

Final Determination Memo	
Re: Application for a Maritime Area Consent (MAC) under Section 79 of Maritime Area Planning Act 2021 (the Act)	
Application Details	
MAC Applicant:	Mayo County Council (MCC)
MAC Reference No:	MAC20230008
Date Application received:	04 March 2024
Application Details	MCC have made an application under Section 75(1) of the Act for a MAC for the construction, use, operation and maintenance of a flood relief scheme on the River Moy at Ballina, Co. Mayo, including all associated decommissioning, demolition, rehabilitation, and any other works required on foot of any development permission relating to the infrastructure.
Recommendation	To Grant, with conditions , the MAC sought.

Document Control		
Prepared by:	██████████ MAC Analyst	12/03/2025
Reviewed & Approved by:	██████████ Head of Maritime Area Consenting	13/03/2025

A minded to notice issued under Section 81(7)(b) on 27 February 2025 to inform MCC that MARA was minded to grant a MAC subject to the conditions attached to the MAC. A copy of the draft MAC and reasons for the conditions attached were also furnished to the applicant within the notice.

The applicant responded to the minded to notice by email on 10 March 2025 seeking clarification on the meaning of the terms “Commencement Date” and “Commencement of Occupation” contained, respectively, in the *Particulars Schedule* and *Condition 16* of the draft MAC. On 11 March 2025 MARA provided the requested clarification. The applicant responded on 11 March 2025 to confirm that MCC is satisfied with the reasons for the proposed conditions.

In accordance with Section 82(7)(b)(ii) MARA must give consideration to the supplementary material made in response to a minded to notice before making a final determination. As per Section 81(7)(b)(ii) of the Act, MARA may only consider supplementary information made in view of the reasons for the conditions attached. The clarifications sought do not relate the reasons for conditions attached to the draft MAC. Accordingly, no further consideration is required to be given by MARA in regard to the above.

Accordingly, it is recommended to issue a final determination notice in relation to the above application in accordance with section 81(3) of the Act. It is recommended to finalise the MAC with conditions attached and reasons attached thereto, as per the draft MAC and reasons as set out in the minded to notice.

A final determination notice, the final MAC and reasons for conditions attached thereto are attached for your approval.

Signed:



Date: 13 March 2025