

MAC 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
Location:	Lower River Shannon between Co. Limerick and Co. Clare.
Date Application received:	12 July 2024
Proposed Maritime Usage:	The Applicant has applied for a MAC for the construction, operation and maintenance and subsequent decommissioning of a floating solar photo voltaic (PV) array, associated breakwaters, inter-array cabling (IAC) and export cabling to a suitable landing point within the Shannon estuary for onward connection to an onshore substation.
Recommendation:	To refuse to grant the MAC sought.

Document Control			
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1. Overview

On 12 July 2024, MARA received a Maritime Area Consent (MAC) application under section 79 of the Maritime Area Planning Act 2021, as amended (the Act) from Net Zero Energy Project 4 Limited for the construction, operation and maintenance and subsequent decommissioning of a floating solar photo voltaic (PV) array, associated breakwaters, inter-array cabling (IAC) and export cabling to a suitable landing point within the Shannon Estuary for onward connection to an onshore substation.

2. Background

The application relates to a proposed 300 MW PV development by Net Zero Energy Project 4 Limited (NZE or the Applicant) located in the lower River Shannon Estuary, spanning two proposed nearshore sites off the coastlines of counties Clare and Limerick.

The Applicant states that the proposed project is complementary to other large scale offshore development planned in the region. The Applicant states there is potential for local offtake by nearby heavy energy users (e.g. Aughinish Alumina Limited). The remaining power will likely be exported to the electrical grid through a new onshore 220kV substation. The Applicant is considering three export possibilities for this power, one from the northern shore of the Shannon estuary adjacent to the site and two from the southern shore of the Shannon estuary adjacent to the site.

3. Proposed Maritime Usage

The Applicant has stated that the proposed elements of the development within the maritime area will consist of the deployment of floating solar PV units across sites B and C (see Figure 1 - Applicant MAC Map) and ancillary infrastructure including breakwaters, mooring systems, inter-array cabling and export cables to a substation located on land. At this stage neither the technology type nor mooring system has been determined however, the Applicant states that it is likely, given known wave heights in the estuary, that it will consist of rigid units which will be moored to the riverbed with suitably designed mooring structures.

The Applicant further states that PV panels on rigid floats are typically supported using either bespoke moulded polyethylene float units or high-density polyethylene tanks or tubes. These types of structures tend to incorporate the flotation system and provide a rigid frame to support PV panels. In some systems which use moulded float units no structural frame is required, and the modular units are connected to form a larger raft type structure. On rigid arrays the distance between rows of PV panels is dictated by operational and maintenance requirements for personnel access and panel tilt.

The Applicant has stated that, due to the size of the development and its proximity to land, the project is unlikely to require an offshore substation.

In relation to the proposed installation methodology, the Applicant states that the breakwaters and solar PV structures may be installed using one of the following methods:

- Installed at site using a suitably low draft vessel such as a jack up barge capable of operating in the range of water depths across the project area, or
- Assembled onshore at a suitable location nearby (for example at Shannon Foynes Port) and floated out to the site and moored into place.

To allow for jack up barge operations at the perimeter of the proposed PV array area, a buffer area of 100m in width, for temporary works, has been included in the application. If the units are assembled onshore and floated to site this temporary works area may not be required.

The Applicant states that offshore cabling will be installed using typical industry methods such as trenching or horizontal directional drilling, including within the intertidal area where it meets the landfall point. As the exact location of the onshore substation and landfall location has yet to be determined, a suitably wide cable route of 500m has been included for each potential export cable route. A final maximum export cable route width of circa 100m will be required to transmit the electricity generated by the solar PV array through multiple parallel circuits from the solar PV array to the onshore substation, allowing for areas for maintenance and decommissioning and rehabilitation.

The Applicant states that the associated onshore infrastructure, including any substation and onshore cabling, will be constructed/installed using standard construction techniques with the typical range of cable installation and civil construction equipment, e.g. horizontal directional drilling machines, civil plant including excavation equipment, cranes, trucks, loaders etc.

The Applicant states that operation and maintenance activities will be undertaken based on a suitably designed regular schedule throughout the operational period and if needed in response to emergency events. This may include activities such as cleaning of the infrastructure, scheduled maintenance and emergency repairs. The development will be accessed using a suitably sized vessel, appropriate to the location and size of the maintenance crew. Inspections, repair and maintenance of underwater infrastructure may be undertaken using remote operated vehicles (ROV) mounted with suitable inspection equipment or by fully certified specialist diving contractors.

Decommissioning of the infrastructure will be undertaken following a technical and environmental assessment of a decommissioning plan for the different elements. This will likely include the removal of the solar PV array infrastructure in full using suitable decommissioning vessels and equipment.

The Applicant intends to seek a Maritime Usage Licence (MUL), should they be successful in obtaining a MAC for the proposed project. The MUL will be for the undertaking geophysical, geotechnical and metocean studies in the project area to inform the layout and design of the proposed development and to assist in the determination of the most appropriate technologies and mooring systems for the project.

The Applicant has requested a MAC term of 50 years.

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

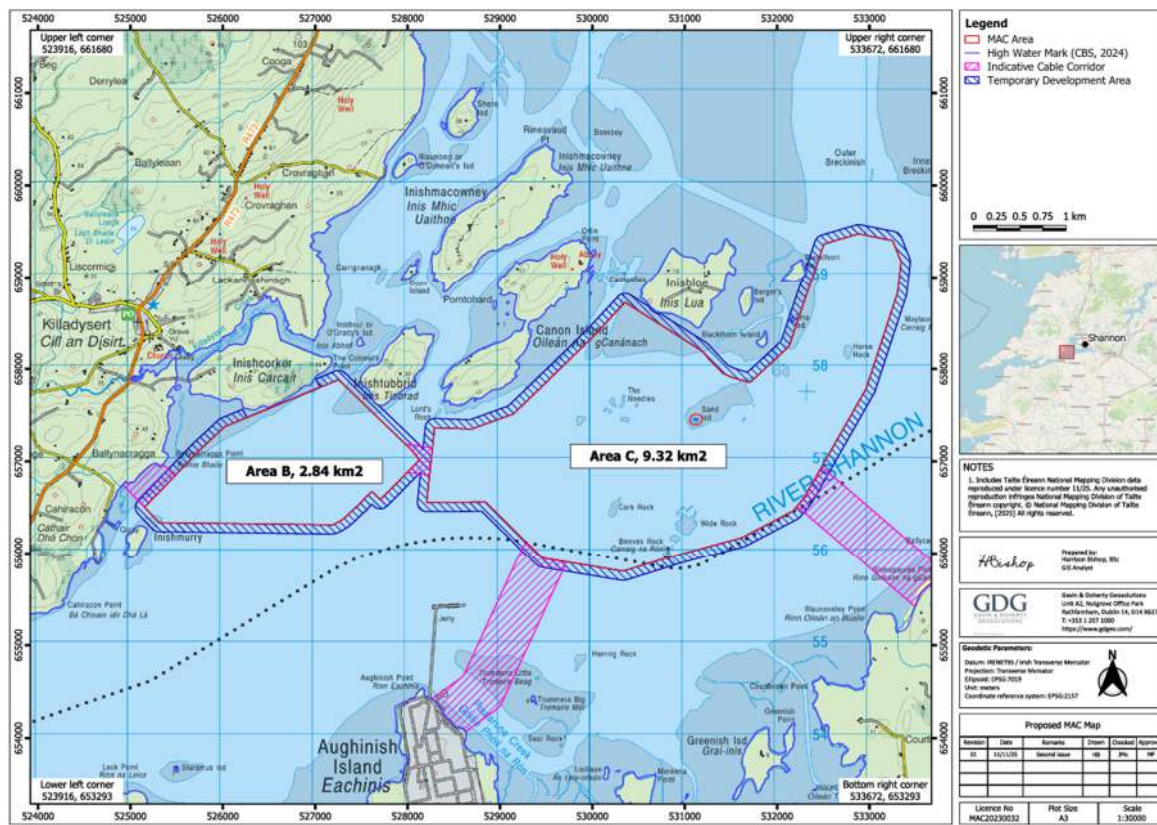


Figure 1 – Applicant MAC Map

4. Site Visit

A site inspection of the proposed MAC areas was undertaken by Richard Browne, Chartered Engineer and Director at McCarthy Browne, on 7 June 2026. Conditions on the day were dry and overcast. The purpose of the visit was to review the existing site conditions, surrounding land and marine uses, accessibility, and any potential constraints or interactions with existing infrastructure and activities within the proposed MAC areas.

The following access strategy was agreed with MARA prior to inspection: -

- Inspection would focus on potential cable landing sites.
- Area B and its proposed cable landing to be viewed from Inishmurray Quay.
- Potential cable landing at Aughinish Island not accessed owing to access restrictions at Aughinish Alumina Limited.
- Area C and the potential cable landing at Glenagauran Point to be viewed from the shore at Lisbane, accessed via Ballysteen.

The proposed works are located in the Lower River Shannon estuarine environment between County Limerick and County Clare. The proposed MAC areas cover a large expanse of maritime area within the Shannon Estuary, primarily north of the navigation channel. It was noted during the site inspection that proposed MAC Area B is in close proximity to Covraghan Pier, Kildysart Pier and Inishmurray Quay.

The positioning of a floating array over this area has the potential to hinder access to these facilities, however it should be noted that the assessment of potential impacts upon navigation and fishing activities will be fully assessed by the relevant consent authority should the scheme progress to application for development permission. Detailed consideration of the potential impacts of the project on navigation and fishing is therefore outside of the scope of this MAC assessment.

With the exception of existing navigational marks within proposed MAC Area C, no other physical infrastructure was noted within the proposed MAC areas on the day of inspection.

The adjoining terrestrial usages at the proposed cable landing locations are a mix of agriculture, forestry and industrial (Aughinish Alumina Limited) usages. Area B includes existing estuary which adjoins Inishcorker, Inishtubbrid and Inishmurray Islands, all of which are primarily utilised for agriculture and forestry. Area C adjoins Canon and Inishloe islands, which have predominantly agricultural/forestry land uses. It was also noted that Area C partially overlaps the main River Shannon navigation channel (see comments on fishing and navigation above).

Photographs 1 to 5 detail the character of the maritime area in the vicinity of the proposed works.



Photograph 1 – View of potential landing location for the export cable from proposed MAC Area B –
[RB – 07/06/2026]



Photograph 2 – View from Inishmurray Quay towards proposed MAC Area B – [RB – 07/06/2026]



Photograph 3 –Inishmurray Pier [RB – 07/06/2026]



Photograph 4 –Potential cable landing site from proposed MAC Area C at Glenagauran Point looking towards Aughinish [RB – 07/06/2026]



Photograph 5 –View towards proposed MAC Area C from Glenagauran Point [RB – 07/06/2026]

Considering the above, no physical occupation or usage was evident on the day of the site inspection that would preclude MARA from granting a MAC for the proposed maritime usage.

5. Review of Legislation & Associated Consents

5.1 Applicable Provisions of the Maritime Area Planning Act, 2021 (as amended) (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 other listed enactments, is navigation or fishing, is a licensable activity under Schedule 7. The proposed maritime usage is not considered to fall under those listed under Schedule 3 or 4 of the Act. Consideration of whether the proposed maritime usage is to be undertaken on registered lands is provided in Section 5.4 below.

The Applicant has stated that the proposed maritime usage, 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.

Accordingly, the subject of this application is considered to fall under Section 75(1) of the Act.

5.2 Existing Consents & Authorisations

A search of MARA's GIS database was undertaken on 05 June 2026 for spatial overlap between the proposed MAC areas and existing foreshore authorisations and MARA licences and consents. The proposed MAC area overlaps with three Maritime Usage Licences (MULs) and five foreshore records. The overlapping foreshore records relate to Board of Trade Deeds of Sale, and whereas by deeds, conveyances, assurances and other transfers of title, the lands the subject of the said foreshore records are now registered in Tailte Éireann. These areas are considered in detail in *Section 5.4 Registered Lands*.

The overlapping MULs and their related areas are detailed in detailed in *Table 1* and Figure 2.

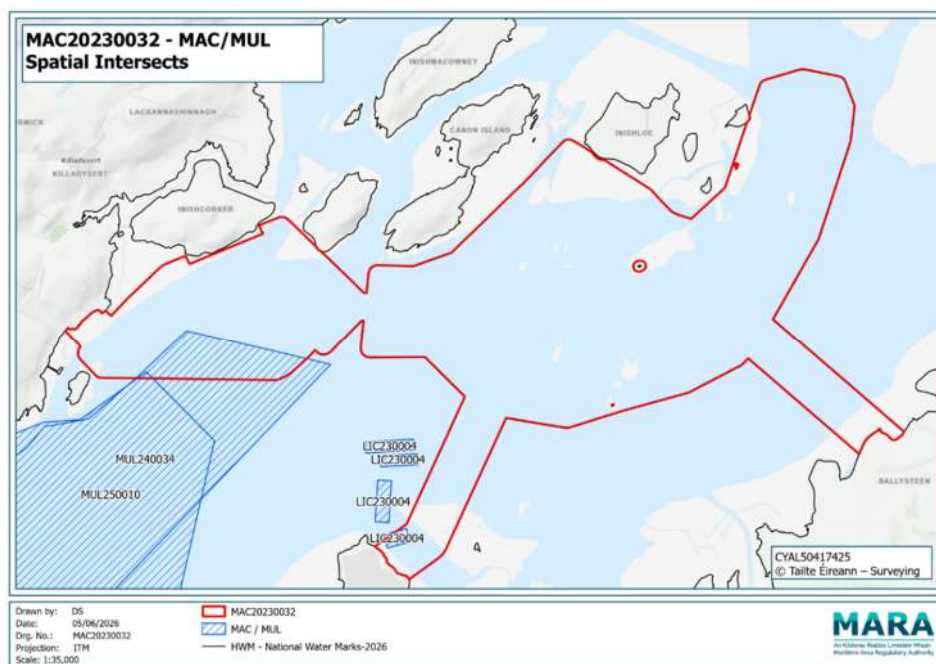


Figure 2 – Overlap between proposed MAC area and existing MUL areas.

Table 1: Summary of Overlapping maritime authorisations and foreshore authorisations				
File Reference Number	Applicant/ Holder	Consent Type	Maritime Usage	Status
MUL240034	Gas Networks Ireland	Maritime Usage Licence	Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000 in relation to the proposed Strategic Gas Emergency Reserve.	Active (Expires 27/06/2027)
MUL250010	Gas Networks Ireland	Maritime Usage Licence	Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000 in relation to the proposed Strategic Gas Emergency Reserve.	Active (Expires 11/02/2031)
LIC230004	Aughinish Alumina Ltd	Maritime Usage Licence	Maintenance dredging at four sites around the Aughinish Alumina Ltd jetty, Shannon Estuary, Co. Limerick	Active (Expires 04/11/2033)

MUL240034 and MUL250010 are Maritime Usage Licences, held by Gas Networks Ireland, for marine environmental surveys relating to a proposed Strategic Gas Emergency Reserve project. Marine environmental surveys are proposed within two areas of the Shannon Estuary, adjacent to the townlands of Cahiracon and Tarbert, to provide high-quality baseline data that can contribute to a reliable basis for site selection for the proposed Strategic Gas Emergency Reserve. The surveys entail the deployment and retrieval of static acoustic monitoring (SAM) devices, acoustic doppler current profilers (ADCP), geophysical surveys, geotechnical investigations and ecological and archaeological surveys. Maritime Usage Licences are non-exclusive in nature and it is considered that the proposed usage the subject of this application can co-exist with the existing licensed activities.

LIC230004 is a Maritime Usage Licence, held by Aughinish Alumina Ltd, for maintenance dredging at four sites around the existing Aughinish Alumina Ltd jetty. Maritime Usage Licences are non-exclusive in nature and it is considered that the proposed usage, the subject of this application, can co-exist with the existing licensed activity.

The Marine Institute's Ireland's Marine Atlas database¹ was searched on 05 June 2026 for spatial overlap between the proposed MAC areas and any Department of Agriculture, Food and the Marine (DAFM) foreshore authorisations for aquaculture sites. The proposed MAC area associated with the potential route to shore at the Aughinish Alumina Ltd. site partially overlaps with a licensed aquaculture site (see Figure 3 below).

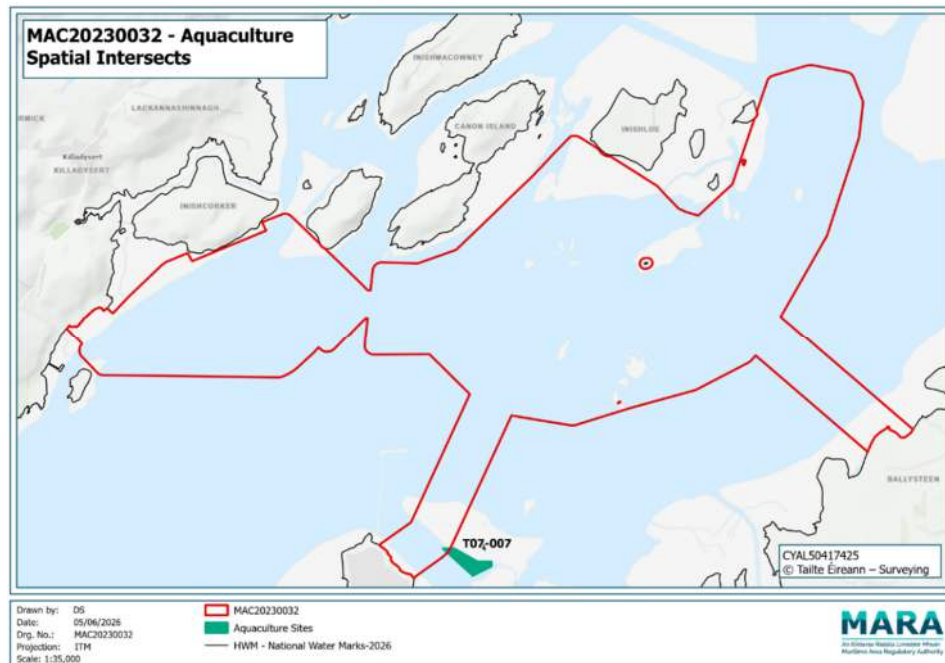


Figure 3 - Overlap between proposed MAC area and existing Maritime Usage Licence areas

Considering the nature of the proposed maritime usage in this part of the MAC area (i.e. a buried submarine export cable), it is considered that, with proper management and suitable mitigation, the proposed maritime usage can coexist in principle with the licensed aquaculture operations. It should be noted that the potential impacts of the proposed project upon existing aquaculture and fishing activities will be fully assessed by the relevant consent authority should the scheme progress to application for development permission. Further consideration is therefore beyond the scope of this MAC assessment.

In summary, no existing MACs, MULs, foreshore authorisations (including those for aquaculture) or applications for same were identified as overlapping the proposed MAC application area which would impede MARA in granting a MAC for the proposed maritime usage.

5.3 Development Permission

The Applicant has stated that the proposed maritime usage requires development permission.

Owing to the nature and scale of the proposed works, it is considered reasonable that the MAC Holder (if successful in obtaining a MAC) should submit a valid application for development consent to the relevant planning authority within 18 months of issuance of a MAC.

¹ <https://atlas.marine.ie/>

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.

5.4 Registered Lands

A search was undertaken by MARA of the Tailte Éireann database on 29 October 2025 and 05 June 2026 for any folios in order to ensure that there are no overlaps with registered maritime area within the MAC area as outlined in the proposed MAC Map as applied for in the subject MAC application.

A number of plans, as shown in Figure 4 below, which are registered under the Registration of Title Act 1964, were identified as overlapping with parts of proposed MAC Area C. All of these areas are commonage owned in one undivided eighth parts and linked to eight folios (CE21736, CE21737, CE21738, CE21739, CE21740, CE21741, CE21742, CE21743).

The relevant areas are detailed in Figure 4 below.

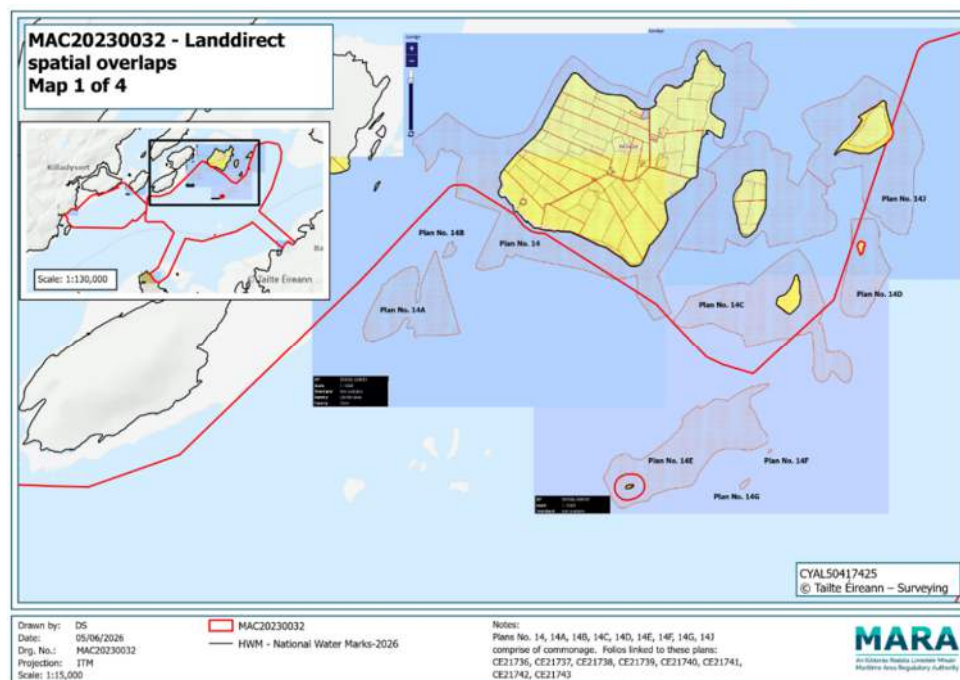


Figure 4 - Overlap between proposed MAC Area C and registered maritime areas.

Three other folios (LK18810F, LK50938F, LK50057F) were found to overlap with the proposed MAC areas associated with the potential cable routes to shore on the County Limerick side of the Shannon Estuary as detailed in Figures 5 and 6.

In accordance with Section 99(3)(b) of the Act, Part 4 of the MAP Act shall only apply to that part of the maritime area which is in state ownership. Accordingly, a MAC cannot be issued on registered maritime area. Considering the above it is recommended that, should a MAC be granted, it is part-granted for that portion of the maritime area which is in state ownership.

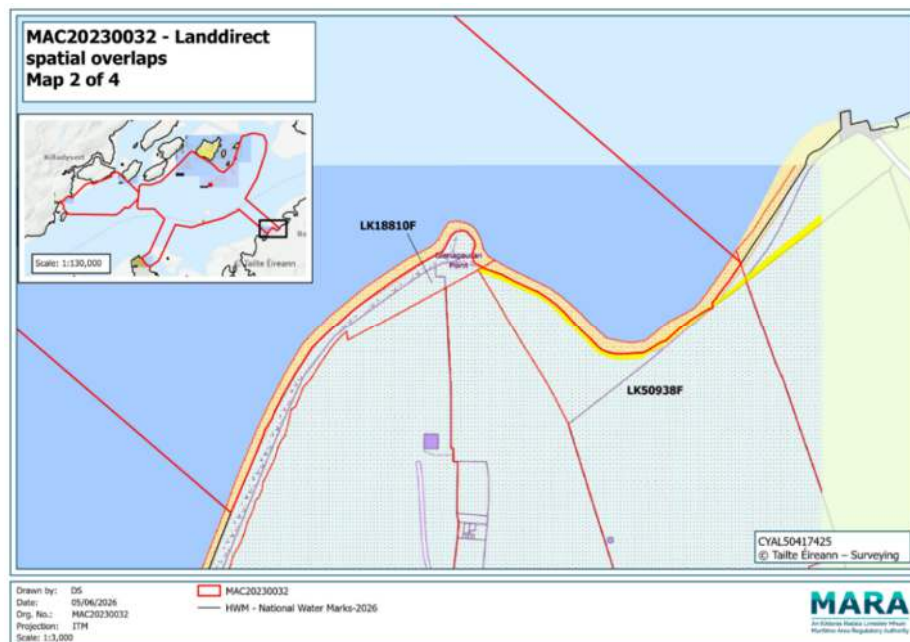


Figure 5 - Overlap between proposed cable route landfall area at Glenagauran Point and registered maritime areas.



Figure 6 - Overlap between proposed cable route landfall area at Aughinish Alumina Limited and registered maritime areas.

6. Assessment

6.1 Schedule 5

The MAC application was submitted and the appropriate fee paid on 12 July 2024 and reviewed for completeness on 30 July 2024. The application was deemed complete by MARA on 30 July 2024.

Requests for additional information were issued on 23 October 2025 and 12 March 2026 under section 79(3) of the Act and associated responses received relating to matters for general, technical and financial assessment on 12 November 2025 and 16 April 2026.

Schedule 5 of the Act sets out the criteria to which MARA shall have regard when assessing a MAC application. The assessment is summarised in Table 2 below.

MARA, in performing its statutory functions, shall also have regard to matters as prescribed in Sections 3(3), 6(8), 7(1), 30 and 44 of the Act, as well as matters prescribed in Section 15 of the Climate Action and Low Carbon Development Act 2015 (as amended). Table 4 provides a synopsis of the regard that was had in relation to these matters when considering the subject MAC application.

Table 2: Synopsis of the assessment of the application with regard to the requirements of Schedule 5		
Schedule 5 Requirements		Synopsis
1.	The nature, scope and duration of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.	Details of the proposed maritime usage, including the nature scope and duration are described in Sections 3 & 4 above. The Applicant has sought a MAC term of 50 years. The Applicant states that the operation of the proposed development is designed in line with the standard design life for grid scale electrical infrastructure (40-60 years). The Applicant states that technology is developing rapidly in the solar and floating solar PV sector with the aim of converging solar PV design life with electrical infrastructure design life. The Applicant states the industry is currently working towards standardization in line with the guidelines "Recommended Practice" published by DNV in 2021 (DNV-RP-0584 - Design, development and operation of floating solar photovoltaic systems). The Applicant states that the proposed development will be developed and operated in line with these guidelines or any updates published over the lifetime of the project. Considering the nascent nature of the works, and allowing time for obtaining planning permission, procurement of a works contractor, construction and decommissioning, a MAC Term of 50 years is recommended for any MAC which may be granted.
2.	Whether the proposed maritime usage is in the public interest.	In the application, the Applicant stated that <i>"Support for utility-scale solar was clearly set out in the Climate Action Plan (DECC, 2024) with targets of 8GW of solar developed by 2030. The key driver of this proposed project is to provide utility-scale solar to deliver part of the targeted 8GW solar target by 2030."</i> It is considered that the proposed project would 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, including solar. However, 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) (refer to Schedule 5(8) below and Section 6.3 for further details). Marine spatial planning and climate action are two separate areas. Marine spatial planning is about the establishment and operation of sustainable planning across the maritime area, taking all co-existing factors into account. ORE is one of those factors. Development of ORE should be consistent with sustainable planning and European obligations, environmental and otherwise. Similarly, ORE is a component of delivering the Climate Action Plan. Marine planning and climate action policies, while pursuing separate goals, should be seen as complementary. Accordingly, given that the proposed maritime usage does not align with the plan-led approach of marine spatial planning, as it is not located within a DMAP area, it is considered that the proposed maritime usage is not in the public interest.

3.	The location and spatial extent of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.	Details of the location, relevant consents, ownership and development permissions are provided in Sections 3 to 5 above. The total area proposed occupied by the MAC is 12.16km² comprising Area B of 2.84km² and Area C of 9.32km² as detailed on the applicant's proposed MAC map reproduced in Figure 1. These areas however did not include the temporary works areas and the indicative cable corridors shown on the Applicant's drawing. When these areas are included, the total MAC area as applied for is 16.24km² (16,243,508m²). A search was undertaken for any existing MAC, MUL and foreshore authorisations which overlap with the proposed MAC area. Three MULs were identified as overlapping the proposed MAC area and these have been considered in detail in Section 5.2 above. A search was undertaken of the Tailte Éireann database on the 29 October 2025 and 05 June 2026 for any folios in order to ensure that there are no overlaps with registered maritime area within the MAC area as applied for in the subject MAC application. Registered maritime area was identified that would preclude the granting of a MAC across parts of the area applied for by Net Zero Energy Project 4 Limited as illustrated in Figures 4, 5 and 6 of this report. It is therefore recommended that any MAC which may issue should be part-granted to exclude those parts of the maritime area that are registered as outlined above. The total MAC Area therefore to be part-granted would be 15.64km² (15,635,480m²).
4.	Guidelines issued under Section 7 which are relevant to the proposed maritime usage.	No such guidelines have been published to date.
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.	A detailed review and assessment of the information provided by the Applicant has been completed. Based on the assessment set out in Table 3 below, Section 6.3 and the Financial Capability Assessment (FCA) as set out in the Ernst & Young (EY) report dated 10 July 2026, it is considered that, for the purpose of the subject MAC application, the Applicant did not demonstrate fulfilment of the fit and proper person requirements at the time of assessment. Accordingly, it is considered that the Applicant is not a fit and proper person to be granted a MAC, within the meaning of Schedule 2 of the Act.
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 the review of the tax clearance certificate, the Applicant is considered tax compliant.

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).	As this application relates to offshore renewable energy (within the meaning of section 100), MARA consulted the transmission system operator, EirGrid. In its response dated 09 June 2026, it stated that “<i>EirGrid has reviewed its network plans, including the latest Transmission Infrastructure Delivery Report (TIDP; from Q12026), and the latest internal draft mapping for EirGrid’s Transmission Development Plan 2026-2035 (Draft TDP 2026).</i> EirGrid is currently preparing the Draft TDP 2026 for review by the Commission for the Regulation of Utilities and the public, in the upcoming 2026 consultation. Following review of relevant grid plans, EirGrid can confirm that MAC application MAC20230032 does not interact with EirGrid’s current grid development plans. For the avoidance of doubt, we advise MARA that the developer has not at the time writing applied for a connection to the transmission grid; and the required connections and reinforcements to accommodate the project are not known.” In a response dated 16 April 2026 to a request for additional information under section 79(3) of the Act, the Applicant stated that “<i>NZE has engaged with EirGrid in relation to our Shannon Floating Solar PV project via a Customer Clinic on March 24th, 2026. We met with members of the EirGrid network planning, engineering and asset management and customer connection teams. EirGrid confirmed they see no red flags in relation to the connection of this project.</i>” In addition, the Applicant provided alternative offtake options with heavy energy users in the Shannon Estuary “<i>via a private-wires arrangement.</i>” Although no agreement is currently in place, it is considered that the project is at an early stage, and the offtake of energy is not yet defined and may be agreed at a later date, either for connection to the grid with Eirgrid or for a private wire with a commercial entity.
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8.	The National Marine Planning Framework (NMPF).	The Marine Spatial Planning Directive (the Directive) is transposed into national legislation by way of Part 5 of the Planning and Development (Amendment) Act 2018. Part 5 transposes the Directive in primary legislation and contains a number of measures that are additional to those required by the Directive, including but not limited to: • <i>Obligation for marine regulatory bodies to secure the objectives of the NMPF when making policies, plans, or granting consents.</i> Accordingly, this application has been assessed with regard to the National Marine Planning Framework (NMPF). It is considered that the proposed project does not align with the following policy objectives of the NMPF: - • ORE Policy 2 - <i>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 Bill, will underpin a plan-led approach to consenting (or development of our marine resources)</i> The application information provides that the proposed works constitute development which require planning permission. Environmental assessment of the proposed maritime usage 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. Given the proposed maritime usage does not align with the plan-led approach to consenting, it is not considered that the proposed maritime usage secures the policy objectives of the NMPF.
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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.	The Applicant has stated that they have undertaken the following preparatory works: - • A preliminary study outlining the challenges and constraints of the Shannon Floating Solar project has been undertaken by GDG for Net Zero Energy Project 4 Ltd. The focus of the study was on the site constraints, the technical viability of a commercial scale solar farm for moderate metocean conditions, the possibilities of deploying floating breakwaters and on the local electrical grid capacity. • Net Zero Energy Project 4 Ltd contracted the Irish Whale and Dolphin Group (IWDG) to undertake 12 months of seabird and marine mammal surveys at the site of the proposed floating PV farm in the inner Shannon Estuary. • Net Zero Energy Project 4 Ltd has carried out a grid assessment for the project based on the available EirGrid publications, including the All Island 10 Year Transmission Forecast Statement, the Shaping our Electricity Future 1.1 report, the 2023 Transmission Development Plan and EirGrid ECP-2.3 Constraint Reports. Additionally, the Applicant has stated that they intend to seek a MUL should they be successful in obtaining a MAC for the proposed project. The purpose of the MUL will be for the undertaking of geophysical, geotechnical and metocean studies in the project area to inform the layout and design of the proposed development and to assist in the determination of the most appropriate technologies and mooring systems for the project. Having regard to the above and considering that the project is at an early stage of design, the extent of the preparatory works undertaken are considered acceptable for a project of this scale and nature.
10.	The extent and nature of stakeholder engagement undertaken by the applicant in respect of the proposed maritime usage.	The Applicant stated that <i>“Due to its novel nature and commercial sensitivity the project has yet to undertake any formal stakeholder engagement with the public on the project.”</i> Where a MAC is granted for this project, it is recommended to attach a condition specifying the need to undertake formal stakeholder engagement with the public in the area. However, the Applicant also stated that <i>“Communication has been initiated (under non-disclosure agreements) with potential off-takers and other industrial operators in the area.”</i> More specifically, the Applicant stated that while one stakeholder was <i>“generally supportive they did raise some concerns with regard to some sections of the site - in particular Area A that we [the Applicant] had mapped. They believed that a floating solar installation in this area could interfere with their future plans. We took this feedback on board and removed Area A from our development plans thus significantly reducing the area we are seeking to develop as a result of our engagement”</i>
11.	Where a competitive process referred to in section 93 or 103 is used, the outcome of such process.	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.
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6.2 Fit & Proper Person Assessment

Schedule 2(2) of the 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
(a)	letters of reference;	As set out in Section (g) and 6.2.1 below, the Applicant has not demonstrated clear evidence of their expertise and technical capability in successfully delivering projects of a similar scale and nature. No letters of reference were provided.
(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 and the Supporting Entity, Tultex Limited, were assessed against these criteria and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.

(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.
(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 and the Supporting Entity were assessed against these criteria, and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.
(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,	As part of the FCA, the Applicant and the Supporting Entity were assessed against these criteria and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.

	(ii) is subject to the appointment of a receiver or examiner, or (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)	if the relevant person is a body corporate incorporated under the law of another state— (i) whether an event which corresponds to an event referred to in clause (c) has occurred in relation to any of its directors, or (ii) whether an event which corresponds to an event referred to in clause (e) has occurred in relation to the body corporate;	As part of the FCA, the Applicant and the Supporting Entity were assessed against these criteria, and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.
(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	Following an assessment of the Technical Capability of Net Zero Energy Project 4 Limited and their supporting entity Tultex Limited, it is considered that, for the purpose of the subject MAC application, the Applicant has not demonstrated the requisite technical capability to undertake the proposed maritime usage, specifically having regard to the Applicant's corporate experience in the delivery of projects of a similar scale and nature. The assessment of the technical capability of Net Zero Energy Project 4 Ltd, and their supporting entity Tultex Limited is detailed in Section 6.2.1 below.

	case may be;	
(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— (i) in undertaking the proposed maritime usage, or in continuing to undertake the maritime usage, as the case may be, or (ii) in ceasing to undertake the proposed maritime usage or the maritime usage, as the case may be;	A FCA report dated 10 July 2026 has been prepared by external financial consultants, Ernst & Young (EY), who assessed the Applicant's financial capability to carry out the proposed maritime usages. Following an assessment of Financial Capability of Net Zero Energy Project 4 Limited and their supporting entity Tultex Limited, it is considered that, for the purpose of the subject MAC application, the Applicant has not satisfied the fit and proper person requirements, with regard to any financial commitments or obligations that the MARA reasonably considers will be entered into or incurred by the relevant person. Due to the commercially sensitive nature of a company's finances, details of the assessment are not included herein.
(i)	the previous performance of the relevant person when granted— (i) a MAC, (ii) a development permission, (iii) a licence, or (iv) an authorisation (howsoever described) under the Act of 1933.	A review has been undertaken of MACs (including associated development permission under MARA's remit for enforcement), maritime usage licences and foreshore authorisations held by the Applicant. Based on this review, no non-compliances with these consents, no pending enforcement actions and no outstanding debts owed are apparent.

6.2.1 Technical Capability Assessment (TCA)

Schedule 10, Part 19 of the Maritime Area Planning Act 2021 as amended prescribes “*Any floating or fixed installation (either temporary or permanent) for the production of energy by harnessing the power of the sun*)” as a class of development specified for inclusion in the Eighth Schedule of the Planning and Development Act 2000 as amended. Based on the information supplied by the Applicant, the TCA for this application has been carried out on the basis that the proposed scheme is 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 falls under Schedule 10 or not is An Coimisiún Pleanála.

The technical criteria applicable to the assessment of Schedule 10 projects is as follows: -

Applicant’s Corporate Project Experience: -

The minimum criteria under the TCA test relating to the Applicant’s corporate project experience is:-

- (a) 12-months continuous experience at the **development** (design and consenting) stage for a project of a similar scale and nature.
- (b) 12-months continuous experience at the **construction** stage for a project of a similar scale and nature.
- (c) 12-months continuous experience at the **operation and maintenance** stage for a project of a similar scale and nature.

For reference, the scale and nature of the proposed project, the subject of this MAC application, is as follows: -

Nature – Offshore Reviewable Energy Generation Project (floating solar array with sub-marine export cables).

Scale – 300MW capacity over a geographical area of circa 15km².

The Applicant has provided details for the following projects in respect of demonstration of their corporate project experience, gained working at the development, construction and operation and maintenance stages of projects of a similar scale and nature.

Tullahennel Wind Farm/Kelwin Phase 1. This project is a wind farm, biodiesel generation and battery storage scheme with a hybrid grid connection. This is a terrestrial scheme with a capacity of circa 37MW.

Kelwin-Phase 2 Battery Energy Storage System (BESS). This project is a grid-scale battery energy storage system located in Tarbet, County Kerry. This is a terrestrial energy storage scheme (not generation) with a capacity of circa 26MW.

Glencloosagh Synchronous Compensator Project, Co Kerry (development stage only). This is a grid stability project which is terrestrial in nature and does not constitute renewable energy generation.

NZE Long Duration energy Storage (LDES) Portfolio (development stage only). This does not appear to be a specific project but rather relates to Net Zero Energy Project 4 Limited's involvement in the development of long-duration energy storage projects to support the decarbonisation of Ireland's electricity system. The Applicant's involvement appears to have focused on development activities, including securing land, managing technical and planning studies, preparing planning applications, and engaging with utilities, regulators and government bodies.

It is not considered that the referenced projects submitted by the Applicant to be similar in scale or nature to the proposed 300MW floating offshore solar generation project, the subject of this MAC application. Tullahennel Wind Farm/Kelwin Phase 1 is a 37MW terrestrial wind project and is not considered similar in scale (circa 12% of the generation capacity of the proposed project), or nature (a small terrestrial windfarm rather than a large floating solar array developed in the maritime area). Kelwin-Phase 2 Battery Energy Storage System (BESS) is a 26MW terrestrial battery storage project and is not considered similar in scale (circa 9% of the generation capacity of the proposed project), or nature (a terrestrial battery storage project rather than a large floating solar array developed in the maritime area). Glencloosagh Synchronous Compensator Project, Co. Kerry is a grid stability project which appears to be at development stage only and is terrestrial in nature and does not constitute renewable energy generation.

On the basis of the information submitted, the Applicant has not satisfied the essential criteria in relation to previous corporate project experience, i.e. 12 months continuous experience at the development, construction, operation and maintenance stages of a project or projects of a similar scale and nature.

Proposed Project Delivery Team Experience:

The minimum criteria under the TCA test relating to the Applicant's project delivery team experience are:

- (a) 10 years of experience with marine projects of a similar scale and nature, with experience gained at the development and construction stages of the reference project;
- (b) 10 years of experience with other projects of a similar scale and nature (including terrestrial projects), with experience gained at the development and construction stages of the reference project; and
- (c) 10 years of experience of the Irish Planning system delivering projects of a similar scale and nature (including terrestrial projects).

The Applicant has listed seven team members in *Appendix Tec B Table 1* of the application form and has provided CVs in relation to all seven proposed team members. All CVs were fully reviewed as part of this assessment. Documentation indicates that four of the proposed seven team members are employed by Gavin and Doherty Geosolutions (GDG) and do not appear to be within the employ of the Applicant or their supporting entity. For Schedule 10 projects, the TCA process does not permit

Applicants to rely upon the experience of third-party consultants to demonstrate technical capability. Only the three project team members, within the employ of the Applicant or their supporting entity, have been considered in the technical assessment of the proposed project delivery team's experience.

On this basis, it is considered that the Applicant has provided details of a sufficiently experienced project delivery team, with more than 10 years' experience in the delivery of projects of a similar scale both terrestrially and in the maritime area and within the context of the Irish planning system.

Delivery Timelines: The Applicant has completed *Table 1 in Appendix Tec C: Delivery Timelines* which outlines the key milestone delivery timelines and demonstrates how the project will progress from submission of the planning application, to signing of the main contractor agreement to planned maintenance activities. Based on the information provided, it is considered that 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 Technical Capability of Net Zero Energy Project 4 Limited and their supporting entity Tultex Limited, it is considered that, for the purpose of the subject MAC application, the Applicant has not demonstrated the requisite technical capability to undertake the proposed maritime usage, specifically having regard to the Applicant's corporate experience in the delivery of projects of a similar scale and nature.

6.3 Other Matters to which MARA must have regard

In addition to considerations under Section 6.1 to 6.4 above, MARA, in performing its functions, must have regard to matters as prescribed in Sections 3(3), 6(8), 7(1), 30 and 44 of the Act and Section 15 of the Climate Action and Low Carbon Development Act 2015 (as amended). Table 4 provides a synopsis of the regard that was had in relation to these matters when considering the subject application.

Table 4: Synopsis of other legislative matters to which MARA has had regard	
Applicable legislation	Synopsis
Section 3(3)(a) & Section 44 (b) of the Act - obligations of the State under the United Nations Convention on the Law of the Sea (as transposed by the Maritime Jurisdiction Act 2021)	In accordance with Sections 8 and 9 of the United Nations Convention on the Law of the Sea (the Convention), subject to a right of innocent passage enjoyed by all other States, the Irish State has sovereign jurisdiction in respect of its internal waters and territorial sea, including the seabed, the subsoil and the airspace above. The State owns the seabed and subsoil of the territorial sea and the internal waters, including the mineral and other non-living resources located in or under the seabed, and of all forms of potential energy on, in, under and above the territorial sea and the internal waters. The proposed MAC area is fully located within the Irish State's territorial sea and relates to the production of energy from the sun. Accordingly, MARA is considered to have jurisdiction in accordance with the Convention to consider the granting of a MAC for the proposed maritime usage the subject of this application.

Section 3(3)(b) of the Act - the obligations in respect of the rights of the public or any class of the public over the foreshore in relation to navigation and fishing	The proposed works constitute development which require development permission. Safety of navigation, the protection of the marine environment (including the protection of fisheries) and public consultation (including prescribed bodies), are matters for consideration by the relevant planning authority when determining an application for development permission in respect of the proposed maritime usage.
Section 6(8) of the Act- Marine Planning Policy Statements (MPPS)	In the assessment of this application, regard has been given to the Marine Planning Policy Statement (MPPS), which was introduced in 2019 pending development of the National Marine Planning Framework (NMPF) and adoption of the MAP Act 2021. The MPPS sets out overarching principles and high-level vision and objectives in relation to marine spatial planning, including that <i>“Marine planning will facilitate Ireland's transition to a low carbon and climate resilient economy.”</i> The MPPS also prioritises a new development management regime for consenting under the [MAP] Act, that <i>“will include the decision-making process for Offshore Renewable Energy (ORE), a key enabler in Ireland's transition to a low carbon economy.”</i> In addition, the MPPS states that the [MAP] Act will <i>“provide the vehicle through which spatial designations can be made in support of specific marine activities (such as the development of ORE)”</i>. The MPPS sets out Ireland's vision for Marine Spatial Planning, with the development of Ireland's first marine spatial plan, the NMPF, which is in turn is supported by DMAPs. A revised MPPS is currently under development, highlighting Government commitment to forward planning in the maritime area. As evidenced above, the MPPS focuses on the plan-led approach and the spatial designation of the maritime area in support of specific marine activities, such as ORE. The proposed project is not located within a DMAP area. Accordingly, the proposed maritime usage is not considered to align with the plan-led approach as set out in the NMPF and Government policies which are underpinned by the MPPS.
Section 7(1) of the Act - Marine Planning Guidelines	No such Guidelines have issued to date.
Section 30 & Section 44(a) of the Act - Secure the Objectives of the NMPF	Discussion is provided in Table 2(8) above in relation to the regard that was had when considering whether the subject MAC application aligns with the objectives of the NMPF.
Section 44(c) of the Act - the policies of the Government or any Minister of the Government	As detailed above, regard has been given to the MPPS and NMPF when considering the subject MAC application. Furthermore, regard has been given to the Climate Action Plan 2025 and Circular MP01/2024 <i>Clarification in respect the plan-led approach to offshore renewable energy developments and research and innovation proposals in the maritime area</i>, having particular regard to Government policies and objectives in relation to the delivery of ORE in accordance with a plan-led approach. 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. Significant work is currently ongoing by Government in relation to marine spatial planning to strategically plan and coordinate the sustainable development of Ireland's maritime area, including the publication of a revised MPPS, development of a National DMAP for ORE and designation of marine protected areas. It is considered that the proposed maritime usage the subject of MAC application MAC20230032 does not align with the objectives of Government policies in relation to a plan-led approach for ORE.

Section 44(d) of the Act - the need for co-operation between users of the same part, or adjoining parts, of the maritime area, or both	Consideration of users in the vicinity of the proposed MAC Area is provided in Section 5 and Table 2(3).
Section 15(1) of the Climate Action and Low Carbon Development Act 2015 (as amended)	MARA performs its functions in accordance with the provisions of Section 15(1) of the Climate Action and Low Carbon Development Act 2015 (as amended). In the processing of this application, consideration has been given to the matters set out below and has reached its decision set out herein in so far as practicable, in a manner consistent with—: (a) the most recent approved climate action plan, (b) the most recent approved national long term climate action strategy, (c) the most recent approved national adaptation framework and approved sectoral adaptation plans, (d) the furtherance of the national climate objective, and (e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State. ORE is a component of delivering the Climate Action Plan. Marine planning and climate action policies, while pursuing separate goals, should be seen as complementary.

6.4 Levy

For the purposes of the levy calculation, MARA has produced the below Levy Estimate Map based on the GIS Data and Proposed MAC Maps as provided by the Applicant, subject to the exclusion of registered maritime area, as outlined in section 5.4 above.

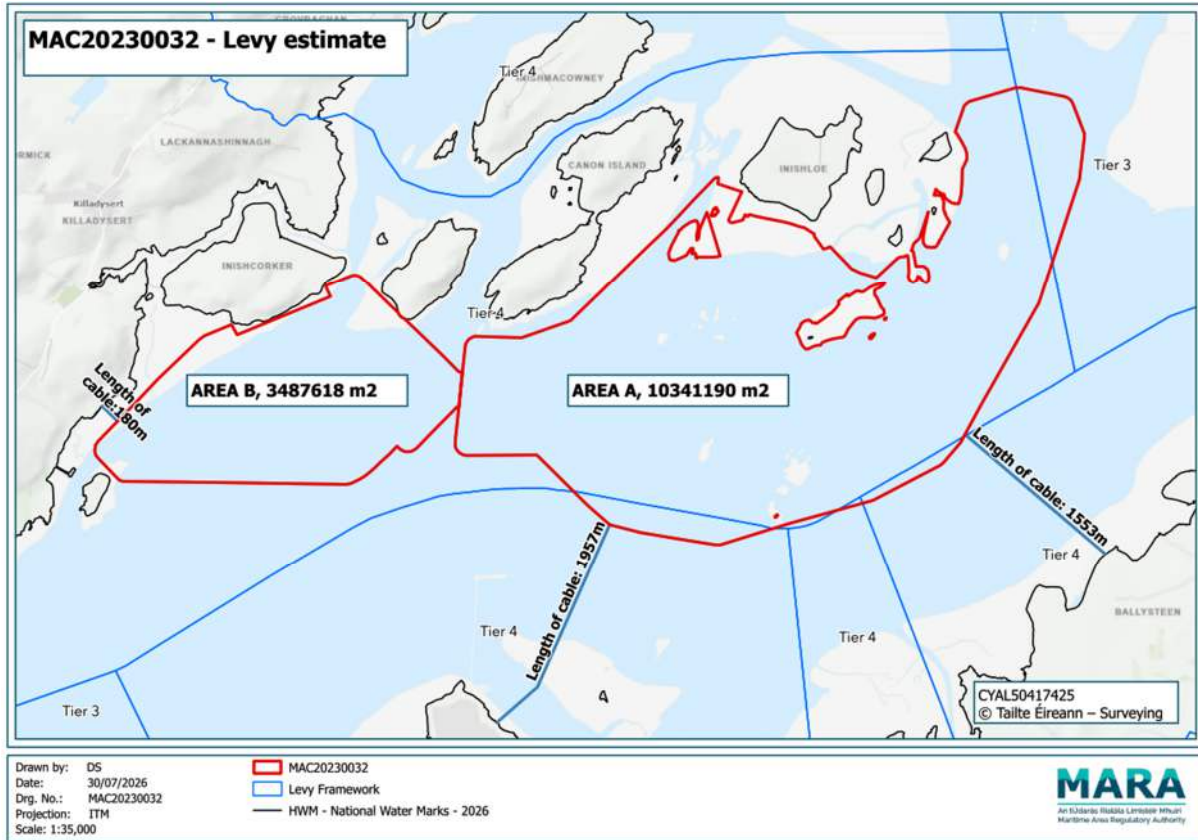


Figure 7 – Levy Estimate Map

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. If a MAC was to be granted, the levy would be due one month after the MAC Commencement Date.

MAPA Levy Framework Part:	A: Nearshore		
Category/Class:	<i>Development (commercial)</i>	<i>Development (commercial)</i>	<i>Cables pipelines and ducting</i>
Tier:	Area A – Tier 3 & 4	Area B – Tier 4	Cables – N/A
Applicable Rate:	Tier 3 and Tier 4- Base Annual Charge of €428.19 plus an add on of 0.60* per sq.m for areas in excess of 100 sq.m <i>*Where a development falls within or is contiguous to two or more Tiers, then a simple average of the value of the two or more relevant Tiers is used.</i>	Tier 4 - Base Annual Charge of €428.19 plus an add on of 0.40 per sq.m for areas in excess of 100 sq.m	Cables pipelines and ducting - Base Annual Charge of €321.14 up to 75 LMs + €4.28 per LM for the next 22,165 LMs, €2.14 per LM for the next 22,240 LMs, €1.07 per LM for the next 22,240 LM's and €0.535 per LM for the remaining LM's.
Length or Area:	Area A = 10341190 m ²	Area B = 3487618 m ²	- Cable (Area B – Ballynacragga) = 180m - Cable (Area A – Aughinish East) = 1957m - Cable (Area A – Ballysteen) = 1553m
Calculation:	Area A €428.19 + (€0.60 * (10,341,190.00 - 100.00))	Area B €428.19 + (€0.40 * (3,487,618.00 - 100.00))	Cable €321.14 + (€4.28 * (180.00 - 75.00)) = €770.54 €321.14 + (€4.28 * (1,957.00 - 75.00)) = €8,376.10 €321.14 + (€4.28 * (1,553.00 - 75.00)) = €6,646.98
Levy:	€6,205,082.19	€1,395,435.39	€15,793.62
Total Levy Estimation:	€7,616,311.20		

The MAC levy has been calculated as €7,616,311.20 per annum. All levies are indexed to the Harmonised Index of Consumer Prices (HICP), applied on an annual basis.

7. Discussion

Section 80(1) of MAP Act states that MARA shall, in determining a MAC application, have regard to the criteria specified in Schedule 5 of the Act.

Schedule 5(2)

- In accordance with Schedule 5(2) of the Act MARA shall have regard to “*whether the proposed maritime usage is in the public interest.*” Marine spatial planning is about the establishment and operation of sustainable planning across the maritime area, taking all co-existing factors into account. ORE is one of those factors. Development of ORE should be consistent with sustainable planning and European obligations, environmental and otherwise. Similarly, ORE is a component of delivering the Climate Action Plan.

The proposed maritime usage is not considered to align with Government marine spatial planning policies in relation to a plan-led approach for ORE. Accordingly, it is considered that the proposed maritime usage is not in the public interest.

Schedule 5(5)

- In accordance with Schedule 5(5) of the Act MARA shall have regard to “*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.*”

Furthermore, in accordance with Schedule 2(2): “*Subject to section 90, the MARA shall, in determining whether a relevant person is a fit and proper person to be granted a MAC or to continue to be the holder of a MAC, as the case may be, have regard to the following:*

(a) letters of reference;

(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;

(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;

(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;

(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

(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) if the relevant person is a body corporate incorporated under the law of another state—

(i) whether an event which corresponds to an event referred to in clause (c) has occurred in relation to any of its directors, or

(ii) whether an event which corresponds to an event referred to in clause (e) has occurred in relation to the body corporate;

(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;

(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—

(i) in undertaking the proposed maritime usage, or in continuing to undertake the maritime usage, as the case may be, or

(ii) in ceasing to undertake the proposed maritime usage or the maritime usage, as the case may be;

(i) the previous performance of the relevant person when granted—

(i) a MAC,

(ii) a development permission,

(iii) a licence, or

(iv) an authorisation (howsoever described) under the Act of 1933.”

Following an assessment of Financial and Technical Capability of Net Zero Energy Project 4 Limited and its supporting entity Tultex Limited, it is considered that, for the purpose of the subject MAC application, the Applicant has not satisfied the fit and proper person requirements, specifically:

- *“the requisite technical knowledge or qualifications, or both, to undertake the proposed maritime usage, or continue to undertake the maritime usage”, in accordance with Schedule 2(2)(h) and MARA requirements as set out in Appendix B1 of MARA's Guidance Note for Applicants applying for a Maritime Area Consent (MAC), date 18th August 2025.*

- *“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, in undertaking the proposed maritime usage”, in accordance with Schedule 2(2)(h) and MARA requirements as set out in Appendix C2 of MARA’s Guidance Note for Applicants applying for a Maritime Area Consent (MAC), dated 18th August 2025.*

Schedule 5(8)

- In accordance with Schedule 5(8) of the Act MARA shall have regard to the National Marine Planning Framework (NMPF). Furthermore MARA, in performing its functions, in accordance with Section 44(a), shall have regard to obligations imposed on it by Section 30 of the Act:
“(1) A public body shall adopt such measures, consistent with the body’s functions, as are necessary to secure the objectives of the National Marine Planning Framework.
(2) In this section, “functions” includes—
 - (a) the formulation of any policy, programme or plan in relation to any maritime usage or proposed maritime usage,*
 - (b) the giving of any authorisation by or under any enactment (whether the authorisation takes the form of a licence, consent, approval or any other type of authorisation) for the purposes of any maritime usage or proposed maritime usage, and*
 - (c) the regulation of any maritime usage or proposed maritime usage.”*

Based on MARA’s assessment of MAC application MAC20230032, it is considered that the proposed maritime usage does not align with the following policy objectives of the NMPF: -

- **“ORE Policy 2 - 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 Bill, will underpin a plan-led approach to consenting (or development of our marine resources)”**

Section 6(8) and 44(c)

- In addition, MARA, in performing its functions, shall have regard to matters as prescribed in section 6(8) and 44(c) of the Act, which include:
“A public body shall have regard to the marine planning policy statement when performing a function under this Act to which information, setting out the principles and priorities of the Government referred to in subsection (1), contained in the statement is relevant”
 and

“the policies (whether set out in codes, guidelines or other documents, or any combination thereof) of the Government or any Minister of the Government to the extent that those policies may affect or relate to the functions of the MARA”.

Regard was given to the Marine Planning Policy Statement (2019) and NMPF (2021) when considering the subject application. Furthermore, regard has been given the Climate Action Plan 2025, Future Framework for Offshore Renewable Energy Policy Statement (2024), Circular MP 01/2024 *Clarification in respect the plan-led approach to offshore renewable energy developments and research and innovation proposals in the maritime area*, and Government policies and objectives in relation to the delivery of Offshore Renewable Energy (ORE) in accordance with a plan-led approach.

It is considered that the proposed maritime usage of the subject MAC application MAC20230032 does not align with the objectives of Government policies in relation to a plan-led approach for ORE.

8. Conclusion & Recommendation

Following a detailed assessment of all information on file, it is recommended to refuse to grant the MAC sought.

Accordingly, it is recommended to issue a Section 81(7)(b) Minded to Notice, as enclosed, informing the Applicant that MARA is minded to refuse to grant a Maritime Area Consent.

It is recommended that the Applicant be allowed 21 days, being a period reasonable in all the circumstances of the case, from the date of issue of the Minded to Notice, to submit supplementary material in relation to the reasons for the decision, in accordance with 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: Kelly Dalton Position: Manager, MAC Strategy and ORE

Signed: Philip Newell Position: Senior Engineer, MAC Directorate