

MAC Report	
Application for a Maritime Area Consent (MAC) under Section 79 of Maritime Area Planning Act 2021, as amended (the Act)	
Application Details	
MAC Applicant:	Kerry County Council
MAC Reference No:	MAC240036
Location:	Portmagee, Co. Kerry
Date Application received:	20 February 2025
Proposed Maritime Usage:	Kerry County Council has applied for a MAC for a slipway extension, a pontoon extension, and the regularisation of existing slipway, gangway and pontoons, hardstanding/carparking and existing pier extension at Portmagee, Co. Kerry.
Recommendation:	To approve the Part Granting of the MAC sought with conditions attached.

Document Control		
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Reviewed and approved by:	Kate Clark Head of MAC Strategy & ORE	25/06/2026
Final Report Version 1:	Cian Scattergood MAC Manager	25/06/2026

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1 Overview

On 31 January 2025 Kerry County Council submitted a Maritime Area Consent (MAC) application to MARA under Section 79 of the Maritime Area Planning Act 2021, as amended (the Act) for a pontoon extension and a slipway extension at Portmagee, Co. Kerry.

2 Background

Portmagee is a busy marine centre and is the base for boats providing trips to the Skelligs Islands. Kerry County Council operate, slipway, hardstanding/carpark, gangway and pontoons and a pier at Portmagee which supports the operation of the boat trips to the islands. The Applicant wishes to extend the slipway and pontoons and regularise the existing slipway, hardstanding/carparking, gangway and pontoons and pier extension. Figure 1 details the location of the existing and proposed maritime usages.

3 Proposed Maritime Usage

Regularisation of Existing Maritime Usage

The subject MAC application includes a significant amount of regularisation. Kerry County Council hold a foreshore licence (FS004802) for “improvement works” in the location of the slipway and hardstanding. This does not cover all the existing slipway and hardstanding as constructed. There is no foreshore lease in place for the existing gangway and pontoons or the existing pier extension. These are to be regularised under the subject MAC application.

Existing Pier

The Applicant has stated that the existing pier (area 3 Figure 1.) is used 75% in support of sea fisheries and 25% in support of tourism and recreation. Considering the existing pier is used primarily in support of sea fishing MARA is precluded from granting a MAC for this maritime usage. The appropriate authority in respect of any works primarily or wholly in support of sea fishing is the Department of Agriculture, Food and Marine (DAFM) (see 5.1 below). The pier should be removed from the MAC area, and the application should proceed on the basis of the gangway, pontoons, slipway and hardstanding/carparking only.

Existing Slipway and Hardstanding/Carparking

The existing slipway and hardstanding/carparking (area 4 Figure 1.) are only partly consented to by a foreshore licence FS004802 (see section 5.2). The Applicant wishes to regularise as the constructed slipway and hardstanding/carpark.

Existing Gangway and Pontoons

The existing gangway and pontoons (area 4 Figure 1.) have development permission but are not consented to by a maritime or foreshore authorisation. The Applicant wishes to regularise the existing gangway and pontoon.

Proposed Maritime Usage

New works include the repositioning of the existing end pontoon and installation of a new floating finger pontoon to increase the vessel capacity of the pontoons (area 2 Figure 1.). New anchor blocks will be installed to secure the repositioned platform and mooring ropes added. The new floating finger platform will be secured using the existing anchor blocks and mooring ropes.

The slipway extension will see the area laid with new concrete and sloped to be flush with the existing slipway (area 1 Figure 1.). The area will be bunded to keep the area dry for the laying and drying of the concrete slipway extension.

The Applicant has requested a term of “50 years or maximum time permissible”, The Applicant goes on to state “the lifespan of the proposed slipway would be up to 50 years”. The Applicant states BS:6349 British Standard Code of Practice for Maritime Structure and EN 1992-1-1: Eurocode 2 (Design of Concrete Structures) will be adhered to. The Applicant proposes completing the works over a period of 3 months. The MAC area sought by the Applicant is illustrated in Figure 1.

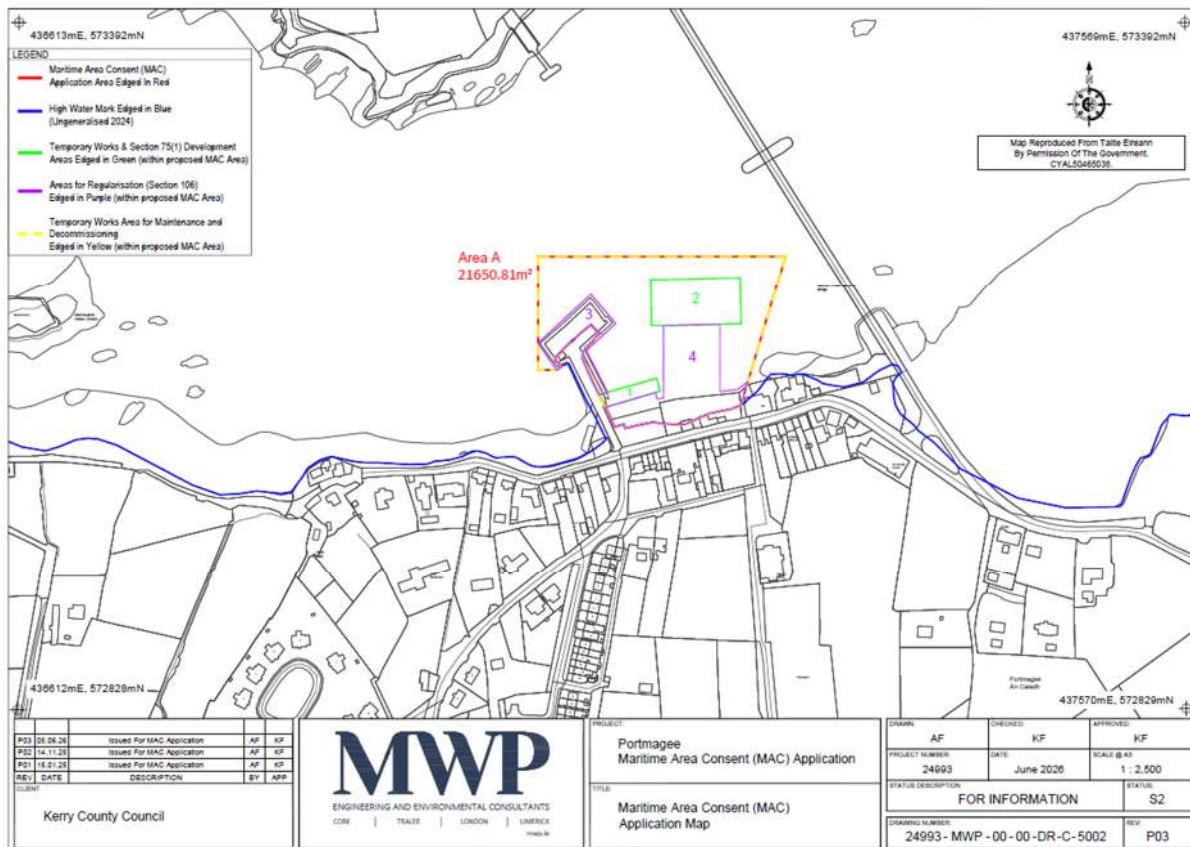


Figure 1 – Applicant map of proposed layout of MAC area at Portmagee

4 Site Visit

Richard Browne, Chartered Engineer and Director at McCarthy Browne visited the site on behalf of MARA on 4th November 2025. The existing neighbouring land usage is harbour, parking and commercial use. Photographs 1 to 6 detail the character of the area in the vicinity of the existing and proposed maritime usages. The existing pier is used for berthing fishing vessels, fishing gear is stored on deck (Photograph 5) and fisheries infrastructure which appears to include an ice plant is located on the western part of pier (Photograph 6). The site inspection noted the presence of an additional pontoon system during the site visit to the northwest of the slipway, see Photograph 1. This pontoon does not form part of the pontoons proposed to be regularised as part of this application. According to MARA records this existing pontoon was not installed under a maritime authorisation or foreshore authorisation (under sections 2&3 of the Foreshore Act of 1933, as amended), MAC or Maritime Usage Licence (MUL). The existing pontoon should not impact the processing of this application and it is unlikely to affect the proposed works. MARA's Compliance, Enforcement and Revenue (CER) unit will be made aware of the potentially unauthorised pontoon observed.

There is encroachment of the MAC area by 2 existing businesses. Photograph 3 shows the outdoor seating area of two restaurants, the Moorings to the right and Skellig Seafront Restaurant centre, constructed on the hardstanding/carpark. CER unit will be made aware of the potentially unauthorised seating area observed. The Applicant intends to regularise all the reclaimed area including area occupied by these third parties. Both parties have submitted letters of support for the application

No existing infrastructure or occupation was noted that would conflict with the proposed maritime usage. In conclusion, there was nothing evident on the day of the site inspection that would preclude MARA from granting a MAC for the proposed maritime usage



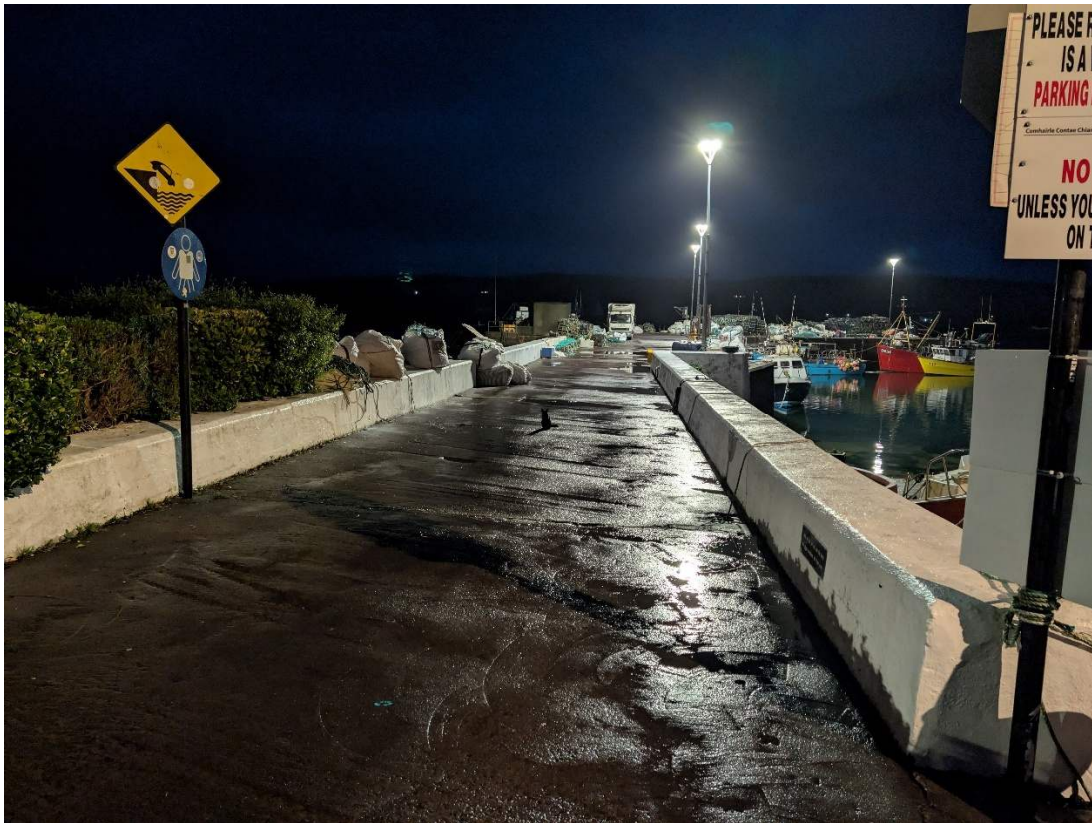
Photograph 1 – Area of proposed slipway extension, Applicant pontoons with boats in background with unauthorised third party pontoon evident in front and to the left. (RB 4/11/26)



Photograph 2 – Applicant existing pontoon and gangway (RB 4/11/26)



Photograph 3 – Restaurant seating areas on hard standing (RB 4/11/26)



Photograph 4 – Base of Existing Pier (RB 4/11/26)



Photograph 5 – Head of Existing Pier (RB 4/11/26)



Photograph 6 – Ice plant on pier (RB 4/11/26)

5 Review of Legislation & Associated Consents

5.1 Applicable Provisions of the Maritime Area Planning Act, 2021 as amended (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, except for the existing pier (Area 3 of the Applicant's Proposed MAC Map, as illustrated in Figure 1).

The Applicant has stated that:

"The pier is not wholly used for sea fishing. A number of eco-tours, sea angling trips and boat trips to the Skelligs depart from the pier. It serves as an operation base for the seasonal tourist industry in the area. It is estimated the pier is split 75% fishing and 25% tourism and recreational use."

In accordance with Part 1 of Schedules 3 and 4 of the MAP Act, MARA cannot grant a MAC for "any maritime usage which falls within a function referred to in section 1B of [Foreshore] Act of 1933" (as

amended). Section 1B of the Foreshore Act prescribes responsibility to the Minister for Agriculture, Fisheries and Food for foreshore consents which are:

- “(a) in relation to a fishery harbour centre, the Minister for Agriculture, Fisheries and Food,*
- (b) in relation to a function in respect of—*
- (i) an activity which is wholly or primarily for the use, development or support of aquaculture, or*
- (ii) an activity which is wholly or primarily for the use, development or support of sea-fishing including the processing and sale of sea-fish and manufacture of products derived from sea-fish”*

As the existing pier is primarily used (75%) for activity in relation to sea-fishing, MARA is precluded from granting a MAC for this maritime usage. Considering this, it is recommended that, where a MAC is to be granted, it is part granted to exclude the existing pier. The recommended MAC area to be part granted is detailed on the map provided in Section 7 of this report.

The Applicant has stated that the proposed maritime usage of the slipway and pontoon extensions the subject of this MAC application require development permission. 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.

The subject MAC application further proposes the regularisation of the existing unauthorised maritime usage under Section 106 of the Act, that is of the existing slipway, hardstanding/carparking and gangway and pontoons.

Accordingly, the subject of this application is considered to fall under Sections 75(1) and 106 of the Act.

5.2 Existing Consents & Authorisations

A search of the MARA's GIS database was undertaken on 14 May 2026 for spatial overlap between the proposed MAC areas and existing foreshore authorisations and MARA licences and consents.

The DAFM Aquamis database was searched on 14 May 2026 for spatial overlap between the proposed MAC areas and any DAFM foreshore authorisations for aquaculture sites.

No existing MACs, MULs, foreshore leases and aquaculture licences, or applications for the same were identified as overlapping the proposed MAC application areas. The application overlaps with one foreshore authorisation as detailed in Table 1 below.

Table 1: Summary of overlapping and adjacent maritime authorisations and foreshore authorisations				
File Reference Number	Applicant/ Holder	Consent Type	Maritime Usage	Status
FS004802	Kerry County Council	Foreshore Licence	Improvement works slipway and hard standing	Valid to 08/08/2073

Foreshore licence FS004802 is held by Kerry County Council for part of the slipway and hardstanding summarised as being for “improvement work” in the licence. The Applicant wishes to surrender to licence as part of this application. Should the MAC be granted, a condition should be inserted which

requires Kerry County Council to surrender the Foreshore licence FS004802. Therefore, the existing authorisation does not preclude the granting of a MAC.

5.3 Development Permission

The Applicant has stated that the existing pontoons have planning permission under planning file ref:09/1002. The application relates to existing infrastructure and has been made to MARA on the basis of Section 106 of the Act. Considering the slipway and hardstanding are located within the nearshore, any requirement for Development Permission, including any retention thereof, is a matter for the planning authority.

Owing to the nature and scale of the proposed works, it is considered reasonable that the MAC Holder (if successful in obtaining a MAC) should submit a valid application for development consent to the relevant planning authority within 18 months of issuance of a MAC.

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.

5.4 Ownership

A search was undertaken of the Land Registry on 14 May 2026 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 on 20 January 2025 with the appropriate fee paid on 20 February 2025 and reviewed for completeness on 25 February 2025. An Incomplete Application Notice was issued on 06 March 2025 with supplementary information submitted on 08 May 2025. The application was deemed complete by MARA on 19 May 2025.

A number of requests for additional information were issued on 18 June 2025, 03 July 2025, 23 October 2025, 16 February 2026, 01 May 2026 and 09 June 2026 under section 79(3) of the Act and associated responses received relating to matters for general, technical and financial assessment on 19 June 2025, 07 July 2025, 14 November 2025, 26 March 2026, 05 June 2026 and 15 June 2026.

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. In accordance with Section 106 of the Act MARA has taken account of the fact that the maritime usage proposed for regularisation is existing maritime usage and not a proposed maritime usage.

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.	Details of the proposed maritime usage, including the nature scope and duration are described in Section 3 & 4 above. The Applicant has requested a term of “50 years or maximum time permissible”. It is considered that a design life for the structure of circa 50 years, with proper maintenance and repair, should be achievable. Accordingly, a MAC term of 55 years (allowing for planning, construction and rehabilitation/decommissioning phases) is recommended. As set out in Section 5.1 above, the existing pier is used primarily in support of sea fishing and MARA is precluded from granting a MAC for this maritime usage. Considering this, it is recommended that, where a MAC is to be granted, it is part granted to exclude the existing pier. The proposed maritime usage is considered partially satisfactory having regard to the nature and scope and is considered satisfactory having regard to duration.	Partially Satisfactory
2.	Whether the proposed maritime usage is in the public interest. In their application the applicant states “	The Applicant stated in their application that the project aligns with the <i>“National Development Plan 2021 – 2030. It aligns particularly with Chapter 8: Strengthen Rural Economies and Communities: Strategic Investment Priorities – Tourism, Culture, Arts, Gaeltacht, Sport and Media.”</i> The Applicant states <i>“The pontoon at Portmagee is currently used by the public as a mooring point for vessels, most of which would be recreational vessels. A number of vessels at the pontoon operate tour services to Skellig Michael.”</i> Additionally, the Applicant has stated <i>“The extension to both the pontoon and slipway will increase the use of those amenities, and use of the marine environment through the addition of extra vessels.”</i> and that <i>“The extension to the pontoon and slipway provides increased mooring space, which can increase the number of tour trips to Skellig Michael, particularly during peak tourist season. The increase in mooring space can also increase the number of users of the fishing and sea angling trips that operate out of Portmagee. This can aid in creating more jobs in this rural coastal community and have a positive economic impact on the economy of the town, particularly during tourist season.”</i> The proposed maritime usage is considered satisfactory, having regard to the public interest.	Satisfactory

3.	The location and spatial extent of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.	Details of the location, relevant consents, ownership and development permissions are provided in Sections 2 to 5 above. The total area proposed occupied by the MAC is 2.04ha, comprising MAC Area A which contains the existing works to be regularised (0.48ha), the proposed permanent works and the temporary works as illustrated in Figure 1 (0.28ha). The remainder of the MAC area of 1.28ha is not designated for any specific maritime usage. As set out in Section 5.1 above, the existing pier is used primarily in support of sea fishing. MARA is precluded from granting a MAC for this maritime usage. Considering this, it is recommended that, where a MAC is to be granted, it is part granted to exclude the existing pier, identified as Area 3 in Figure 1 Applicant's Proposed MAC Map. During the site visit a number of car parking and curtilages/operational areas of two existing businesses were noted. The Applicant has provided written confirmation from these two existing businesses confirming that they have no objection to the proposed works. Accordingly, the MAC is recommended to be granted over a total area of 2.04ha, comprising MAC Area A as illustrated in Figure 2 (Proposed MAC Map) in Section 7. Accordingly, the proposed maritime usage is considered partially satisfactory, having regard to the location and spatial extent of the occupation.	Partially Satisfied
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.	In accordance with S.I. No. 467/2025 - Maritime Area Planning Act 2021 (Fit and Proper Person) Order 2025, Kerry County Council has been declared as a fit and proper person to be granted and to hold any MAC in accordance with Section 90(1)(b) of the Act.	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).	Based on a review of the application, MARA has had regard to the National Marine Planning Framework (NMPF) and it is considered that the proposed project aligns with the overall objectives of the NMPF, including the economic and social objectives set out therein. It is considered that the proposed project aligns with the following economic, social and key sectoral policy objectives of the NMPF: - • <i>Access Policy 2 - Proposals demonstrating appropriate enhanced and inclusive public access to and within the maritime area, and that consider the future provision of services for tourism and recreation activities, should be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF.</i> • <i>Social Benefits Policy 1 - Proposals that enhance or promote social benefits should be supported.</i> • <i>Social Benefits Policy 2 - Proposals that increase the understanding and enjoyment of the marine environment (including its natural, historic and social value), or that promote conservation management and increased education and skills, should be supported.</i> • <i>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.</i> • <i>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.</i> • <i>Tourism Policy 1 - Where appropriate, proposals enabling, promoting or facilitating sustainable tourism and recreation activities, particularly where this creates diversification or additional utilisation of related facilities beyond typical usage patterns, should be supported.</i> 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.	Satisfactory
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		Based on the above, MARA is satisfied that the proposed works align with the above overall objectives and policy objectives of the NMPF.	
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.	The Applicant stated that <i>“Kerry County Council is the owner and operator of the Pier, slipway and Pontoon at Portmagee. For work to be performed on the slipway as proposed, planning permission will be sought. This can only be applied for upon the granting of a MAC for the foreshore area.”</i> In addition, Kerry County Council have constructed, operated and maintained a slipway and pontoon at the location since 2009. Having regard to the fact that the subject maritime usages are predominantly existing maritime usages and not proposed maritime usages, preparatory works are not considered to be required in this instance.	Satisfactory
10.	The extent and nature of stakeholder engagement undertaken by the applicant in respect of the proposed maritime usage.	The Applicant has stated <i>“Local Community is keen for pontoon extension as it will facilitate more employment as well as tourism in the area of tours to sceilig and other islands. It will also prove to be a greater attraction for visiting recreational craft. Local fishing community and kayakers/rowers keen to see extension of slipway to accommodate launch and removal of boats at low tide.”</i> The Applicant has provided letters of support from two local businesses and Kilrush Harbour. Having regard to the above, the extent and nature of the stakeholder engagement undertaken is considered acceptable for a project of this scale and nature.	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 Rehabilitation Schedule

Under Section 96(1) of the Act, it is required that the holder of a MAC shall, before the expiration of the MAC, rehabilitate that part of the maritime area the subject of the MAC.

In accordance with Section 75(5) of the Act, as for MAC applications made to MARA on the basis of Section 75(1) of the Act, the Applicant is required to attach a Rehabilitation Schedule to their associated application for development permission.

Part of the MAC Area sought by the Applicant, falls for submission under Section 106 of the Act. Accordingly, should a MAC be issued in relation to that part of the MAC Area as sought by the Applicant, it is required that a Rehabilitation Schedule be attached to the MAC. Section 96(4) of the Act specifies particulars that should be included in a rehabilitation schedule that sets out how the Applicant will discharge their rehabilitation obligations.

The Applicant submitted a Rehabilitation Schedule to MARA on 30 March 2026 in relation to existing slipway and hardstanding and pontoon and mooring system located in Area A, as sought by the Applicant. Upon review of the requirements of Section 96 of the Act, the Rehabilitation Schedule is considered satisfactory.

6.3 Nature of Use

Section 83(1) of the Act requires MARA in the granting of a MAC to specify whether the specific part of the maritime area the subject of that MAC is for exclusive use or not. Section 83(1) provides MARA discretion and flexibility to specify the nature of the use (i.e. exclusive, non-exclusive or may/may not be exclusive).

The Applicant has sought that the MAC be granted on a non-exclusive basis. Accordingly, it is recommended that the MAC is granted on a “non-exclusive” basis in accordance with Section 83(1)(b) of the Act.

6.4 Levy

An annual MAC levy has been calculated based on the project type and proposed MAC area in accordance with MARA's [Levy Framework](#), as set out below.

MAPA Levy Framework Part:	A: Nearshore
Category/Class:	Development (non-commercial)
Tier:	Tier 5
Applicable Rate:	Base Annual Charge of €214.09 plus an add on of 0.2007 per sq.m for areas in excess of 100 sq.m
Length or Area:	2.04ha
Calculation:	2.04ha
Levy due:	€214.09 + (€0.2007 * (20,400.00 - 100.00))
	€4,288.30

The MAC levy has been calculated as €4,288.30 per annum. All levies are indexed to the Harmonised Index of Consumer Prices (HICP), applied on an annual basis.

7 Proposed MAC Map (for illustration purposes only)



Figure 2 – Proposed MAC Map

8 Discussion

Based on the assessments undertaken contained herein, it is considered that the subject MAC application complies with all the necessary requirements of Part 4 of the Act, with particular regard to Schedule 5 criteria, where relevant and appropriate, with the exception of Schedules 5(1) and 5(3).

The above consideration has been made subject to the following recommended terms and conditions:

a. Terms

MAC Term:	55 years
Consent Area:	That part of the maritime area marked red on the MAC Map.
MAC Map Title:	Maritime Area Consent Map MAC240036
Permitted Maritime Usage:	The construction, use, operation and maintenance of a slipway, gangway and pontoons and hardstanding/carparking including all associated decommissioning, demolition, rehabilitation, and any other works required on foot of any development permission relating to the infrastructure.
Nature of Usage:	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, an additional specific condition and the reasons for these conditions to be attached to the MAC, is recommended below. Discussion in relation to each recommended condition is also provided above.

4. COMMENCEMENT OF THE RIGHT OF OCCUPATION

4.1 Where the Holder has obtained Development Permission in accordance with the requirements of condition 5.1, the Holder shall make an application to MARA to surrender foreshore authorisation reference number *FS004802*, pursuant to section 4 of the Foreshore Act 1933, as amended.

4.2 Notwithstanding the MAC Commencement Date and Term, the Holder shall not obtain any right to occupy the Consent Area pursuant to condition 3.4 and shall not commence any works, activities or operations permitted by the Permitted Maritime Usage as provided for under this Consent Area unless and until:

- (a) the Holder has obtained Development Permission for the Permitted Maritime Usage (being Development Permission that is consistent with this Consent as in force from time to time); and
- (b) the Holder has surrendered foreshore authorisation reference number *FS004802* in accordance with condition 4.1 and the surrender of the same has been executed in accordance with section 4 of the Foreshore Act 1933, as amended.

4.3 Without prejudice to any other remedies available pursuant to this Consent and at Law, this Consent shall terminate immediately in the event that an application to surrender foreshore authorisation reference number *FS004802* is not made in accordance with the requirements of condition 4.1, in which event the obligations specified at condition 15.4 shall apply.

Reason: To provide clarity on the permitted occupation of the Consent Area

9 Conclusion & Recommendation

Following a detailed assessment of all information on file, it is considered that the proposal complies with all the necessary requirements, subject to the part of the proposed MAC (existing pier) which is used primarily in support of sea-fishing being excluded. Accordingly, it is recommended to issue a Section 81(7)(b) Minded to Notice, as enclosed, informing the Applicant that MARA is minded to part grant a Maritime Area Consent subject to the proposed conditions attached to the MAC. It is recommended to allow the Applicant 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 will be notified and MARA will publish a notice on its website as soon as practicable thereafter.



Signed: _____ Position: Manager, MACU



Signed: _____ Position: Senior Engineer, ARDU