

MAC Report	
Application for a Maritime Area Consent (MAC) under Sections 75(1) and 106 of the Maritime Area Planning Act 2021, as amended (the Act)	
Application Details	
MAC Applicant:	Shannon Foynes Port Company (SFPC)
MAC Reference No:	MAC20230024
Location:	Foynes Island and Port of Foynes, Co. Limerick
Date Application received:	04 June 2025
Proposed Maritime Usage:	Shannon Foynes Port Company (SFPC) has applied for a MAC for the development of the Foynes Island Deepwater Development Project. The proposed maritime usage includes the construction, operation and maintenance of a new deepwater berth on Foynes Island, a new road bridge linking Foynes Island to the existing Port of Foynes estate on the mainland and the regularisation of an existing area of reclaimed lands at the southern abutment of the proposed new bridge.
Recommendation:	To approve the Part Granting of the MAC sought with conditions attached.

Document Control			
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1. Overview

On 04 June 2025 Shannon Foynes Port Company (SFPC) submitted a Maritime Area Consent (MAC) application to MARA under Section 79 of the Maritime Area Planning Act 2021, as amended (the Act) for the development of the proposed Foynes Island Deepwater Development (FIDD) Project. The proposed maritime usage includes the construction, operation and maintenance of a new deepwater berth on Foynes Island, a new road bridge linking Foynes Island to the existing Port of Foynes estate on the mainland and the regularisation of an existing area of reclaimed lands at the southern abutment of the proposed new bridge.

2. Background

The proposed FIDD Project forms a central element of SFPC's long-term strategy to transform the Shannon Estuary into a major international hub for offshore renewable energy. Located within one of Europe's deepest natural harbours, with channel depths of up to 32 metres, the port is uniquely positioned to accommodate large-scale marine infrastructure and post-Panamax sized vessels. The project seeks to deliver new deepwater quay infrastructure and associated landside facilities capable of supporting the assembly, integration, and deployment of floating offshore wind components at scale, aligning with national ambitions to harness significant Atlantic wind resources.

As part of SFPC's wider Vision 2041 masterplan, the proposed development aims to establish Foynes as Ireland's primary offshore wind logistics hub, enabling supply chain activity, reducing congestion in existing ports, and supporting the transition to a low-carbon energy system while driving regional economic growth.

The overall FIDD project entails the demolition and removal of an existing oil jetty, breasting dolphin structures and associated quay furniture which was consented under a combined foreshore lease and licence (Foreshore Records FS004755 and FS005110). The foreshore lease element of this authorisation has been assigned to SFPC on 10 June 2026 under Foreshore Record FS004755, and the decommissioning and removal of this infrastructure will be conducted under the terms of the existing foreshore authorisation (see Sections 4 and 5.2 for further discussion). The demolition and removal of this infrastructure does not form part of this MAC application or assessment and is not therefore included within the scope of the proposed or permitted maritime usage.

3. Proposed Maritime Usage

The proposed development within the maritime area comprises the creation of a new deepwater port facility adjacent to Foynes Island, involving a combination of capital dredging, land reclamation, and the construction of heavy-duty quay infrastructure. The proposed works will include dredging of the seabed to achieve sufficient depths to accommodate large, deep-draft vessels (including post-Panamax and offshore wind installation vessels), together with the formation of new berthing pockets and navigational access areas.

A key element of the proposed marine works is the reclamation of intertidal and subtidal areas to create a stable platform extending into the estuary, upon which quay walls and associated infrastructure will be constructed. Conceptual drawings provided by the Applicant indicate this reclamation will typically involve the placement of engineered fill material and the installation of containment structures such as revetments or quay retaining systems.

The proposed quay infrastructure itself will comprise deepwater berths designed for heavy lift and load-bearing operations, suitable for the assembly, storage, and mobilisation of large offshore renewable energy components (e.g. floating wind turbine foundations and towers). The conceptual design drawings provided by the Applicant indicate the quay infrastructure may be an open piled deck slab structure, however this may be subject to change as the design for the scheme evolves.

A schematic overview of the proposed deepwater facility, taken from the SFPC Vision 2041 Strategic Review Report 2022, is reproduced in Figure 1 below.



Figure 1 – Schematic overview of proposed FIDD facility. [SFPC Vision 2041 Strategic Review Report 2022]

The proposed development also includes the provision of a new dedicated bridge and access route, connecting the existing port lands at Foynes to the proposed deepwater terminal on Foynes Island, forming a critical piece of enabling infrastructure for the overall project. The bridge is intended to provide direct, high-capacity landside connectivity between the mainland port estate and the reclaimed island development area, allowing for the efficient movement of heavy goods vehicles, abnormal loads, and large offshore wind components.

The FIDD Project works proposed in the maritime area involve the following elements: -

- Development of deep-water berth on the south-western side of Foynes Island including a 700m long by 60m wide deepwater berthing quay, approximately 400m of which will be used to accommodate offshore wind turbine assembly and the remaining 300m will be used to accommodate a Load on-Load odd (Lo-Lo) Cargo Container Terminal as well as General Cargo Operations;
- Provision of quayside hard standing set-down area with associated loading and assembly infrastructure;

- Capital dredging to be carried out in an area to the northeast of the new deepwater development to a minimum depth of -17m CD;
- Construction of a 650m long, 14.8m wide road bridge linking Foynes Island to the existing Port of Foynes estate on the mainland; and

A temporary works area of approximately 15 hectares will be required to facilitate the construction of the new jetty and bridge structures. The temporary works areas for construction stage are indicated on the Proposed MAC Map reproduced in Figure 3 of this report.

A conceptual layout of the proposed works was submitted by the Applicant and is reproduced in Figure 2 below.

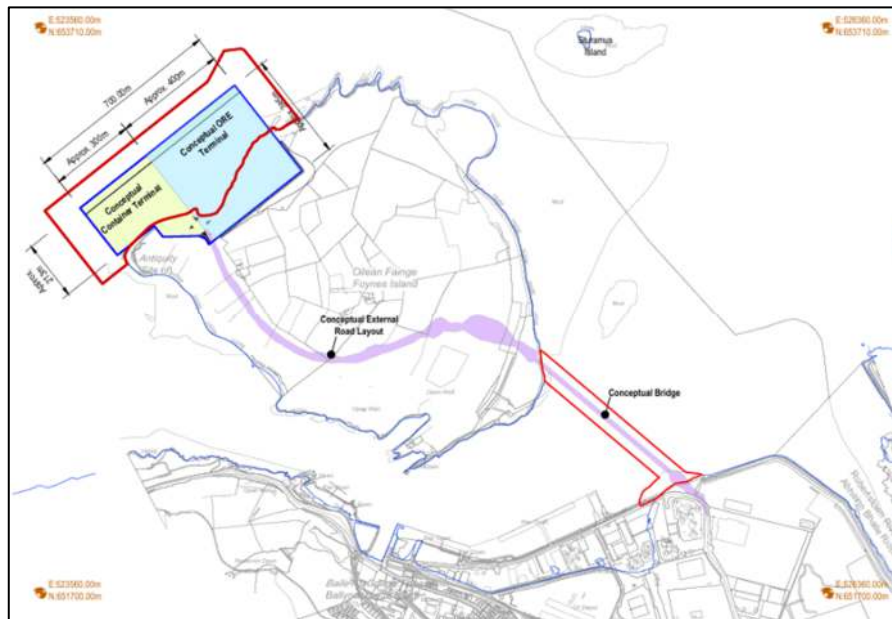


Figure 2 – Conceptual layout of proposed deepwater quay, bridge and access roadway.

The Applicant has stated that a maintenance plan will be put in place which will cover the regular maintenance and upkeep of the following elements: steel structures, cathodic protection systems, concrete elements, berth pockets, drainage, mechanical & electrical works and fender units.

The Applicant has stated that the FIDD Project will be designed for a Design Life of 100 years. The design will comply with the following codes:

- EN 1990 Eurocode 0: Basis of Structural Design
- EN 1991 Eurocode 1: Actions on Structures
- EN 1992 Eurocode 2: Design of Concrete Structures
- EN 1993 Eurocode 3: Design of Steel Structures
- EN 1994 Eurocode 4: Design of Composite Steel and Concrete Structures
- EN 1995 Eurocode 7: Geotechnical Design
- BS 6349 - Part 1 - Code of Practice for General Criteria

The Applicant has stated that the maintenance plan will be developed and updated throughout the operational phase to ensure the structure is adequately maintained. By adhering to the maintenance plan the Applicant expects that the FIDD will not be decommissioned at the end of the MAC term. It is envisaged that the infrastructure will remain in place.

The MAC area sought by the Applicant is illustrated in Figure 3.

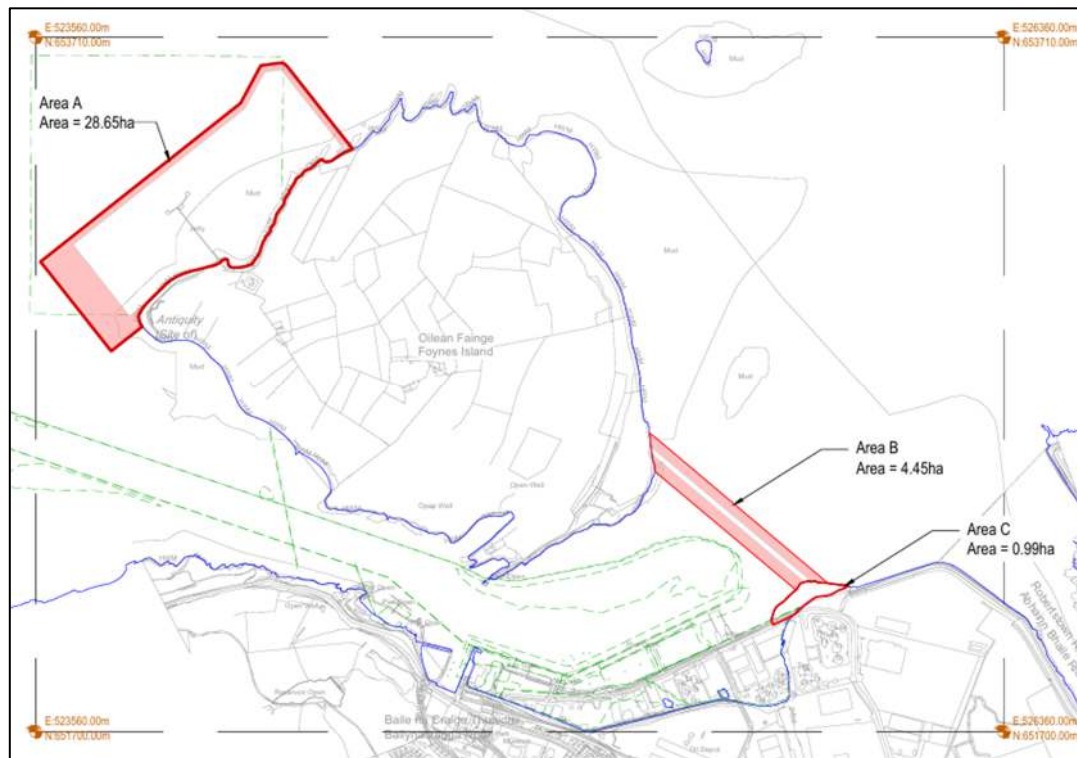


Figure 3 – Applicant map of proposed layout of MAC area at Foynes Island, Limerick

4. Site Visit

Senior Marine Advisor, Philip Newell inspected the site on 10 November 2025. The proposed works are located around Foynes Island in the Shannon Estuary, Co Limerick within the functional area of Shannon Foynes Port Company. The proposed MAC areas are located around the shoreline of Foynes Island within the industrial setting of Shannon Foynes Port, which is characterised by a mix of active port operations and legacy marine infrastructure.

The foreshore environment in the vicinity of Foynes Island is distinctly estuarine, with tidally influenced waters, visible current movement, and a soft, silty/muddy substrate typical of the Shannon Estuary. At the time of inspection it was approximately low water on the rise. The shoreline at the mainland adjacent to Foynes Island is heavily engineered, transitioning between quayside infrastructure in places to rock-armoured edges and reclaimed hardstanding, reflecting historic land reclamation and port expansion activities. In contrast the foreshore at Foynes Island is characterised by a low-lying rocky coastline which is largely undeveloped.

A prominent feature of the site, at proposed **MAC Area A** on the north-western shoreline of Foynes Island, is the presence of redundant marine infrastructure formerly associated with Irish Cement operations (see photographs 1-3). This includes an oil jetty structure, supported on a series of slender

steel piled legs, which extends from the north-western shoreline of Foynes Island into the Shannon Estuary. The jetty connects to two substantial concrete breasting dolphins/landing platforms, which remain in situ. The structure exhibits clear signs of disuse and weathering, including surface corrosion to steel elements, marine growth at tidal levels, and general deterioration/spalling of the associated concrete elements. At the terminus of the Jetty, midway between the two breasting dolphin structures, there is an elevated steel platform structure incorporating mechanical handling equipment (likely a former loading/unloading crane or gantry system) which is now redundant. Associated oil pipework and access walkways are still visible, running the length of the jetty back toward the shore. These structures are authorised under combined foreshore lease and licence (Foreshore Records FS004755 and FS005110), as outlined above in Section 2.

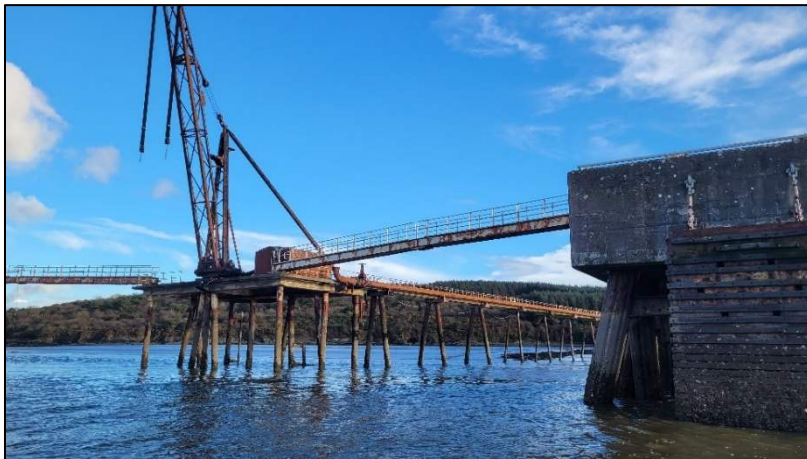
The site at proposed **MAC Area B**, which is proposed to accommodate the planned access bridge, is located between the south-eastern shore of Foynes Island and the Shannon Foynes Port area on the mainland. Proposed MAC Area B sits within an actively used port landscape, with storage tanks, quay infrastructure, cranes, and moored vessels visible across the estuary. Existing swing moorings were noted within the vicinity of the proposed bridge structure, indicating ongoing marine use of the channel between Foynes Island and the mainland by small recreational vessels. It is considered that co-existence with this existing usage is possible in principle. Furthermore, SFPC are the Harbour Authority within the Shannon Estuary between Shannon Bridge in Limerick and the line between Loop Head and Kerry Head. As Harbour Authority, SFPC have powers under the Harbours Acts 1996-2000 to make bye-laws within their functional area. This includes powers to licence moorings and or remove/relocate unauthorised moorings which the Harbour Master deems to be an impediment to navigation or port operations. MARA considers that the management of these moorings are a matter for SFPC and therefore this issue does not require further consideration in the assessment of this MAC application.

The site at proposed **MAC Area C** consists of land adjacent to the existing quay which has been historically reclaimed using dredged spoil. The site is relatively flat and has been surfaced using compacted granular fill material. There is evidence of ponding in low areas and localised unevenness. Stockpiled materials and industrial items are evident, reinforcing the site's brownfield character. This area corresponds with the southern abutment/landing location of the proposed bridge. The Applicant proposed to regularise this reclaimed area under this MAC application.

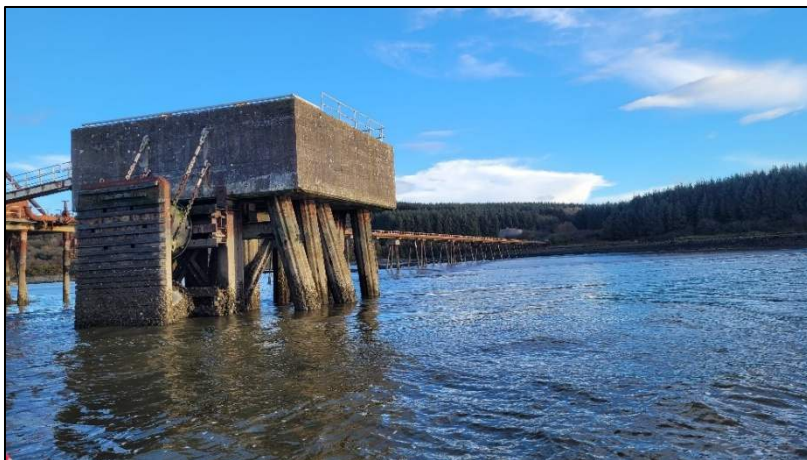
Access to the shoreline in the vicinity of the MAC application areas is limited and generally restricted due to the operational nature of Shannon Foynes Port. The Foynes Island shoreline is not readily accessible to the general public, with access primarily controlled for industrial and port-related activities. With the exception of the swing moorings at MAC Area B, there is no evidence of established recreational or amenity use within the immediate vicinity of the any of the proposed MAC areas, and the overall character and function of the area suggest a low likelihood of conflict with public amenity or recreational use. Photographs 1 to 6 detail the character and nature of the maritime area in the vicinity of the proposed works.



Photograph 1 – View looking northeast towards north-western shoreline of Foynes Island at proposed MAC Area A – [P.N 10/11/2025]



Photograph 2 – View looking east towards Foynes Island showing existing redundant Irish Cement oil pipeline infrastructure within proposed MAC Area A – [P.N 10/11/2025]



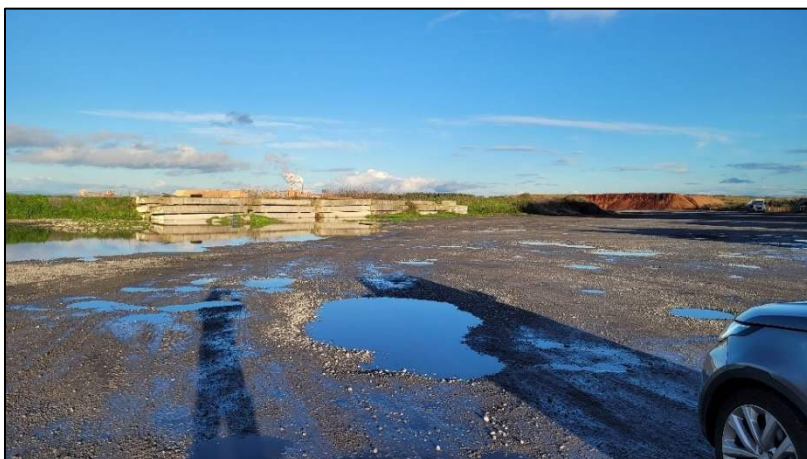
Photograph 3 – View looking northeast towards north-western shoreline of Foynes Island at proposed MAC Area A – [P.N 10/11/2025]



Photograph 4 – View looking northwest towards south-eastern shoreline of Foynes Island at proposed MAC Area B (approximately along the alignment of the proposed bridge) – [P.N 10/11/2025]



Photograph 5 – View looking south from proposed MAC area B towards existing port infrastructure at Foynes Port– [P.N 10/11/2025]



Photograph 6 – Existing reclamation area at proposed MAC Area C [P.N 10/11/2025]

In summary, except for the redundant marine infrastructure associated with historical Irish Cement operations, no other existing infrastructure or occupation, which would materially conflict with the proposed maritime usage, was noted within the proposed MAC area.

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. Consideration of whether the proposed maritime usage is to be undertaken on private land is provided in Section 5.3 below.

The Applicant has sought the existing MAC on the basis of Section 75(1) and Section 106 of the Act.

The Applicant has stated that the proposed maritime usage and the subject of this application requires development permission. In accordance with Section 75(1) of the Act, a MAC is required before an application for development permission can be lodged with the relevant consent authority.

Area C of the proposed MAC Area relates to an areas which were reclaimed in 1989/1990 reclaimed using material arising from a dredging campaign within Foynes Port. The lands were reclaimed without a foreshore authorisation. Therefore, the existing reclamation areas are considered to be unauthorised usage within the meaning of Section 106 of the Act. The subject application is made under the basis of Section 106 of the Act which provides for the regularisation of such unauthorised maritime usages. *Section 106 of the Act. Section 106 of the Act specifies that “unauthorised usage”:*

“means a maritime usage—

(a) undertaken by a person before 12 August 2021,

(b) which, in order to be lawfully undertaken before that date, was required to be, but was not, the subject of a foreshore authorisation, and regardless as to whether or not any other authorisations (whether the authorisation takes the form of the grant of a licence, consent, approval or any other type of 9 authorisation) were required, or were in fact granted, under any other enactment in order to enable the person referred to in paragraph (a) to undertake such usage, and (c) which, if it were undertaken on or after the coming into operation of Chapter 2, would be required by that Chapter to be the subject of a MAC.”

The Applicant has stated that land was reclaimed in 1989/1990 using material arising from a dredging campaign within Foynes Port. It is considered that this maritime usage should have been subject to a foreshore authorisation at the time of its reclamation and use thereafter. Therefore, the existing reclamation areas are considered to be unauthorised usage within the meaning of Section 106 of the Act.

Accordingly, the subject of this application is considered to fall under both Sections 75(1) and 106 of the Act.

5.2 Existing Consents & Authorisations

A search of the MARA's GIS database was undertaken on 22 April 2026 and 29 June 2026 for spatial overlap between the proposed MAC areas and any existing foreshore authorisations and MARA licences and consents. The proposed MAC area overlaps with two foreshore records and four Maritime Usage Licences (MULs). The application does not overlap with any Maritime Area Consents (MACs) or applications for the same. Spatial overlaps with the MAC areas as applied for are detailed in *Table 1* and Figure 4 below.

Table 1: Summary of Overlapping maritime authorisations and foreshore authorisations				
File Reference Number	Applicant/ Holder	Consent Type	Maritime Usage	Status
FS004755	Shannon Foynes Port Company	Combined Lease & Licence	Laying, using and maintaining an oil pipeline	Extant. Expires 30/11/2064.
FS005177	Shannon Foynes Port Company	Sale & Lease	Reclamation of lands	Extant.
LIC230014-A	Shannon Foynes Port Company	MUL	Site investigation to support the preliminary and detailed engineering design of the deep-water terminal development on Foynes island	Extant. Expires 14/10/2031
LIC230014-B	Shannon Foynes Port Company	MUL	Site investigation to support the preliminary and detailed engineering design of the deep-water terminal development on Foynes island	Extant. Expires 14/10/2031
MUL240034-B	Gas Networks Ireland	MUL	Marine environmental surveys for the purposes of site investigation within the Shannon Estuary for site selection for the Strategic Gas Emergency Reserve.	Extant. Expires 11/02/2031
MUL250010-A	Gas Networks Ireland	MUL	Marine environmental surveys for the purposes of site investigation within the Shannon Estuary for site selection for the Strategic Gas Emergency Reserve.	Extant. Expires 27/06/2027

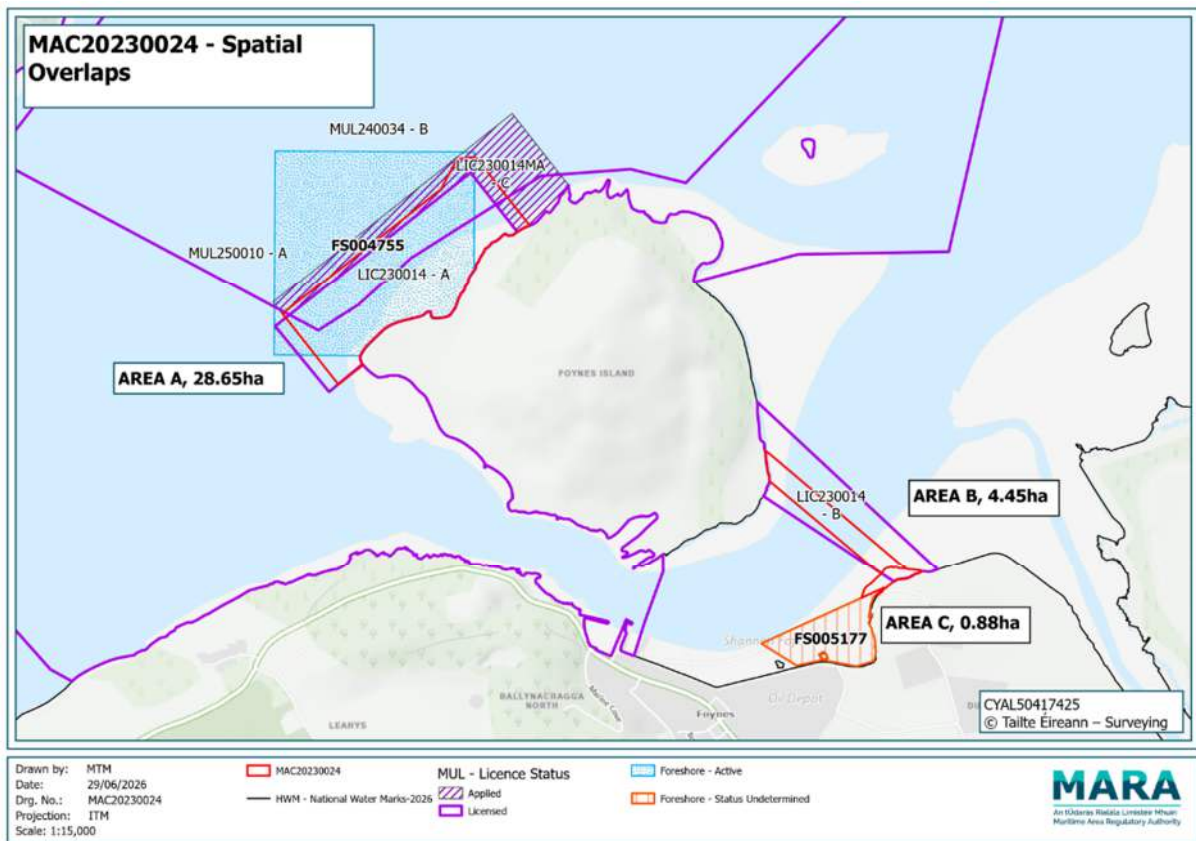


Figure 4 – Spatial overlaps of MAC areas as applied for with existing consents.

Foreshore record **FS004755** was originally held by Irish Cement Ltd and transferred to Shannon Foynes Port Company on 10 June 2026. This Foreshore Record relates to the existing redundant oil berth infrastructure located within proposed MAC Area A discussed in Sections 2 and 4 of this report. The Applicant proposes the demolition and removal of this redundant infrastructure in advance of undertaking the proposed maritime usage the subject of this application, therefore no conflict is considered to exist.

Foreshore record **FS005177** is a record of a conveyance of state foreshore dated 24 November 1962 from the Minister for Finance to the Minister for Transport under the State Property Act 1954. The Minister for Transport subsequently issued a State Property Act lease for the same lands, with a 99-year term, dated 6 December 1962, to the Foynes Harbour Trustees (now Shannon Foynes Port Company). These lands are therefore considered to be in the ownership of the Minister for Transport and are subject to a lease for the propose of reclaiming lands, which is in the possession of the Applicant. It is therefore recommended that the partial overlap with FS005177 be excluded from any MAC which may issue as this portion is in private ownership and in any event does not require regularisation.

LIC230014-A and **LIC230014-B** relate to a Maritime Usage Licence held by the Applicant for the purposes of site investigations relating to the development of FIDD Project. As this MUL relates to the proposed maritime usage which is the subject of this MAC application, no conflict is considered to exist.

MUL240034-A and **MUL240034-B** relate to a Maritime Usage Licence held by Gas Networks Ireland for site investigations within the Shannon Estuary to inform site selection for proposed Strategic Gas

Emergency Reserve infrastructure. The proposed survey works entail baseline surveys and the deployment and retrieval of up to 3 static acoustic monitoring (SAM) devices per study area and up to two acoustic doppler current profilers (ADCP) per study area. MULs are issued on a non-exclusive basis and, as the proposed survey areas are extensive and only partially overlap with the MAC areas as applied for, it is considered that the proposed survey works can co-exist with the proposed maritime usage the subject of this MAC application. No conflict therefore is considered to exist.

The Marine Institute's Ireland's Marine Atlas database¹ was searched on 22 April 2026 for spatial overlap between the proposed MAC areas and any DAFM foreshore authorisations for aquaculture sites. No existing authorisations for aquaculture were identified as overlapping with the proposed MAC application areas.

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.

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 Ownership

A search was undertaken of the Land Registry on 22 April 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. MAC Area C, as applied for, was found to spatially overlap with maritime area which is deemed to be in the private ownership of Shannon Foynes Port Company. Figure 5 below details both the proposed MAC area and the extent of the private maritime area overlap.

¹ <https://atlas.marine.ie/>

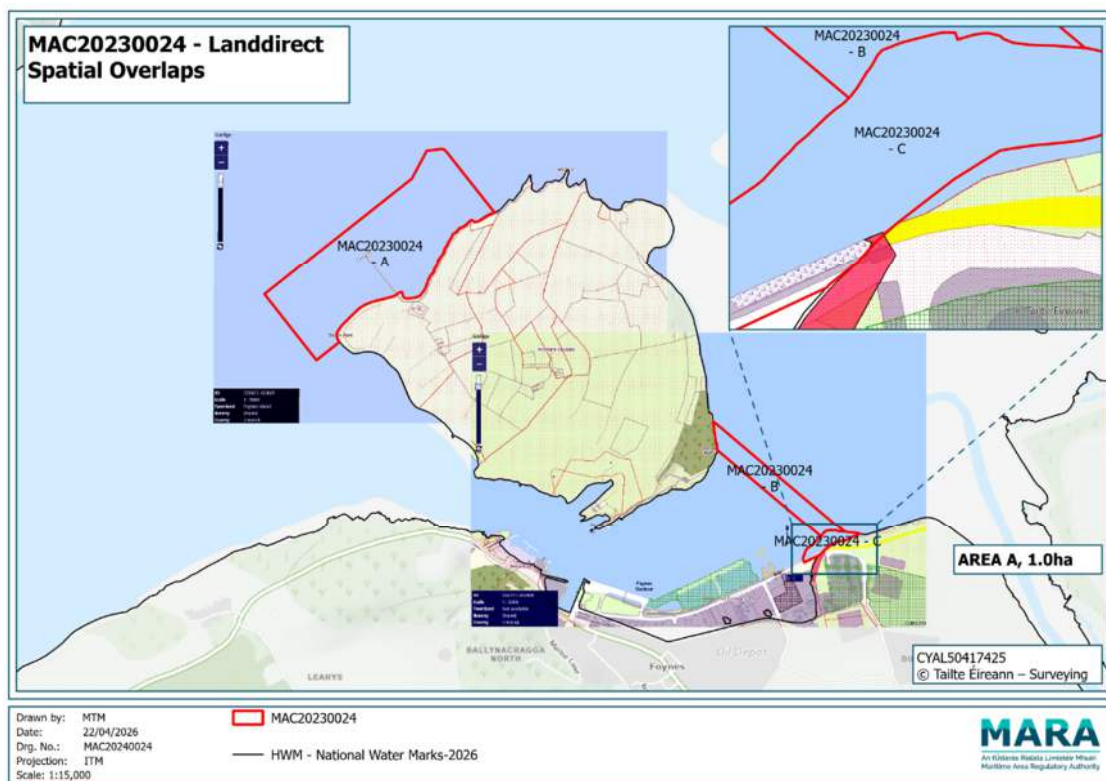


Figure 5 – MAC area as applied for and spatial overlap with Folio LK24545.

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 MAC Area C 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 in Section 7 of this report.

6. Assessment

6.1 Schedule 5

The MAC application was submitted on 29 May 2025 with the appropriate fee paid on 04 June 2025 and reviewed for completeness on 06 June 2025. An incomplete application notification was issued on 20 June 2025; with supplementary documentation/information received on 20 June 2025. The application was deemed complete by MARA on 20 June 2025.

A number of requests for additional information were issued on 22 October 2025, 16 February 2026 and 14 May 2026 under Section 79(3) of the Act and associated responses received relating to matters for general, technical and financial assessment on 05 November 2025, 01 April 2026 and 28 May 2026.

In addition, MARA received unsolicited information from Shannon Foynes Port Company on the 22 June 2026, in which they stated “Following a review of our MAC application (Ref. MAC20230024) and further consideration of our obligations under applicable Health and Safety legislation during construction activities, we respectfully request that MARA consider issuing the Maritime Area Consent (MAC) on terms that provide for both exclusive and non-exclusive access rights, as appropriate to the different phases of the project.”

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.	Details of the proposed maritime usage, including the nature scope and duration are described in Section 3 & 4 above. The Applicant has requested a MAC term of 99 years. The Applicant has stated that the FIDD Project will be designed for a Design Life of 100 years. The design will comply with the following codes: - • EN 1990 Eurocode 0: Basis of Structural Design • EN 1991 Eurocode 1: Actions on Structures • EN 1992 Eurocode 2: Design of Concrete Structures • EN 1993 Eurocode 3: Design of Steel Structures • EN 1994 Eurocode 4: Design of Composite Steel and Concrete Structures • EN 1995 Eurocode 7: Geotechnical Design • BS 6349 - Part 1 - Code of Practice for General Criteria It is considered that a design life for the bridge structure of circa 120 years in accordance with TII design codes is achievable. It is considered that a design life for the berthing infrastructure and reclaimed areas of 100 years is achievable with proper maintenance and repair and the installation of adequate protection systems. Accordingly, a MAC term of 99 years (allowing for planning, construction and rehabilitation/decommissioning phases) is recommended. The proposed maritime usage is considered satisfactory, having regard to the nature, scope and duration.	Satisfactory
2.	Whether the proposed maritime usage is in the public interest.	The Applicant has stated that the proposed maritime usage is consistent with the overall objectives of national, regional and local planning policy and guidance aligning with the following policies: • <i>“Programme for Government 2025 – The Foynes Island Deepwater Berth Development facilitates the following “Climate Goals” of this document; 1. Accelerating Renewables.</i> • <i>National Development Plan 2021-2030 – This document sets out the Irish Government’s overarching investment and budget strategy for the period 2021-2030, which includes ten National Strategic Outcomes (NSO). The Foynes Island Deepwater Berth Development relates to the following sections: 1. NSO6 – High Quality International Connectivity; 2. NSO8 – Transition to a Climate-Neutral and Climate Resilient Society.</i>	Satisfactory

		• Climate Action Plan 2024 – This document outlines a strategy for delivery of the required emission reductions to comply with Ireland's Carbon Budgets and Sectoral Emissions Ceilings, which place specific emissions limits on each of the key sectors, including ones directly relating to the Foynes Island Deepwater Berth Development, namely electricity and transport. • National Ports Policy 2013 – Shannon Foynes Port is one of three ports in Ireland part of the TEN-T core network and is therefore classified as a TIER 1 Port of National Significance in Ireland. The continued commercial development of Shannon Foynes Port Company is a key strategic objective of the National Ports Policy. However, it should be noted that the National Ports Policy is currently under review by the Department of Transport. • Draft Offshore Renewable Energy Development Plan 2023 (OREDPII) – This plan notes that the Mid-West (Shannon/Foynes area) is a Potential Broad Area of Interest for Offshore Renewable Energy. • National Planning Policy Framework 2040 – This framework is the long-term plan for the social, economic and cultural development of Ireland and is part of Project Ireland 2040. This application supports the National Policy Objective 39 "Support the sustainable growth and development of the maritime economy", Policy Objective 40 "Ensure that the strategic development requirements of Tier 1 and Tier 2 Ports, ports of regional significance and smaller harbours are addressed" and Policy Objective 42 "To support, within the context of the Offshore Renewable Energy Development Plan (OREDPII) and its successors, the progressive development of Ireland's offshore renewable energy potential". • Limerick Development Plan 2022 – 2028 – The Limerick Development Plan aims to form a development strategy to 2028 and beyond. The strategic vision recognises the potential of Limerick to align with the key growth objectives set out in the higher order spatial plans to take advantage of the assets of the City and County. • Clare County Development Plan 2023 – 2029 – The County Development Plan sets out the overall strategy for the proper planning and sustainable development of County Clare over a 6 year period and must align with the national and regional framework of strategies, policies and guidelines. • Policy Statement on "Facilitation of Offshore Renewable Energy by Commercial Ports in Ireland" – This policy statement provides that "In that context, it is recognised that ports, e.g., Shannon Foynes Port or Port of Cork, or entities within the ports, can also play a significant part in the provision of the required large scale port infrastructure".	
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		• Strategic Integrated Framework Plan for the Shannon Estuary (SIFP) - <i>The SIFP provides a plan to recognise the economic potential of the Estuary (including facilitation of ORE developments). Foynes Island is identified as one of 9 strategic development locations which adjoin sheltered deep waters in the estuary with the intention to attract substantial maritime commerce consistent with the Government's renewable energy and climate targets."</i> The Applicant has stated that the proposed maritime usage is consistent with the overall objectives of European Directives and Programmes, aligning with the following policies: • <i>Trans-European Transport Network (TEN-T)</i> • <i>Trans-European Networks for Energy (TEN-E)</i> • <i>EU Strategy on Offshore Renewable Energy 2020</i> • <i>EU Habitats Directive</i> • <i>EU Birds Directive</i> • <i>EU Water Framework Directive</i> • <i>EU Marine Strategy Framework Directive</i> • <i>Communications on achieving the EU's offshore wind ambitions (COM/2023/668)</i> • <i>European wind power action plan (COM/2023/669)</i> • <i>Renewable Energy Directive III (EU/2023/2413)</i> • <i>Energy Roadmap 2050</i> • <i>Europe 2030 Climate and Energy Framework</i> • <i>RePower EU</i> The Applicant has also stated that "there will be no impact on public use/access during the construction of the Deepwater Jetty in the maritime area. There will be some limited impact on users of the Maritime Area when the new bridge is under construction. This impact will be limited to leisure boat users. Consultation has already taken place with boat users in the area to inform them of the proposed development and further consultation will take place throughout the construction phase to keep them informed." The proposed maritime usage is considered satisfactory, having regard to 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 2 to 5 above. The total MAC area as applied for by the Applicant is 34.09Ha, comprising the following MAC areas: - • Area A (Deepwater Quay Development) = 28.65Ha • Area B (Foynes Island Access Bridge) = 4.45Ha • Area C (Regularisation of Reclaimed Lands) = 0.99Ha	Partially Satisfied

		Based on the searches undertaken, private maritime area was identified that would preclude the granting of a MAC across the entirety of the area applied for by SFPC as illustrated in Figures 4 and 5 and detailed in Table 1, the MAC area sought overlaps with a privately held part of the maritime area. It is therefore recommended to part grant the MAC to exclude that part of the maritime area which is deemed to be privately held. Accordingly, the MAC is recommended to be granted over a total area of 33.98Ha, comprising MAC areas: - • Area A (Deepwater Quay Development) = 28.65Ha • Area B (Foynes Island Access Bridge) = 4.45Ha • Area C (Regularisation of Reclaimed Lands) = 0.88Ha The proposed MAC areas to be granted are illustrated in Figure 6 (Proposed MAC Map) in Section 7. Accordingly, the proposed maritime usage is considered partially satisfactory, having regard to the locations and spatial extent of the occupation.	
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.	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 18 December 2025, it is considered that the Applicant satisfies the fit and proper person requirements. 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.	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).	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 energy – offshore renewable, economic and social objectives set out therein. It is considered that the proposed project aligns with the following economic, social and key sectoral policy objectives of the NMPF: - • Infrastructure Policy 1 - <i>Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported. Proposals for appropriate infrastructure that facilitates the diversification or regeneration of marine industries should be supported.</i> • Employment Policy 1 - <i>Employment Policy 1 - Proposals should demonstrate contribution to a net increase in marine related employment in Ireland, particularly where the proposals are:</i> • <i>in line with the skills available in Irish coastal communities adjacent to the maritime area,</i> • <i>improve the sustainable use of natural resources,</i> • <i>diversify skills to enable employment in emerging industries.</i> • ORE Policy 1 - <i>Proposals that assist the State in meeting the Government's offshore renewable energy targets, including the target of achieving 5GW of capacity in offshore wind by 2030 and proposals that maximise the long-term shift from use of fossil fuels to renewable electricity energy, in line with decarbonisation targets, should be supported. All proposals will be rigorously assessed to ensure compliance with environmental standards and seek to minimise impacts on the marine environment, marine ecology and other maritime users.</i> • ORE Policy 7 - <i>Where potential for ports to contribute to ORE is identified, plans and policies related to this port must encourage development in such a way as to facilitate ORE and related supply chain activity.</i>	Satisfactory

		• ORE Policy 10 - <i>Opportunities for land-based, coastal infrastructure that is critical to and supports development of ORE should be prioritised in plans and policies, where possible.</i> In the application, the Applicant states that the proposed project is consistent with the environmental objectives of the NMPF. The proposed works constitute development which require planning permission and environmental assessment of the proposed maritime usage, which is undertaken at development permission stage by the relevant planning authority. This above assessment does not prejudice any consideration and determination that the relevant Planning Authority may make in relation to the NMPF when considering the Planning Application for this development. Based on the above, MARA is satisfied that the proposed works align with the above overall objectives and policy objectives of the NMPF.	
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.	That Applicant has stated that a Maritime Usage Licence for a Marine Site Investigation (SI) to be carried out in the footprint of the proposed deepwater quay and new bridge was granted by MARA in October 2024. The MUL reference number is LIC230014. The Marine SI commenced in Q4 2024 and was completed in February 2025. The Marine SI entailed the following activities: • Standard methods of non-invasive acoustic based sensing for the purposes of gathering bathymetric, side scan sonar, sub-bottom profiler and magnetometer data. • Standard methods of geotechnical investigation including deep boreholes (30-45m deep) and shallow boreholes (5-10m deep). • Sediment and environmental sampling. • Operation and manoeuvring of typical jack-up barge, survey vessels and floating pontoon equipment. In addition to the Marine Usage Licence, the Applicant has stated that an Environmental Impact Assessment Report (EIAR) and a Natura Impact Assessment (NIS) will be prepared to accompany the planning application for the proposed new development at Foynes Island. The following studies are required as part of the EIAR: • Noise • Air Quality • Traffic • Ecological (including invasive species) • Marine Mammals • Cultural Heritage • Water Quality • Geology and Hydrogeology • Landscape and Visual	Satisfactory

		Having regard to the above, 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 has stated that the following consultations have taken place with stakeholders and relevant statutory authorities: • Clare County Council – Environment and Planning Section – 20th June 2024. • Limerick City and County Council – Environment and Planning Section – 20th June 2024. • Forest Service – 7th September 2023. • Foynes Yacht Club – 11th April 2024. • Marine Institute – 24th October 2024. • ORE Industry Representatives – 19th January 2024. The Applicant also stated that they “<i>are in regular contact with the landowners on Foynes Island. The land on the Island is owned by a limited number of landowners. These landowners have no ownership over any of the maritime area which is the subject of this MAC application. As Foynes Island is privately owned with no public access, additional stakeholders in the harbour are unlikely to be affected by the proposed development.</i>” 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.	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(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	Assessment
(a)	letters of reference;	As set out in Section (g) below, the Applicant has 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	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

	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;	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
(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	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

	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 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 Shannon Foynes Port Company to deliver the proposed maritime usages the subject of the MAC application is detailed in Section 6.2.1 below. Shannon Foynes Port Company 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	A FCA report dated 18 December 2025 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. Due to the commercial sensitive nature of a company's finances, details of the assessment are not included herein.	Satisfactory

	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;	It is recommended to include a condition in the MAC whereby the Applicant achieves financial close by a specified date. Accordingly, the Applicant is considered likely to be in a position to meet financial commitments associated with the proposed maritime usage and MAC.	
(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.	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.	Satisfactory

6.2.1 Technical Capability Assessment (TCA)

Based on information supplied by the Applicant, this TCA 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.

Applicant's Corporate Project Experience:

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

- (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.

The Applicant has submitted details of two projects of a similar scale and nature for assessment which demonstrate in excess of 12 months continuous experience at each stage.

Project 1 – Reclamation of 2.5 hectares of intertidal foreshore at Foynes Port. This is a marine project which achieved planning permission from Limerick City and County Council and Foreshore Consent (Planning ref:12/212). This project entailed-

- the reclamation of 2.5 hectares of intertidal land;
- dredging of approximately 10,000m² of soft silts;
- construction of 400 m of vertical steel retaining wall to connect reclaimed area and the existing east jetty via sheet piles and concrete capping beams;
- the infilling of a reclaimed area with approximately 150,000m³ of stone;
- demolition of existing access viaduct structure;
- opening of new access and exit points to the East jetty;
- construction of new high mast lighting;
- construction of surface water drainage system and associated interceptors;
- construction of utilities such as power, potable water and fire water; paving of finished surface.

The construction of this project is completed and the area is in operation by SFPC.

Project 2 - Port capacity extension consisting of modifications to the existing jetties and quays, phased expansion of the port estate and all associated site development works (Planning ref ABP- 301561-18 & Foreshore Ref FS006837). This project included:-

- the construction of an open-piled jetty structure with suspended 116.5-metre concrete deck connecting the West Quay to the East Jetty;

- installation of quayside furniture including quay fenders, mooring bollards, safety ladders, toe rail and lighting columns;
- Construction and remedial works to both the existing West Quay and East Jetty ends to facilitate structural 'tie-in' of the proposed new jetty structure;
- Removal of the existing small craft landing pontoon walkway from its current position affixed to the shore between the West Quay and the East Jetty and provision of a new small craft landing pontoon and walkway affixed to the western side of the West Quay wall;
- All associated site development works;
- Phased Expansion of the Port Estate on 33.95 hectares of land immediately adjacent to the east of the existing port estate.

The construction of this project is completed and the area is in operation by SFPC.

Proposed Project Delivery Teams Experience:

The minimum criteria under the TCA test relating to the proposed project delivery team's 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
- (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 five team members in Appendix Tec B Table 1 of the application form and provided information and CVs in relation to all team members. All CVs were fully reviewed as part of the assessment and the evidence provided demonstrates an experienced Senior Project Delivery Team. Between them, the six team members assessed had more than 10 years' experience in the development and construction of projects of a similar scale and nature and other projects and more than 10 years' experience of the Irish planning system.

Shannon Foynes Port Company are considered to have satisfied the Project Delivery Teams Experience criteria requirements (Marine Projects, Other Projects and Planning).

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. On the basis of the information provided, 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 full suite of documentation provided by the Applicant, MARA's considers that Shannon Foynes Company have satisfied all of the criteria under the TCA element

of the Fit and Proper Test. Accordingly, MARA considers that Shannon Foynes Company has 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.

In accordance with Section 75(5) of the Act, as for MAC applications made to MARA on the basis of Section 75(1) of the Act, the Applicant is required to attach a Rehabilitation Schedule to their associated application for development permission.

Area C of the MAC Area, as sought by the Applicant, falls for submission under Section 106 of the Act. Accordingly, where a MAC is issued in relation to Area C, 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 an updated Rehabilitation Schedule to MARA on 28 May 2026 in relation to existing reclaimed land in Area C, as sought by the Applicant. 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).

MARA received unsolicited information from Shannon Foynes Port Company on 22 June 2026, in which they stated “Following a review of our MAC application (Ref. MAC20230024) and further consideration of our obligations under applicable Health and Safety legislation during construction activities, we respectfully request that MARA consider issuing the Maritime Area Consent (MAC) on terms that provide for both exclusive and non-exclusive access rights, as appropriate to the different phases of the project.”

Having regard to the nature and lifecycle of the proposed maritime usage the subject of this application, it is reasonably foreseeable that Shannon Foynes Port Company 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 NMPP. 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.

6.5 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:	A: Nearshore
Category/Class:	Development (commercial)
Tier:	Tier 3
Applicable Rate:	Base Annual Charge of €428.19 plus an add on of 0.80 per sq.m for areas in excess of 100 sq.m
Length or Area:	Area A = 286,525m ² Area B = 44,536m ² Area C = 8,812m ² Total area = 339,873m ²
Calculation:	$€428.19 + (€0.80 * (339,873.00 - 100.00))$
Levy due:	€272,246.59

The MAC levy has been calculated as €272,246.59 per annum. All levies are indexed to the Harmonised Index of Consumer Prices (HICP), applied on an annual basis.

7. Proposed MAC Map (for Illustration purposes only)

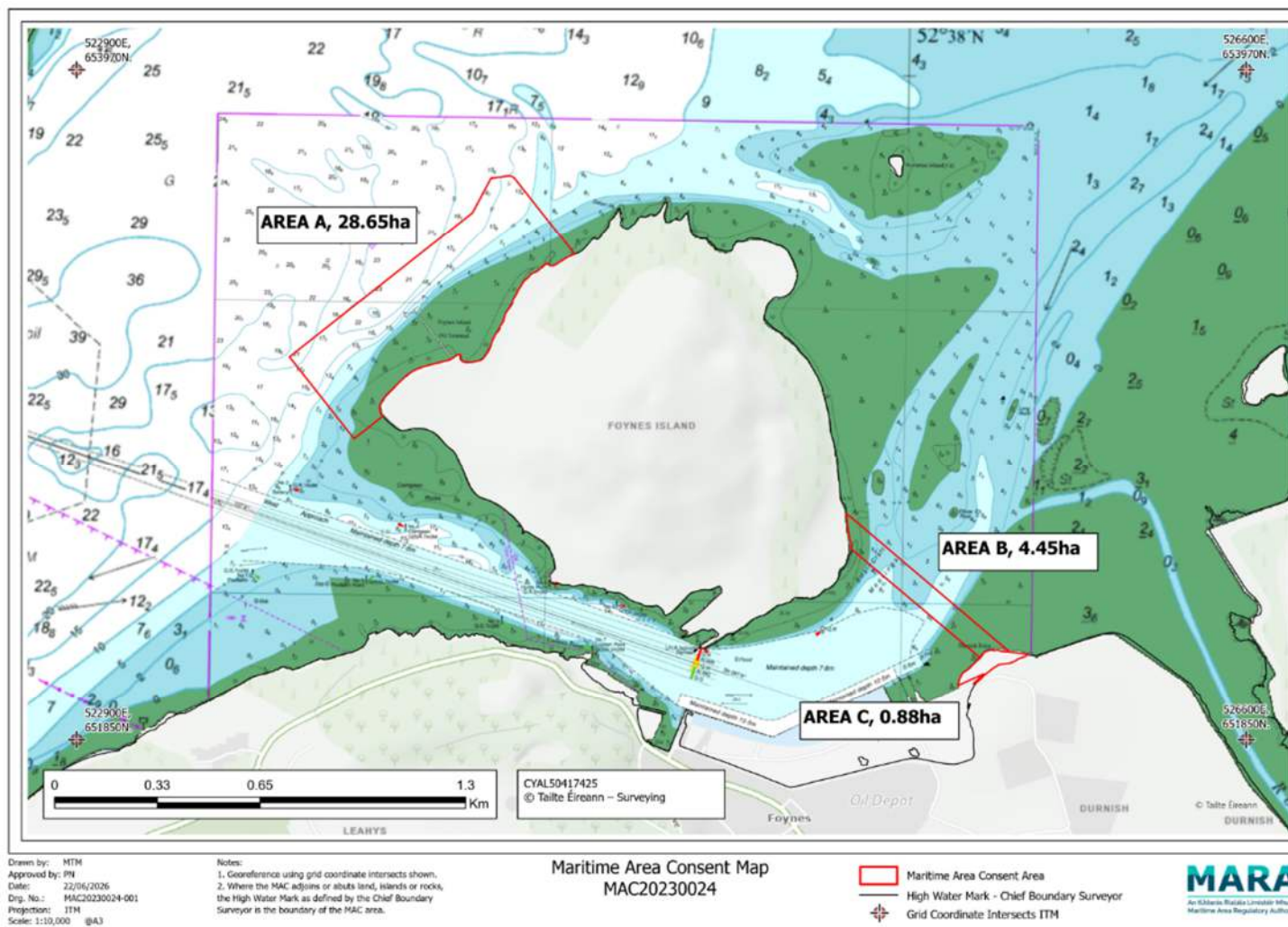


Figure 6 – Proposed MAC Map

8. 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 Schedule 5(3).

The proposed MAC area has been assessed and is considered 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 above consideration has been made subject to the following recommended terms and conditions:

a. Terms

MAC Term:	99 Years
Consent Area:	That part of the maritime area marked red on the MAC Map.
MAC Map Title:	Maritime Area Consent Map MAC20230024
Permitted Maritime Usage:	The construction, operation and maintenance of port facilities and a bridge, including all associated infrastructure, capital dredging, land reclamation and all associated decommissioning, demolition, rehabilitation, and any other works required on foot of any development permission relating to the infrastructure.
Nature of Usage:	May or May not be Exclusive
Date by which application for Development Permission must be submitted (subject to Phasing Schedule where applicable):	18 months from date of grant of MAC.
The minimum number of days in which the MAC Holder shall provide the	14 Days

Grantor advance notice in writing of the Holder's intention to commence the Permitted Maritime Usage.	
Date by which Financial Close is to be achieved:	18 months from the date of grant of Development Permission

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.

Following assessment of this MAC application, an additional specific condition and the reason for this condition to be attached to the MAC, are recommended below.

Condition 9 Security and Financing

- 9.3 The Holder shall have achieved Financial Close relating to the Permitted Maritime Usage the subject of this Consent on or before the date set out in the Particulars Schedule. This date may be extended on request in writing by the Holder and provided the Grantor is satisfied that there are reasonable grounds for doing so and the extension does not constitute a material amendment to this Consent.
- 9.4 Without prejudice to any other remedies available pursuant to this Consent and at Law, this Consent shall terminate immediately in the event that Financial Close for the Permitted Maritime Usage is not achieved in accordance with the requirements of condition 9.3.
- 9.5 In the event that Financial Close for the Permitted Maritime Usage is achieved, the following provisions shall apply:
 - (a) The Holder shall furnish the Grantor with evidence of Financial Close as soon as practicable after it has been achieved.
 - (b) The Holder shall give the Grantor a copy of any material alteration to the funding arrangements as soon as practicable after the alteration has been made, the provisions of condition 10 and of the Act shall apply.

Reason: To ensure the Grant of this Consent is personal to the Holder that has been deemed a fit and proper person pursuant to the criteria set out in Schedule 2 of the Act.

9. 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. Accordingly, it is recommended to issue a Section 81(7)(b) Minded to Notice, as enclosed, informing the Applicants 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 will be notified and MARA will publish a notice on its website as soon as practicable thereafter.

Signed: Kelly Dalton Position: Manager, MAC Directorate

Signed: Philip Newell Position: Senior Engineer, ARDU