

MAC Report	
Application for a Maritime Area Consent (MAC) under Section 75(1) of Maritime Area Planning Act 2021, as amended	
Application Details	
MAC Applicant:	Electricity Supply Board (ESB)
MAC Reference No:	MAC20230006
Location:	Raheen, Co Kilkenny and Marshmeadows, Co Wexford
Date Application received:	27 March 2024
Proposed Maritime Usage:	ESB has applied to construct, use, operate and maintain an underground electricity cable (UGC) beneath the River Barrow, at Raheen, Co Kilkenny and Marshmeadows, Co Wexford.
Recommendation:	To approve the Granting of the MAC sought with conditions attached.

Document Control			
Prepared by:		Senior Marine Advisor	23/04/2025
		MAC Analyst	23/04/2025
Reviewed by		Head of Maritime Area Consenting	02/05/2025
& Approved by:		Senior Marine Advisor	07/05/2025
Final Report, Version 1		MAC Analyst	07/05/2025

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1. Overview

On 27 March 2024, ESB submitted a MAC application to MARA under Section 79 of the Maritime Area Planning Act 2021, as amended (the Act) for the installation of an underground electricity cable beneath the River Barrow, at Raheen, Co Kilkenny and Marshmeadows, Co Wexford.

2. Background

The application spans the administrative area of Counties Wexford and Kilkenny, as the county boundaries lie in the middle of the River Barrow. The applicant states that the underground cable will measure approximately 580m from end to end. The majority of the circuit, approximately 365m will be installed by Horizontal Directional Drilling (HDD) with 324m beneath the River Barrow (maritime area). The remainder of the circuit, approximately 215m will be a UGC installed by traditional trenching and ducting means. Approximately 355m of this UGC will be installed within County Wexford and the remaining 225m will be installed within County Kilkenny.

The Applicant states the rationale for the project has been established by the increase in customer demand in the area, due to population growth and the local development of the region. This necessitates greater connectivity of the distribution network. The underground electrical cable is proposed to connect the Lake Region circuit at Marshmeadows, County Wexford to the Beechgrove circuit at Raheen, Rosbercon, County Kilkenny.

3. Proposed Maritime Usage

The development in the maritime area is proposed to include the installation of a new 20 kilovolt (kv) electricity underground cable by horizontal directional drilling beneath the River Barrow. The applicant states that the cable will be inserted into ducts which are to be installed within a single bore of approximately 350mm in diameter and approximately 365 m in length. The drill will pass through the overburden at the launch pit on the eastern side of the River Barrow into the soft to firm clay layer and travel underneath the riverbed before emerging through the overburden in the reception pit on the western side of the River Barrow. The drill will pass through the clay layer below the riverbed. The depth of the drill below the riverbed is proposed to be approximately 8.5m. No excavation or works are proposed to take place on or above the riverbed within the maritime area.

The proposed total area to be occupied by the MAC is 0.66ha, comprising two areas - Area A (0.64 ha) and Area B (0.02ha). The MAC area is proposed to be 20m in width to accommodate anomalies that often occur during the horizontal directional drilling process.

The MAC area sought by the applicant is illustrated in *Figure 1*.

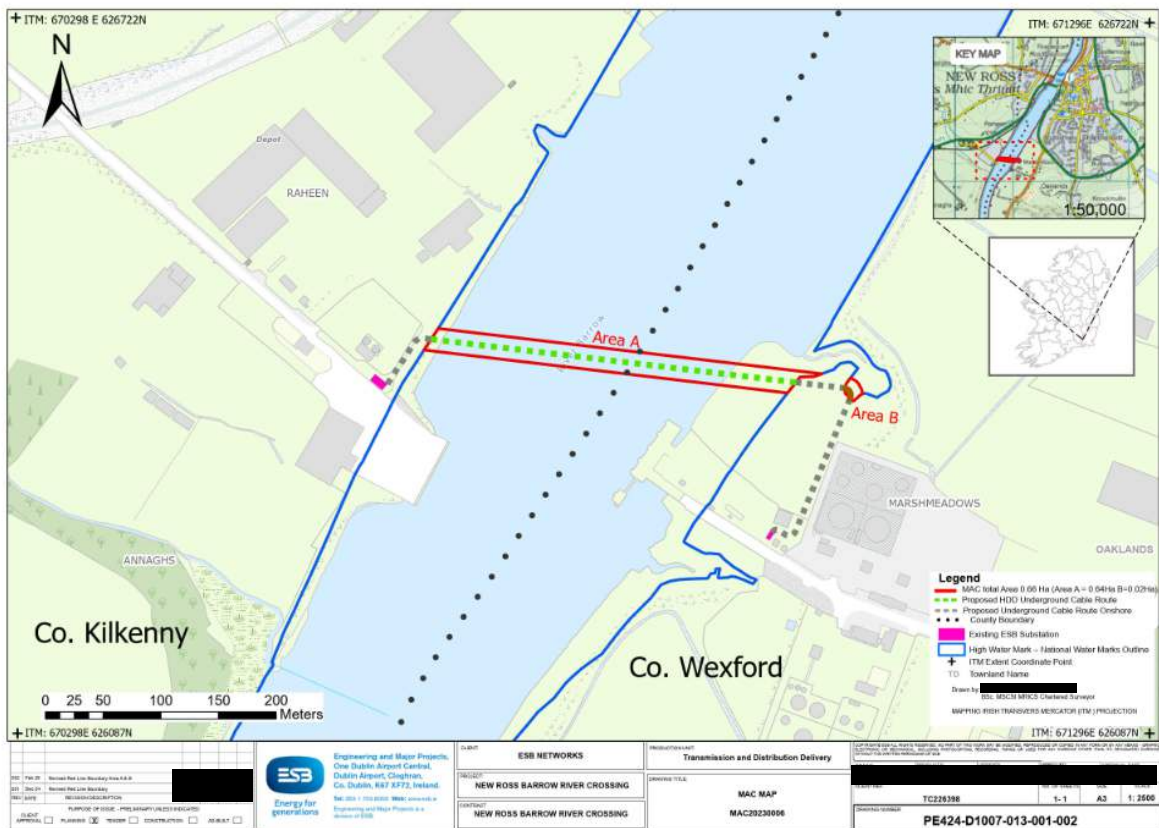


Figure 1 – Applicant map of proposed layout of MAC area

4. Site Visit

Senior Marine Advisor, [REDACTED] inspected the site on 18 November 2024. The proposed works are located at an undisturbed maritime area under the River Barrow. *Photograph 1* details the character of the maritime area in the vicinity of the proposed works. No existing infrastructure or occupation was noted during the site visit with the proposed MAC area. As the works proposed do not include any works on or over the riverbed, it not anticipated than any existing users of the maritime area will be affected.



Photograph 1 – Photo of the proposed cable crossing site looking east (■■■■/8/11/2024)

5. Review of Legislation & Associated Consents

5.1 Applicable Provisions of the Act

Under the Act, MARA has responsibility for granting MACs.

Schedule 3 and Schedule 4 of the Act specifies maritime usages for which a MAC is not required, including where the proposed maritime usage falls under the remit of another enactment, is navigation or fishing, is a licensable activity under Schedule 7 or where the activity is to be undertaken on private land. The proposed maritime usage is not considered to fall under those listed under Schedule 3 or 4 of the Act.

The applicant has stated that the proposed maritime usage and the subject of this application requires development permission. The applicant was granted development permissions in relation to the proposed maritime usage on 28 July 2023 (Wexford) and 07 November 2023 (Kilkenny) (refer to Section 5.3). Section 75A of the Act makes provision for MAC applications following the grant of development permission, where granted before 17 July 2023. Considering the development permissions were granted after the 17 July 2023, it is considered that Section 75A does not apply to the subject application. Accordingly, the subject application is considered to fall under Section 75(1) of the Act. In accordance with Section 75(1) of the Act, a MAC is required before an application for development permission can be lodged with the relevant consent authority. Consequently, it is considered that the applicant will be required to re-apply for development permission.

5.2 Existing Consents & Authorisations

A search of the MARA's GIS database was undertaken on 4 April 2025 for spatial overlap between the proposed MAC areas and existing foreshore authorisations and MARA licences and consents.

The Marine Institute's Ireland's Marine Atlas database¹ was searched on 4 April 2025 for spatial overlap between the proposed MAC areas and any Department for Agriculture, Food and the Marine (DAFM) foreshore authorisations for aquaculture sites. The proposed MAC area does not overlap with any existing MACs or Maritime Usage Licence (MUL) or applications for the same. The application overlaps with a number of foreshore authorisations as detailed in *Table 1* below.

Table 1: Summary of Overlapping maritime authorisations and foreshore authorisations					
File Reference Number	Applicant/ Holder	Consent Type	Maritime Usage	Status	
FS004996	New Ross Port Company	Foreshore Lease	Constructing an embankment	Lease granted – expires 27/04/2085	
FS005000	New Ross Port Company	Foreshore Lease	Wharf, access bridge and berthing dolphin	Lease Granted – expires 31/05/2080	
FS004999	New Ross Port Company	Foreshore Licence	Construction of River training walls and groynes	Licence granted – expired 15/06/2002	
FS004998	New Ross Port Company	Foreshore Licence	Dredging	Licence granted – expired 15/06/2002	

The foreshore authorisations reference FS004999 & FS004998 have expired.

The proposed cable will pass beneath the foreshore authorisations reference FS004996 (expires 27/04/2085) and FS005000 (expires 31/05/2080) granted to New Ross Port Company (whose control is now under the auspices of Wexford County Council (WCC) - [S.I. No. 410/2019 - Harbours Act 2015 \(New Ross Port Company Transfer and Dissolution Day\) Order 2019](#)). The works have the potential to affect the existing use. ESB has provided confirmation from WCC outlining their approval to proceed with the works. Accordingly, it is considered that the spatial overlap does not prevent the granting of a MAC. Further consideration in relation to the overlapping foreshore leases is provided in Sections 6 & 9 below in order to ensure that the existing authorized maritime usages are protected from disruption associated with the subject propose cable.

¹ <https://atlas.marine.ie/>

5.3 Development Permission

Development Permission was granted by both WCC and Kilkenny County Council (KCC) for the proposed project (WCC reg ref.2023/651 dated 28 July 2023 and KCC reg ref. 23/145 dated 07 November 2023. As detailed in *Section 5.1*, in order to comply with the provisions of the Act, the applicant will need to seek new development permission for the proposed maritime usage.

The applicant in their development permission application to the relevant planning authority is required to include a Rehabilitation Schedule detailing how the applicant proposes to rehabilitate the maritime area in accordance with Part 4, Chapter 8 of the Act.

Given the nature and scale of the proposed works, it would seem reasonable that the applicant should submit a valid application for development permission to the relevant planning authority within 18 months of the grant of the MAC, where granted.

5.4 Ownership

A search was undertaken of the Land Registry on 4 April 2025 for any document granting or affecting rights to land in order to ensure that there are no conflicts of interest with the MAC area being applied for as outlined in the proposed MAC Map. No conflicts of interest affecting the proposed MAC area were identified.

6. Assessment

6.1 Schedule 5

The MAC application was submitted with the appropriate fee on 27 March 2024.

A number of requests for additional information were issued on 10 July 2024; 1 October 2024; 27 November 2024; 27 January 2025 and 11 February 2025 under Section 79(3) of the Act and associated responses were received relating to matters for technical assessment and financial assessment on 12 July 2024; 11 October 2024; 9 December 2024; 30 January 2025 and 27 February 2025.

Schedule 5 of the Act sets out the criteria to which MARA must have regard when assessing a MAC application. This report sets out the assessment undertaken pursuant to Section 5 of the Act. The assessment is summarised in *Table 2* below.

Table 2: Synopsis of the assessment of the application with regard to the requirements of Schedule 5

Schedule 5 Requirements		Synopsis	Assessment
1.	The nature, scope and duration of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.	<p>Details of the proposed maritime usage, including the nature scope and duration are described in Section 3 & 4 above. It is considered that a design life for the structure of circa 40 years, with proper maintenance and repair, should be achievable. Accordingly, a MAC term of 45 years (allowing for planning, construction and rehabilitation phases) is recommended.</p> <p>The proposed maritime usage is considered satisfactory, having regard to the nature, scope and duration.</p>	Satisfactory
2.	Whether the proposed maritime usage is in the public interest.	<p>ESB stated that the proposed project aligns with;</p> <ul style="list-style-type: none"> Irish Government Climate Action Plan and ESB's commitment is set out in ESB Driven to make a difference Net Zero by 2040 strategy <p>ESB stated that the proposed project aligns with;</p> <ul style="list-style-type: none"> The European Green Deal which frames Europe's response to Climate Change, committing to deliver net zero ghg emissions at EU level by 2050 <p>ESB commented while there is no public use interest element of the proposed project, the proposed project will contribute to the sustainable economic development of the local area and wider economy, by facilitating connection between 2 substations. ESB confirmed the necessity for greater connectivity of the distribution network was a result of a growth in population and local development of the region.</p> <p>The proposed maritime usage is considered satisfactory, having regard to the public interest.</p>	Satisfactory
3.	The location and spatial extent of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.	<p>The total area proposed occupied by the MAC is 0.66Ha, comprising MAC Areas A and B for the proposed permanent works as illustrated in <i>Figure 2</i> (Proposed MAC Map) in <i>Section 7</i>.</p> <p>Details of the location, relevant consents, ownership and development permissions are provided in Sections 2 to 5 above. Based on the searches and site visit undertaken, nothing was identified that would preclude the granting of a MAC in the proposed area.</p> <p>Considering existing Foreshore Leases FS004996 & FS005000 overlap with the to the proposed MAC area, it is recommended that the holder engages with the Foreshore Lease holders to ensure the proposed MAC activity does not cause disruption to the existing maritime usages.</p> <p>Accordingly, the proposed maritime usage is considered satisfactory, having regard to the location(s) and spatial extent of the occupation.</p>	Satisfactory

4.	Guidelines issued under Section 7 which are relevant to the proposed maritime usage.	No such guidelines have been published to date.	Not applicable
5.	Whether the applicant is a fit and proper person (within the meaning of Schedule 2) to be granted a MAC, both at the time the application is made and at the time that the MAC application concerned is determined by the MARA.	<p>A detailed review and assessment of the information provided by the applicant has been completed. Based on the assessments set out in <i>Table 3 (Section 2)</i>, <i>Section 6.2.1</i> and the Financial Capability Assessment (FCA) as set out in the Ernest Young (EY) report dated 6 June 2024, it is considered that the applicant satisfies the fit and proper person requirements.</p> <p>As required by Schedule 6, Part 2 of the Act, it is a condition of all MACs that the Holder shall continue to be a fit and proper person within the meaning of Schedule 2 of the Act for the Term of the MAC.</p>	Satisfactory
6.	Whether the applicant is tax compliant, both at the time the application is made and at the time that the MAC application concerned is determined by the MARA.	The applicant submitted Tax Registration Number and Tax Clearance Access Number (TCAN) which was used to view the applicant's tax clearance certificate. Based on the review of the tax clearance certificate the applicant is considered tax compliant.	Satisfactory
7.	In the case of any maritime usage relating to offshore renewable energy (within the meaning of section 100), the consistency of the MAC application concerned with the development plans of the transmission system operator (within the meaning of section 100).	Not applicable	Not Applicable

8.	The National Marine Planning Framework (NMPF).	<p>Based on a review of the application, it is considered that the proposed project aligns with the overall Energy-Transmission, Economic and Social objectives of the NMPF.</p> <p>It is considered that the proposed project aligns with the following policy objectives of the NMPF: -</p> <ul style="list-style-type: none"> • Co-existence Policy 1 - Proposals should demonstrate that they have considered how to optimise the use of space, including through consideration of opportunities for co-existence and co-operation with other activities, enhancing other activities where appropriate. If proposals cannot avoid significant adverse impacts (including displacement) on other activities they must, in order of preference: a) minimise significant adverse impacts, b) mitigate significant adverse impacts, or c) if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding. • Infrastructure Policy 1 - Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported. Proposals for appropriate infrastructure that facilitates the diversification or regeneration of marine industries should be supported. • Transmission Policy 4 – Where possible, opportunities for land-based, coastal infrastructure that is critical to and supports energy transmission should be prioritised in plans and policies. Designation of land-based zones for the purposes of co-ordination and integration with relevant Marine Plans must be considered, where appropriate. <p>In the application, the applicant states that the proposed project is consistent with the environmental objectives of the NMPF. The proposed works constitute development which require planning permission and environmental assessment of the proposed maritime usage, which is undertaken at development permission stage by the relevant planning authority. This above assessment does not prejudice any consideration and determination that the relevant Planning Authority may make in relation to the NMPF when considering the Planning Application for this development.</p> <p>Based on the above, MARA is satisfied that the proposed works align with the above overall objectives and policy objectives of the NMPF.</p>	Satisfactory
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9.	The extent and nature of the preparatory work already undertaken by the applicant towards ensuring the efficacious undertaking of the proposed maritime usage the subject of the MAC application concerned should the applicant be granted a MAC in respect of such usage.	<p>ESB contracted GMC Utilities to complete a feasibility assessment for utilising a trenchless method of crossing underneath the River Barrow. To fully assess the feasibility of the trenchless method of crossing underneath the River Barrow, the following ground investigation works are stated to have been undertaken:</p> <ul style="list-style-type: none"> • Desktop review of historical borehole information in the area; • Rotary core boreholes undertaken on both banks of the river; • Laboratory testing; • Geophysical survey of the riverbed; and • Completion of a comprehensive conceptual design. <p>Having regard to the above, the extent of the preparatory works undertaken are considered acceptable for a project of this scale and nature.</p>	Satisfactory
10.	The extent and nature of stakeholder engagement undertaken by the applicant in respect of the proposed maritime usage.	<p>The proposed project has already secured planning permission from Wexford County Council and Kilkenny County Council and ESB state during this process no public submissions were made. However, submissions were made by State entities and ESB state there were no objections.</p> <p>Furthermore, ESB will be required to reapply for development permission under which there will be public consultation.</p> <p>Having regard to the above, the extent and nature of the stakeholder engagement undertaken is therefore considered acceptable for a project of this scale and nature.</p>	Satisfactory
11.	Where a competitive process referred to in section 93 or 103 is used, the outcome of such process.	Not applicable	Not applicable
12.	Any additional criteria specified, for the purposes of this paragraph, in regulations made under section 80(2).	No such regulations have been made to date.	Not applicable

6.2 Fit & Proper Person Assessment

Schedule 2(2) of the Act sets out the criteria to which MARA shall have regard in determining whether the relevant person is “fit and proper” to be granted and to hold a MAC. The assessment of whether the holder is a fit and proper person within the meaning of Schedule 2(2) is set out in *Table 3* below.

Table 3: Schedule 2(2) Fit & Proper Person

Fit & Proper area for assessment		Synopsis	Assessment
(a)	letters of reference;	<p>As set out in Section (g) below, the Applicant(s) has demonstrated clear evidence of their expertise and technical capability in successfully delivering projects of a similar scale.</p> <p>No letters of reference were provided.</p>	Satisfactory
(b)	<p>that the relevant person, or any other person concerned, stands convicted of—</p> <p>(i) an indictable offence under this Act or an offence in another state equivalent to an indictable offence,</p> <p>(ii) an indictable offence under an enactment prescribed for the purposes of this clause, or</p> <p>(iii) an offence involving fraud or dishonesty;</p>	<p>As part of the FCA, the Applicant was assessed against these criteria and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	Satisfactory

(c)	<p>if the relevant person is a body corporate, whether any of its directors has a declaration under section 819 of the Act of 2014 made against him or her or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act, or is subject to or deemed to be subject to—</p> <p>(i) a disqualification order, within the meaning of Chapter 4 of Part 14 of the Act of 2014, whether by virtue of that Chapter or any other provision of that Act, or</p> <p>(ii) a disqualification outside the State to like effect which corresponds to a disqualification order within the meaning of Chapter 4 of Part 14 of the Act of 2014;</p>	<p>As part of the FCA, the Applicant was assessed against these criteria and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	<p>Satisfactory</p>
(d)	<p>if the relevant person is an individual, whether he or she is adjudicated bankrupt or is subject to proceedings for a declaration of bankruptcy or becomes an arranging debtor;</p>	<p>As part of the FCA, the Applicant was assessed against these criteria, and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	<p>Satisfactory</p>

<p>(e) if the relevant person is a body corporate, whether it—</p> <p>(i) has commenced a voluntary winding-up or is subject to a winding-up order or is subject to proceedings for such an order,</p> <p>(ii) is subject to the appointment of a receiver or examiner, or</p> <p>(iii) has proposed a compromise or arrangement that is sanctioned under section 453(2) of the Act of 2014 or section 201(3) of the Act of 1963;</p>	<p>As part of the FCA, the Applicant was assessed against these criteria and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	<p>Satisfactory</p>
<p>(f) if the relevant person is a body corporate incorporated under the law of another state—</p> <p>(i) whether an event which corresponds to an event referred to in clause (c) has occurred in relation to any of its directors, or</p> <p>(ii) whether an event which corresponds to an event referred to in clause (e) has occurred in relation to the body corporate;</p>	<p>As part of the FCA, the Applicant was assessed against these criteria, and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	<p>Satisfactory</p>

(g)	whether the relevant person, or a person acting for or on behalf of the relevant person in the relevant person's capacity as such, has (or has access to), or continues to have (or have access to), as the case may be, the requisite technical knowledge or qualifications, or both, to undertake the proposed maritime usage, or continue to undertake the maritime usage, as the case may be;	Assessment of the technical capability of ESB to deliver the proposed maritime usages the subject of the MAC application is detailed in <i>Section 6.2.1</i> below. ESB are considered to have the requisite technical knowledge and qualifications to undertake the proposed maritime usage.	Satisfactory
(h)	whether the relevant person is likely to be in a position to meet, or continue to meet, as the case may be, any financial commitments or obligations that the MARA reasonably considers will be entered into or incurred by the relevant person— (i) in undertaking the proposed maritime usage, or in continuing to undertake the maritime usage, as the case may be, or (ii) in ceasing to undertake the proposed maritime usage or the maritime usage, as the case may be;	A FCA report dated 6 June 2024 has been prepared by external financial consultants, EY, who assessed the applicant's financial capability to carry out the proposed maritime usages. Based on the results from the financial capability tests and the information submitted, it is considered that the Relevant Person is viewed as passing the assessment. Due to the commercial sensitive nature of a company's finances, details of the assessment are not included herein. The applicant is considered likely to be in a position to meet financial commitments associated with the proposed maritime usage and MAC.	Satisfactory
(i)	the previous performance of the relevant person when granted— (i) a MAC, (ii) a development permission, (iii) a licence, or (iv) an authorisation (howsoever described) under the Act of 1933.	MARA has undertaken a review of MACs (including associated development permission under MARA's remit for enforcement), maritime usage licences and foreshore authorisations held by the applicant. Based on the review, MARA is not aware of any non-compliances with these consents, there are no enforcement actions pending and there are no outstanding debts owed.	Satisfactory

6.2.1. Technical Capability Assessment (TCA)

Based on the information supplied by the applicant, the TCA for this application has been carried out on the basis that the proposed project is a Schedule 10 project. This determination is for the purposes of TCA only and does not prejudice the planning process as it should be noted that the ultimate arbiter of whether a project is Schedule 10 or not is An Bord Pleanála.

Previous Corporate Project Experience: Based on the information submitted it is clear that, in the past 10 years, ESB has been involved in cabling projects of a similar scale and nature and it has provided a comprehensive description of their role in delivering these projects. In conclusion, ESB has satisfied the Previous Corporate Project Experience (development, construction, operation and maintenance) criteria requirements and it has demonstrated 12 months continuous experience for each stage.

Project Delivery Teams Experience: ESB listed seven team members in Appendix Tec B Table 1 and provided information and CV's in relation to team members. All CVs were fully reviewed as part of the assessment. The evidence provided demonstrates an experienced Senior Project Delivery Team consisting of six members. Between them, the six team members assessed had an aggregate of at least 20 years' of development and construction experience in similar projects, at least 40 years' experience of other projects and at least 30 years' experience of the Irish planning system. Therefore, ESB has satisfied the Project Delivery Teams Experience criteria requirements (Marine Projects, Other Projects and Planning).

Delivery Timelines: The applicant has completed Table 1 in Appendix Tec C: Delivery Timelines which outlines the key milestone delivery timelines and demonstrates how the project will progress from submission of the planning application, to signing of the main contractor agreement to planned maintenance activities. On the basis of the information provided, the applicant has demonstrated a realistic understanding of the complexities and probable timeframes of developing a project of this scale and nature in an Irish context.

TCA Conclusion: Following an assessment of the full suite of documentation provided by the applicant, MARA's considers that ESB have satisfied all of the criteria under the TCA of the Fit and Proper Test, accordingly MARA considers that ESB has the requisite technical knowledge and qualifications to undertake the proposed maritime usage.

7. Proposed MAC Map (for illustration purposes only)

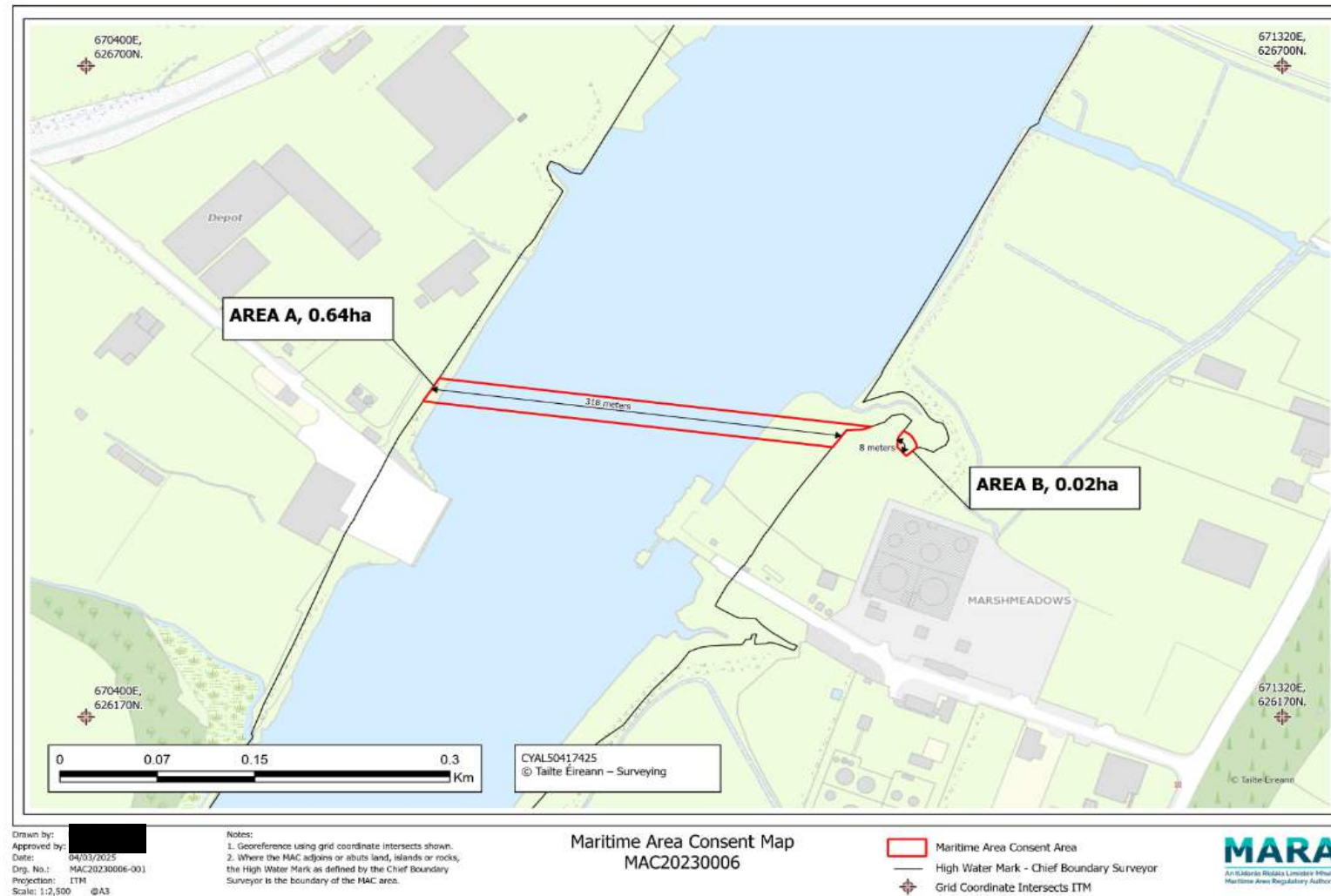


Figure 2 – Proposed MAC Map

8. Levy

An annual MAC levy has been calculated based on the project type and proposed MAC area in accordance with MARA's MAC levy framework, as set out below.

MAPA Levy Framework Part:	Part A: Nearshore
Category/Class:	Cables, pipelines and ducting
Tier:	N/A
Applicable Rate:	Base Annual Charge of €312.70 up to 75 LMs + €4.17 per LM for the next 22,165 LMs, €2.08 per LM for the next 22,240 LMs, €1.04 per LM for the next 22,240 LM's and €0.521 per LM for the remaining LM's. Note: The levels for telecommunication cables will only be applied in respect of the portion of cables present in Ireland's territorial sea, i.e. within the 12nm zone
Length:	324m
Calculation:	$€312.70 + (249 * €4.17)$
Levy due:	€1351.03

The MAC levy has been calculated as €1,351.03 per annum. All levies are indexed to the Harmonised Index of Consumer Prices (HICP), applied on an annual basis.

9. Discussion

Based on the assessments undertaken contained herein, it is considered that the proposed MAC application complies with all the necessary requirements of Schedule 5 of the Act, where relevant and appropriate, subject to the following recommended terms and conditions:

a. Terms

MAC Term:	45 years
Consent Area:	That part of the maritime area marked red on the MAC Map.
MAC Map Title:	Title: Maritime Area Consent MAP, MAC20230006 Drawing Number: MAC20230006-001 Date: 04/03/2025

Permitted Maritime Usage:	The construction, use, operation and maintenance of an underground electricity cable, including all associated decommissioning, demolition, rehabilitation and any other works required on foot of any development permission relating to the cable.
Nature of Occupation:	Non-exclusive
Date by which application for Development Permission must be submitted (subject to Phasing Schedule where applicable):	18 months from date of grant of MAC
The minimum number of days in which the MAC Holder shall provide the Grantor advance notice in writing of the Holder's intention to commence the Permitted Maritime Usage:	14 Days
Date by which Financial Close is to be achieved:	Not applicable

b. Conditions and Reasons for Conditions

Section 82 of the Act specifies that MARA may attach to a MAC one or more conditions which fall within the types of conditions specified in Part 1 of Schedule 6 of the Act. All conditions contained in Schedule 6; Part 2 are deemed to be attached to a MAC.

The standard suite of MARA conditions reflecting the contractual and statutory relationship that will exist with a grant of consent are also recommended. Reasons for these conditions are set out in the enclosed Section 81(7)(b) Minded to Notice.

Following assessment of this MAC application, a number of additional specific conditions and the reasons for these conditions to be attached to the MAC, are recommended below. Discussion in relation to each recommended condition is also provided.

- Condition 3.7 - The Holder shall use the Consent Area, for the purposes of, and in accordance with, the details outlined in the plans and particulars submitted by the Holder in support of their application except as may otherwise be required in order to comply with this Consent.

Reason: In the interest of clarity.

- Condition 10.2 - Prior to the date by which the application for Development Permission must be submitted in accordance with the requirements of condition 5.1, the Holder shall consult with the holder(s) of Foreshore Authorisations Ref FS004996 and FS005000 in order to ensure that any potential disruption to the Foreshore Authorisations Ref FS004996 and FS005000 are managed. Records of all engagements and consultations held and agreements reached, if any, shall be maintained by the Holder and made available to the Grantor if requested.

Reason: To enable the Grantor to request the Holder to communicate information that that the Grantor deems relevant to the public.

It is considered that the application for a MAC complies with all the requirements of Part 4 of the Act, with particular regard to Schedule 5 criteria. Accordingly, it is recommended that the proposed MAC is granted with conditions.

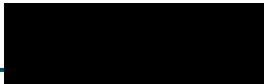
10. Conclusion & Recommendation

Following a detailed assessment of all information on file, it is considered that the proposal complies with all the necessary requirements. Accordingly, it is recommended to issue a Section 81(7)(b) Minded to Notice, as enclosed, informing the applicant that MARA is minded to grant a Maritime Area Consent subject to the proposed conditions attached to the MAC. It is recommended to allow the applicant(s) 21 days from the date of issue of the Minded to Notice to submit supplementary material in relation to the reasons for the conditions as per Section 81(7)(b)(ii).

Once a final determination is made by MARA, the applicant(s) will be notified and MARA will publish a notice on its website as soon as practicable thereafter.

Signed:  Position: Senior Engineer, ARDU

Date: 07/05/2025

Signed:  Position: Analyst, MACU

Date: 07/05/2025