

## MAC Report

### Application for a Material Amendment of a Maritime Area Consent (MAC) under Section 79 of Maritime Area Planning Act 2021, as amended (the Act)

#### Application Details

<b>MAC Applicant:</b>	Dun Laoghaire Rathdown County Council
<b>MAC Reference No:</b>	MAC250061-A
<b>Location:</b>	Dun Laoghaire Harbour, Co. Dublin.
<b>Date Application received:</b>	13 March 2026
<b>Proposed Maritime Usage:</b>	Dun Laoghaire Rathdown County Council has applied for a material amendment of their existing MAC (MAC reference MAC250061) for a pontoon. The amendment sought is for an extension of the MAC area.
<b>Recommendation:</b>	To approve the Granting of the material amendment sought.

#### Document Control

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<b>Final Report Version 1:</b>	<b>Sharon Dobbs</b>	MAC Analyst	<b>21/05/2026</b>

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## 1. Overview

On 13 March 2026, MARA received a Maritime Area Consent (MAC) application under Section 79 of the Maritime Area Planning Act 2021, as amended (the Act) from Dun Laoghaire Rathdown County Council for a material amendment to their existing MAC (MAC reference MAC250061). The amendment sought comprises an extension MAC area.

## 2. Background

The original application, part granted with conditions on 05 December 2025, relates to pontoon to be permanently installed alongside the Old Quay, including the installation, use, operation and maintenance of a pontoon including all associated decommissioning, demolition, rehabilitation and any other works required on foot of any development permission relating to the infrastructure.

The MAC area previously granted under MAC250061 is illustrated in Figure 1.

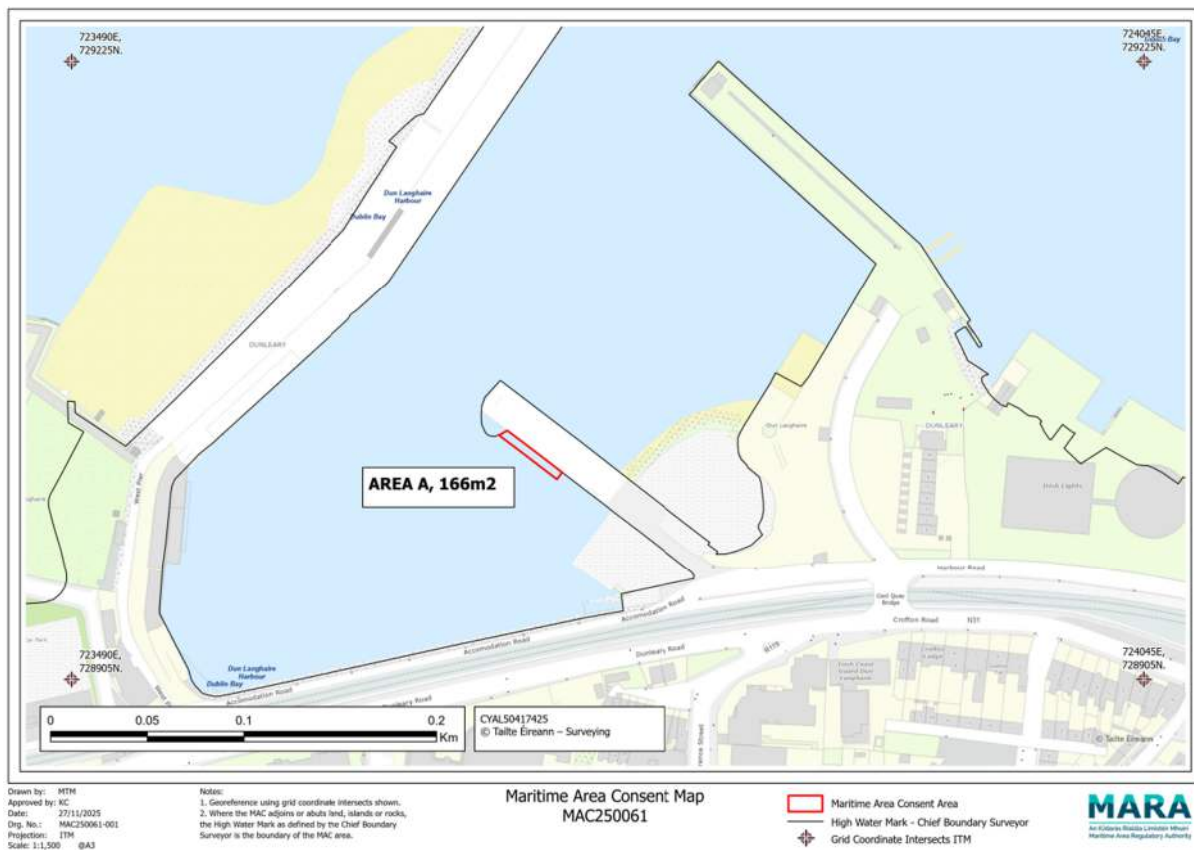


Figure 1 – Map of existing MAC area granted under MAC250061

## 3. Proposed Maritime Usage

The Applicant seeks to extend the original MAC to the east along the south face of the Old Quay. The amendment sought proposes increasing the MAC area from 166m<sup>2</sup> to 282m<sup>2</sup>. No changes are sought to the permitted maritime usage, nature or duration of occupation of the existing MAC.

The MAC area amendment sought by the Applicant is illustrated in Figure 2.

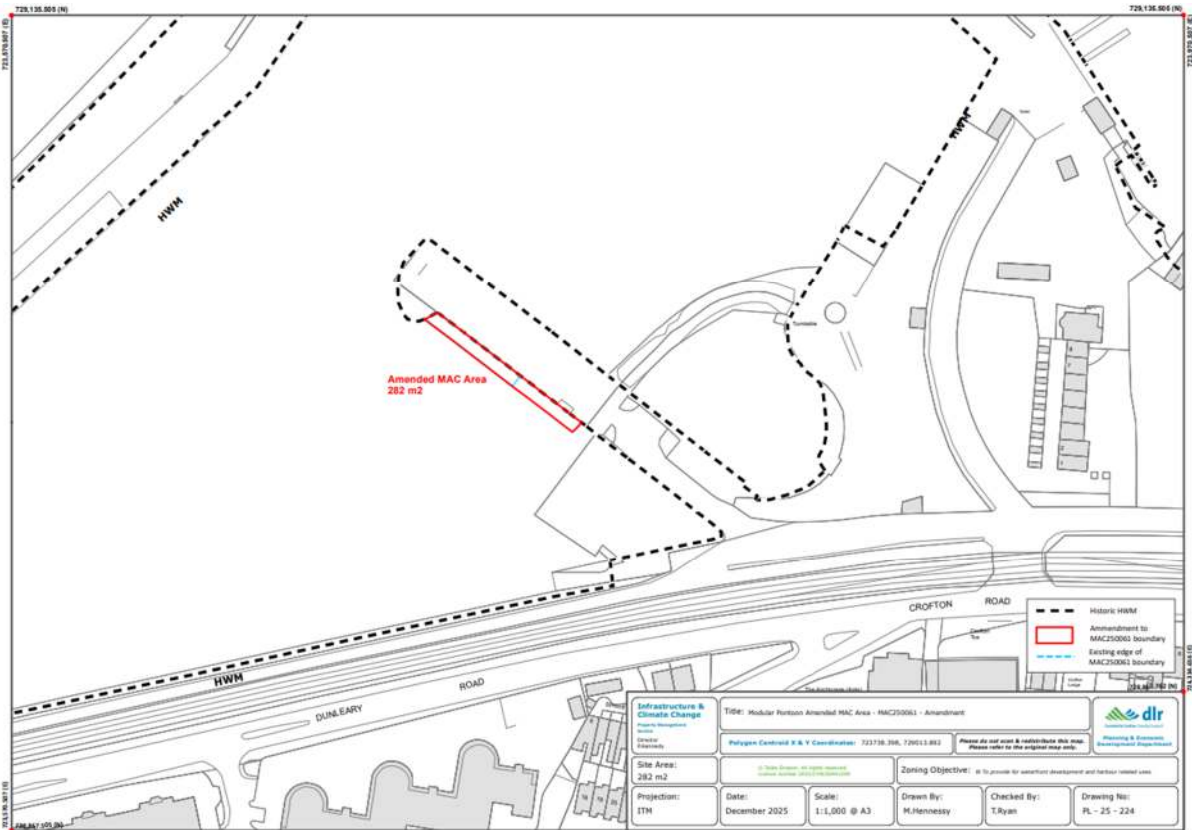
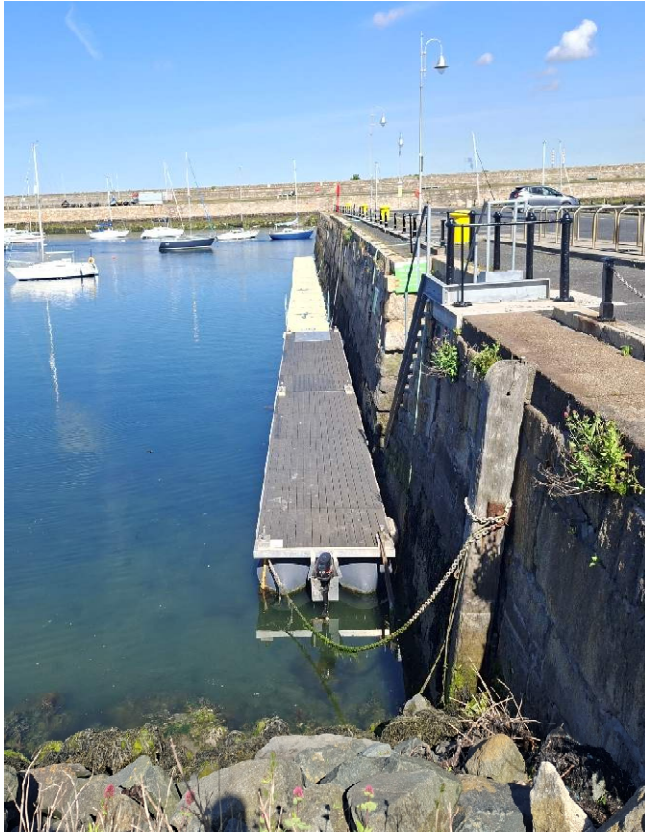


Figure 2 – Applicant map of proposed layout of MAC area amendment

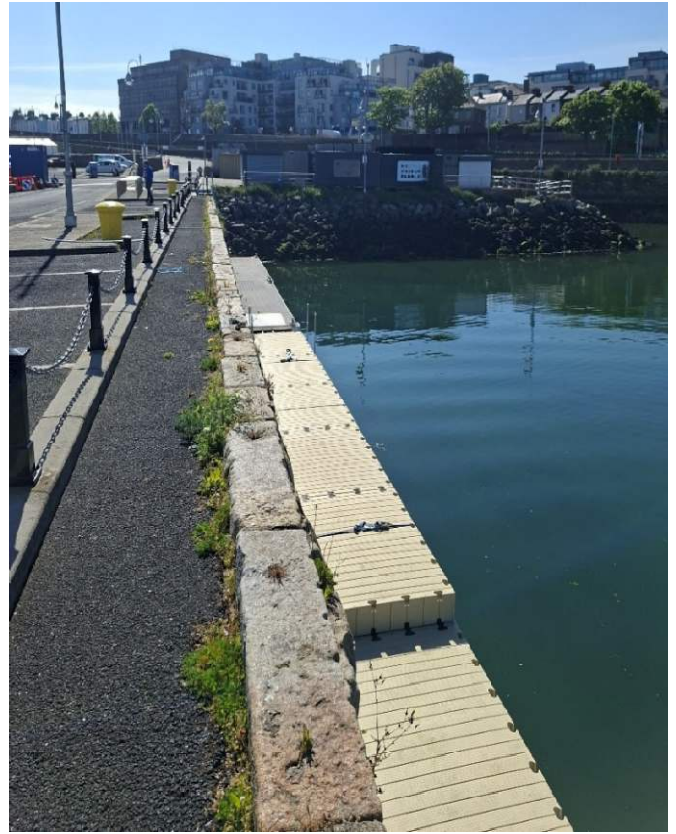
#### 4. Site Visit

Marine Advisor Daniel Ryan inspected the site on 06 May 2026. The proposed works are located adjacent to Old Quay, within Dun Laoghaire Harbour. Photographs 1 and 2 detail the character of the existing infrastructure in the vicinity of the proposed works. A temporary pontoon with an outboard motor, was noted to be berthed against the quay within the proposed MAC extension area at the time of the site visit. According to MARA records the existing pontoons located in the proposed MAC extension area were 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). Additionally, a number of temporary modular pontoons were noted to be berthed against the quay wall within existing MAC area. MAC250061 conditions occupation subject to appropriate development permission being granted. MARA’s Compliance, Enforcement and Revenue (CER) unit were made aware of the potentially unauthorised pontoons observed during the initial site visit relating to the original application and were also subsequently notified of the observation made in relation to the site visit of 06 May 2026 in relation to existing pontoons.

The existing pontoons relate to the same maritime usage (i.e. pontoons), the subject of the existing MAC and material amendment application. Considering the above, the temporary nature of the berthed pontoons, and that the existing MAC was granted for use on a non-exclusive basis, MARA is not precluded from granting a MAC for the proposed maritime usage.



Photograph 1 – Temporary Pontoon(s) at existing and proposed MAC extension area looking NW along Old Quay – [DR 06/05/2026]



Photograph 2 – Temporary Pontoon(s) at existing and proposed MAC extension area looking SE along Old Quay – [DR 06/05/2026]

## 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.

This application proposes a material amendment to a previously granted MAC, in accordance with Section 86 of the Act.

Accordingly, the subject of this application is considered to fall under Section 86 of the Act.

Section 86(1) of the Act, sets out that the holder of a MAC who wishes to amend the MAC in any material way shall make a MAC application for such amendment and, in the case of such application, Section 79 and the other provisions of this Part 4 of the Act (including Section 84) applicable

to a MAC application and its determination under Section 81 shall, with all necessary modifications, apply accordingly.

## 5.2 Existing Consents & Authorisations

A search of the MARA's GIS database was undertaken on 01 May 2026 for spatial overlap between the proposed MAC areas and existing foreshore authorisations and MARA licences and consents.

The proposed MAC extension area does not overlap with any existing MACs or applications for the same. The application overlaps with a number of foreshore authorisations and a Marine Usage License (MUL) as detailed in *Table 1* below.

<b>Table 1: Summary of Overlapping maritime authorisations and foreshore authorisations</b>				
<b>File Reference Number</b>	<b>Applicant/ Holder</b>	<b>Consent Type</b>	<b>Maritime Usage</b>	<b>Status</b>
MUL250023	Dun Laoghaire Rathdown County Council	Marine Usage License	Marine environmental surveys for the purposes of site investigation to assess the feasibility of constructing components of a National Watersports Campus.	Applied 13/03/2026
FS006713	Dun Laoghaire Rathdown County Council	Foreshore Lease	The provision and maintenance of existing moorings within Dun Laoghaire Harbour.	Expires 12/02/2059
FS007546	Codling Wind Park Ltd (CWPL)	Foreshore License	Site investigation application for Wind Farm.	Expires 25/04/2028

As Dun Laoghaire Rathdown County Council is the Applicant for the subject MAC application and the holder of overlapping foreshore lease FS006713, it is considered the spatial overlap does not prevent the granting of a MAC.

Given that foreshore licenses / MULs are granted on a non-exclusive basis, it is considered the spatial overlap with foreshore license FS007546 and Marine Usage License MUL250023 does not prevent the granting of a MAC in this instance as the proposed usages can co-exist in principle.

The Marine Institute's Ireland's Marine Atlas database<sup>1</sup> was searched on 01 May 2026 for spatial overlap between the proposed MAC areas and any DAFM foreshore authorisations for aquaculture sites. There are no DAFM authorisations for aquaculture in the vicinity of the proposed works.

<sup>1</sup> <https://atlas.marine.ie/>

In summary, no existing MACs, Maritime Usage Licences, foreshore authorisations (including those for aquaculture) or applications for the same were identified as overlapping the proposed MAC application area.

### **5.3 Development Permission**

Within the original MAC application, the Applicant stated that development permission is required and will be sought for the proposed project. This subject application relates to an increase in MAC area previously granted. The original MAC specifies that the Applicant must submit an application for development permission within 24 months from MAC commencement date of 05 December 2025. No application for development permission relating to the permitted maritime usage has been submitted by the Holder to date. No amendment has been sought in relation to development permission requirements.

### **5.4 Ownership**

A search was undertaken of the Land Registry on 01 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 extension 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 16 December 2025 with the appropriate fee paid on 03 March 2026. The application was deemed complete by MARA on 16 April 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.

The subject application relates to a material amendment of an existing MAC. While the assessment of applications for amendment largely focuses on the amendment sought, MARA must have regard to all criteria set out in Schedule 5 of the Act. This report sets out the assessment undertaken pursuant to Section 5 of the Act.

**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. No changes are proposed to MAC250061 in relation to the nature, scope, or duration of the occupation. Accordingly, the proposed maritime usage is considered satisfactory, having regard to the nature, scope, or duration of the occupation of the maritime area concerned and the assessment undertaken as part of the original application for the existing MAC250061.	Satisfactory
2.	Whether the proposed maritime usage is in the public interest.	<p>The applicant has indicated that the proposed project aligns with policies:</p> <ul style="list-style-type: none"> <li>National Marine Planning Framework (NMPF, 2021)</li> <li>Embracing Irelands Outdoors; National Outdoor Recreation Strategy (2023–2027)</li> </ul> <p>The Applicant also states that <i>“This pontoon should improve access to the waters of Dun Laoghaire Harbour, and is being proposed to promote watersports, thereby contributing to the sustainable growth of watersports providers within the area”</i>.</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 to be occupied by the MAC is 282m<sup>2</sup>, an increase of 116m<sup>2</sup> from the existing MAC area of 166m<sup>2</sup>, as illustrated in Figures 1 and 2 in Section 3 of this report.</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 an increase of the MAC in the proposed area.</p> <p>Accordingly, the proposed maritime usage is considered satisfactory, having regard to the location 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.	In accordance with <i>S.I. No. 467/2025 - Maritime Area Planning Act 2021 (Fit and Proper Person) Order 2025</i> Dun Laoghaire Rathdown 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).	<p>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 infrastructure, economic and social objectives set out therein.</p> <p>It is considered that the proposed project aligns with the following economic, social and key sectoral policy objectives of the NMPF: -</p> <ul style="list-style-type: none"> <li>• <b>Infrastructure Policy 1</b> - 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.</li> <li>• <b>Access Policy 2</b> - 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.</li> <li>• <b>Social Benefits Policy 1</b> - Proposals that enhance or promote social benefits should be supported.</li> <li>• <b>Social Benefits Policy 2</b> - 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.</li> <li>• <b>Sport and Recreation Policy 1</b> - Proposals that promote sustainable development of water-based sports and marine recreation, while enhancing community health, wellbeing and quality of life, should be supported, provided that due consideration is given to environmental carrying capacities and tourism pressures.</li> <li>• <b>Sport and Recreation Policy 2</b> - Proposals should demonstrate the following in relation to potential impact on recreation and tourism: <ul style="list-style-type: none"> <li>○ The extent to which the proposal is likely to adversely impact sports clubs and other recreational users, including the extent to which proposals may interfere with facilities or other physical infrastructure.</li> <li>○ The extent to which any proposal interferes with access to and along the shore, to the water, use of the resource for recreation or tourism purposes and existing navigational routes or navigational safety.</li> <li>○ The extent to which the proposal is likely to adversely impact on the natural environment.</li> </ul> </li> <li>• <b>Sport and Recreation Policy 4</b> - Proposals that improve access to marine and coastal resources for tourism</li> </ul>	Satisfactory
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		<p>activities, and sport and recreation should be supported, where appropriate, at the applicable scale and aligned with existing development plans.</p> <ul style="list-style-type: none"> <li>• <b>Tourism Policy 1</b> - 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.</li> </ul> <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>	
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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.	The applicant states that there are none proposed. To a project of this scale and nature, this is reasonable.	Not Applicable
10.	The extent and nature of stakeholder engagement undertaken by the applicant in respect of the proposed maritime usage.	The applicant stated that: <i>“This pontoon was included within the Dun Laoghaire Harbour Masterplan draft consultation mid 2025. a copy of this Draft Masterplan Consultation is included.</i> <i>Over 600 responses were received. No negative responses in terms of this pontoon were received.”</i>  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.	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

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. The original MAC application was made on the basis of Section 75(1). An application for development permission has not yet been lodged in relation to the

existing MAC. Accordingly, the Rehabilitation Schedule attached to the associated application for development permission should include the extended MAC area, where so granted.

### **6.3 Section 83 – 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 original MAC was granted on a non-exclusive basis in accordance with Section 83(1)(b) of the Act.

No changes are proposed by Dun Laoghaire Rathdown County Council to MAC250061 in relation to the nature of use of the existing MAC250061.

## 7. Proposed MAC Map (for illustration purposes only)

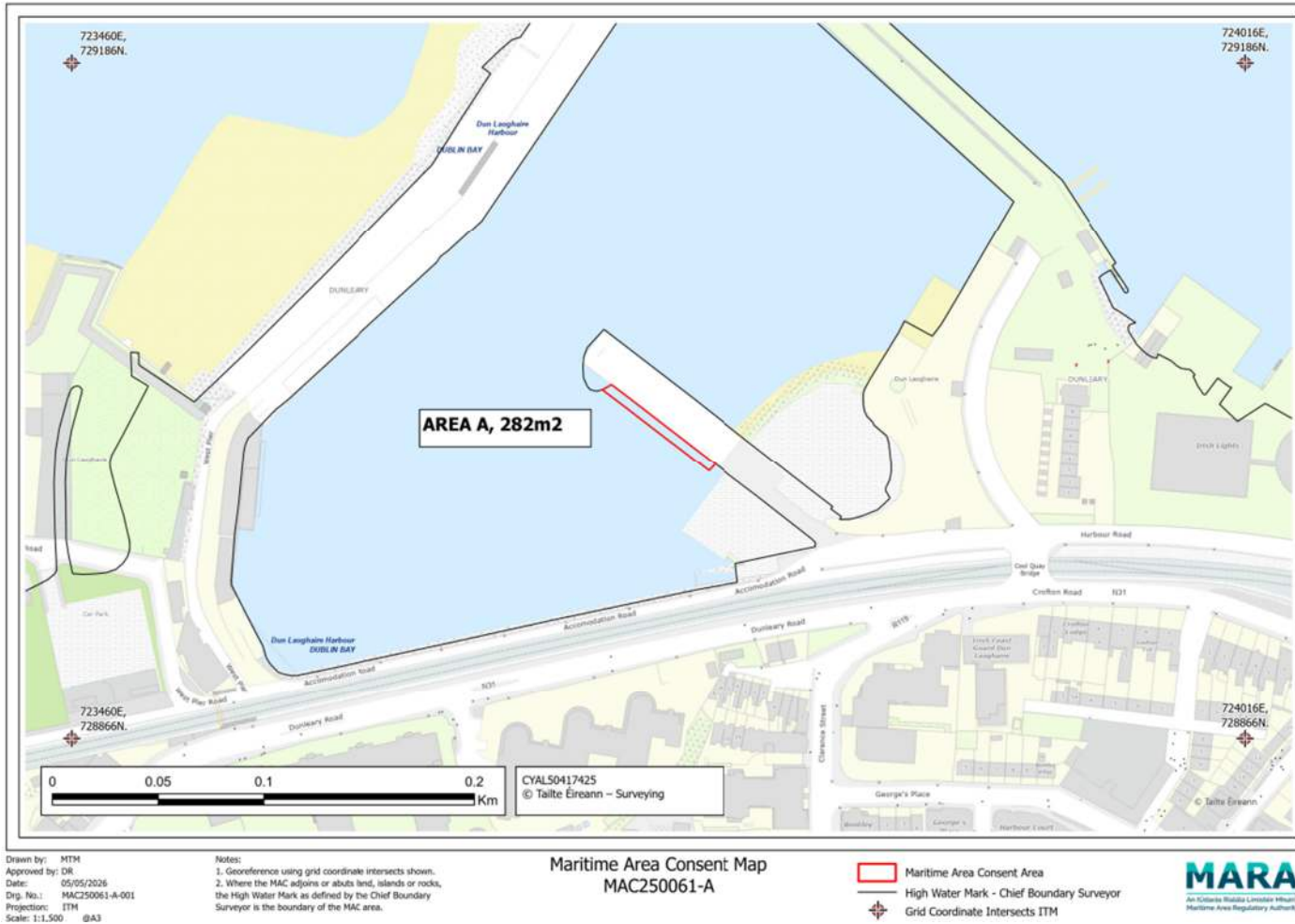


Figure 3 – Proposed MAC Map

## 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.

<b>MAPA Levy Framework Part:</b>	A: Nearshore
<b>Category/Class:</b>	<i>Development (Non -Commercial)</i>
<b>Tier:</b>	1
<b>Applicable Rate:</b>	Base Annual Charge of €214.09 plus an add on of 2.40 per sq.m for areas in excess of 100 sq.m
<b>Length or Area:</b>	282m <sup>2</sup>
<b>Calculation:</b>	€214.09 + ( €2.40 * (282.00 - 100.00))
<b>Levy due:</b>	€650.89

The MAC levy has been calculated as €650.89 per annum. All levies are indexed to the Harmonised Index of Consumer Prices (HICP), applied on an annual basis.

## 9. Conclusion & Recommendation

Based on the assessments undertaken contained herein, it is considered that the application for the material amendment of a MAC complies with all the requirements of Part 4 of the Act, with particular regard to Schedule 5 criteria, where relevant and appropriate. Accordingly, it is recommended that the MAC is amended as per the amendment sought, as per the enclosed recommended amended MAC, in accordance with Section 81 of the MAP Act. I also recommend that a determination notice, as enclosed, is issued to the Holder.

Once a final determination is made by MARA, MARA will publish a notice on its website as soon as practicable thereafter.

Signed: Sharon Dobbs Position: Analyst, MACU

Signed: Daniel Ryan Position: Engineer, MACU