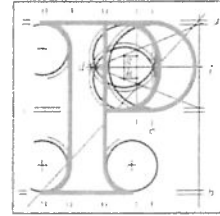


Our Case Number: ACP-324410-26



An
Coimisiún
Pleanála

Maritime Area Regulatory Authority (MARA)
c/o Jennifer O'Connor
2nd Floor, Menapia House
Drinagh Business Park
Drinagh
Co. Wexford
Y35 RF29

Date: 31 July 2026

Re: Proposed West Clare Railway Greenway Section 1: Kilrush to Kilkee Project
Kilrush to Kilkee via Moyasta, Co. Clare

Dear Sir / Madam,

An Coimisiún Pleanála has received your recent submission in relation to the above-mentioned proposed road development and will take it into consideration in its determination of the matter.

Please note that the proposed road development shall not be carried out unless the Commission has approved it or approved it with modifications.

If you have any queries in relation to this matter, please contact the undersigned officer of the Commission at laps@pleanala.ie.

Please quote the above-mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

Yours faithfully,


Kevin McGettigan
Executive Officer
Direct Line: 01-8737263

HA02C

Teil
Glao Áitiúil
Láithreán Gréasáin
Ríomhphost

Tel
LoCall
Website
Email

(01) 858 8100
1800 275 175
www.pleanala.ie
communications@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Muirin Gowen

From: SIDS
Sent: Wednesday 29 July 2026 11:25
To: LAPS
Cc: Kevin McGettigan
Subject: FW: Clare Co Co - REF: HA03.324410
Attachments: MARA Submission Clare Greenway Project.pdf

From: MARA Consultation <consultation@mara.gov.ie>

Sent: Wednesday 29 July 2026 09:37

To: SIDS <sids@pleanala.ie>

Subject: Clare Co Co - REF: HA03.324410

You don't often get email from consultation@mara.gov.ie. [Learn why this is important](#)

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Good Morning,

I refer to the above and attach herewith submission on behalf of The Maritime Area Regulatory Authority (MARA).

I would be obliged if you could acknowledge receipt of same.

Kind Regards,

Jennifer.

Jennifer O' Connor
Planning Advisory Analyst
MUL & Planning Advisory Directorate

T: +353 (0)53 910 5756 **E:** jennifer.oconnor@mara.gov.ie
W: www.maritimeregulator.ie

An tÚdarás Rialála Limistéir Mhuirí
An Dara Urlár, Teach Menapia, Páirc Ghnó Dhraighneach, Draighneach, Loch Garman, Y35RF29

Maritime Area Regulatory Authority
2nd Floor, Menapia House, Drinagh Business Park, Drinagh, Wexford, Y35RF29

MARA
An tÚdarás Rialála Limistéir Mhuirí
Maritime Area Regulatory Authority

Strategic Infrastructure Division,
An Coimisiún Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902.

Date: 29th July 2026

Your Reference: HA03.324410

Re: Application by Clare County Council to An Coimisiún Pleanála for approval under the Roads Act, 1993 (as amended) of the West Clare Railway Greenway-Section 1: Kilrush to Kilkee.

Dear Sir/Madam,

We acknowledge receipt of the Prescribed Notice under Section 51(3) (b) of the Roads Act, 1993 (as amended) from Clare County Council, received by the Maritime Area Regulatory Authority (MARA), on the 02/07/2026 in relation to the proposed roads project known as; *the West Clare Railway Greenway-Section 1: Kilrush to Kilkee*. Clare County Council is currently progressing Section 1 of the West Clare Railway Greenway project which will provide a recreational greenway (for walking and cycling) between the towns of Kilrush and Kilkee, generally following the route of the former West Clare Railway, where feasible. Following this public consultation, the Phase 2 Options Selection process will conclude with the identification of the Preferred Route Corridor.

MARA as a prescribed body

The Maritime Area Regulatory Authority (MARA) welcomes the notification of the proposed project at this stage of the process. MARA is a prescribed body for all maritime development 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.

As you may be aware MARA's functions, are set out under the Maritime Area Planning Act, 2021, (MAP Act) 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. Our comments herein relate only to development within the maritime area. It is important to note that for developments that are approved under the Roads Act (1933) such as the proposed greenway project MARA is not a development consent authority and therefore, does not have remit for the assessment and evaluation of matters in relation to a development consent application. An Coimisiún Pleanála is the relevant authority with responsibility for environmental assessment and evaluation.

address:

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

Furthermore, our comments should not be interpreted as inferring any aspect of assessment of the project which is the remit of An Coimisiún Pleanála and the Minister respectively. Therefore, the elements of the project which are above the high water mark (HWM) are not within MARA's functions and therefore our comments included herein should not be interpreted to refer to any of the project above the high water mark.

Maritime Area Consent (MAC)

The proposed project involves a substantial site area much of which is terrestrial and not within the maritime area. Section 1 is approximately 15.2km long and predominantly follows the route of the former West Clare Railway corridor. The proposed development will intersect a number of local roads along the route where crossings will be provided. A trailhead will be provided in Kilrush adjacent to the Marina in lands owned by Clare County Council. A smaller trailhead / car park will be provided at Moyasta.

However, the proposed greenway route appears to include small sections of the Maritime Area at Poulsharry Bay and along the approach to Moyasta, and from Moyasta to Lisdeen. The application proposal includes 6 no. bridges (one of which is an existing rail bridge at Moyasta which is within the maritime area), and work to culverts etc. The route runs along the coast around Poulnisherry Bay, from Kilrush, through Moyasta and onto Blackweir Bridge. Between Blackweir Bridge and Kilkee, the route travels inland and follows the railway corridor. This area is surrounded by farmland and Poulnisherry Bay, that is a large intertidal area which is part of the Shannon Estuary. The proposed development will also cross a number of minor watercourses and ditches. The most significant watercourse crossing is at Moyasta Bridge where there is an existing railway crossing the river over a large steel. The project is at a preliminary consultation stage and subsequently it is noted that there are presently no Maritime Area Consents to hand for the proposed route corridor. MARA understands that the Council is currently engaged in seeking to compulsory purchase relevant sections of the proposed greenway.

As you may be aware there is in general a requirement, by virtue of the Maritime Area Planning Act 2021, for a Maritime Area Consent (MAC) for the occupation of the maritime area, however Schedule 3 & 4 of the MAPA Act precludes MARA for consenting a MAC over privately owned maritime area. In the absence of compulsory purchasing the maritime area, the requirement to be the holder of a MAC prior to occupation of any State-owned maritime area associated with the development will remain.

A MAC if required will specify the permitted maritime usage and accordingly, the subsequent planning application and approval should only consider this usage. The MAC specifies the spatial representation (map) of the consent area. Accordingly, the MAC and the planning application are required to reflect the same spatial extent (save for any potential private maritime area excluded from the MAC application by reference to Section 3 and 4 of the MAP Act.) 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.

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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.

Compliance and Enforcement

MARA has statutory responsibility for ensuring compliance with a development permission granted in respect of the maritime usage the subject of the relevant maritime area consent. It is important to make the distinction that MARA is not a development consent authority, and therefore, does not have remit for the assessment and evaluation of matters in relation to the development consent application.

Decommissioning and Rehabilitation

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 purpose of the Rehabilitation Schedule is to assist in the effective management of State Resources. Section 96(4) of the Act specifies the particulars that should be included in a rehabilitation schedule and sets out how the Applicant will discharge their rehabilitation obligations.

The Rehabilitation Schedule should set out particulars of how the applicant, if granted, will discharge their obligation under *Section 96 (1)*. The rehabilitation schedule shall include particulars of the following;

- a) the proposed programme of rehabilitation;
- b) the proposed date, or the occurrence of the event, on which the programme will start to be implemented and (if no ongoing maintenance is required by the programme) the proposed date on which the programme will have been fully implemented;
- c) the estimated costs of the programme;
- d) the expected timelines for applying for and obtaining the other authorisations referred to in subsection (3) required in order to enable the applicant to discharge that obligation.

Where a MAC is consented under Section 76 of the MAP Act, it shall include a rehabilitation schedule which MARA is responsible for reviewing and the subsequent approval of.

Relevant Maritime Area Consents:

Maritime usage Licences (MULs): The MAP Act requires MARA to licence marine usage activities as specified in Schedule 7 of the MAP Act, (not being a maritime usage which requires

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Maritime Area Regulatory Authority

development permission). MARA cannot issue a MUL for which an Environmental Impact Assessment (EIA) is required. Where an EIA is required, a MAC must be applied for. MARA undertakes an appropriate assessment screening on all applications for a MUL and an appropriate assessment where required.

Active Marine Usage Licences (MULs) in the vicinity are as follows;

MUL240033 granted to Uisce Eireann '*to conduct surveys to support a strategic modelling study of water currents within Galway Bay and the exposed coast extending northwest to Roundstone, County Galway and southwest to Loop Head Lighthouse, County Clare*'. The license is active from the 22/04/2026 and has a term of 5 years.

MACs: MARA note that there are no other existing Maritime Area Consents (MACS) currently on hand in the immediate vicinity of Section 1 of the proposed greenway route.

Foreshore Consents

The following Foreshore Consents may also be of relevance for your consideration;

Ref Number; **FS004868**-granted to Link Houses Limited for the '*Laying, maintaining and using and a suction pipe & a return pipe in connection with installation swimming pool at Royal Marine Hotel, Kilkee*' for a term of 99 years until 2073.

Ref Number; **FS004042**-granted to Clare County Council for the '*purpose of widening of breakwater slip, provision & installation of an electric winch, raising of the breakwater storm and provision of a boat storage area*' for a term of 99 years until 2073.

Ref Number; **FS004833** -granted to Kilrush Town Council for the '*laying, using & maintaining a sewer outfall pipe*' for a term of 99 years until 2080.

To assist in the cumulative assessment of the Roads Act approval the following links to Maritime Area Consents, Maritime Usage Licences and Foreshore Act Consents may also be of relevance for your consideration;

- MAC and MUL applications can be found here; [Applications & Determinations - MARA - Maritime Area Regulatory Authority](#).
- Foreshore notices can be found here; [Search Foreshore Notices](#)

Further advice and guidance on any of the above can be found on MARA's website; [MARA - Maritime Area Regulatory Authority](#). A consultation by the Maritime Area Regulatory Authority under this section shall not prejudice the performance by it of any of its other functions. If you have any queries or require further information in relation to this matter, please contact the undersigned in the MUL & Planning Advisory Directorate of MARA directly. I would be grateful if

address:

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website:

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Maritime Area Regulatory Authority

receipt of this correspondence, could be formally acknowledged by email to the following consultation@mara.gov.ie.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Niamh Lennon", is positioned above a horizontal line.

Niamh Lennon

Senior Marine Planning Advisor

MUL & Planning Advisory Directorate

address:

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