

Marine Spatial Planning Stakeholder Advisory Group

Report of Twelfth Meeting held virtually at 11am-1pm on 8th December 2021

1. Welcome and Introduction

Minister Burke welcomed members to the twelfth meeting of the MSP Advisory Group meeting. The eleventh meeting took place on 23rd February 2021. This meeting is the fourth online meeting of the Advisory Group due to continuing restrictions relating to Covid-19, but it is the Minister's hope to be able to meet in person once again in 2022.

The Minister stated that the National Marine Planning Framework (NMPF) and the Maritime Area Planning (MAP) Bill were both published in June 2021. Minister Burke informed the group that the Government officially launched the NMPF at the Commissioners of Irish Lights (CIL) in Dún Laoghaire on 1st July, while the MAP Bill was passed by the Dáil on 1st December, and was then due before the Seanad, with the intention of the Government to enact the Bill before the end of 2021. ***(Note; The MAP Act was subsequently signed into law by the President on the 23rd of December 2021)***

Minister Burke again thanked the members of the Group for their contribution both to the consultation process and the development of the NMPF, noting that he had seen first-hand the benefits of the comprehensive approach to public consultation over a three year period, beginning with the public consultation on the NMPF Baseline Report, and continuing through to the draft NMPF consultation, which involved public town hall events in coastal locations throughout the country.

The Minister noted that the MAP Bill, when enacted, would be the cornerstone of the marine planning system in Ireland, updating and creating provisions to provide a new legal foundation for forward planning, streamlined development management and enforcement. He added that it will also serve as the establishing legislation for the new Maritime Area Regulatory Authority (MARA). The Minister said that implementation of the Act through regulations and change management will begin after enactment, continuing throughout 2022 and beyond.

Minister Burke noted the alternative attendees on the day and apologies from group members who were unable to attend the meeting.

2. Update on the NMPF, the Maritime Area Planning (MAP) Bill and Maritime Area Regulatory Authority (MARA)

Conor McCabe reiterated the Minister's observation that in-person meetings were preferable and expressed the hope they would return during 2022. Conor also informed the group of the new NMPF Policy Handbook, hard copies of which were to be sent out to all members before Christmas 2021, and noted that it would also be available on the Department's website.

Conor stated that the MAP Bill was at the second stage in the Seanad, and would be going to committee stage the following Tuesday, and expressed his belief that it would pass the Seanad stage in the following week. Regarding the establishment of MARA, Conor informed the group that it would be established under the MAP Bill, once enacted, and would be fully operational by Q1 2023. He also outlined milestones on the path to MARA establishment during 2022; for example, the addition of staff to the MARA establishment unit. He noted that an advertisement for Chief Executive Officer to head MARA would also happen during 2022.

Conor also informed the group that as part of Project Ireland 2040, a memo to Government would issue shortly regarding a marine cross governance group to include the Marine Institute, Government Departments and agencies with a remit for the marine. This will be called Project Marine 2040.

In the discussion that followed the following points arose:

- [When would the NMPF be reviewed?](#)

The MAP Bill states that a review of the NMPF must be undertaken in six years, but that it will be reviewed within two years, as new policies emerge across Government, for example in Marine Protected Areas, Ports, etc

- [How the Advisory Group would be involved in the review?](#)

The Advisory Group's work has added huge value and MPPL would like to see it continued throughout the review process

- [How our marine areas will be protected while we wait for Marine Protected Areas to be designated?](#)

The current position on MPAs was outlined, stating that an Expert Group was formed 18 months ago, a report issued in 2021, public consultation replies were

currently being examined and a final report was due shortly. A General Scheme for MPA legislation is due in Q2 2022 with enactment in Q4 2022. It was pointed out that as MPAs are not under the remit of Planning Division, that it may be possible for Richard Cronin from the Marine Environment team to update the next Advisory Group meeting. It was also noted that protections are currently in place under the NMPF, including some 21 policies within that are dedicated to ocean health, putting it at the forefront of marine decision making and applying to every policy across Government.

Marine Planning Advisor Tom Woolley added that 'MPA' is not yet a legislative term in Ireland and that when writing the NMPF it was decided to use the term Protected Marine Areas (PMAs). PMAs cover areas which could be designated as MPAs in the future, based on, and reinforced by, the Birds and Habitats Directive. As designated areas are identified in the interim, PMAs will account for these sites until MPA legislation is enacted.

- [What the role of MARA would be in the identification and designation of MPAs?](#)

MARA would be particularly focused on the licensing sphere, but DHLGH are very interested in the Advisory Group's views on this as marine and environmental regulatory processes are separate – how will they work together in future? The Advisory Group can be involved and any suggestions on better working are welcome.

- [Would the Advisory Group could have a role in designating MPAs?](#)

MARA will be staffed and accepting applications from January 2023. A dedicated team would be put in place to get MARA off the ground. At present, DHLGH are moving as quickly as possible, while keeping the current Foreshore system operational as well. Maria Graham stated that additional resources have been allocated, and that DHLGH are aware of the importance of this major legislative transformation to everyone.

- [Regarding MPA designation, what will happen in the interim to blue carbon features such as blue grass meadows?](#)

Under the MAP Bill, once enacted, DMAPs can be used for ecological purposes. A management plan can be constructed around a species or area. Seagrass outside mapped area does have to be looked at due to the benefits of seagrass for carbon capture. DHLGH identified the need to work closely with NPWS, local groups and

the Marine Environment team to navigate the change effectively, as there was a potential for unintended consequences. Public sector organisations with resources and expertise can apply to the Minister for a DMAP. The application has to go before both Houses of the Oireachtas and once agreed, it will become part of the NMPF as a statutory Marine Spatial Plan. MPPL will publish DMAPs guidelines for proposals in line with NMPF policies.

3. The Marine Spatial Planning (MSP) Digital Tool

Juliet Fitzpatrick gave an overview of the live version of the digital tool, development of which has progressed significantly since the last meeting. Juliet provided a link to the group via the Chat function so that the group could look through the tool in their own time, and informed the group that they were the first to view the new functionality.

In the discussion that followed the following points arose:

- Suggestion put forward to add links to other sites such as MARA on the home page, and advocated further links to the MAP Bill, once enacted, in addition to a link to the list of live Foreshore Applications.

DHLGH are currently liaising with Foreshore colleagues for this Foreshore Application data. DHLGH believe the suggestion of a new segment in the tool for things coming along would be useful, and asked the group to email any further suggestions to msp@housing.gov.ie

- Could the current ORE plan and future sensitivity mapping be integrated into the tool ?

Juliet noted that DMAPs will be added to the tool as they occur. The overall idea behind the tool is that this should be a one stop shop for 'all things Marine' and will link with MARA once that Agency is established. DHLGH stated that the roll-out of the publicly available system would be at the end of January 2022 to coincide with the Marine Area Planning Act **(Note; the MSP Digital Tool was launched in February 2022)**

- Could Search and Rescue assets were listed on the activity map?

Currently not listed, but Juliet stated that DHLGH would welcome the data, which Commissioners of Irish Lights stated they could send on to DHLGH. Juliet also

stated that there are 120 datasets in the tool but DHLGH remain open to suggestions of more sets of relevant information that would enrich the product. DHLGH have huge ambition for this project– which will be under constant review and enhancement over time.

4. ‘Supporting Reform of Marine Management in Ireland’ (SRMMI) project

Presentation by Marine Planning Advisor, Tom Woolley, on the SRMMI project, which is funded by the EU Directorate-General for Structural Reform Support (DG REFORM) through their Technical Support Instrument (TSI). Tom outlined the background, objectives, Governance Structure, Outputs, Timeline and Next Steps of the project. He stated that the first opportunity for input from the Advisory Group will be to feed into the ‘TO-BE’ picture, under the MAP Bill in Q2 2022. For each existing marine management process, e.g. Foreshore, there will be a legislative framework, an administrative system and a process map, and it is hoped that the group can feed into the development of these.

In the discussion that followed the following points arose:

- Would there be a need for case studies, as Coastwatch has a number of projects that may be suitable, for example, case studies on invasive alien species? Also related, but it is sometimes difficult to find out who deals with what in different Departments.

Tom replied that he would raise the idea of examples with the consortium and stated that examples always help to illuminate ideas. A single point of entry for marine matters will help people find who they need and that this project would also enhance the MSP Digital Tool. The project will also highlight gaps that can then be filled, ensuring that citizens can easily find what they are looking for.

- Will this project will recommend changes to existing processes?

The main driver is recognising the existing situation in marine management – then moving to a reformed system under the MAP Bill. Process mapping will help us understand where we are and once we can see that, we will subsequently be able to plot a map to where we want to be. A change strategy will be formulated to get us from A-B, and all views on this are welcome.

5. An overview of OREDP II – Department of Environment, Climate and Communications (DECC)

Martina Hennessy and Lisa Underwood from the Department of Environment, Climate and Communications (DECC), who worked closely with DHLGH on the development of the NMPF and on the MAP Bill, presented an overview of OREDPII, which included ORE Policy context, the rationale for updating OREDP, the Governance Model and the OREDPII Advisory Group.

Lisa outlined National and European policy contexts and commitments and provided an update of some of the work currently underway in order to meet ORE 2030 Targets, including the Map Bill, the new consenting regime and the Pipeline for ORE Projects to progress towards the new Planning System under MARA. In parallel, work to enable a move to a plan led regime in the long term is being progressed and underpinned by OREDP II. The NMPF sets the overarching framework and the MAP Bill sets the legislative framework. OREDP II will involve the assessment of data to identify optimal ORE areas. OREDP II will facilitate the DMAP process; MARA will invite applications for ORE Development within the DMAP context.

Martina informed the group about OREDPII, highlighting data driven assessment, the quantity of offshore potential, identification of areas best suited for ORE Development, the development of a plan to plug critical gaps in data and the SEAs/AAs to be carried out. Martina also explained the governance model which includes a steering group, a core project team, a Data/Scientific working group and an OREDPII Advisory Group. She went on to explain the role of the Advisory Group, saying that it was intended for the group to meet every 6-8 weeks and at key stages in the project. The role of members would be to provide expertise, sectoral input to the overall approach, to provide additional data sources, and finally to review and advise on project recommendations. Martina invited the members of this group to become involved in the OREDPII Advisory Group and said that letters would later issue to interested members to confirm this invitation.

In the discussion that followed the following points arose:

- [Would ecological considerations be taken into account from the start, and does DECC see a link between this, MPA designation and other pressures?](#)

DECC acknowledged the link, and advised they would be building in data from all sectors, such as the NPWS and the Marine Environment team. This will allow for

identification of data capture to plug gaps and drive outcomes. An MPA doesn't necessarily mean an exclusive zone, MPAs can co-exist with other activities – there is a French pilot scheme currently researching windfarms within MPAs. DHLGH noted that OREDP II will lead to DMAPs and inform processes, while reiterating that co-existence is paramount in DMAPs – activities should support one another.

- [Is there a priority to produce guidelines for ecological assessment?](#)

DECC are mindful of a range of guidance documents already published but acknowledge that more work needs to be done to enhance them. DECC are discussing this with other Departments and Agencies in order to devise updated guidelines.

- [Suggestion that the State looks at tidal resources as the technology is moving very quickly and globally leading Irish companies are involved in this development](#)

DECC stated that tidal resources are part of the assessment

- [Noted that floating wind projects may affect surfing in a 30 to 40 mile area – what guidelines are in place regarding such interference?](#)

There are currently only 3 floating devices in the world, just off the coast of Scotland. There is a lack of knowledge regarding disturbance caused by these floating turbines. MRIA responded that this is a highly technical issue but the further out turbines are placed, the less impact there would be on surfing. DECC acknowledged that it is a challenging issue, but planning regulations should take account of the problem and protect surfing. DHLGH were in agreement with this, stating that statutory planning guidelines with public consultation will be carried out over the next few years and this knowledge will be captured.

MRIA pointed out that there are going to be floating wind farms in other jurisdictions, e.g. Norway, and their experiences will feed into lessons learned and guidance documents. DHLGH also pointed out that under the NMPF, developers have to take tourism, sport and recreation into account when planning projects.

- [Are there any plans for State owned renewable infrastructure?](#)

Over the next few years, DECC will analyse options and get stakeholder feedback for an appropriate plan-led regime that will offer the best solution for Ireland.

- Is the proposed annexe floating wind project off the coast of Mayo going ahead?

The Sustainable Energy Authority Ireland (SEAI) are operating this for DECC; a foreshore lease application has been made and there is more work to do but it is expected that the annexe will be operational in 2-3 years.

6. Future Role of MSP Advisory Group

The meeting concluded with a brief consultation on the role of this group into the future, as the NMPF moves toward the Implementation phase. DHLGH outlined some of the work coming along the line, including OREDPII, DMAPs, and MPAs etc. and stated that DHLGH would like to keep the group going.

DHLGH believe the role of this group has been extremely valuable and much appreciated. Conor asked the group to reflect on the role of the group going forward and that he would be glad of suggestions and feedback from members before year end, which was also reiterated by Maria Graham.

MRIA commented that the group has been very useful, as there is a great range of opinions and institutions around the table –they indicated that they would like to keep the group going. SWAN indicated that they would provide feedback and were also keen to continue their role in the Advisory Group.

7. Meeting Conclusion, next meeting date.

Maria Graham thanked the group members and the MPPL team for their attendance today and work to date over the course of NMPF development. Conor McCabe stated that the next meeting date would be circulated when it has been confirmed, and closed the meeting.