

Maritime Usage Licensing and Planning Advisory Directorate Response to Supplementary Material on a Minded to Determination			
To:	John Evans, Director	From:	Maria O Connell, Marine Analyst
Date:	28/09/2026	Maritime Usage Licence Application No:	MUL260036
MUL Applicant Name:	Port of Cork Company		
MUL Applicant Registered Address:	Tivoli Terminal Building, Tivoli Dock and Industrial Estate, Tivoli, Cork, T23 YNT9		
Licence application received:	21/04/2026	Supplementary material received:	25/09/2026
Type of maritime usage in accordance with Schedule 7 of the Maritime Area Planning Act, 2021 (as amended):	<i>7 (3). Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000.</i>		
Location of proposed Maritime Usage:	Ringaskiddy, Cork Harbour, Co. Cork.		

Introduction:

The Maritime Area Regulatory Authority (MARA) issued a Minded to Determine Notice and a proposed Maritime Usage Licence (MUL) to the Port of Cork Company, Tivoli Terminal Building, Tivoli Dock and Industrial Estate, Tivoli, Cork, T23 YNT9 on 04/09/2026. The MUL application is for marine environmental surveys for the purposes of site investigation, falling under Schedule 7(3) of the Maritime Area Planning Act 2021, as amended (the MAP Act). The applicant was advised in the Notice that MARA was minded to grant the MUL, subject to conditions.

The applicant submitted a response with supplementary information setting out their reasons for requested amendments to one condition in the proposed MUL. This report addresses the supplementary material submitted also having regard to the application documentation as well as MARA's assessment reports. The applicant's supplementary material is summarised below.

1. Specific Condition 25 (i)

Condition 25 (i)

"The Holder shall appoint a marine mammal observer(s) for the purposes of overseeing the Permitted Maritime Usage."

Reason: To ensure protection of the marine environment and protected species.

Applicant's response:

The applicant has requested the amendment of the wording associated with a sub section of Condition 25. The Section referred to is Condition 25 (i) as detailed above. The amendment proposed is as follows **"The Holder shall ensure a marine mammal observer is appointed for the purposes of overseeing the Permitted Maritime Usage."**

The reason provided for this amendment is to allow port operations to arrange for tenders whereby the contractor(s) appoints the MMO and not the port (or Holder of the licence in this instance). The applicant's submission outlines that a tender for such works typically requires the contractor to appoint the MMO or in some cases the foreman for such works to be trained as MMO observer.

MARA's Response:

This condition is included as a Specific Condition in maritime usage licences where context requires. The reason for this condition is to ensure protection of the marine environment and protected species. In correspondence issued to the applicant dated 04/09/2026 MARA outlined that Section 119(6)(b) of the Maritime Area Planning Act provides that the applicant

may provide supplementary material in relation to the reasons for further consideration before MARA makes a final determination on the application for the MUL.

While MARA acknowledges the context outlined by the applicant in relation to the proposed amendment to Condition 25 (i), the proposal does not relate to the reasons for this Condition and therefore cannot be considered further at this stage.

Recommendation:

No change to Specific Condition 25(i).

Signed

Maria O Connell

Marine Analyst

Maritime Usage Licensing and Planning Advisory Directorate