May enter into **pre-application consultation** [S.247 of the 2000 Act] with an applicant who has an interest in the nearshore area and has obtained a MAC or foreshore lease or licence.  
(CPA may liaise with MARA in order to verify the applicant's interest in the nearshore area.)



Determine **planning applications** for developments\* within its functional area.

\* Developments that are either wholly in the nearshore area, or partly on the nearshore of that CPA and partly on land.



Issue **declarations** on development and exempted development [S.5 of the 2000 Act] within its functional area.

[Note the CPA may refer any question under S.5 to ACP.]

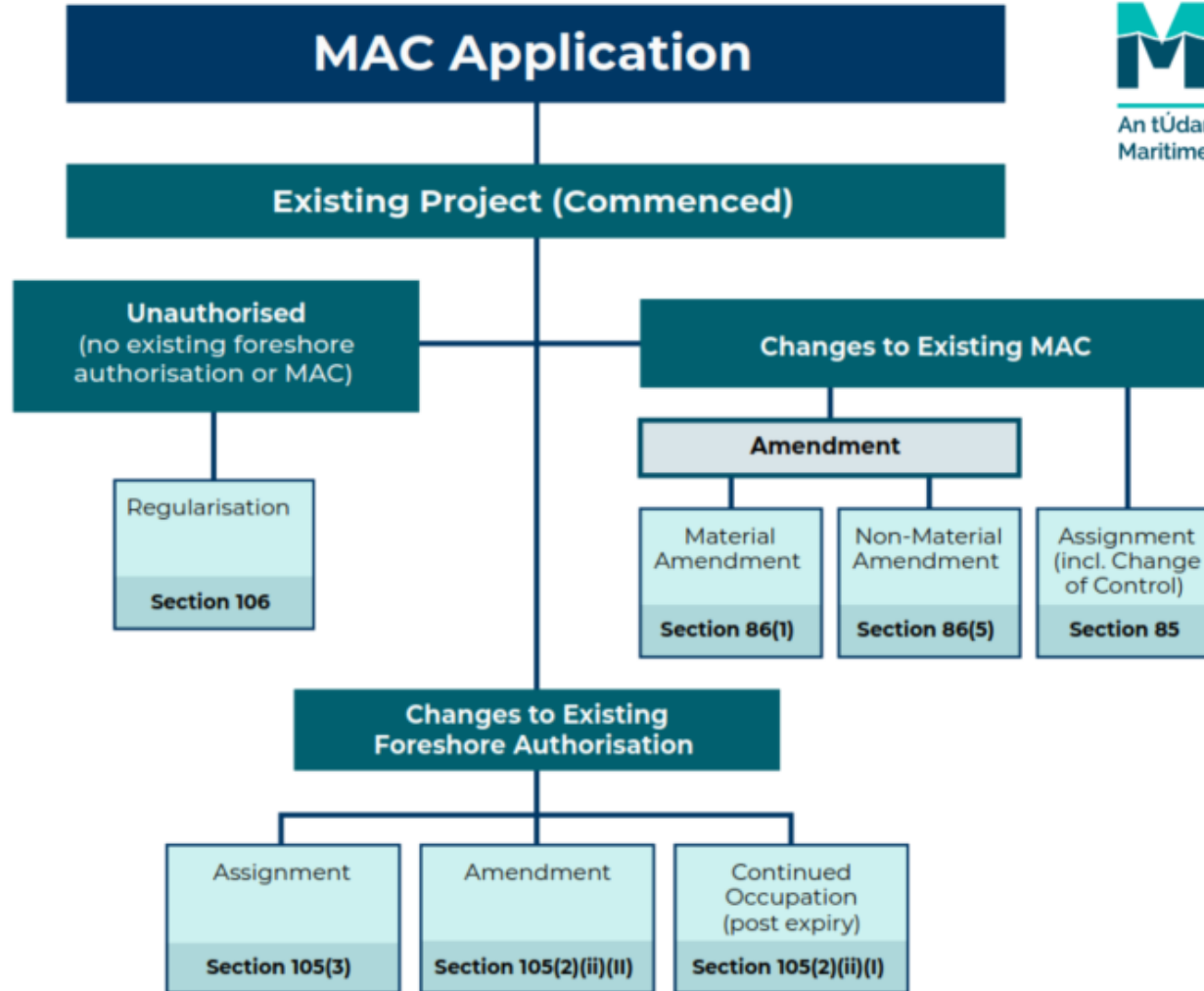


Responsible for **compliance** oversight and **enforcement** of planning permission.

Responsible for enforcement of **unauthorised development** within the nearshore area.

# Indicative Process Flowchart 3

## MAC Application Existing Project



Note: All references to Sections relate to the Maritime Area Planning Act 2021, as amended.

# Transitional Provisions

## Foreshore Authorisation

- MAC- Section105
  - amendments;
  - continue to occupy after expiration of foreshore authorisation; and
  - transfer.

## Unauthorised Maritime Usages

- MAC- Section106;
  - Sunset Clause (17 July 2028) to apply for regularisation

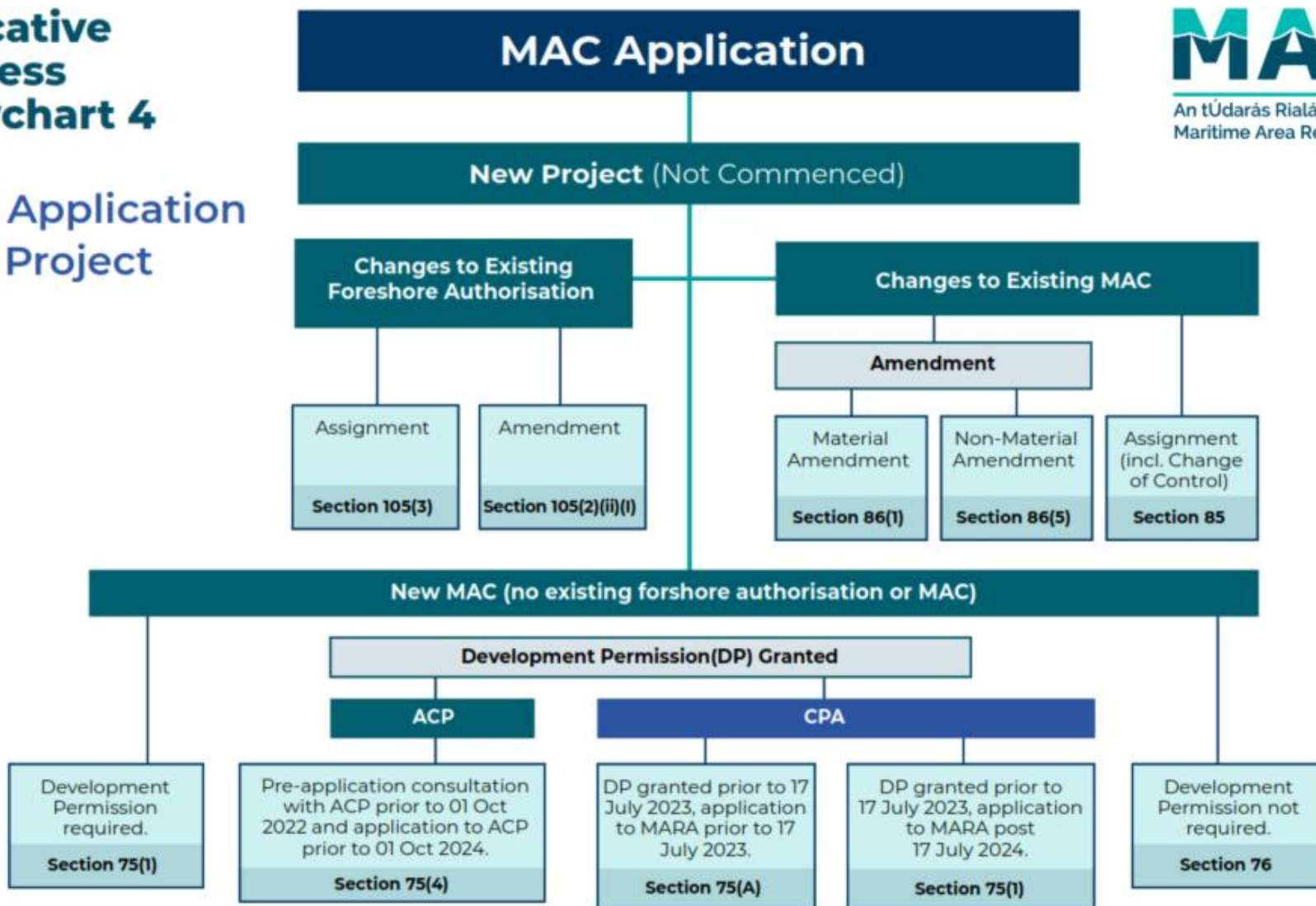
## Retrospective MACs

- Section 75(4) – ABP Applications
  - ABP pre-app consult before Oct 2022
  - Applications to MARA within 2 years of planning consent
- Section-75A – CLA Applications
  - Applications to MARA by 17<sup>th</sup> July 2023



## Indicative Process Flowchart 4

### MAC Application New Project



# Section 76 MAC applications

Maritime usages where development permission not required for example, activities/ development which fall under/ subject to:

- ✔ Exempted under Planning & Development Acts 2000 & 2024
- ✔ Railway Order under Section 37 of the Transport (Railway Infrastructure) Act 2001
- ✔ Section 51 Roads Act 1993 approval
- ✔ Arterial Drainage Act 1945 approval

# Section 5 Declarations: Exempt Development [2000 Act]

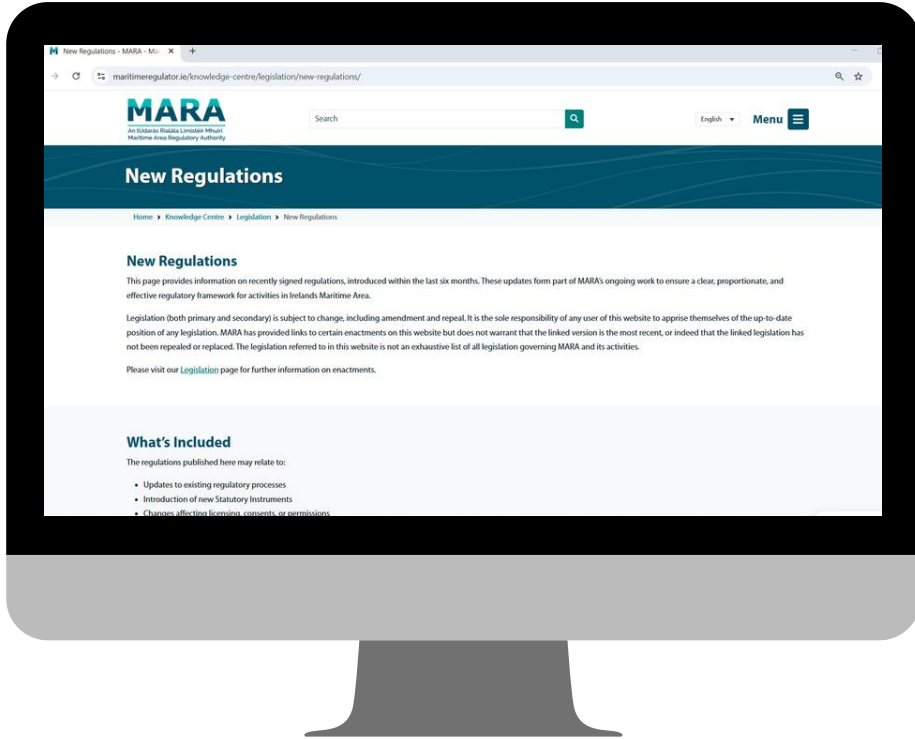


A MAC is **not** required to be in place prior to a prospective applicant seeking a S. 5 declaration from the CPA / ACP.



On issue of a S.5 declaration of exempted development by the CPA/ ACP, the applicant will need to apply to MARA for a MAC under the MAP Act. [S.79 on the basis of S.76].

# Recent Regulations and CPAs



Recent Regulation Updates are added to the MARA Website

## Recent Updates

S.I. No.  
192/2026

**Maritime Area Planning (Emergency Works) Regulations 2026**  
Signed: 29th April 2026

S.I. No.  
177/2026

**Maritime Area Planning (Section 76) Regulations 2026**  
Signed: 24th April 2026

S.I. No.  
94/2026

**Maritime Area Planning Act 2021 (Fit and Proper Person – Uisce Éireann) Order 2026**  
Signed: 20th March 2026



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