

MAC Report	
Application for a Maritime Area Consent under Section 75(1) of Maritime Area Planning Act 2021, as amended	
Application Details	
MAC Applicant:	Iarnród Éireann
MAC Reference No:	MAC20230005
Location:	Rosslare Europort, Co. Wexford.
Date Application received:	20 March 2024
Proposed Maritime Usage:	Iarnród Éireann has applied to construct, operate and maintain port facilities and a small boat harbour at Rosslare Europort, Co. Wexford.
Recommendation:	To approve the Granting of the MAC sought with conditions attached.

Document Control			
Prepared by:		Senior Marine Advisor	03/04/2025
		MAC Analyst	14/04/2025
Reviewed by & approved by:		Head of Maritime Area Consenting	14/04/2025
Final Report, Version 1		MAC Manager	16/04/2025

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1. Overview

On 20 March 2024 Iarnród Éireann submitted a Maritime Area Consent (MAC) application to MARA under Section 79 of the Maritime Area Planning Act 2021, as amended (the Act) to develop and operate port facilities and a small boat harbour. The works are proposed to support the construction and servicing of offshore wind farms.

2. Background

Rosslare Europort is an existing port located on the south-east coast of Wexford. The Port at Rosslare is a strategic national asset with good road and rail links. The Port is one of 5 ports of national significance within the terms of National Ports Policy 2013 and is classified as a comprehensive port on the European Union's (EU's) Trans-European Transport Network (TEN-T)¹. The existing port facilities, managed by Iarnród Éireann, provide for passenger and freight ferries to and from the United Kingdom and the European Continent. The proposed works the subject of the MAC application include an expansion of the existing Rosslare Europort to the north-west, primarily for the purpose of supporting Offshore Renewable Energy (ORE) development.

3. Proposed Maritime Usage

Rosslare Europort are proposing to develop port facilities to support the construction (main staging, installation and storage facility) and servicing phases for proposed ORE projects in the Irish and Celtic Seas.

The proposed works are located at Ballygillane Big to the north-west of the existing Rosslare Europort in County Wexford. The proposed total area to be occupied by the MAC is 76.07ha, 27.70ha of which is proposed to be reclaimed and 48.37ha is proposed for capital dredging.

The reclamation area is proposed for use as a temporary storage area for offshore wind farm components in preparation for installation activities, purpose-built quays to support offshore wind installation vessels and access to the new facility from the existing port. The proposed works include construction of a new small boat harbour to replace the existing harbour. The MAC area sought by the applicant is illustrated in *Figure 1*.

¹ https://transport.ec.europa.eu/transport-themes/infrastructure-and-investment/trans-european-transport-network-ten-t_en

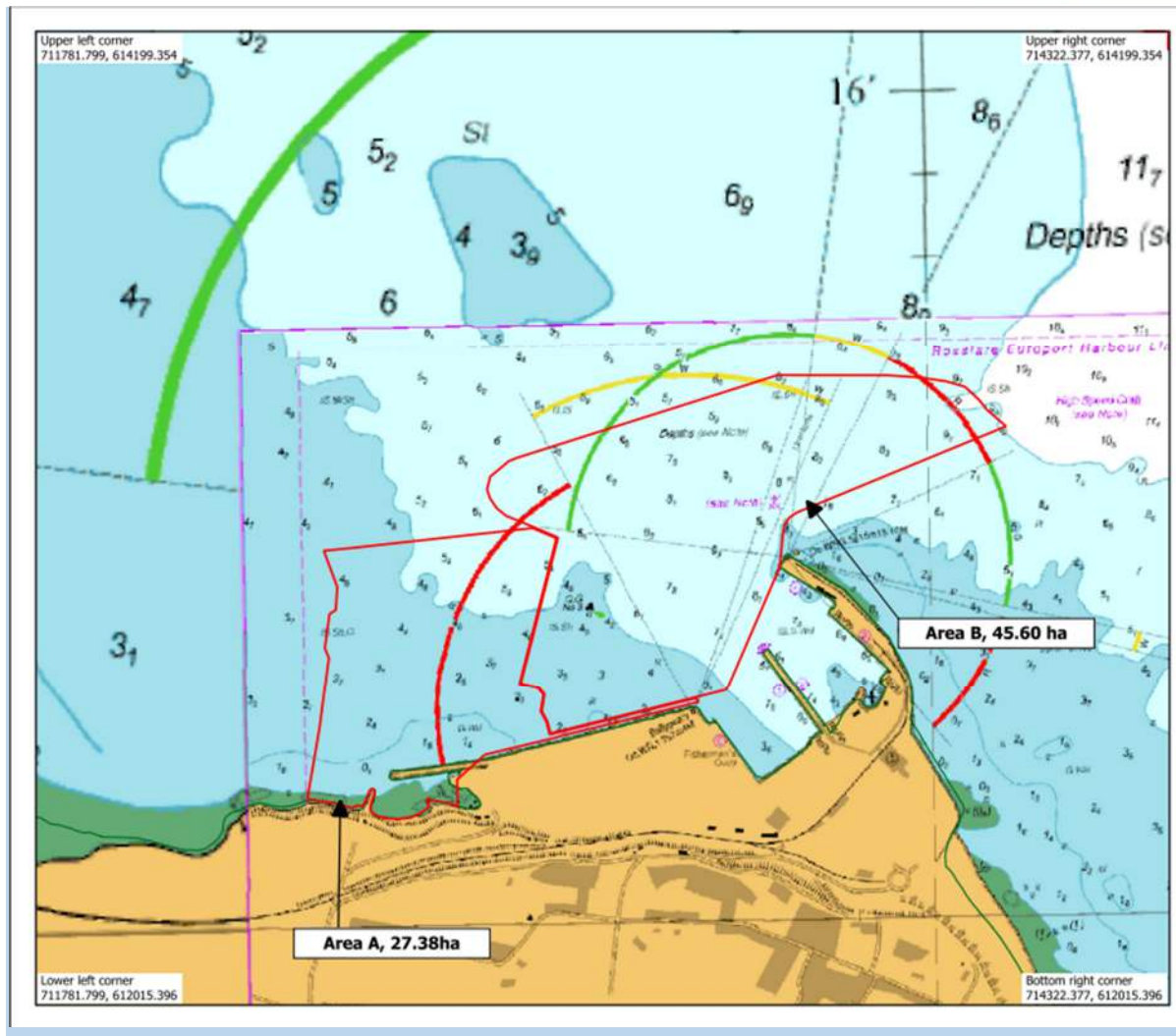


Figure 1 : Applicant Map of proposed layout of MAC area at Rosslare Europort

The proposed project consists of the following main elements:

- Reclamation of 27.70 ha of maritime area including an existing small boat harbour for the development of a storage and assembly area;
- Dredging works (approach channel and quayside) to accommodate a suitable draught for offshore vessels anticipated at the proposed berth to include; delivery vessels, installation vessels, multi-purpose cargo vessels and support vessels. Dredged material is proposed to be re-used on-site to for reclamation as opposed to sending it to landfill or dumping it at sea;
- A heavy lift berth of up to 330 metres long will be created to accommodate ORE installation vessels;
- A second 240-metre-long berth capable of handling Roll On Roll Off activities and heavy Load On Load Off of foundation and wind turbine components;

- A replacement harbour for small boats with separate access and car park. (The new facility will include a new small boat harbour with increased water depth which will facilitate local fishers and other existing users of the small boat harbour);
- ORE Operation and Maintenance (O&M) facilities;
- RNLI facilities;
- Quay walls;
- Access road from the proposed new Rosslare Europort Access Road to the north side of the new facility (where the replacement small boat harbour will be located); and
- Rock armour revetments partially surrounding the reclaimed area and providing the boundary protection for the proposed small boat harbour.

4. Site Visit

Senior Marine Advisor, [REDACTED] inspected the site on 11 September 2024. The proposed works are located in a presently undisturbed maritime area with the exception of the existing small boat harbour which is used by small fishing and leisure craft. Photographs 1 and 2 detail the character of maritime area in the vicinity of the proposed works.

Landside access to the maritime area is restricted by port operations and therefore the proposed works, if completed, would be unlikely to impact on the existing public amenity or access. The MAC application includes for a new small boat harbour to replace the existing facility which will be infilled as part of the proposed reclamation works. The existing small boat harbour which is subject to an increasing level of siltation in recent years is used by small inshore fishers and leisure boats and is an important community facility. The small boats harbour is limited to local users/ members of Rosslare Harbour Small Boats & Inshore Fishermen's Association.

No existing infrastructure or occupation, other than the small boat harbour, was noted during the site visit with the proposed MAC area.



Photograph 1: Small Boat Harbour ([REDACTED] 11/09/2024)



Photograph 2: Seaward Boundary ([REDACTED] 11/09/2024)

5.1 Applicable Provisions of the MAP 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. Under the Foreshore Act the Minister for Agriculture, Food and the Marine (MAFM) retains the function for authorisations in relation to a sea fishing and related usages including fishery harbour centre, an activity which is wholly or primarily for the use, development or support of aquaculture, or 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. While the works includes a small harbour for support of sea-fishing, the application primarily relates to port facilities to support the ORE sector. Accordingly, 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. In accordance with Section 75(1) of the MAP Act, a MAC is required before an application for development permission can be lodged with the relevant consent authority. Accordingly, the subject application is considered to fall under Section 75(1) of the Act.

5.2 Existing Consents & Authorisations

A search of the MARA's GIS database was undertaken on 03 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 database² was searched on 03 April 2025 for spatial overlap between the proposed MAC areas and any MAFM 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/applications 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
FS005401	Wexford County Council	Foreshore Licence	Outfall Pipe	Licence granted – expired 04/02/1993
FS006289	Iarnród Éireann	Foreshore Licence	Site Investigations	Licence granted – expired 12/03/2019

² <https://atlas.marine.ie/>

FS006407	Iarnród Éireann	Foreshore Licence	Maintenance Dredging	Licence Granted - expired
FS006506 ³	Rosslare Harbour Commissioners	Foreshore Licence	Dredging	Licence granted - expired
FS006365	The Office of Public Works	Foreshore Licence	Removal of beach material.	Historical consent with works completed.
FS005155	Rosslare Harbour Commissioners	Foreshore Licence	Site for Rosslare Pier	Historical consent with works completed
FS007509	Iarnród Éireann - Rosslare Europort	Foreshore Lease	Site investigations	Lease granted – expires 17/07/26

All of the overlapping foreshore authorisations, with the exception of Foreshore Licence (FS007509), have expired. As Iarnród Éireann is the same applicant for the subject MAC application as the only extant overlapping Foreshore Licence (FS007509) authorisation and given that foreshore licences are granted on a non-exclusive basis, it is considered that the spatial overlap does not prevent the granting of a MAC.

Separately a Foreshore Lease (FS005398 – expires 31/01/ 2037), granted to Wexford County Council for an outfall pipe is noted to be located adjacent to the proposed MAC area. While the MAC application area does not directly overlap the lease, the capital dredging works associated with the MAC application has the potential to affect the existing outfall pipe. Further consideration in relation to the Foreshore Lease is provided in Sections 6 & 9 below.

5.2.1 Development Permission

The applicant has stated that the proposed works require development permission and has made their application under Section 75(1) of the Act. The applicant has commenced consultations with An Bord Pleanála (ref OC26.319811) and indicated that they intend to submit an application for development permission should they be successful in obtaining a MAC. No application for development permission has been made in advance of seeking a MAC from MARA.

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 is considered reasonable that 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.

³ <https://www.gov.ie/en/department-of-the-environment-climate-and-communications/foreshore-notice/fs006506-iarnd-ros-slare-europort/>

5.2.2 Ownership

A search was undertaken of the Land Registry on 03 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 20 March 2024.

A number of requests for additional information were issued on 10 & 16 July, 06 September, 24 September, 06 December 2024 and 12 March 2025 under section 79(3) of the MAP Act and associated responses received relating to matters for technical assessment and financial assessment on 10 & 26 July, 27 September, 16 October, 12 December 2024 and 18 March 2025.

Schedule 5 of the MAP Act, which 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. Furthermore, a term of 45 years would align with the related MACs awarded to the ORE developments that facility intends to support.</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>Iarnród Éireann stated that the development at Rosslare Europort Port is supported in national, regional, and local planning policy. The proposed project supports Ireland's transformation to renewable energies as set out in the Government's Climate Action Plan (CAP) and the National Energy and Climate Plan 2021-2030.</p> <p>Iarnród Éireann stated that the primary objective of this proposed development is to establish a central staging, installation, and storage</p>	Satisfactory

		<p>facility for offshore renewable energy projects along the east coast of Ireland and the Celtic Sea. The proposed project is considered to support Ireland's transformation to renewable energies as set out in the Government's Climate Action Plan (CAP) and the National Energy and Climate Plan 2021-2030.</p> <p>The proposed development will include a new harbour for use by the RNLI and users of the existing small boat harbour, which will be infilled by this development. Iarnród Éireann stated that the existing facility has experienced an increasing level of siltation in recent years, reducing its usability. The new small boat harbour will be located at the seaward (north-west) corner of the proposed development and will provide a superior facility with easier access for existing users, as well as accommodating the RNLI. For security and safety reasons, the facility will have its own controlled entrance, separate from the main port operations.</p> <p>Iarnród Éireann stated that this investment in port infrastructure has the potential to create up to 2,000 jobs. According to Central Statistics Office data, this is crucial, as the south-east region is currently one of the least productive regions in Ireland and has the highest unemployment rate.</p> <p>The proposed maritime usage is considered satisfactory, having regard to the public interest.</p>	
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 76.07ha as illustrated in <i>Figure 2</i> (Proposed MAC Map) in Section 7. 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 the location of an existing stormwater outfall under Foreshore Lease FS005398 located adjacent to the proposed MAC area, it is recommended that the holder engages with the Foreshore Lease holder to ensure the proposed MAC activity does not cause disruption to the existing maritime usage.</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 assessment set out in <i>Table 3</i>, Section 6.3 and the Financial Capability Assessment (FCA) as set out in the Ernest Young (EY) report dated 03 April 2025, it is considered that the applicant satisfies 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 a 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. While the proposed maritime usage incorporates elements of Offshore Renewable Energy (ORE), it is unrelated to transmission infrastructure.	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 Offshore Renewable Energies, Ports, Harbours and Shipping 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"> ORE Policy 1 - Proposals that assist the State in meeting the Government's offshore renewable energy targets, including the target of achieving 5GW of capacity in offshore wind by 2030 and proposals that maximise the long-term shift from use of fossil fuels to renewable electricity energy, in line with decarbonisation targets, should be supported. All proposals will be rigorously 	Satisfactory

		<p>assessed to ensure compliance with environmental standards and seek to minimise impacts on the marine environment, marine ecology and other maritime users.</p> <ul style="list-style-type: none"> • ORE Policy 7 - Where potential for ports to contribute to ORE is identified, plans and policies related to this port must encourage development in such a way as to facilitate ORE and related supply chain activity. • ORE Policy 10 - Opportunities for land-based, coastal infrastructure that is critical to and supports development of ORE should be prioritised in plans and policies, where possible. • 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. • Ports, Harbours and Shipping Policy 5 - Proposals for capital dredging will be supported where it is necessary to safeguard national port capacity and Ireland's international connectivity and where required compliance assessments associated with authorisations have been carried out and incorporated into subsequent competent authority decision(s). • Employment Policy 1 – proposals should demonstrate contribution to a net increase in marine related employment in Ireland. <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>	
9.	The extent and nature of the preparatory work already undertaken by the applicant towards ensuring the efficacious undertaking of the	<p>The applicant has undertaken preparatory works to inform their planning application and to assist with the detail design of the proposed ORE Facility. To date the applicant has completed the following preparatory works:</p> <ul style="list-style-type: none"> • A Foreshore Licence (FS007509) was granted in August 2023 to undertake a full suite of marine based surveys and site investigations; 	Satisfactory

	proposed maritime usage the subject of the MAC application concerned should the applicant be granted a MAC in respect of such usage.	<ul style="list-style-type: none"> Non-statutory public consultations on the Emerging Preferred Option and subsequently on the Preferred Option were conducted by Iarnród Éireann; and Consultation with An Bord Pleanála under SID legislation (An Bord Pleanála Case reference: OC26.319811) <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>	
10.	The extent and nature of stakeholder engagement undertaken by the applicant in respect of the proposed maritime usage.	<p>Iarnród Éireann stated that the project has been positively received, with various engagements conducted to date. Officially launched on 20 April 2022, with an event at Rosslare Europort, the project is stated to have attracted representatives from diverse groups. Attendees included the Minister for Transport/Minister for Environment, Climate and Communications, local and national elected officials, business organizations, local authorities from Wexford and surrounding counties, and educational institutions. The event is stated by the applicant to have generated a highly favourable response as the economic potential of the proposal was acknowledged.</p> <p>Engagements have been held with statutory bodies regarding the EIA Scoping Report, and two public sessions took place at the port on 11 and 12 December 2023. Additionally, interactions have been indicated to have commenced with fisheries and other marine users, including local small boat harbour users and the RNLI.</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 MAP Act sets out the criteria to which MARA shall have regard in determining whether the relevant person(s) is/are “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;	As set out in Section (g) below, the Applicant has demonstrated clear evidence of their expertise and technical capability in successfully delivering projects of a similar scale. No letters of reference were provided.	Satisfactory
(b)	that the relevant person, or any other person concerned, stands convicted of— (i) an indictable offence under this Act or an offence in another state equivalent to an indictable offence, (ii) an indictable offence under an enactment prescribed for the purposes of this clause, or (iii) an offence involving fraud or dishonesty;	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.	Satisfactory
(c)	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— (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 (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;	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.	Satisfactory
(d)	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;	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	Satisfactory
(e)	if the relevant person is a body corporate, whether it— (i) has commenced a voluntary winding-up or is subject to a winding-up order or is subject to proceedings for such an order, (ii) is subject to the appointment of a receiver or examiner, or	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.	Satisfactory

	(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;		
(f)	<p>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>	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	Satisfactory
(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 Iarnród Éireann, to deliver the proposed maritime usages the subject of the MAC application is detailed in <i>Section 6.2.1</i> below. Iarnród Éireann are considered to have the requisite technical knowledge and qualifications to undertake the proposed maritime usage.	Satisfactory
(h)	<p>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—</p> <p>(i) in undertaking the proposed maritime usage, or in continuing to undertake the maritime usage, as the case may be, or</p> <p>(ii) in ceasing to undertake the proposed maritime usage or the maritime usage, as the case may be;</p>	<p>A FCA report, dated 03 April 2025, has been prepared by external financial consultants, EY, who assessed the applicant's financial ability 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.</p> <p>Due to the commercial sensitive nature of a company's finances, details of the assessment are not included herein.</p> <p>The applicant is considered likely to be in a position to meet financial commitments associate with the proposed maritime usage and MAC.</p>	Satisfactory
(i)	<p>the previous performance of the relevant person when granted—</p> <p>(i) a MAC,</p> <p>(ii) a development permission,</p> <p>(iii) a licence, or</p> <p>(iv) an authorisation (howsoever described) under the Act of 1933.</p>	On 07 November 2024 MARA undertook a review of MACs (including associated development permission under MARA's remit for enforcement), MULs 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 stated to be 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: Iarnród Éireann have submitted details of four projects of a similar scale and nature for assessment. Based on the information submitted it is clear that, in the past 10 years, Iarnród Éireann has been involved in large scale infrastructure projects and it has provided a comprehensive description of their role in delivering these projects. In conclusion, Iarnród Éireann 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: Iarnród Éireann listed seven team members in Appendix Tec B Table 1 of the application form and provided information and CV's in relation to all team members. All CVs were fully reviewed as part of the assessment and the evidence provided demonstrates an experienced Senior Project Delivery Team which between them, have an aggregate of at least 20 years of development and construction experience in marine projects, at least 40 years' experience of other projects and at least 30 years' experience of the Irish planning system. Therefore, Iarnród Éireann has satisfied the Project Delivery Teams Experience criteria requirements.

Delivery Timelines: The applicant had hoped to obtain development permission by Q2 of 2025 and to appoint a main contractor in Q4 of 2025. While these proposed timeframes have passed, it is expected that the project will be substantially complete by Q2 of 2027. 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 Iarnród Éireann have satisfied all of the criteria under the TCA of the Fit and Proper Test. Accordingly, MARA considers that Iarnród Éireann has the requisite technical knowledge and qualifications to undertake the proposed maritime usage.

AREA A, 76.07ha

Rosslare Bay

Rosslare Harbour

BALLYGILLANE LITTLE

Rosslare Europort

N25

BALLYHENRY

0 0.17 0.35 0.7 Km

CYAL50417425
© Tailte Éireann - Surveying

Notes:
1. Georeference using grid coordinate intersects shown.
2. Where the MAC adjoins or abuts land, islands or rocks,
the High Water Mark as defined by the Chief Boundary
Surveyor is the boundary of the MAC area.

Maritime Area Consent Map
MAC20230005

Legend:
[Red Line] Maritime Area Consent Area
[Blue Dashed Line] High Water Mark - Chief Boundary Surveyor
[Black Dot] Grid Coordinate Intersects ITM

MARA
An tAidisead Náisiúnaí Leisdeán Meara
Maritime Area Regulatory Authority

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:	Development (Commercial)
Tier:	Tier 3 (St. Helens ED)
Applicable Rate:	Base annual charge of €400 plus an add on of €0.75/m2 for areas in excess of 100 m2
Area:	760,700 m2
Calculation:	$€400 + ((760,700 - 100) * €0.75)$
Levy due:	€570,850.00

The MAC levy has been calculated as €570,850.00 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

9.1. Terms

MAC Term:	45 Years
Consent Area:	That part of the maritime area marked red on the map attached hereto
MAC Map Title:	Title: MAC Map, MAC20230005,001 Map 1 of 1 Drawing Number: MAC2023005-001 Date: 08/11/24
Permitted Maritime Usage:	The construction, use, operation and maintenance of port facilities and a small boat harbour, including all associated decommissioning, demolition, rehabilitation and any other works required on foot of any development permission relating to the port facilities.

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:	18 months from date of grant of development permission

9.2. 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 of Foreshore Authorisation Ref FS005398 in order to ensure that any potential

disruption to the Foreshore Authorisation Ref FS005398 is 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.

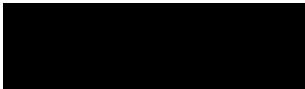
- **Reason:** In the interest of clarity.
- Condition 12.3 - The Holder shall have achieved Financial Close relating to the Permitted Maritime Usage the subject of this Consent on or before the date set out in the Particulars Schedule. This date may be extended on request in writing by the Holder and provided the Grantor is satisfied that there are reasonable grounds for doing so and the extension does not constitute a material amendment to this Consent.
 - **Reason:** In the interest of clarity.
- Condition 12.4 - In the event that Financial Close for the Permitted Maritime Usage is not achieved in accordance with the requirements of condition 12.3, the provisions of condition 23 of the Act shall apply.
 - **Reason:** In the interest of clarity.
- Condition 12.5 - In the event that Financial Close for the Permitted Maritime Usage is achieved, the following provisions shall apply:
 - (a) The Holder shall furnish the Grantor with evidence of Financial Close as soon as practicable after it has been achieved.
 - (b) The Holder shall give the Grantor a copy of any material alteration to the funding arrangements as soon as practicable after the alteration has been made, the provisions of condition 14 of the Act shall apply.
 - **Reason:** In the interest of clarity
- Condition 23.2 - Without prejudice to any other remedies available pursuant to this Consent and at Law, this Consent shall terminate immediately in the event that Financial Close for the Permitted Maritime Usage is not achieved in accordance with the requirements of condition 12.3.
 - **Reason:** In the interest of clarity

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 the application, 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(s) 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: 07/04/2025

Signed:  Position: Manager, MACU

Date: 14/04/2025