

Final Determination Memo	
Application for a Maritime Area Consent (MAC) under Section 79 of Maritime Area Planning Act 2021 (the Act)	
Application Details	
MAC Applicant:	Limerick City & County Council
MAC Reference No:	MAC20240001
Date Application received:	21 February 2025
Proposed Maritime Usage:	Limerick City & County Council has applied for a MAC under Section 79 of the MAP Act. The proposed works relate to a flood relief scheme including riverbank defences, sluice upgrades, road raising, railway raising, floating dock and vegetation clearance in the river channel.
Recommendation:	To Grant, with conditions, the MAC sought.
Permitted Maritime Usage:	The construction, use, operation and maintenance of a flood relief scheme and floating dock including all associated decommissioning, demolition, rehabilitation, and any other works required on foot of any development permission relating to the infrastructure.

Document Control		
Prepared By:	Karen McCluskey, Analyst, MAC Directorate	25/03/2026
Reviewed & approved by:	Jacinta Ponzi, Head of MAC Directorate	26/03/2026
Final, Version 1	Karen McCluskey, Analyst, MAC Directorate	26/03/2026

A minded to notice issued to Limerick City & County Council under Section 81(7)(b) on 06 March 2026 informing Limerick City & County Council that MARA was minded to grant a MAC subject to the conditions attached to the MAC. A copy of the draft MAC and reasons for the conditions attached were also furnished to the applicant within the notice.

The Applicant responded to the minded to notice by email on 24 March 2026, confirming that Limerick City & County Council do not intend to submit supplementary material.

Clarifications

Limerick City & Council requested clarification in their email dated 24 March 2026 as follows:

1. Insurance Requirements

We note the detailed insurance provisions outlined in Condition 12 of the Proposed MAC and will review these internally to ensure compliance and will update our policy accordingly.

MARA Response

MARA notes Limerick City & County Council's comments on Insurance Requirements.

2. Rehabilitation Requirements – Section 95 / Section 75(5)

We request clarification from MARA on the following matter:

Whether, at the end of the 55 year MAC term, a new MAC would be required in order to continue operation and maintenance of the sluices and associated foreshore infrastructure.

The MAC Report (Section 6.2) refers to attaching a Rehabilitation Schedule to the subsequent Development Permission application. Limerick City and County Council would welcome confirmation that the Rehabilitation Schedule associated with development permission will satisfy the obligations under Condition 14 of the Proposed MAC.

In other words:

- *What is the intended long term regulatory pathway? Are we required to rehabilitate/remove the works at year 55, or is the expectation that we will secure a new MAC to continue operating the permanent infrastructure located in the foreshore?*
- *Will the Rehabilitation Schedule attached to the planning permission fully meet MARA's requirements under Condition 14?*

MARA Response

At the end of the MAC term, the MAC Holder's right to occupy will cease. Accordingly, the MAC Holder will require a further authorisation should they wish to continue to occupy the proposed MAC area.

When a MAC is granted under Section 75(1) of the Maritime Area Planning Act 2021, as amended, the MAC Holder will have to comply with Condition 14 in full which will satisfy MARA's requirement in that respect. Section 97 of the Act applies to any Rehabilitation Schedule.

3. Minor Corrections Identified

a. In the MAC Report, the programme reference to "Post Q4 2027" should read "Post Q2 2030."

The following project timelines have been estimated by Limerick & City County Council:

Planning/Development Consent	22 February 2024 to 02 March 2027
Detailed Design	03 March 2027 to 27 July 2027
Contract Documents Preparation & Procurement	14 July 2027 to 16 November 2027
Tender Stage	21 September 2027 to 16 November 2027
Construction Stage	January 2028 to 16 January 2030
Operation / Rehabilitation / Decommissioning	Post Q4 2027

b. Photos taken within Adare Manor have been incorrectly labelled as Area I; these should be labelled Area G or Area H.

MARA Response

a. We note from your response dated 03 December 2025, to our Request for Additional Information dated 29 October 2025, the following table was provided;

B. Provide a breakdown of the proposed timeframe for each project phase, such as planning, construction, operation, decommissioning and/or rehabilitation.

Planning/Development Consent - 22 February 2024 to 02 March 2027
Detailed Design - 03 March 2027 to 27 July 2027
Contract Documents Preparation & Procurement - 14 July 2027 to 16 November 2027
Tender Stage - 21 September 2027 to 16 November 2027
Construction Stage - January 2028 to 16 January 2030
Operation/Rehabilitation/Decommissioning - Post Q4 2027

b. The site visit was conducted on 30 October 2025 and the areas were photographed and referenced as per the Applicant's original proposed MAC Map. The Applicant updated the proposed MAC Map on 03 December 2025, in response to Request for Additional Information dated 29 October 2025 and excluded privately owned Freehold Land (*Figure 1 in MAC Report*). The references were not updated on the Photographs in the MAC Report to reflect the revised areas in the subsequent proposed MAC Map dated 03 December 2025. The correct references are as follows;

- i. Photograph 6 – refers to area F
- ii. Photograph 8 – refers to area G
- iii. Photograph 9 – refers to area H
- iv. Photograph 10 – refers to area H

Accordingly, it is recommended to issue a final determination notice, as enclosed, in relation to the above application in accordance with Section 81(3) of the Act. It is recommended to finalise the enclosed MAC with conditions and reasons attached thereto, as per the draft MAC and reasons as set out in the minded to notice.

Signed: Karen McCuskey

Date: 25 March 2026