

FOYNES ISLAND ADDITIONAL MARINE SITE INVESTIGATION (AREAS C & D)

Report on National Marine Planning Framework Compliance



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1 INTRODUCTION

Shannon Foynes Port Company (SFPC) is applying to the Marine Area Regulatory Authority of the Department of Housing, Local Government and Heritage for an amendment to the existing Maritime Usage Licence (Licence No. LIC230014) to undertake marine site investigation works in two additional areas. The works to be carried out in the proposed Maritime Area will enable SFPC to determine the conditions at the site and support the development of the proposed Deep-Water Berth on Foynes Island. This development will support SFPC's plan for delivering offshore renewable energy, as outlined in the Vision 2041 Strategic Review 2022.

The site proposed for the investigation works is in the Shannon Estuary, immediately adjacent to Foynes Port and Foynes Island.

The timing for the survey programme is designed to ensure that the proposed Deep-Water Berth and access bridge is positioned to support the development of Offshore Renewable Energy. The value of proposed offshore renewable energy in Irish coastal waters is in the order of seven billion euro, which aims to tap into one of the most energetic offshore wind resources in the world, with the potential to yield higher power levels than other European countries. Therefore, there are significant opportunities associated with offshore renewable energy projects in manufacturing, construction, installation, operation, and maintenance. Ports have significant potential to support this industry and play a key role in supplying offshore renewable energy to the Irish market.

This document details how this application for the amendment to the existing Maritime Usage Licence (MUL No. 230014) and associated investigation works facilitate and are consistent with the National Marine Planning Framework (NMPF) (2021).

This statement should be read in conjunction with the accompanying documentation enclosed within this application to amend MUL No.230014.

2 NATIONAL MARINE PLANNING FRAMEWORK

The National Marine Planning Framework (NMPF) was published on 30th June 2021 and brings together all marine-based human activities for the first time, outlining the government's vision, objectives and marine planning policies for each marine activity.

The NMPF details how these marine activities will interact with each other in an ocean space that is under increasing spatial pressure, ensuring the sustainable use of our marine resources to 2040.

The NMPF is intended as the marine equivalent to the National Planning Framework. This approach will enable the Government to:

- set a clear direction for managing our seas
- clarify objectives and priorities
- direct decision makers, users and stakeholders towards strategic, plan-led, and efficient use of our marine resources

The NMPF has been prepared with an ecosystem-based approach and informed by best available knowledge. As part of the preparation of the NMPF, a Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) have been carried out.

The Policy Objectives for Ports, Harbours and Shipping is set out in Chapter 18 and the Policy Objectives for Offshore Renewable Energy is set out in Chapter 13 of the NMPF.

This document sets out how the additional Marine Site Investigations proposed as an amendment to MUL No. 230014 are compliant with the overall objectives of the NMPF and its relevant planning policies.

3 COMPLIANCE WITH NMPF OVERALL OBJECTIVES

3.1 Overall Objectives Description

The high-level objectives laid out in the NMPF in relation to Port Development and Offshore Renewable Energy (ORE) are set out below:

- Safeguard the operation of ports as key actors in the economic wellbeing of the State through the provision of safe and sustainable maritime transport.
- Facilitate a competitive and effective market for maritime transport services.
- Sustainable development of the ports sector and full realisation of the National Ports Policy with a view to providing adequate capacity to meet present and future demand, and to adapt to the consequences of climate change.
- Ensure that the strategic development requirements of Tier 1 and Tier 2 Ports, ports of regional significance, and smaller harbours are appropriately addressed in regional and local marine planning policy.
- To make Ireland a leader in climate action through reaching ORE targets;
- To increase the sustainable ORE use of our extensive marine resource;
- To support Ireland's decarbonisation journey through increased use of ORE; and
- To provide enhanced security of supply.

3.2 SFPC Compliance with NMPF Overall Objectives

The proposed development comprises additional marine site investigation (SI) works within two areas (referred to as C & D) surrounding Foynes Island, Foynes, Co. Limerick. The boundary of areas C & D are illustrated in Figure 3.1. Consent for these marine site investigations is being sought under an amendment to the existing MUL No. LIC230014 issued by MARA in October 2024, the areas for Marine SI consented under this licence are also included in Figure 3.1.

These works will support SFPC's plan for delivering offshore renewable energy, as outlined in the Vision 2041 Strategic Review 2022. Therefore, this will be vital in delivering Ireland's 2030 decarbonisation targets through supporting the construction and later operation and maintenance of offshore renewable energy, while also bringing economic and social benefits to local coastal communities and to the wider County Limerick area.

NMPF COMPLIANCE REPORT

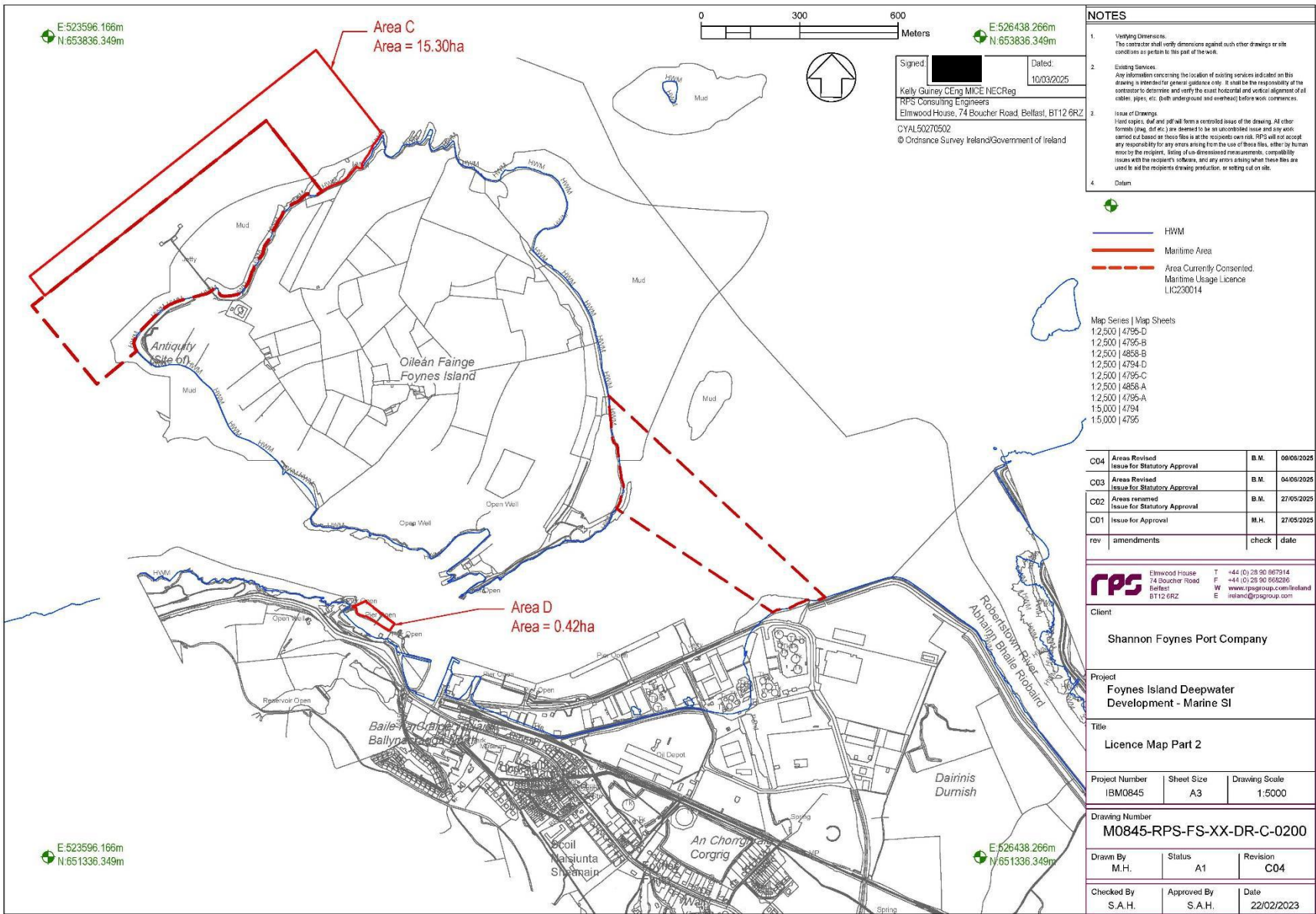


Figure 3.1: Foynes Island Deepwater Development – additional Marine SI Areas

4 COMPLIANCE WITH NMPF PLANNING POLICIES

The Planning Policies for ORE and Ports, Harbours and Shipping are set out in Chapters 13 and 18 respectively.

There are 11 planning policies which directly relate to the Foynes Island site investigation works. These policies are set out below.

4.1 Ports, Harbours and Shipping Policy 1

4.1.1 Policy Description

To provide for shipping and freedom of navigation the following factors will be taken into account when reaching decisions regarding development and use:

- The extent to which the locational decision interferes with existing or planned routes used by shipping, access to ports and harbours and navigational safety. This includes commercial anchorages and approaches to ports as well as key littoral and offshore routes;
- A mandatory Navigation Risk Assessment;
- Where interference is likely: whether reasonable alternatives can be identified; and
- Where there are no reasonable alternatives: whether mitigation through measures adopted in accordance with the principles and procedures established by the International Maritime Organisation can be achieved at no significant cost to the shipping or ports sector.

4.1.2 SFPC Compliance with NMPF Ports, Harbours, and Shipping Planning Policy 1

This application is for site investigations only and the results will be used to inform the option appraisal, preliminary detailed design and precise location of the Foynes Deep Water Berth, access bridge and improvements to mooring facilities at Foynes Yacht Club. SFPC is also the owner of the existing port facilities and therefore, SFPC are familiar with the existing access routes to the port which will be maintained throughout. A Navigation Risk Assessment will be provided as part of the EIAR for the port development once the full extent of the new port design is known. It will be submitted to An Coimisiún Pleanála as part of an application for planning permission under the Strategic Infrastructure Development provisions of the Planning and Development Act 2000, as amended at the appropriate time.

The site investigation works proposed are consistent and compliant with Ports, Harbours and Shipping Policy 1, which indicates that the application should be supported.

4.2 Ports, Harbours and Shipping Policy 2

4.2.1 Policy Description

Proposals that may have a significant impact upon current activity and future opportunity for expansion of port and harbour activities should demonstrate that they will, in order of preference:

- a) avoid,
- b) minimise, or
- c) mitigate significant adverse impacts, and
- d) if it is not possible to mitigate significant adverse impacts on current activity and future opportunity for expansion of port and harbour activities, proposals should set out the reasons for proceeding.

4.2.2 SFPC Compliance with NMPF Ports, Harbours and Shipping Planning Policy 2

This is an application for additional site investigations under an amendment to SFPC existing MUL No 230014, however the applicant is also the operator of the existing Foynes Port, and the design of the new Foynes Deep Water Berth and access bridge is intended to be complementary to the existing port facilities and operations. It is intended to design the facility to avoid any significant adverse impacts to current activity or future opportunity of the port. The site investigations are required in order to ensure that this is achieved.

The site investigation works proposed are consistent and compliant with Ports, Harbours and Shipping Policy 2, which indicates that the application should be supported.

4.3 Ports, Harbours and Shipping Policy 3

4.3.1 Policy Description

Proposals that may have a significant impact upon current activity and future opportunity for expansion of port and harbour activities must demonstrate consideration of the National Ports Policy, the National Planning Framework, and relevant provisions related to the TEN-T network.

4.3.2 SFPC Compliance with NMPF Ports, Harbours and Shipping Planning Policy 3

Please see *SPFC Compliance with Ports, Harbours and Shipping Policy 2* above.

4.4 Ports, Harbours and Shipping Policy 4

4.4.1 Policy Description

Proposals within ports limits, beside or in the vicinity of ports, and / or that impact upon the main routes of significance to a port, must demonstrate within applications that they have:

- been informed by consultation at pre-application stage or earlier with the relevant port authority;

- have carried out a navigational risk assessment including an analysis of maritime traffic in the area; and
- have consulted Department of Transport, MSO and Commissioners of Irish Lights.

Applicants must continue to engage parties identified in pre-application processes as appropriate during the decision-making process.

4.4.2 SFPC Compliance with NMPF Ports, Harbours and Shipping Planning Policy 4

This application is for site investigations only and the results will be used to inform the option appraisal, preliminary detailed design of the Foynes Deep Water Berth, , access bridge and improvements to mooring facilities at Foynes Yacht Club. SFPC is also the owner of the existing port facilities and therefore SFPC are familiar with the existing access routes to the port which will be maintained throughout. A Navigation Risk Assessment will be provided as part of the EIAR for the port development once the full extent of the new port design is known. It will be submitted to An Coimisiún Pleanála as part of an application for planning permission under the Strategic Infrastructure Development provisions of the Planning and Development Act 2000, as amended at the appropriate time.

The Department of Transport are aware of the application for site investigations and of the future plans for development. SFPC has already undertaken engagement with both the MSO and the Commissioners of Irish Lights for the first Phase of the Site Investigations under MUL No. 230014 as well as engagement with a broad range of stakeholders, similar engagement will be undertaken in relation to the application to amend the MUL.

The site investigation works proposed are consistent and compliant with Ports, Harbours and Shipping Policy 4, which indicates that the application should be supported.

4.5 Ports, Harbours and Shipping Policy 6

4.5.1 Policy Description

In areas of authorised dredging activity, including those subject to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity.

4.5.2 SFPC Compliance with NMPF Ports, Harbours and Shipping Planning Policy 6

This application is for site investigations only and the proposed activities will not conflict with any authorised dredging activity.

The site investigation works proposed are consistent and compliant with Ports, Harbours and Shipping Policy 6, which indicates that the application should be supported.

4.6 Ports, Harbours and Shipping Policy 8

4.6.1 Policy Description

Proposals that cause significant adverse impacts on licensed disposal areas should not be supported. Proposals that cannot avoid such impact must, in order of preference

- a) minimise,
- b) mitigate, or
- c) if it is not possible to mitigate the significant adverse impacts, proposals must set out the reasons for proceeding.

4.6.2 SFPC Compliance with NMPF Ports, Harbours and Shipping Planning Policy 8

This application is for site investigations only and the proposed activities will not conflict with any licensed disposal area.

The site investigation works proposed are consistent and compliant with Ports, Harbours, and Shipping Policy 8, which indicates that the application should be supported.

4.7 ORE Policy 1

4.7.1 Policy Description

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 assessed to ensure compliance with environmental standards and seek to minimise impacts on the marine environment, marine ecology, and other maritime users.

4.7.2 SFPC Compliance with NMPF ORE Planning Policy 1

The additional site investigation works being applied for under an amendment to MUL No. 230014 are being carried out with a view to supporting and informing SFPC's plan for delivering Offshore Renewable Energy, as outlined in the Vision 2041 Strategic Review 2022. This facility will ensure that the staging port used for construction is based in Ireland maximising the value of offshore wind to Ireland and reducing the Levelised Cost of Energy for offshore wind and therefore reducing the cost of offshore wind subsidies for the consumer.

The site investigation works proposed are consistent and compliant with ORE Policy 1, which indicates that the application should be supported.

4.8 ORE Policy 2

4.8.1 Policy Description

Proposals must be consistent with national policy, including the Offshore Renewable Energy Development Plan (OREDPA) and its successor. Relevant Projects designated pursuant to the Transition Protocol and those projects that can objectively enable delivery on the Government's 2030 targets will be prioritised for assessment under the new consenting regime. Into the future, areas designated for offshore energy development, under the Designated Marine Area Plan process set out in the Maritime Area Planning Act, will underpin a plan-led approach to consenting.

4.8.2 SFPC Compliance with NMPF ORE Planning Policy 2

This is an application for site investigations to inform the design of a port facility to support the development of offshore renewable energy. The survey work will inform the design of a potential deep-water berth and access bridge that could assist the delivery of the Government's 2030 targets, aligning with National Policy outlined in the Programme for Government (2020) and Climate Action Plan (2021), among others.

The site investigation works proposed are consistent and compliant with ORE Policy 2, which indicates that the application should be supported.

4.9 ORE Policy 6

4.9.1 Policy Description

Proposals for infrastructure enabling local use of excess energy generated from emerging marine technologies (wave, tidal, wind) should be supported.

4.9.2 SFPC Compliance with NMPF ORE Planning Policy 2

The site investigation works being applied for in the proposed amendment to MUL No. 230014 are being carried out with a view to supporting and informing SFPC's plan for delivering Offshore Renewable Energy, as outlined in the Vision 2041 Strategic Review 2022.

The site investigation works proposed are consistent and compliant with ORE Policy 11, which indicates that the application should be supported.

4.10 ORE Policy 7

4.10.1 Policy Description

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.

4.10.2 SFPC Compliance with NMPF ORE Planning Policy 7

The site investigation works being applied for in the proposed amendment to MUL No. 230014 are being carried out with a view to supporting and informing SFPC's plan for delivering Offshore Renewable Energy, as outlined in the Vision 2041 Strategic Review 2022. This facility will ensure that the staging port used for construction is based in Ireland maximising the value of offshore renewable energy to Ireland and reducing the Levelised Cost of Energy for offshore wind and therefore reducing the cost of offshore wind subsidies for the consumer.

The site investigation works proposed are consistent and compliant with ORE Policy 7, which indicates that the application should be supported.

4.11 ORE Policy 11

4.11.1 Policy Description

Where appropriate, proposals that enable the provision of emerging renewable energy technologies and associated supply chains will be supported.

4.11.2 SFPC Compliance with NMPF ORE Planning Policy 11

The site investigation works being applied for in the proposed amendment to MUL No. 230014 are being carried out with a view to supporting and informing SFPC's plan for delivering Offshore Renewable Energy, as outlined in the Vision 2041 Strategic Review 2022.

The site investigation works proposed are consistent and compliant with ORE Policy 11, which indicates that the application should be supported.

5 CONCLUSION

The proposed additional Marine Site Investigation at Foynes under an amendment to existing MUL No. 230014 are fully compliant with both the relevant objectives of the NMPF and its associated Planning Policies.