

Final Determination Report	
Application for a Maritime Area Consent (MAC) under Section 79 of Maritime Area Planning Act 2021, as amended (the Act)	
Application Details	
MAC Applicant	Net Zero Energy Project 4 Limited
MAC Reference No:	MAC20230032
<i>Minded To</i> Notice pursuant to Section 81(7)(b) issued	07 August 2026
Supplementary Material further to <i>Minded To</i> received	28 August 2026

MARA Consideration of Supplementary Material:

In accordance with Section 81(7)(b)(ii) of the Act, MARA must give consideration to supplementary material received from an applicant before making a determination under Section 81(1) of the Act.

MARA's consideration of the supplementary material received from the MAC Applicant in relation to MAC Reference No. MAC20230032 is set out below.

The MAC Applicant provided a substantive response to the *Minded To* Notice, which concluded with the following submissions:

1. *"The Applicant has demonstrated the technical capability required, across development, construction and operations and maintenance, to deliver the Project when assessed by reference to the competencies necessary to deliver an emerging floating solar development."*

MARA Response

At the time of assessment, the Applicant did not satisfy the 'Fit and Proper Person' requirements, as set out in Schedule 2 of the Act, specifically the requirement for the

Applicant to have *“the requisite technical knowledge or qualifications, or both, to undertake the proposed maritime usage, or continue to undertake the maritime usage”*, in accordance with both Schedule 2(2)(g) and Appendix B1 of MARA’s Guidance Note for Applicants applying for a Maritime Area Consent (MAC), dated 18th August 2025. On the basis of the information submitted by the Applicant with its MAC application, it is considered that, at the time of assessment, the Applicant did not demonstrate the required prior corporate project experience. The reference projects submitted as part of the MAC application were not comparable in scale or nature to the proposed 300MW floating offshore solar generation project, the subject of this MAC application.

In addition, the provision of supplementary material by the Applicant is permitted only in respect of the reasons that have been stated by MARA in its Minded To Notice, in accordance with section 81(7)(b)(ii) of the Act.

2. *“The apparent financial capability concern is premature and appears to be linked to a levy methodology that is currently under formal review by MARA.”*

MARA Response

On the basis of the application information submitted by the Applicant, it is considered that, at the time of assessment, the Applicant did not satisfy the ‘Fit and Proper Person’ requirements, as set out in Schedule 2 of the Act, with regard to any financial commitments or obligations that MARA reasonably considers will be entered into or incurred by the relevant person, as required by Schedule 2(2)(h).

Furthermore, the ongoing review of the MAC Levy Framework is not a relevant consideration in assessment of the subject MAC application.

3. *“It is premature to conclude that the Project is inconsistent with Government policy before the National DMAP process has clarified the treatment of Floating Solar PV developments.”*

MARA Response

At the time of assessment, the proposed maritime usage is not considered to align with Government marine spatial planning policies in relation to a plan-led approach

for Offshore Renewable Energy (ORE), as set out in the National Marine Planning Framework (NMPF) and Government Policies, which are underpinned by the Marine Planning Policy Statement (MPPS). Furthermore, consideration has been given to Circular MP01/2024 dated 15th November 2024 which provides clarification in respect of the plan-led approach to offshore renewable energy developments and research and innovation proposals in the maritime area, having particular regard to the delivery of ORE in accordance with a plan-led approach. Additionally, regard has been given to the Future Framework for Offshore Renewable Energy Policy Statement and the National Designated Maritime Area Plan for Offshore Renewable Energy Proposal.

There is no timeline for conclusion of the National DMAP process and therefore MARA can only assess the application on the basis of current Government policy, as set out above.

4. *“The Project is capable of making a meaningful contribution to Ireland's renewable-energy, climate and energy-security objectives and is therefore in the public interest.”*

MARA Response

While it is considered that the proposed project may assist in the furtherance of the objectives of the Climate Action Plan 2025 and the Climate Action and Low Carbon Development Act 2015 (as amended) in relation to renewable electricity, the proposed maritime usage does not align with Government marine spatial planning policies in relation to a plan-led approach for Offshore Renewable Energy (ORE).

Marine spatial planning is concerned with the establishment and operation of sustainable planning across the maritime area, taking all co-existing factors into account. ORE is one of those factors and, while it is certainly a component of delivering Ireland's Climate Action Plan 2025, development of ORE must be consistent with Government policy, sustainable planning requirements and European obligations.

In addition, the Applicant has stated:

“Accordingly, NZE respectfully requests that MARA engages with DCEE, reconsider its minded-to-refuse position and either:

- *grant the MAC application; or*

- *defer any final determination until completion of the relevant National DMAP and MAC Levy Framework review processes.”*

MARA Response

- In accordance with s.81(7)(b)(ii), the Applicant may provide supplementary material for the further consideration of MARA before making a determination. In this regard, MARA has considered the supplementary material furnished by the Applicant that is responsive to the reasons for the refusal, as outlined above.
- In accordance with Section 81(2), “MARA shall, to the extent that it is practicable to do so, determine a MAC application not later than 90 days” after it is satisfied that the applicant has complied with the relevant requirements. Therefore, MARA is statutorily obliged to determine a MAC application within this legislative timeline and does not have any discretion under the MAP Act to defer a final determination indefinitely or pending the occurrence of a future event.

Recommendation	➤ Issue attached Final Determination Notice in accordance with section 81(3) of the Act for the above referenced MAC application.
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Signed: Kelly Dalton Date: 13/10/2026

Document Control		
Prepared By:	Kelly Dalton	13/10/2026
Reviewed & approved by:	Jacinta Ponzi, Head of Maritime Area Consenting	13/10/2026
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