

# Application for a Maritime Area Consent under Section 75(1) of Maritime Area Planning Act 2021, as amended

<b>MAC Applicant:</b>	Uisce Éireann
<b>MAC Reference No:</b>	MAC20230028
<b>Location:</b>	Glin, County Limerick
<b>Date Application received:</b>	4 March 2024
<b>Proposed Maritime Usage:</b>	Uisce Éireann has applied for a MAC under Section 79 of the Act for the upgrade of wastewater infrastructure at Glin, County Limerick. The proposed works include the construction, use, operation and maintenance of a wastewater terminal pumping station, an overflow outfall pipeline with diffuser and a treated effluent outfall pipeline with diffuser, including all associated decommissioning, demolition, rehabilitation, and any other works required on foot of any development permission relating to the infrastructure.
<b>Recommendation:</b>	To approve the <b>Granting</b> of the MAC sought with conditions attached.

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Final Report, Version 1	██████████	MAC Manager	29/04/2025

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## 1.0 Overview

On 4 March 2024 Uisce Éireann (UÉ) submitted a Maritime Area Consent (MAC) application to MARA under Section 79 of the of the Maritime Area Planning Act 2021, as amended (the Act) to upgrade and operate wastewater infrastructure at Glin, County Limerick.

## 2.0 Background

UÉ currently operate a wastewater treatment plant at Glin, County Limerick. The wastewater treatment plant includes an outfall pipe with extends into the maritime area. The outfall pipe currently is authorised by a Foreshore Licence (FS004713). UÉ intend to construct a new Waste Water Treatment Plant (WWTP) and outfall pipe at Glin.

UÉ state in their application that Glin Agglomeration is failing to meet EU Sewage Treatment Standards. UÉ states that the existing infrastructure is overloaded, causing non-compliant discharges of wastewater into the River Shannon Estuary and River Fergus Estuary, both Special Protection Areas, while the Lower River Shannon Special Area of Conservation is also affected. The proposed upgrades are deemed essential by UÉ to safeguard these protected areas from further contamination and to reduce marine litter from the existing wastewater system.

UÉ propose the decommissioning of the existing outfall pipeline and tidal tanks in the vicinity of the proposed MAC area under the terms of Foreshore Licence FS004713 and to surrender this Licence once decommissioning is complete.

## 3.0 Proposed Maritime Usage

UÉ propose to construct the new WWTP which primarily falls within the terrestrial area. The WWTP is proposed to be supported by the construction, operation, and maintenance of the following works in the maritime area, the subject of the MAC application:

1. a wastewater Terminal Pumping Station (TPS), located on existing reclaimed land,
2. a 400m long by 630mm diameter treated effluent marine outfall with diffuser, and
3. a 400m long by 350mm diameter stormwater overflow marine outfall with diffuser.

The MAC area sought by the applicant is illustrated in *Figure 1*.

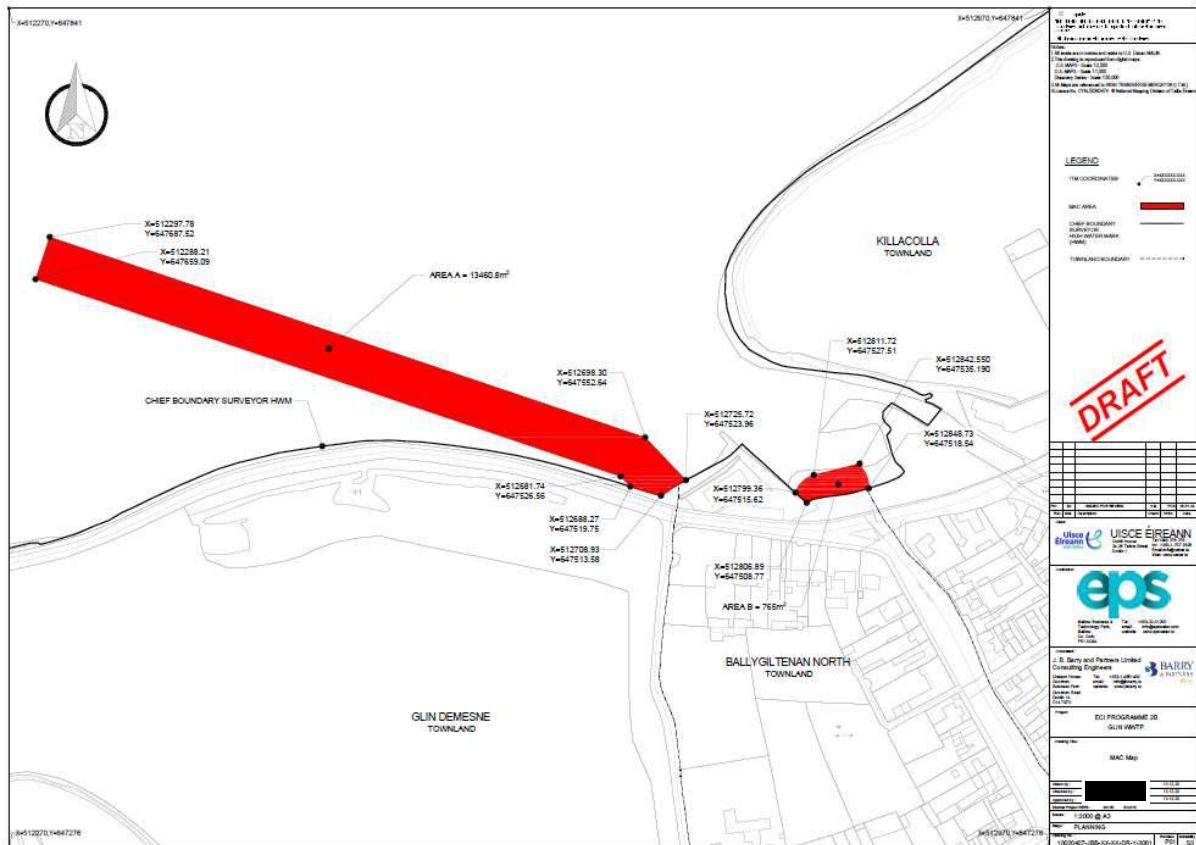


Figure 1 : Applicant Map of proposed layout of MAC area at Glin

The proposed project consists of the following main elements:

- A TPS at Glin Town Park constructed to collect and pass forward waste water flows to the proposed WWTP via a rising main installed from the TPS to the WWTP. The TPS civil elements will be designed to limit the total number of stormwater overflow events to three per bathing season in accordance with the Bathing Water Regulations. The TPS will include:
  - A stormwater storage tank;
  - Manual stormwater screen;
  - Pumps and Pump sump; and
  - Discharge flow meter.
- A treated effluent marine outfall comprising of a 400m long pipeline with diffuser to discharge treated effluent flows from the WWTP to the Shannon Estuary.
- A stormwater overflow marine outfall, comprising of a 400m long pipeline with diffuser to discharge stormwater overflow from the TPS to the Shannon Estuary (both outfalls will run parallel and discharge to approximately the same location).
- Pre-construction investigation works, including cable percussive boreholes with rotary cores and trial pits along the marine outfall pipeline route.

The TPS will be located where the Glin wastewater sewerage system drains to and where wastewater will be pumped to the WWTP for treatment. In the event of a large storm event the TPS is designed to

store a certain amount of untreated wastewater before discharging through the overflow to the marine outfall location via the stormwater overflow pipe. In a storm event, it is expected that by the time the stormwater storage tanks are full and overflow occurs, the stormwater effluent is primarily rain water with the equivalent characteristics of a treated effluent. Following a storm event the stormwater stored in the TPS will be pumped to the WWTP for treatment. All treated effluent will be discharged at the marine outfall location via the treated effluent pipeline.

## 4.0 Site Visit

Senior Marine Advisor, Barry McDonald, inspected the site on 24 of July 2024 at approximately 3pm. *Photo 1* below shows the Town Park viewed from the north-east. The maritime area for the proposed TPS has been previously reclaimed and is now open green space and maintained as a town park. The TPS is proposed to be a below ground level structure with the ground level raised to meet flood risk requirements. The TPS is considered unlikely to be evident at the location other than the raised ground level with retaining walls and access/maintenance covers for the various chambers. Public access will be maintained other than when construction and maintenance works are being completed. It was not evident during the site visit whether the reclamation occurred by natural means, by anthropogenic means or by a combination of both.



*Photo 1: Glin Town Park site of proposed TPS and Shannon Estuary. [REDACTED] 24/07/24)*

## 5.0 Review of Legislation & Associated Consents

### 5.1 Applicable Provisions of 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. None of the proposed maritime usages are extant or consented to under an existing development permission.

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 Act, a MAC is required before an application for development permission can be lodged with the relevant consent authority.

## 5.2 Existing Consents & Authorisations

A search of the MARA's GIS database was undertaken 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 database was searched for spatial overlap between the proposed MAC areas and any Minister for Agriculture, Food and the Marine (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 foreshore authorisations 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>
FS004713	Limerick County Council	Foreshore Licence	Septic tank and sewage pipes	Licence granted – expires 10 Dec 2040

UÉ confirms in the application that Licence reference no. FS004713 will be surrendered upon decommissioning of the structures the subject of this Licence. Given that the subject applicant (UÉ) has been transferred responsibility for Licence reference no. FS004713 and that foreshore licences are granted on a non-exclusive basis, it is considered that the spatial overlaps do not prevent the granting of a MAC.

## 5.3 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 indicated that they intend to submit an application for development permission should they be successful in obtaining a MAC for the proposed project. No application for development permission has been made in advance of seeking a MAC from MARA.

Any activities listed under Schedule 7 of the Act, if undertaken prior to the acquirement of appropriate development permission, should be undertaken under a Maritime Usage Licence (MUL).



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 the 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.

#### 5.4 Ownership

Area B, as set out in Figures 1 and 2 of the proposed MAC area is dry maritime area maintained as publicly accessible open green space. The reclamation does not appear to have been carried out with foreshore consent and it is unclear whether it naturally accreted or was intentionally reclaimed.

UÉ indicate in their application that there is a reputed owner of the town park (including Area A). There is no evidence available of any claims of private ownership associated with the maritime areas marked Area A and Area B below.

A search was undertaken of the Land Registry on 28/04/2025 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.

## 6.0 Assessment

### 6.1 Schedule 5

The MAC application was submitted on 29 February 2024 with the appropriate fee paid on 4 March 2024.

A request for additional information was issued on 19 September 2024 under section 79(3) of the Act, relating to matters for technical assessment, to which a response was received on 3 December 2024.

Schedule 5 of the MAP 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 and is summarised in *Table 2* below.

<b>Table 2: Synopsis of the assessment of the application with regard to the requirements of Schedule 5</b>			
<b>Schedule 5 Requirements</b>		<b>Synopsis</b>	<b>Assessment</b>
1.	The nature, scope and duration of the occupation of the maritime area	<p>Details of the proposed maritime usage, including the nature scope and duration are described in Section 3 &amp; 4 above.</p> <p>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</p>	Satisfactory

	concerned for the purposes of the proposed maritime usage.	<p>years (allowing for planning and construction and rehabilitation phases) is recommended.</p> <p>The proposed maritime usage is considered satisfactory, having regard to the nature, scope and duration of the proposed project.</p>	
2.	Whether the proposed maritime usage is in the public interest.	<p>The applicant provides details of how the proposed development at Glin is supported in national, regional, and local planning policy. The applicant states that the proposed project supports Ireland's <i>Project Ireland 2040: National Planning Framework</i> and the <i>Water Services Policy Statement 2018-2025</i>. The applicant furthers that the project will assist Ireland in meeting our obligations under the Water Framework Directive, the Urban Waste Water Treatment Directive and the Marine Strategy Framework Directive.</p> <p>The nearby Glin Pier was nominated by Limerick City and County Council in 2004 to become a designated bathing area. The existing outfall pipeline for the existing tidal tanks discharges effluent approximately 400m from Glin Pier. The applicant states that according to the EPA, the waters at Glin Pier do not currently meet the Bathing Water Regulations. The proposed project has been specifically designed to meet the requirements of the Bathing Water standards, by incorporating a large stormwater storage tank (to reduce the frequency of overflow events), by moving the outfall discharge point further downstream from the area and by using a tidal discharge (discharging on a portion of the falling tide).</p> <p>The applicant states that the new terminal pump station is located within the Glin town park and that public access and use of the location of the TPS will be fully maintained. However, due to the design flood level, the terminal pump station needs to be constructed with a finished ground level that is above the existing ground level. To mitigate the impact of the development on the public's use of the park, the ground level at the terminal pump station is proposed to be raised to cover the major infrastructure and to continue to allow public access to the site. The site will be fenced along the northern and southern boundaries and will be open at the western and eastern boundaries where the ground will slope according to accessibility guidelines (at 1:20 gradient). Park benches and a pathway will be provided inside and along the northern boundary of the proposed works to enhance the public's enjoyment of the location.</p> <p>To ensure the proposed development is in the public interest every practicable opportunity to maintain and improve public access to and along the landward boundary of the maritime area, it is recommended that public access is maintained.</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 1.41Ha, comprising MAC Areas A (1.34ha) for the proposed 2 no. marine outfall pipes and Areas B (0.07ha) for the TPS at the town park, as illustrated in <i>Figure 2</i> (Proposed MAC Map) in <i>Section 7</i>.</p> <p>As discussed in <i>Section 2</i> above, UÉ propose the decommissioning of an existing outfall pipeline and tidal tanks in the vicinity of the proposed MAC area under the terms of Foreshore Licence ref. FS004713 and to surrender this Licence once</p>	Satisfactory



		<p>decommissioning is complete. These decommissioning works are not the subject of this application.</p> <p>Details of the location, relevant consents, ownership and development permissions are provided in Sections 3 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. Accordingly, the proposed maritime usage is considered satisfactory, having regard to the location and spatial extent of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.</p>	
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> below and the Financial Capability Assessment (FCA) as set out in the Ernest Young (EY) report dated 25 June 2024, it is considered that the applicant satisfies the 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 a 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	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 Wastewater Treatment and Disposal, 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>	Satisfactory

		<ul style="list-style-type: none"> <li>• <b>Wastewater Treatment and Disposal Policy 1</b> – proposals by Irish Water related to the treatment and disposal of wastewater that:           <ul style="list-style-type: none"> <li>• service the social and economic development of the country under the National Planning Framework;</li> <li>• resolve environmental issues at priority areas identified by the EPA;</li> <li>• contribute to the realisation of the objectives of:               <ul style="list-style-type: none"> <li>• Ireland's River Basin Management Plan 2018 – 2021</li> <li>• The Water Services Policy Statement 2018 – 2025</li> <li>• Marine Strategy Framework Directive 2012 - 2020</li> </ul> </li> </ul> </li> <li>• should be supported.</li> <li>• <b>Social Benefits Policy 1</b> – proposals that enhance or promote social benefits should be supported.</li> <li>• <b>Co-existence Policy 1</b> – proposals that demonstrate consideration on how to optimise the use of space, including consideration of opportunities for co-existence and co-operation with other activities should be supported.</li> <li>• <b>Infrastructure Policy 1</b> – appropriate maritime infrastructure which facilitates land-based activity 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>	
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.	<p>UÉ have included in their application, details of the following preparatory works to inform their applications and to assist with the detail design of the proposed WWTP: bathymetry, sub-bottom profiler, magnetometer, current/wave measurements, Marine Archaeological Assessment, Flood Risk Assessment and Marine Tiered Assessment of available dilution and dispersion.</p> <p>UÉ propose pre-construction investigation works to include cable percussive boreholes with rotary cores and trial pits along the marine outfall pipeline route. Any activities listed under Schedule 7 of the Act, if undertaken prior to the acquirement of appropriate development permission, should be undertaken under a MUL.</p> <p>Having regard to the above, the extent of the preparatory works are considered acceptable for a project of this scale and nature.</p>	Satisfactory
10.	The extent and nature of stakeholder engagement	UÉ have listed the following engagements as being undertaken:	Satisfactory

	undertaken by the applicant in respect of the proposed maritime usage.	<ul style="list-style-type: none"> <li>• UÉ land and wayleave representatives met with the Glin Development Community Group;</li> <li>• Limerick City &amp; County Council has been consulted and confirmed their intention for Glin Pier to become a designated bathing area;</li> <li>• Department of Housing, Local Government and Heritage;</li> <li>• Foynes Yacht club were approached to determine the usage of the Glin marine area by recreational vessels; and</li> <li>• Transport Infrastructure Ireland have been informed of the proposed development.</li> </ul> <p>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.</p>	
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 is “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.

<b>Table 3: Schedule 2(2) Fit &amp; Proper Person</b>			
	<b>Fit &amp; Proper area for assessment</b>	<b>Synopsis</b>	<b>Assessment</b>
(a)	letters of reference;	No letters of reference provided. The project is supported by Limerick City and County Council under the <i>Limerick Development Plan 2022-2028</i> . This application relates to primary UÉ services and, as set out in Section (g) below, UÉ have demonstrated clear evidence of their expertise and technical capability in successfully delivering projects of a similar scale.	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 is 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 is 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 is concluded that no information or details were identified which indicate that such offences or disqualifications apply.	Satisfactory

(e)	<p>if the relevant person is a body corporate, whether it—</p> <p>(i) has commenced a voluntary winding-up or is subject to a winding-up order or is subject to proceedings for such an order,</p> <p>(ii) is subject to the appointment of a receiver or examiner, or</p> <p>(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;</p>	<p>As part of the FCA the applicant was assessed against these criteria and it is concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	Satisfactory
(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>	<p>As part of the FCA the applicant was assessed against these criteria and it is concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	Satisfactory
(g)	<p>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;</p>	<p>Assessment of the technical capability of the applicant to deliver the proposed maritime usages the subject of the MAC application is detailed in <i>Section 6.2.1</i> below. The applicant is considered to have the requisite technical knowledge and qualifications to undertake the proposed maritime usage.</p>	Satisfactory
(h)	<p>(h) 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 25 June 2024 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>UÉ is considered likely to be in a position to meet financial commitments associated 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>On 14 March 2025 MARA undertook a review of MACs (including associated development permission under MARA's remit for enforcement), licence and foreshore authorisations held by the</p>	Satisfactory

(ii) a development permission, (iii) a licence, or (iv) an authorisation (howsoever described) under the Act of 1933.	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.	
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### 6.2.1 Technical Capability Assessment

Considering the information supplied by the applicant in their application, the Technical Capability Assessment (TCA) for this application has been carried out on the basis that the proposed project is **not 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.

Information has been provided under this TCA submission relating to both the applicant and their contracted agents. Under these circumstances, the TCA will be carried out on the basis of the combined technical capability of the applicant and their agents, Egis Engineering Ireland Ltd formerly J.B. Barry & Partners Ltd, as relevant.

#### Assessment of Qualifications/Membership of Professional Bodies

Egis Engineering Ireland Ltd is a Chartered Engineer with Engineers Ireland. Egis Engineering Ireland Ltd have provided a certificate of membership of the Association of Consulting Engineers Ireland. Egis Engineering Ireland Ltd have provided a copy of a valid, in date, Professional Indemnity Insurance Certificate. Egis Engineering Ireland Ltd have provided a copy of their Certificate of Registration under the I.S. EN ISO 9001:2015 Quality Management System.

#### Assessment of Three Projects of a Similar Scale and Nature

The applicant has satisfactorily completed Appendix Tec A – Table (ii) and has provided details of their agent's involvement in three projects of a similar scale and nature to the project the subject of the MAC application. The three reference projects are maritime projects of a similar scale and nature and the details outlined in Appendix Tec A Table (ii) demonstrates the required level of experience to deliver the proposed project. On the basis of the information provided, it is considered the applicant has met the criteria required in relation to professional qualifications and previous project experience.

#### Assessment of Capability to Operate and Maintain Maritime Infrastructure

The operation and maintenance of the proposed scheme will be undertaken by UÉ. Based on the information submitted in Appendix Tec B, UÉ has demonstrated a good understanding of the likely maintenance and operational requirements of a project of this scale and nature and it is considered that the applicant has met the criteria required in relation to capability to operate and maintain the proposed maritime infrastructure.

#### Assessment of Delivery Timelines



Applicants must provide a development programme that satisfied the requirements of key milestone delivery timelines in Appendix Tec C. The applicant has completed correctly and submitted Appendix Tec C with their application. On the basis of the information provided, whilst the dates are outdated due to the applicant not including the MAC consenting timelines, it is considered the applicant has demonstrated a realistic understanding of the probable timeframes involved in delivering a project of this scale and nature in an Irish context.

## Conclusion

Following an assessment of the documentation provided by the applicant, MARA's Assessment Research and Data Unit (ARD) consider that UÉ and their agents have satisfied all of the criteria under the Technical Capability Assessment of the Fit and Proper Test.

**Based on the outcome of the Technical Capability Assessment, MARA considers that Uisce Éireann and their agents have the requisite technical knowledge and qualifications to undertake the proposed maritime usage.**

## 7.0 Proposed MAC Map (for illustration purposes only)

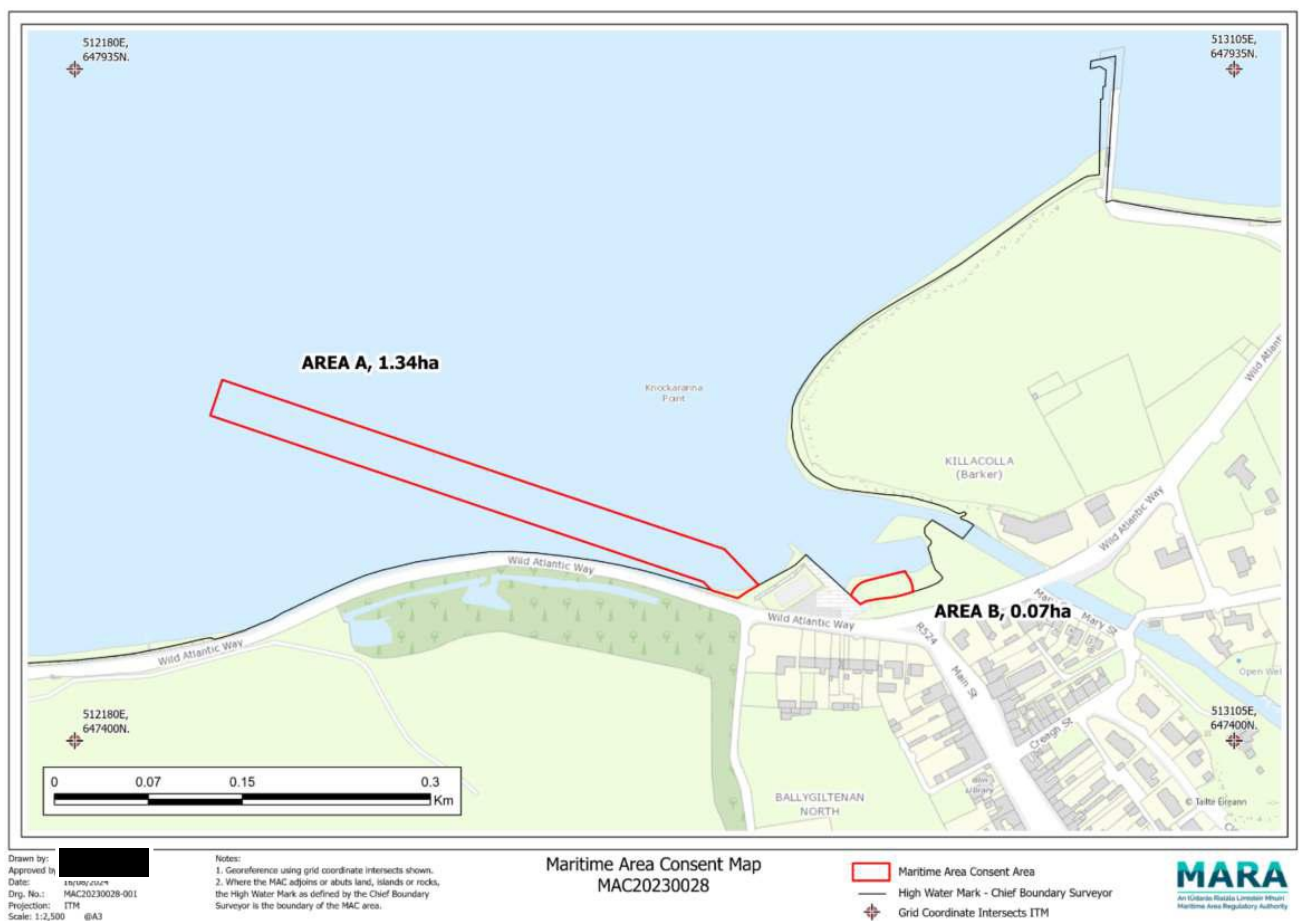


Figure 2 - Proposed MAC map

## 8.0 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>	Part A: Nearshore
<b>Category/Class</b>	Development (Commercial) for Terminal Pumping Station Outfall Pipe - Band 2 for 350mm Diameter WWTP outfall Outfall Pipe - Band 3 for 630mm Diameter TPS outfall
<b>Maritime Valuation Tier:</b>	Tier 4 (E.D. I.D.:1270808, Glin)
<b>Applicable Rate:</b>	<ul style="list-style-type: none"> <li>Base annual charge of €400, plus an add on of €0.375/m<sup>2</sup> for areas in excess of 100m<sup>2</sup></li> <li>Outfall Pipe - Band 2 (151 - 450mm diameter) Base Annual Charge of €600 + €4 per linear metre for any pipe in excess of 10 linear metres</li> <li>Outfall Pipe- Band 3 (451 - 750mm diameter) Base Annual Charge of €900 + €4 per linear metre for any pipe in excess of 10 linear metres</li> </ul>
<b>Length or Area:</b>	Area = 700m <sup>2</sup> for Development Length = 400m for Outfall Pipe - Band 2 Length = 400m for Outfall Pipe - Band 3
<b>Calculation:</b>	$€400 + (700 - 100 \text{ m}^2 \times €0.375) +$ $€600 + (400 - 10 \text{ m} \times €4) +$ $€900 + (400 - 10 \text{ m} \times €4) +$
<b>Levy due:</b>	€5,245.00

The MAC levy has been calculated as €5,245.00 per annum. All levies are indexed to the Harmonised Index of Consumer Prices (HICP), applied on an annual basis.

## 9.0 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

<b>MAC Term:</b>	45 Years
<b>Consent Area:</b>	That part of the maritime area marked red on the map attached hereto
<b>MAC Map Title:</b>	Title: MAC Map, MAC20230028-001 Map 1 of 1 Drawing Number: MAC20230028-001 Date: 16/08/24

<b>Permitted Maritime Usage:</b>	The construction, use, operation and maintenance of a wastewater terminal pumping station and associated overflow pipe and a treated effluent outfall pipe, including all associated decommissioning, demolition, rehabilitation and any other works required on foot of any development permission relating to the infrastructure.
<b>Nature of Occupation:</b>	Non-exclusive
<b>Date by which application for Development Permission must be submitted (subject to Phasing Schedule where applicable):</b>	18 months from date of grant of MAC
<b>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.</b>	14 Days

## 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 MAP 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 conditions and the reasons for these conditions to be attached to the MAC, are hereby recommended:

- 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 28.2 - The Holder shall maintain public access to and amenity use of Area B of the Consent Area including the right of the public to pass and repass along a pathway of minimum 1.8m in width inside the northern boundary of Area B for the duration of the Permitted Maritime Usage. This public access, amenity use and right to pass and repass is subject to appropriate restrictions for the construction works reasonably required to conduct the Permitted Maritime Usage.

**Reason:** *To ensure the public interest is safeguarded*

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.

## 10.0 Conclusion and Recommendation

Following a detailed assessment, 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 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 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: Senior Engineer, ARDU

Date: 28/04/25

Signed:  Position: Manager, MACU

Date: 29/04/25