

# ***Maritime Area Regulatory Authority (MARA)***

*Presentation to Marine Ireland Industry Network (MIIN) and the  
Marine Energy Alliance (MEA) Event*

*Wexford, 23<sup>rd</sup> November 2022*



# ***MARA's Functions***

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

*.....Set out in legislation*

- Maritime Area Consents
- Marine licencing for specified activities
- Enforcement of MACs, licences and offshore development consents
- Investigations and prosecutions
- Administration of the existing Foreshore consent portfolio
- Fostering co-operation between regulators of the maritime area



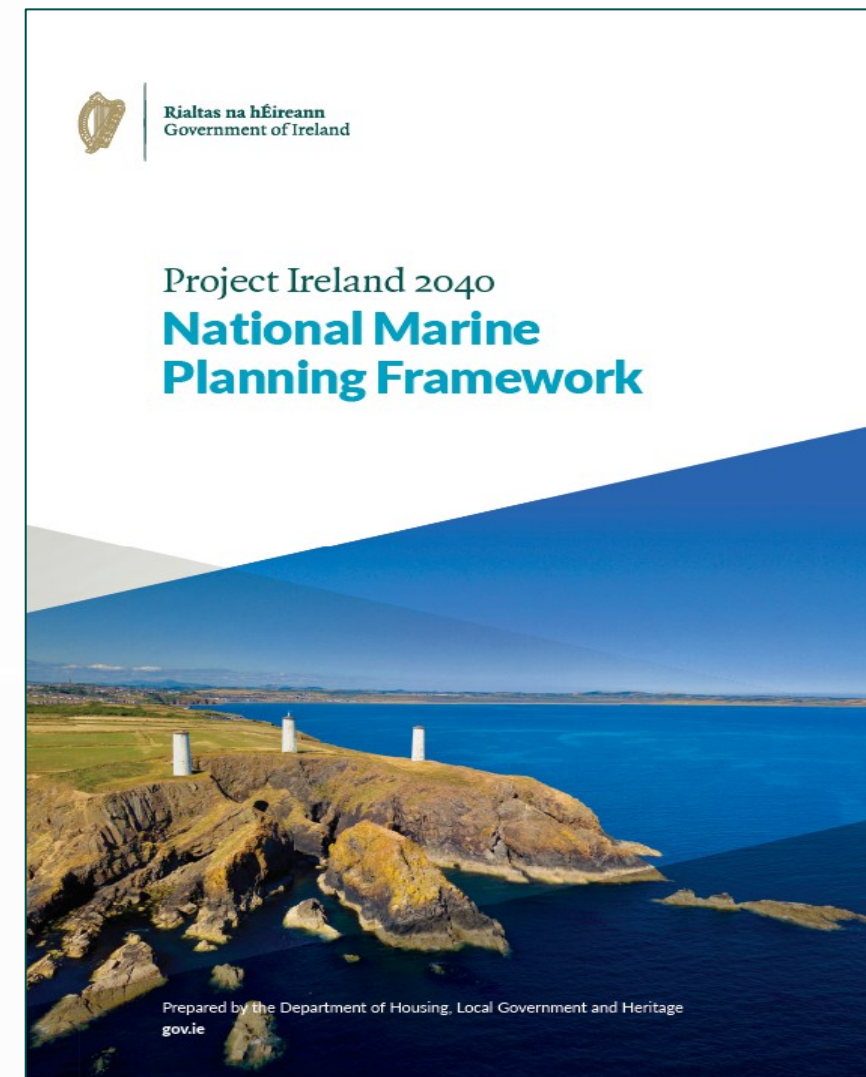
Number 50 of 2021

Maritime Area Planning Act 2021



## *Vision*

*“position MARA as a world class maritime governance agency delivering an exceptional service to, and on behalf of, the people of Ireland....”*

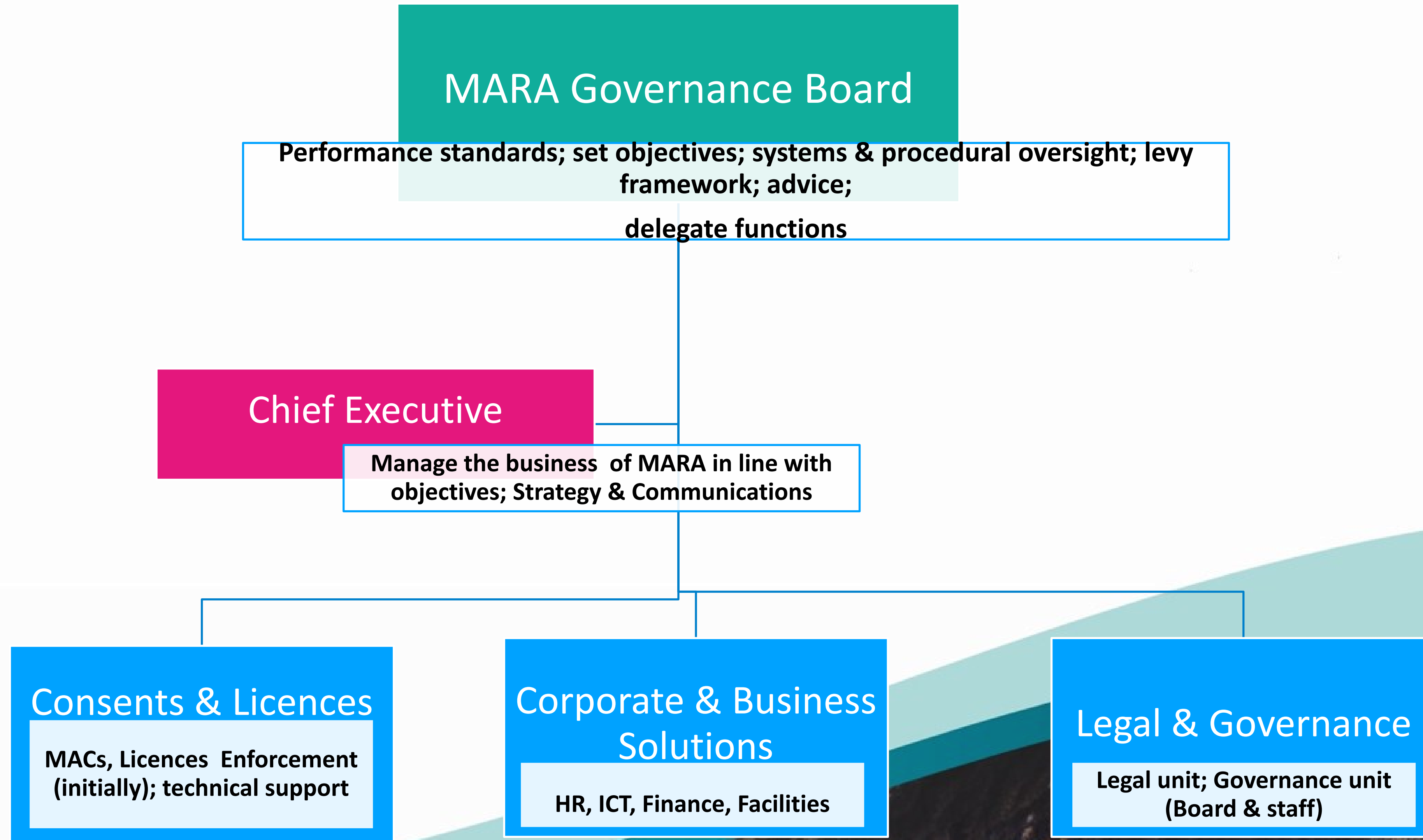




# *‘Realising the vision’*

- High level engagement – e.g. OWT, policy development
- Implementation plan being advanced along three key workstreams:
  - *Governance*
  - *Corporate development*
  - *Operational*

# Organisational Structure



# Update on Governance Workstream

- **Board of MARA** – recruitment of a Chairperson and up to six ordinary members currently being managed by the State Boards Division of PAS. Shortlist of suitably qualified candidates to be submitted to the Minister, with appointments to be made from this list. Relevant Ministers and CCMA will also put forward nominees for the Board.
- **Recruitment for CEO Designate** – process being managed by PAS on behalf of TLAC. Applications closed 20<sup>th</sup> Oct 2022. Role to be filled as a Chief Executive Designate, pending establishment of MARA. Chief Executive Designate to be appointed Chief Executive and report directly to the Board of MARA on establishment.
- **Skills Needs Assessment / Strategic Workforce Planning** currently underway.
- Corporate Governance structures and processes being developed in accordance with the ***Code of Practice for the Governance of State Bodies***.
- **Communications and Stakeholder Engagement Planning** underway.



# Update on Corporate Development Workstream

## Recruitment:

- Continue staff recruitment to MARA Establishment Unit (*Strategic Workforce Plan and Skills Needs Assessment*) on phased priority basis.
- Arrange formal secondment arrangements and secure recruitment licence for MARA.

## Accommodation / Facilities:

- Suitable office space now identified, negotiate lease and secure by year end.
- Configure / design and fit-out premises.
- Put ancillary services and arrangements in place.

## Finance:

- Procure suitable Financial Management System and put in place for Establishment Day.

## Information Communications Technology (ICT):

- Negotiate Service Level Agreement with the OGCIO including Comms Room and facilities fitout.
- IT Unit: Secure and put in place the necessary resources, Hardware / Software and other IT Supports.

# *Operational Workstream - Progress*

- Scoping out requirements for MAC and licence applications;
- Identifying resources required for consenting processes - a mix of in-house expertise supported by external consultants - the first of three tenders will be published shortly;
- Contributing to the SRMMI project – single-point entry marine management system which is led by DHLGH;
- Engage with a range of stakeholders including Government Departments, planning authorities, agencies and representative groups;
- Working closely with Foreshore Unit in DHLGH developing plan for the transition;
- Engaging with similar consenting authorities in other jurisdictions – best practice & lessons learned;



# *New consenting regime*

## *Maritime Area Consent (MAC)*

- Manages the relationship between the State and the Holder – *“right to occupy”*
- Gateway into the planning system – required in advance of applying for development permission
- Not environmental decision-making (*MARA are not required to undertake screening for AA or EIA*)
- No consultations
- Not a lease
- MARA to determine a MAC application within 90 days
- Levy framework for different classes of MACs

## ***MAC Assessment Criteria (schedule 5)***

- Nature, scope and duration of the occupation
- Whether the usage is in the public interest ?
- Location and spatial extent
- Consistent with NMPF & Ministerial Guidelines (*section 7*)
- ***Fit and proper person [schedule 2]***
- Tax compliant
- Extent and nature of preparatory work undertaken
- The level of stakeholder engagement
- Any additional criteria specified in regulations

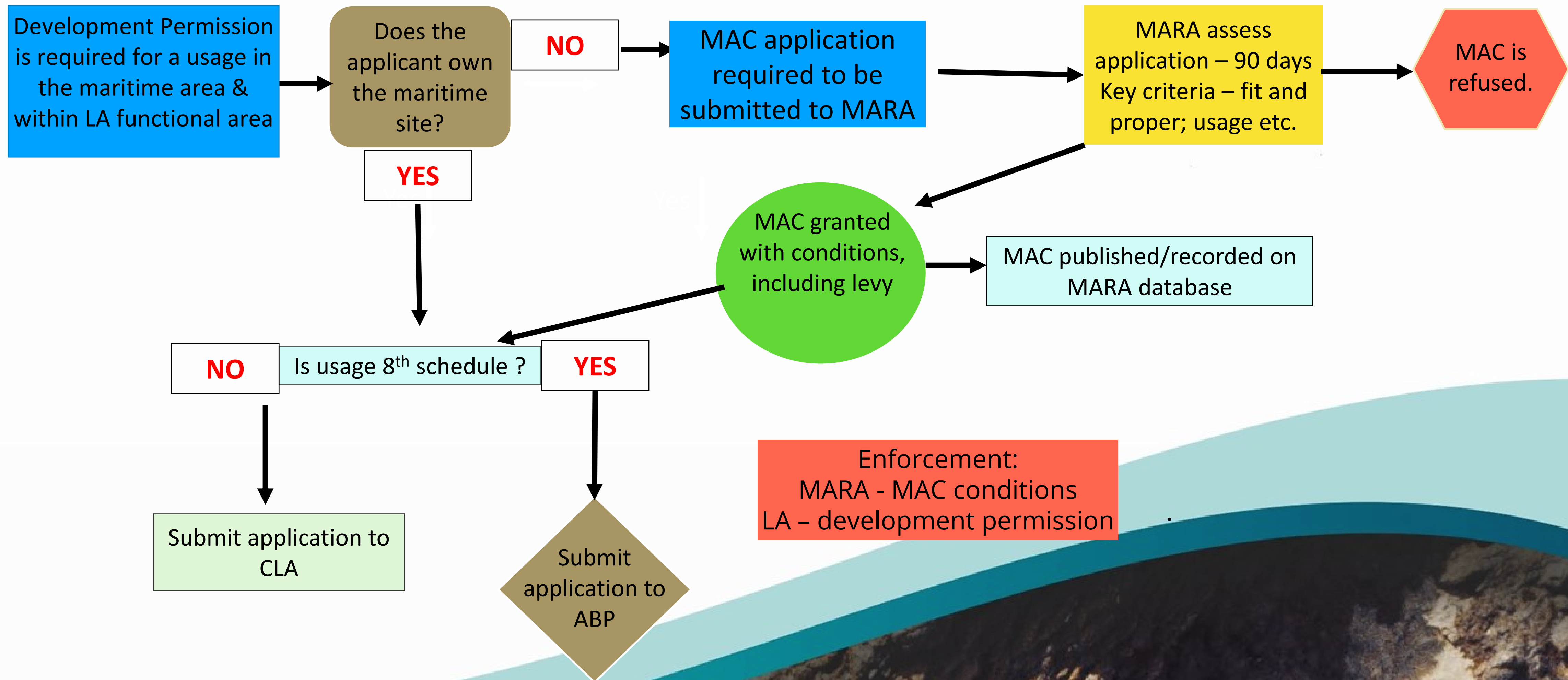


# *Development Permission*

- Terrestrial planning permission regime extended to the entire maritime area, with marine specific considerations
- Planning and Development Act, 2000 amended to establish a framework for assessing development in the maritime area.
- **Local authorities** will examine applications within their own designated “nearshore area” extending a maximum of 3 nautical miles from the shore (*extension of LA functional area*)
- **An Bord Pleanála** will examine applications for:
  - developments wholly located in the outer “maritime area” – offshore developments
  - developments partly located in “maritime” and “nearshore” areas, or/and with land element
  - developments located across more than one LA “nearshore” area
  - **developments of specified scale (as set out in Eighth Schedule of P&D Act) – based on existing Strategic Infrastructure Development process**

# Maritime Area Consent (MAC) Process

## Development within CLA functional area – ‘Nearshore’

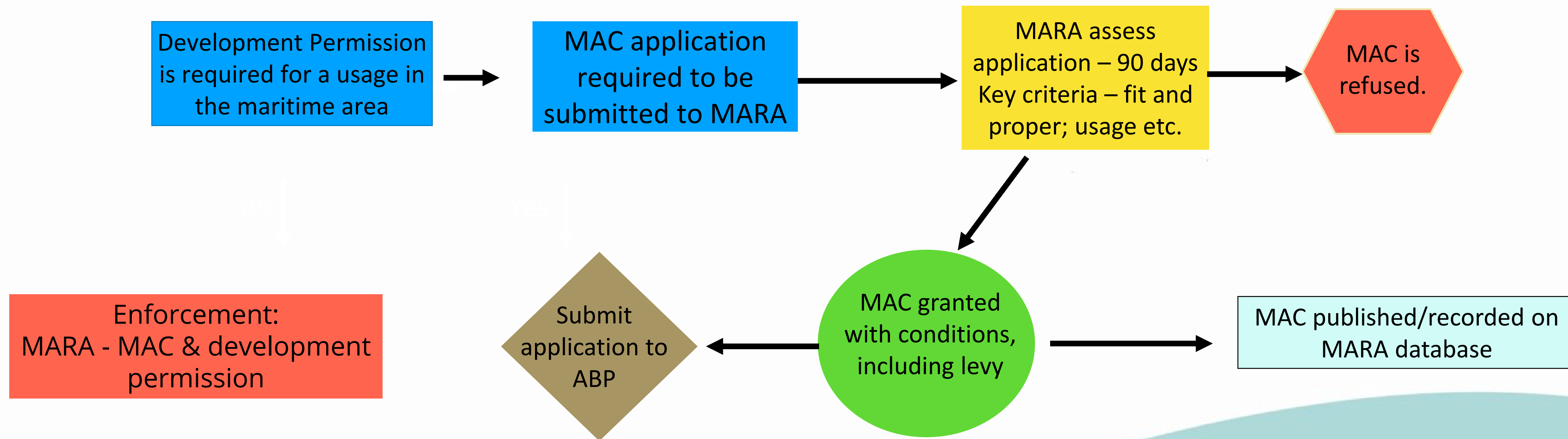


Enforcement:  
MARA - MAC conditions  
LA – development permission



## *Maritime Area Consent (MAC) Process*

*– Outer Maritime Area (offshore), partly in nearshore & offshore, or located across more than one LA nearshore area*

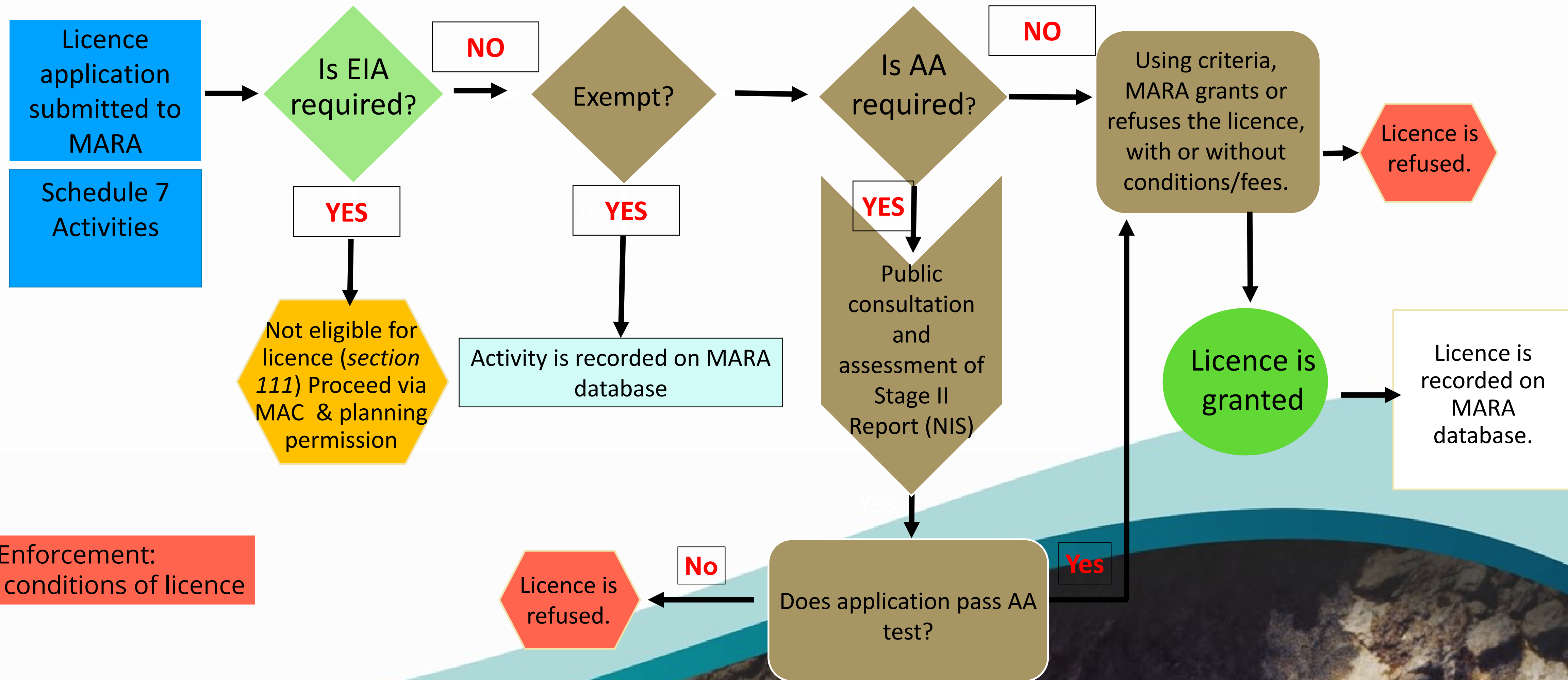


# Maritime Usages subject to licence (schedule 7)

- Dredging (not related to development)
- Marine environmental surveys for
  - *the purposes of scientific discovery or research*
  - *the purposes of site investigation or in support of an application under Part XXI of PDA*
- Installation of navigational markers/ moorings/ aids to navigation not undertaken by the Commissioners of Irish Lights
- Installation of non-permanent platforms or pontoons
- Depositing of any substance or object on or in the sea or seabed
- Removal of any substance or object from the sea or seabed
- Use of explosives
- Maintenance of any cable, pipeline, oil, gas or carbon storage facility / structure not provided for under any other statutory approval
- The harvesting of seaweed
- Any other activity that the Minister may determine (including events and leisure activities where required) – by regulations



# MARA Licencing Process





Rialtas na hÉireann  
Government of Ireland

# Thank You for listening.

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