

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:	Keith Archer
MAC Reference No:	MAC240025
Location:	Spanish Island, Co. Cork
Date Application received:	04 July 2024
Proposed Maritime Usage:	Keith Archer has applied for a MAC for the installation of an electricity supply cable between Ringarogy Island and Spanish Island, Co. Cork.
Recommendation:	To approve the Part Granting of the MAC sought with conditions attached.

Document Control			
Prepared by:	Robert Roche	Marine Analyst	05/03/2026
	Paul Brennan	MAC Manager	05/03/2026
Reviewed by:	Kate Clark	Head of MAC Strategy & ORE	05/03/2026
Approved by:	Kate Clark	Head of MAC Strategy & ORE	09/03/2026
Final Report Version 1:	Paul Brennan	MAC Manager	09/03/2026

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1. Overview

On 04 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 Keith Archer (the Applicant) for proposed works relating to the installation of an electricity supply cable at Spanish Island, Co. Cork.

2. Background

The proposed electricity supply cable will provide a private electricity connection from Ringarogy Island to Spanish Island, Co. Cork. The Applicant states that the total length of the proposed cable is approximately 800 metres, approximately 100 metres of which is within the maritime area and is the subject of this MAC application. The proposed cable will provide electricity to a private dwelling house on the island which was granted planning permission under Cork County Council planning application reference 21165 on 25 January 2022.

The Applicant is in ownership of the private lands above the High-Water Mark which is bounding the proposed MAC area on both sides of Greene's Creek (Hackett's Creek). The MAC area sought by the Applicant at the initial application stage was 0.045ha, which was the subject area of a previous Foreshore Lease application for the proposed maritime usage. MARA understand that no foreshore consent has been granted for the proposed maritime usage that is the subject of that foreshore application.

3. Proposed Maritime Usage

The proposed works which are the subject of this application comprise the installation of an electricity supply cable in the maritime area. The Applicant states that the proposed cable route is from Ringarogy Island across Greene's Creek (Hackett's Creek) to Spanish Island. The Applicant proposes to install the cable using an open trench and backfilling method in the channel of Green's (Hackett's) Creek. The cable route may be protected with rock laid along the route after the trench is backfilled. The cable is proposed to be installed in a 125mm red ESB duct with a minimum cover depth of 750mm below the channel bed. The Applicant proposes to carry out the works in the maritime area using a machine operating from a barge. Directional drilling will be required at the coastal rock faces on both side of Green's (Hackett's) creek on Spanish Island and Ringarogy Island. The Applicant states that work within the maritime area will be completed in one working day. MARA consider that a construction stage of one day to one week would be sufficient to install the ducting and cable as described by the Applicant.

The Applicant has requested a MAC term of 60 years. The Applicant states that the design life for the submarine cable and associated maritime infrastructure is anticipated to be 30-40 years, with reference to International Cable Protection Committee (ICPC) and Institute of Electrical and Electronics Engineers (IEEE) publications.

MARA GIS digitised the Applicant's requested MAC red line boundary area based on the information displayed in the Foreshore map submitted with the application. When the Applicant's map was digitised

and calculated in square metres relative to the Irish Transverse Mercator grid system, the resulting MAC area sought at application stage was calculated as 674m² (0.0674ha).

Based on the proposed MAC area calculated by MARA, the resulting length of cable proposed in the maritime area equates to 56.7 linear metres. The average width of the MAC area is calculated as 11.71 metres. This is the width of available corridor for laying and associated installation, ongoing maintenance, decommissioning and rehabilitation of the cable. This corridor width would be suitable for a small jack-up barge or similar. If larger equipment is required for the proposed works, an increase in MAC area may be required.

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

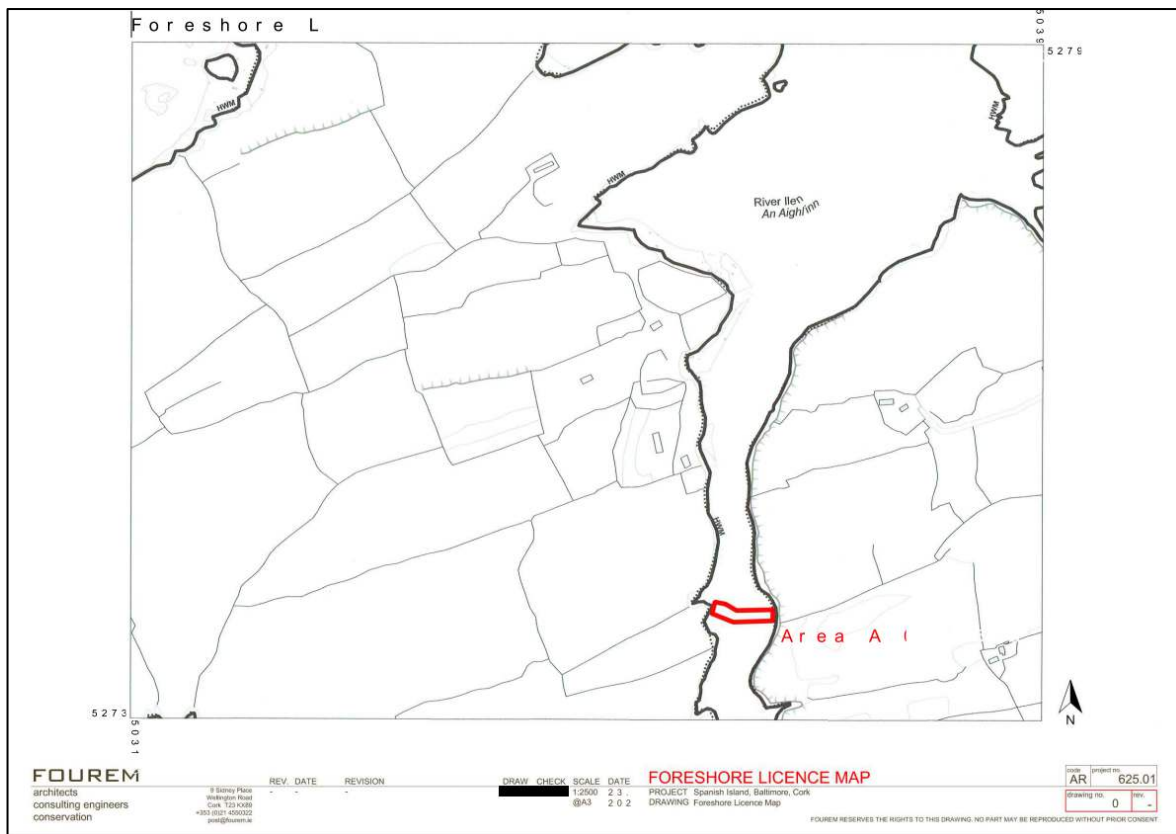


Figure 1: Applicant map of proposed layout of MAC area at Spanish Island, Co. Cork

4. Site Visit

Senior Marine Planning Advisor, Niamh Lennon inspected the site on 21 October 2025. The proposed works are in the maritime area between Ringarogy Island across Greene's Creek (Hackett's Creek) to Spanish Island. The surrounding land is rural in nature with some private dwellings and agricultural buildings.

The site walk over followed the right of way along the access track down to the shoreline of Green's (Hackett's) Creek at most easterly section of the proposed MAC application site area. Access was gained from Ringarogy Island which is linked to the mainland with a bridge. No access was gained on the day to Spanish Island itself. After landfall on Spanish Island the cable will run north and then

northwest to the dwelling. The cable route between the landfall on the eastern shore of Green's (Hackett's) Creek and the public road is within the curtilage of the access track used in site inspection.

The section of maritime area in which the cable is proposed to be installed is a narrow (circa 25m – 75m wide) shallow channel. The intertidal habitat surrounding Spanish Island and Ringarogy Island and on either side of the channel is comprised of intertidal reef.

A small boat launch slipway is located approximately 300m to the southeast.

No existing infrastructure or occupation, which would conflict with the proposed maritime usage, was noted within the proposed MAC area during the site visit.



Photograph 1: View from Ringarogy HDD launch site looking west toward Spanish Island [NL 21 October 2025]



Photograph 2: View from shoreline at Ringarogy (eastern edge of MAC application) looking west toward Spanish Island [NL 21 October 2025]



Photograph 3: View from launch site at Ringarogy looking east toward track leading to public road [NL 21 October 2025]

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 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.

The Applicant has stated that the proposed maritime usage which is the subject of this application requires development permission. The Applicant has received this development permission from Cork County Council (ref. 21165) on 25 January 2022. Section 75A makes provision for a MAC applications following the grant of development permission, where granted before 17 July 2023.

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

5.2 Existing Consents & Authorisations

A search of the MARA's GIS database was undertaken on 12 November 2025 and 23 February 2026 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 database¹ was searched on 12 November 2025 and 23 February 2026 for spatial overlap between the proposed MAC areas and any Department of Agriculture, Food and Marine (DAFM) foreshore authorisations for aquaculture sites.

The proposed MAC area does not overlap with any existing MACs or applications for the same.

The proposed MAC area overlaps with one Maritime Usage Licence (MUL) application which is detailed in Table 1 below. The proposed MAC area does not overlap with any existing MULs.

<i>Table 1: Summary of Overlapping maritime authorisations and foreshore authorisations</i>				
File Reference Number	Applicant/ Holder	Consent Type	Maritime Usage	Status
MUL230015	Uisce Éireann	Licence	To conduct a strategic modelling study of water currents and bathymetry along a section of the South Cork Coast	Applied

Maritime Usage Licence MUL230015 is an application, submitted by Uisce Éireann to MARA, seeking authorisation to undertake a strategic modelling study of water currents and bathymetry surveys in the proposed MUL area along the south Cork coastline in Glandore Bay. As Maritime Usage Licences are issued on a non-exclusive basis and this licence relates to survey activities, co-existence with the

¹ <https://atlas.marine.ie/>

proposed maritime usage the subject of this application is considered possible, therefore no conflict is considered to exist.

In summary, no existing MACs, MULs, foreshore authorisations (including those for aquaculture) or applications for the 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 Ownership

A search was undertaken of the Land Registry on 12 November 2025 and 23 February 2026 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 in Figure 1. One overlap with private maritime land was identified which related to Folio CK172603F. This Folio is in the ownership of the Applicant. The overlap between this Folio and the proposed MAC area is shown in Figure 2 below.

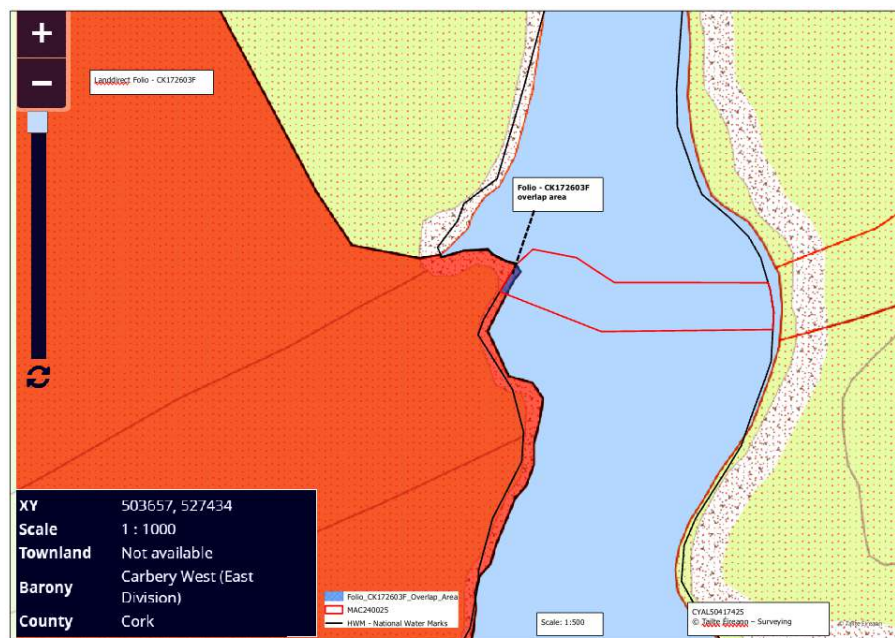


Figure 2: Overlap of MAC area with Folio CK172603F

It is considered that the above identified privately held foreshore conflict with parts of the MAC area sought. 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 within state ownership. Accordingly, a MAC cannot be issued on privately owned maritime area. Considering the above it is recommended that a MAC is part granted for that portion of the maritime area, within the MAC area as applied for, which is in state ownership. The recommended MAC area to be part granted is detailed on the map provided (Figure 3) in Section 7 of this report.

5.4 Development Permission

The Applicant was granted planning permission from Cork County Council (ref. 21165) on 25 January 2022. The Applicant states in an email dated 20 February 2026 that they “*are satisfied that the cable formed part of the application for Planning Permission on the site and has been given permission.*”

Since the development permission was granted in advance of the MAC application, the Applicant is required to provide a Rehabilitation Schedule detailing how the Applicant proposes to rehabilitate the maritime area in accordance with Part 4, Chapter 8 of the Act.

6. Assessment

6.1 Schedule 5

The MAC application was submitted on 03 July 2024 with the appropriate fee paid on 04 July 2024 and reviewed for completeness on 08 July 2024. An incomplete application notification was issued on 12 July 2024; with supplementary documentation/information received on 12 July 2024. The application was deemed complete by MARA on 12 July 2024.

A number of requests for additional information were issued on 11 October 2024, 22 October 2025 and 25 February 2026 under Section 79(3) of the Act and associated responses received relating to matters for general, technical and financial assessment on 17 October 2024, 20 February 2026 and 26 February 2026.

Schedule 5 of the 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 of the Act. The assessment is summarised in Table 2 below.

Table 2: Synopsis of the assessment of the application with regard to the requirements of Schedule 5			
Schedule 5 Requirements		Synopsis	Assessment
1.	The nature, scope and duration of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.	<p>Details of the proposed maritime usage, including the nature scope and duration are described in Section 3 & 4 above.</p> <p>The Applicant has requested a MAC term of 60 years. The Applicant states that the design life for the submarine cable and associated maritime infrastructure is anticipated to be 30-40 years, with reference to International Cable Protection Committee (ICPC) and Institute of Electrical and Electronics Engineers (IEEE) publications. This design life would be typical of international standards and industry practice for this type of infrastructure. MARA consider that an operational lifespan of circa 40 years should be achievable based on the design standards and typical industry practice for this type of infrastructure. Accordingly, a MAC term of 40 years is recommended.</p> <p>The Applicant has sought a MAC for Exclusive Use for the proposed maritime usage. Based on the assessment set out in Section 6.3 of</p>	Partially Satisfied

		<p>the nature of use of the maritime usage sought by the Applicant, it is considered that exclusive use is not merited in the case of the subject maritime usage.</p> <p>The proposed maritime usage is considered satisfactory, having regard to the scope sought.</p> <p>The proposed maritime usage is considered partially satisfactory having regard to the nature sought. Accordingly, it is recommended to part grant a MAC on a “may or may not be exclusive” basis, as outlined in Section 6.3 and Section 9 below.</p> <p>The proposed maritime usage is considered partially satisfactory having regard to the duration sought. Accordingly, it is recommended to part grant a MAC for a shorter MAC term than that sought, as outlined above.</p>	
2.	Whether the proposed maritime usage is in the public interest.	<p>The Applicant stated that <i>“There is negligible impact except during the brief (one day or less) laying of the cable. To minimize inconvenience to other users, it is proposed that the Marine Harbour Master in Baltimore would be contacted prior to works starting. It is also proposed that the cable would be laid outside of the busy season (June to September). No commercial impact is expected.”</i></p> <p>MARA consider that the proposed buried electrical cable should not impact on users of the maritime area once it is installed. The installation of the proposed cable may impact on other users of the maritime area for the duration of the construction works. The duration of this impact would be short, and the Applicant envisages that the works can be completed in one day.</p> <p>The route of the cable is proposed to be delineated with marker posts along its route, and on both sides of Greene's Creek (Hackett's Creek).</p> <p>The Applicant indicated that, although the island is privately owned, access to the island will continue to be provided as has been the longstanding tradition, which is a condition of the planning permission for the dwelling.</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 MAC area sought by the Applicant at initial application stage was calculated by MARA as 674m² (0.0674ha) when it was digitised from the Foreshore map which was submitted with the application (Figure 1). Based on the searches undertaken, a small section of the western end of the MAC area sought by the Applicant was identified as registered in the ownership of the Applicant (Folio Ref: CK172603F). As this land is considered privately owned, it is recommended to part grant the MAC to exclude that area of maritime area in private ownership. Accordingly, the total MAC area recommended to be granted is 664m² (0.0664ha). The length of the proposed electrical cable crossing is therefore 56.7 linear metres. The proposed MAC area is illustrated in Figure 3 (Proposed MAC Map) in Section 7.</p>	Partially Satisfied

		<p>Details of the location, relevant consents, ownership and development permissions are provided in Sections 2 to 5 above.</p> <p>The proposed maritime usage is considered partially satisfactory having regard to the location and spatial extent concerned. Accordingly, it is recommended to part grant a MAC to exclude that area of Maritime Area in private ownership.</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 Table 3 below, Section 6.3 and the Financial Capability Assessment (FCA) as set out in the Ernst & Young (EY) report dated 21 November 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 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.	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, MARA has had regard to the National Marine Planning Framework (NMPF) and it is considered that the proposed project aligns with the overall objectives of the NMPF, including the social objectives set out therein.</p> <p>It is considered that the proposed project aligns with the following key sectoral policy objectives of the NMPF: -</p> <ul style="list-style-type: none"> • Rural Coastal and Island Communities Policy 1 - Proposals contributing to access, communications, energy self-sufficiency or sustainability of rural coastal and / or island communities should be supported. Proposals should ideally be inclusive of continual education, skills development and training in marine sectors, thus improving the sustainability, social benefits and economic resilience of rural and island communities. <p>In the application, the Applicant states that the proposed project is consistent with the environmental objectives of the NMPF.</p> <p>The project outlines a number of mitigation measures to minimise adverse impacts of the proposed development on the marine environment. The mitigation measures considered include measures for the construction, operation, maintenance and decommissioning phases. These mitigation measures are set out in the Ecological Impact Assessment Report (EclA), Natura Impact Statement (NIS) and Construction Method Statement which were submitted as part of planning application reference 21165 to Cork County Council.</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>	Satisfactory

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>The Applicant was granted planning permission from Cork County Council (ref. 21165) on 25 January 2022 in relation to the proposed development. The Applicant states in an email dated 20 February 2026 that they <i>are satisfied that the cable formed part of the application for Planning Permission on the site and has been given permission.</i></p> <p>As part of this planning application a Natura Impact Statement, Ecological Impact Assessment Report were submitted to the planning authority.</p> <p>Having regard to the above, the extent of the preparatory works undertaken are considered acceptable for a project of this scale and nature.</p>	Satisfactory
10.	The extent and nature of stakeholder engagement undertaken by the Applicant in respect of the proposed maritime usage.	<p>The Applicant has not provided details of any stakeholder engagement; however, public consultation would have been undertaken as part of the previously granted planning permission application.</p> <p>Having regard to the above, the extent and nature of the stakeholder engagement undertaken is therefore considered acceptable for a project of this scale and nature.</p>	Satisfactory
11.	Where a competitive process referred to in section 93 or 103 is used, the outcome of such process.	Not applicable	Not applicable
12.	Any additional criteria specified, for the purposes of this paragraph, in regulations made under section 80(2).	No such regulations have been made to date.	Not applicable

6.2 Fit & Proper Person Assessment

Schedule 2(2) of the 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 Applicant is a fit and proper person within the meaning of Schedule 2(2) is set out in *Table 3* below.

Table 3: Schedule 2(2) Fit & Proper Person			
Fit & Proper area for assessment		Synopsis	Assessment
(a)	letters of reference;	As set out in Section (g) below, the Applicant’s supporting agents, John Hegarty / Fourem Architects and CroCon Engineers Ltd have demonstrated clear evidence of their expertise and technical capability in successfully delivering projects of a similar scale. No letters of reference were provided.	Satisfactory
(b)	that the relevant person, or any other person concerned, stands convicted of— (i) an indictable offence under this Act or an offence in another state equivalent to an indictable offence, (ii) an indictable offence under an enactment prescribed for the purposes of this clause, or (iii) an offence involving fraud or dishonesty;	As part of the FCA, the Applicant was assessed against these criteria and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.	Satisfactory
(c)	if the relevant person is a body corporate, whether any of its directors has a declaration under section 819 of the Act of 2014 made against him or her or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act, or is subject to or deemed to be subject	As part of the FCA, the Applicant was assessed against these criteria and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.	Satisfactory

<p>to—</p> <p>(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</p> <p>(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;</p>		
<p>(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;</p>	<p>As part of the FCA, the Applicant was assessed against these criteria, and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	<p>Satisfactory</p>
<p>(e) 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</p>	<p>As part of the FCA, the Applicant was assessed against these criteria and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	<p>Satisfactory</p>

	or section 201(3) of the Act of 1963;		
(f)	<p>if the relevant person is a body corporate incorporated under the law of another state—</p> <p>(i) whether an event which corresponds to an event referred to in clause (c) has occurred in relation to any of its directors, or</p> <p>(ii) whether an event which corresponds to an event referred to in clause (e) has occurred in relation to the body corporate;</p>	As part of the FCA, the Applicant was assessed against these criteria, and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.	Satisfactory
(g)	whether the relevant person, or a person acting for or on behalf of the relevant person in the relevant person's capacity as such, has (or has access to), or continues to have (or have access to), as the case may be, the requisite technical knowledge or qualifications, or both, to undertake the proposed maritime usage, or continue to undertake the maritime usage, as the case may be;	Assessment of the technical capability of Keith Archer and their supporting agents, John Hegarty / Foureem Architects and CroCon Engineers Ltd, to deliver the proposed maritime usages the subject of the MAC application is detailed in Section 6.2.1 below. The Applicant and their agents are considered to have the requisite technical knowledge and qualifications to undertake the proposed maritime usage.	Satisfactory
(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	<p>A FCA report dated 21 November 2024 has been prepared by external financial consultants, EY, who assessed the Applicant's financial capability 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>	Satisfactory

<p>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>The Applicant is considered likely to be in a position to meet financial commitments associated with the proposed maritime usage and MAC.</p>	
<p>the previous performance of the relevant person when granted—</p> <p>(i) a MAC,</p> <p>(ii) a development permission,</p> <p>(iii) a licence, or</p> <p>(iv) an authorisation (howsoever described) under the Act of 1933.</p>	<p>MARA has undertaken a review of MACs (including associated development permission under MARA's remit for enforcement), maritime usage licences and foreshore authorisations held by the Applicant. Based on the review, MARA is not aware of any non-compliances with these consents, there are no enforcement actions pending and there are no outstanding debts owed.</p>	<p>Satisfactory</p>

6.2.1 Technical Capability Assessment (TCA)

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. The Applicant states that the proposed development has received development consent from Cork County Council (ref. 21165) on 25 January 2022.

Information has been provided under the TCA submission relating to the Applicant's subcontracted agents. The Applicant's agent is John Hegarty / Fourem Architects, and the TCA has been carried out based on the technical capability of the sub-agent, CroCon Engineers Ltd.

Assessment of Qualifications/Membership of Professional Bodies

At the time of the application, the engineer named by CroCon Engineers Ltd was registered with Engineers Ireland and held the title of Chartered Engineer. CroCon Engineers Ltd is not a member of the Association of Consulting Engineers of Ireland or any other similar body. The Applicant has provided a copy of CroCon Engineers Ltd's Professional Indemnity Insurance Certificate which was valid and in date at the time of making their application to MARA. CroCon Engineers Ltd holds ISO 9001:2015 registration for its quality management system. Given the scale and nature of the project, simplicity of works and previous demonstrated experience of CroCon Engineers Ltd, the submission is considered acceptable in this regard.

Assessment of Three Projects of a Similar Scale and Nature

The Applicant has satisfactorily completed Appendix Tec A – Table (ii). This details three projects where the agent was involved with various maritime projects which are similar in scale and nature to the project the subject of the MAC application. The details outlined in Appendix Tec A Table (ii) demonstrates the required level of experience to deliver the proposed project. Based on 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 the responsibility of the Applicant. Since the cable will be buried on the maritime area, inspection is likely to be limited to visual checks on an annual basis including where the proposed duct enters the rock face on either side of Greens Creek and where there is above ground warning signage present to show the route of the cables below. Based on the information submitted in Appendix Tec B and the undertaking by the Applicant to operate, maintain and rehabilitate the cable under this MAC, 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 correctly completed and submitted Appendix Tec C with their application. Based on the information provided, 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 consider that Keith Archer and their subcontracted agent have satisfied all 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 Keith Archer and their subcontracted agent have the requisite technical knowledge and qualifications to undertake the proposed maritime usage

6.3 Rehabilitation Schedule

Under section 96(1) of the Act, it is required that the holder of a MAC shall, before the expiration of the MAC, rehabilitate that part of the maritime area the subject of the MAC.

As this application falls for submission under Section 75A of the Act, it is required that a rehabilitation schedule be attached to the MAC. Section 96(4) of the Act specifies particulars that should be included in a rehabilitation schedule that set out how the Applicant will discharge their rehabilitation obligations.

The Applicant submitted a Rehabilitation Schedule to MARA on 26 February 2026. Upon review of the requirements of Section 96 of the Act, the Rehabilitation Schedule is considered satisfactory.

6.4 Section 83 – Nature of Use

Section 83(1) of the Act requires MARA in the granting of a MAC to specify whether the specific part of the maritime area the subject of that MAC is for exclusive use or not. Section 83(1) provides MARA discretion and flexibility to specify the nature of the use (i.e. exclusive, non-exclusive or may/may not be exclusive).

The Applicant has sought that the MAC be granted on an exclusive basis. The Applicant stated that the proposed electricity cable is to supply a private dwelling house.

Having regard to the nature and lifecycle of the proposed maritime usage the subject of this application, it is reasonably foreseeable that Keith Archer may be required to exclude access to parts of the MAC area on a temporary basis. For example, during construction, maintenance, decommissioning and rehabilitation phases for health and safety reasons. Such temporary/ short-term exclusions may be mandated by the planning authority or other authorities or legislation for specific purposes and durations. In this instance, it is considered that granting of exclusive use for the full term of the MAC is not merited, particularly having regard to co-existence and co-operation objectives of the NMPF. It is considered that exclusive use should only be permitted where use on an exclusive basis is required and provided for under another authorisation or enactment. Accordingly, it is recommended that the MAC is granted on a “may or may not be exclusive” basis contingent on circumstances that may arise after the granting of the MAC” in accordance with Section 83(1)(c) of the Act.

7. Proposed MAC Map (for illustration purposes only)

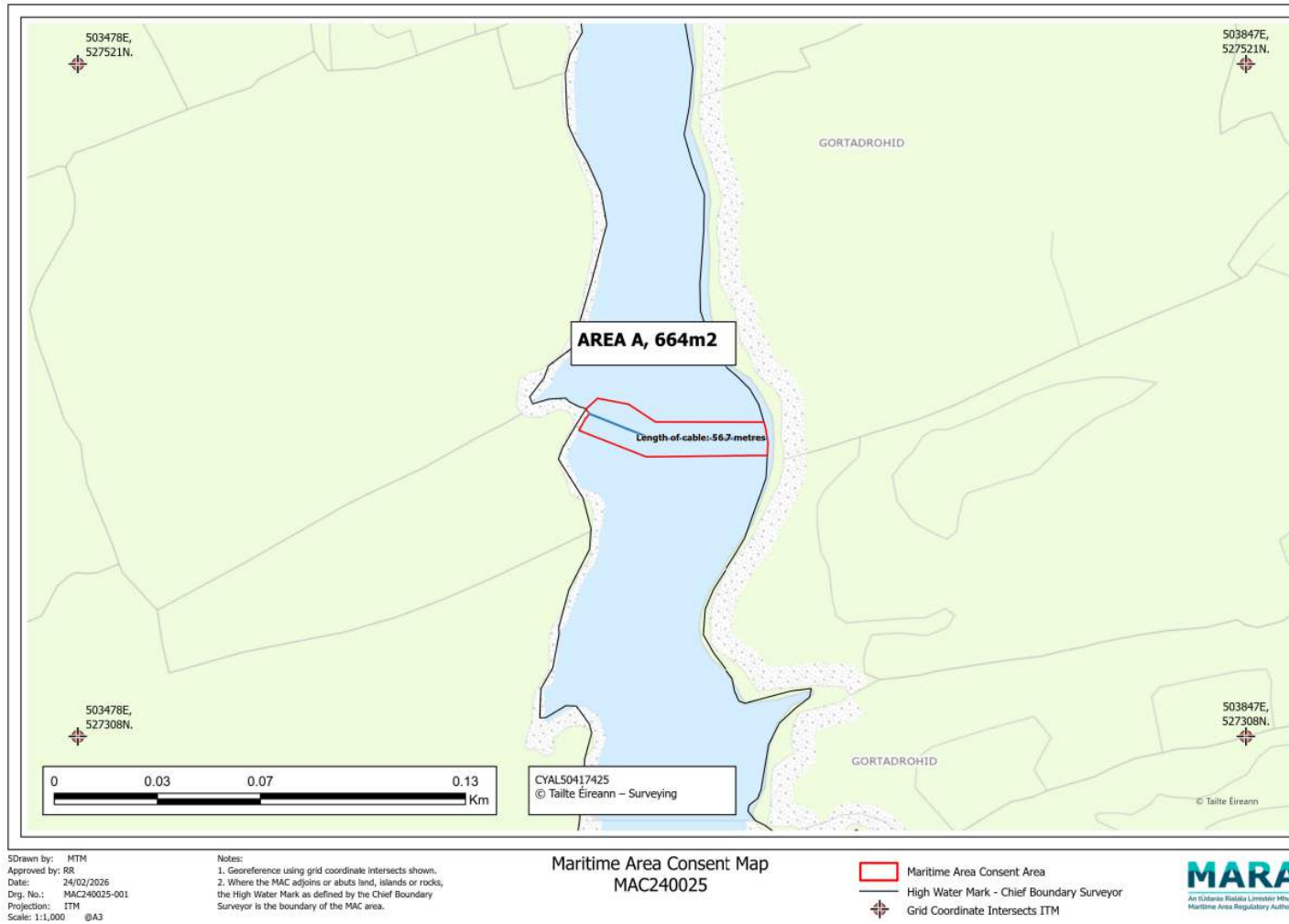


Figure 3: Proposed MAC Map

8. Levy

An annual MAC levy has been calculated based on the project type and proposed MAC area in accordance with MARA's MAC levy framework, as set out below.

MAPA Levy Framework Part:	Part A: Nearshore
Category/Class:	Cables pipelines and ducting
Applicable Rate:	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	56.7 linear metres (LM)
Calculation:	€ 321.14
Levy due:	€ 321.14

The MAC levy has been calculated as €321.14 per annum. All levies are indexed to the Harmonised Index of Consumer Prices (HICP), applied on an annual basis.

9. Discussion

Based on the assessments undertaken contained herein, it is considered that the subject MAC application complies with all the necessary requirements of Part 4 of the Act, with particular regard to Schedule 5 criteria, where relevant and appropriate, with the exception of Schedules 5(1) and 5(3).

The proposed MAC area has been assessed to overlap private maritime area. Schedule 3(3) and Schedule 4(5) of the Act precludes "any maritime usage to the extent to which it is undertaken on a privately owned part of the maritime area" from requiring a MAC. Section 99(2) of the Act specifies that "no part of the maritime area shall be treated at any time as privately owned land unless the part is land whose owner is, or is deemed to be, registered under the Registration of Title Act 1964." Accordingly, MARA may not consent to the sections of the proposed MAC area that are deemed to be privately held. Having regard to the above, it is recommended to part grant the proposed MAC to exclude the private maritime areas.

The Applicant requested a MAC term of 60 years. Having regard to the nature and lifecycle of the proposed maritime usage, it is considered that the granting of 60 years is not merited. Accordingly, it is recommended that the MAC is part granted for a term of 40 years.

The nature of the maritime usage sought by the Applicant is for exclusive use of the maritime usage. The granting of the MAC for exclusive use of an underground electricity cable would preclude the use of that part of the maritime area for any other usage. As detailed in Section 6.4, while it is reasonably foreseeable that the Applicant may be required or may seek to exclude access to the MAC area on a temporary basis, it is considered that granting of exclusive use for the full term of the MAC is not merited. Accordingly, it is recommended to part grant the MAC sought on a “may or may not be exclusive” basis and that any short term/ temporary exclusive use should only be permitted where use on an exclusive basis is required and provided for under another authorisation or enactment.

a. Terms

MAC Term:	40 Years
Consent Area:	That part of the maritime area marked red on the MAC Map.
MAC Map Title:	Maritime Area Consent Map MAC240025; Drawing Number MAC240025-001; Date 24/02/2026
Permitted Maritime Usage:	The construction, use, operation and maintenance of an underground electricity cable, including all associated decommissioning, demolition, rehabilitation, and any other works required on foot of any development permission relating to the infrastructure.
Nature of Usage:	May/May Not be Exclusive
The minimum number of days in which the MAC Holder shall provide the Grantor advance notice in writing of the Holder’s intention to commence the Permitted Maritime Usage.	14 Days

b. Conditions and Reasons for Conditions

Section 82 of the Act specifies that MARA may attach to a MAC one or more conditions which fall within the types of conditions specified in Part 1 of Schedule 6 of the Act. All conditions contained in Schedule 6; Part 2 are deemed to be attached to a MAC.

The standard suite of MARA conditions reflecting the contractual and statutory relationship that will exist with a grant of consent are also recommended. Reasons for these conditions are set out in the enclosed Section 81(7)(b) Minded to Notice.

10. Conclusion & Recommendation

Following a detailed assessment of all information on file, it is considered that the proposal complies with all the necessary requirements, subject to the parts of the proposed MAC area which are privately held being excluded, the part granting of a MAC on a may or may not be exclusive basis and the part granting of a MAC term of 40 years. Accordingly, it is recommended to issue a Section 81(7)(b) Minded to Notice, as enclosed, informing the Applicant that MARA is minded to part 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(s) will be notified and MARA will publish a notice on its website as soon as practicable thereafter.

Signed: Robert Roche Position: Marine Analyst, MAC Directorate

Signed: Paul Brennan Position: Manager, MAC Directorate