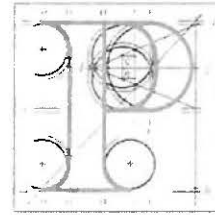


Our Case Number: PA0033



**An
Bord
Pleanála**

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

Date: 06 February 2025

Re: Galway Harbour Extension
Renmore and Townparks Townlands, Galway

Dear Sir / Madam,

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

The Board will revert to you in due course in respect of this matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of the local authority and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: www.pleanala.ie.

If you have any queries in the meantime please contact the undersigned officer of the Board. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Lauren Griffin
Executive Officer
Direct Line: 01-8737244

PA09

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Riomhphost

Tel
LoCall
Fax
Website
Email

(01) 858 8100
1800 275 175
(01) 872 2684
www.pleanala.ie
bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Lauren Griffin

From: Lauren Griffin
Sent: Thursday 6 February 2025 15:25
To: consultation@mara.gov.ie
Subject: RE: ABP Ref: PA61.PA0033 Galway Harbour Extension

A Chara,

The Board acknowledges receipt of your email, official correspondence will issue in due course.

Kind regards,

Lauren

From: MARA Consultation <consultation@mara.gov.ie>
Sent: Wednesday 5 February 2025 10:16
To: Bord <bord@pleanala.ie>
Cc: LAPS <laps@pleanala.ie>
Subject: ABP Ref: PA61.PA0033 Galway Harbour Extension

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 Maritime Area Regulatory Authority.

ABP Ref: PA61.PA0033 Galway Harbour Extension S.37E P&D Act, (SID) application

I would be obliged if you could acknowledge receipt of same to consultation@mara.gov.ie.

Kind Regards,

Niamh Lennon

Senior Marine Advisor Planner
Assessment, Research and Data

An tÚdarás Rialála Limistéir Mhuirí (MARA)

Maritime Area Regulatory Authority

**An Dara hUrlár, Teach Menapia, Páirc Gnó Dhraighní,
Draighneach, Loch Garman, Y35RF29.**

2nd Floor, Menapia House, Drinagh Business Park,
Drinagh, Wexford, Y35RF29.

Tel: 053 910 5748 Mobile: 086 203 7022

Email: Niamh.Lenon@mara.gov.ie

www.maritimeregulator.ie

MARA

An tÚdarás Rialála Limistéir Mhuiri
Maritime Area Regulatory Authority



An tÚdarás Rialála Limistéir Mhuiri
Maritime Area Regulatory Authority

Marine/Climate Section
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902
marineobs@pleanala.ie

Date: 05th February, 2025

An Bord Pleanála Case Reference: PA61.PA00330

Re: Application for extension of Galway Harbour at Renmore and Townparks Townlands and on lands to be reclaimed from the foreshore and the sea in Galway Bay to the south of the existing Galway Harbour Enterprise Park, which contains a Seveso site, under Section 37F(1)(a) of the Planning and Development Act (2000, as amended) from Tobin Consulting Engineers on behalf of Galway Harbour Company.

Dear Sir/Madam,

We acknowledge receipt of the notice of Further Information to An Bord Pleanála from Tobin Consulting Engineers, dated 6th December 2024, in relation to the above application PA0033 from Galway Harbour Company.

The planning permission is being sought for the development of an extension of Galway Harbour at Renmore and Townparks Townlands and on lands to be reclaimed from the foreshore and the sea in Galway Bay to the south of the existing Galway Harbour Enterprise Park, which contains a Seveso site. The works will include re-development of some of the land at Galway Harbour Enterprise Park. The proposed development will include the relocation of the majority of the existing harbour related activities and businesses from the existing dock area to the new deep water berths, quays, jetties and yards to be located at the harbour extension.

The Maritime Area Regulatory Authority (MARA) welcomes the opportunity to submit our views on the planning application at this stage of the process. MARA is a prescribed body, by virtue of Section 279A of the Planning and Development Act 2000 (as amended), and for the purposes of Chapter III of Part XXI as set out in Schedule 1 of the Planning and Development (Maritime Development) Regulations, 2023.

MARA's functions extend to the entire 'maritime area' which shall be construed in accordance with Section 3 of the Maritime Area Planning Act 2021 (MAP Act), being from high water of ordinary or medium tides to the outer limit of the continental shelf,

address:

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

email:

info@mara.gov.ie

website:

www.maritimeregulator.ie

encompassing the State's territorial seas and Exclusive Economic Zone. Our comments therefore relate only to development within the maritime area. Furthermore, our comments should not be interpreted as inferring any aspect of assessment of the planning application.

Requirement for a Maritime Area Consent:

MARA wish to highlight the legislative requirement under Section 75(4)(c) of the MAP Act 2021, for the applicant to make a maritime area consent (MAC) application before the 2nd anniversary of the date of the grant of the permission concerned.

Maritime Area Consent

Section 278A of the Planning and Development Act, 2000 (as amended), disapplies the requirement for a maritime area consent (MAC) for strategic infrastructure development where the prospective applicant entered into pre-application consultations with the Board before 1st October 2022. This provision seeks to ensure projects that entered the planning system under section 37B of the PDA prior to the commencement of Part XXI, which introduced the requirement for a MAC, can continue in that consent process notwithstanding the introduction of a new marine planning regime. This exemption is applicable only to strategic infrastructure development where the subsequent application for development consent has been made before 1st October 2024. This will ensure that where the application has not been completed within the required timeframes, the obligations under the new maritime planning regime will apply. As provided by section 75(4)(c) of Maritime Area Planning Act 2021, a MAC application shall be made before the 2nd anniversary of the date of the grant of the permission concerned.

MAC Application and Boundary

MARA seek to highlight the MAC boundary shall encompass all aspects of the proposed development within the maritime area, including all construction, operation, maintenance, rehabilitation works and activities associated with the project. In the event of a grant of permission the applicant would be advised to familiarise themselves with the MAC application process and guidance available on MARA's website. MARA also facilitate non statutory pre application meetings to advise on the MAC process and application requirements.

Criteria for assessing the MAC

Under Section 81 of the MAP Act, 2021, MARA shall in determining a MAC application have regard to the criteria specified in Schedule 5, in so far as such criteria are relevant to the occupation of the part of the maritime area the subject of the application for the purposes of the undertaking of the proposed maritime sage the subject of the application.

address:

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

email:

info@mara.gov.ie

website:

www.maritimeregulator.ie

Rehabilitation Schedule:

A programme of monitoring of infrastructure within the maritime area is important to ensure stability and long term safety for users of infrastructure and maritime area and should form part of the application particulars and consent.

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. An Bord Pleanála should be cognisant, in their assessment of any future decommissioning plan, of the long term implications to the State of leaving structures or materials in situ. The management of the State's maritime area is the responsibility for MARA.

In consideration of a 'Rehabilitation Schedule', and to ensure a full and comprehensive assessment, An Bord Pleanála are minded to consider the options outlined in Section 96(2) of the Maritime Area Planning Act 2021;

- the decommissioning of infrastructure;
- the full removal of all infrastructure;
- the partial removal of infrastructure;
- the re-use of infrastructure for the same or another purpose;
- the burying or encasing of infrastructure;
- the removal of any deposited or waste material.

Of relevance in relation to the scope of Maritime Area Consents is Section 2(3) of the MAP Act, 2021, which states 'A reference in this Act to a MAC includes—(a) the maritime usage the subject of the MAC', and the definition in the MAP Act, for "maritime usage", in relation to the maritime area, means any activity, operation, works or development undertaken in that area for any purpose (including conservation), and includes -

(a) the construction or use, or both, of any infrastructure in that area associated with, or otherwise supporting, the activity, operation, works or development, and

(b) the maintenance of such infrastructure, and references in this Act to "proposed maritime usage" shall be construed accordingly;

Maritime usage Licence (MUL)

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 development permission).

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.

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

address:

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

email:

info@mara.gov.ie

website:

www.maritimeregulator.ie

MARA

An tÚdarás Rialála Limistéir Mhuiri
Maritime Area Regulatory Authority

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

Yours sincerely,



Niamh Lennon

Senior Marine Advisor Planner
Assessment, Research and Data Unit

address:

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

email:

info@mara.gov.ie

website:

www.maritimeregulator.ie