

| <b>MAC Report</b>                                                                                                              |                                                                                                                                                                                                                                     |
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| <b>Application for a Maritime Area Consent (MAC) under Section 79 of Maritime Area Planning Act 2021, as amended (the Act)</b> |                                                                                                                                                                                                                                     |
| <b>Application Details</b>                                                                                                     |                                                                                                                                                                                                                                     |
| <b>MAC Applicant:</b>                                                                                                          | Uisce Éireann                                                                                                                                                                                                                       |
| <b>MAC Reference No:</b>                                                                                                       | MAC260002                                                                                                                                                                                                                           |
| <b>Location:</b>                                                                                                               | Lahinch & Ennistymon, Co. Clare.                                                                                                                                                                                                    |
| <b>Date Application received:</b>                                                                                              | 06 February 2026                                                                                                                                                                                                                    |
| <b>Proposed Maritime Usage:</b>                                                                                                | Uisce Éireann has applied for the construction, operation, maintenance and decommissioning of a long sea outfall pipeline to discharge treated effluent into Liscannor Bay and a rising main crossing of the Inagh River, Co Clare. |
| <b>Recommendation:</b>                                                                                                         | To approve the Part Granting of the MAC sought with conditions attached.                                                                                                                                                            |

| Document Control        |                |                                     |            |
|-------------------------|----------------|-------------------------------------|------------|
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## **1. Overview**

On 06 February 2026, MARA received a Maritime Area Consent (MAC) application under Section 79 of the Maritime Area Planning Act 2021, as amended (the Act) from Uisce Éireann for the construction, operation, maintenance and decommissioning of a long sea outfall pipeline to discharge treated effluent into Liscannor Bay and a rising main crossing of the Inagh River.

## **2. Background**

Uisce Éireann is progressing a wastewater infrastructure upgrade to serve the agglomerations of Ennistymon and Lahinch, County Clare. The Applicant states that the project is intended to replace the existing wastewater treatment arrangements serving both towns, which Uisce Éireann has identified as outdated, overloaded and no longer capable of meeting the needs of the communities served. Uisce Éireann states that the Lahinch and Ennistymon plants have provided treatment since the 1900s, but that Lahinch is affected by flooding while the Ennistymon system overflows at the River Inagh. The stated project objectives include improving water quality, supporting population and economic growth, protecting amenity and tourism value, and ensuring wastewater treatment complies with EU Urban Wastewater Treatment Directive requirements and EPA wastewater discharge licensing.

The wider project comprises a new combined wastewater treatment plant on a greenfield site to serve both Lahinch and Ennistymon, together with associated storm storage, wastewater pumping stations, rising mains, access roads, utility connections and temporary construction works. The proposed scheme will include two new pumping stations, one in Lahinch and one in Ennistymon, new pipelines connecting both networks to the new treatment plant, and a new outfall to Liscannor Bay to replace existing discharges to the Inagh River.

The marine element of the project includes a long sea outfall which will discharge treated effluent into Liscannor Bay from the Cregg Beach area, including a diffuser system to achieve dispersion at the discharge location. The Applicant has stated that marine and intertidal site investigation surveys are required in Liscannor Bay and the Inagh River to inform the design, environmental assessment and consenting of the proposed WWTP and associated long sea outfall. These pre-planning investigation works will be the subject of a separate MUL application.

### 3. Proposed Maritime Usage

The proposed maritime usage involves the construction, operation, maintenance and decommissioning of a permanent long sea outfall pipeline (400mm diameter and maximum of 1,500m in length) to discharge treated effluent into Liscannor Bay within proposed **MAC Area A**. The discharge point will be equipped with effluent diffusers to ensure sufficient dispersion of the treated effluent and will include a pre-cast concrete anchoring and scour protection system. The Applicant has stated that trenchless construction techniques will be the preferred method of installation for the pipeline, provided that ground conditions allow for this method of construction. The ground conditions will be confirmed upon completion of proposed site investigations within the maritime area which are the subject of a separate MUL application. The position of the discharge at the terminus of the outfall pipe will be marked with the installation of a navigational marking buoy.

The proposed maritime usage also includes the construction of a permanent rising main crossing of the Inagh River Estuary, downstream of the falls in Ennistymon, within proposed **MAC Area B**. The proposed riser main will have an internal diameter of 250mm and will be approximately 70m long. The Applicant has stated that trenchless construction techniques will be the preferred method of installation for the pipeline, provided that ground conditions allow for this method of construction. Again, the ground conditions will be confirmed upon completion of the proposed site investigation within the marine area which is part of a separate MUL application.

The Applicant states that, while it is the intention that both pipelines will be constructed using trenchless methods, in the event that trenchless construction is not possible, excavation will be required via open trench construction through sequential excavation. This method of construction will only be used as the last option and will be determined based on the results of the proposed MUL surveys.

Works within proposed MAC Areas A and B will also include pre-construction investigation works. Maintenance works will be planned to minimise environmental disturbance and will comply with all relevant environmental protection measures.

The Applicant states that decommissioning, and rehabilitation of the maritime area (in the event decommissioning is required) may include: -

- Disconnection of the outfall pipeline from the WWTP.
- Assessment of whether to leave the pipeline in situ or to remove components such as the diffuser system, depending on environmental impact assessments. If removal is deemed appropriate, works may involve dive teams and floating barges to extract the diffuser system.

All removed materials will be disposed of in accordance with applicable environmental regulations. Post-decommissioning monitoring will be undertaken to assess the recovery of the marine environment.

The Applicant has requested a 100-year term/duration for occupation of the maritime area concerned for the purposes of the proposed maritime usage. The MAC areas sought by the Applicant are illustrated in Figures 1-3.



Figure 1 – Applicant area overview map of proposed MAC areas at Lahinch Co. Clare

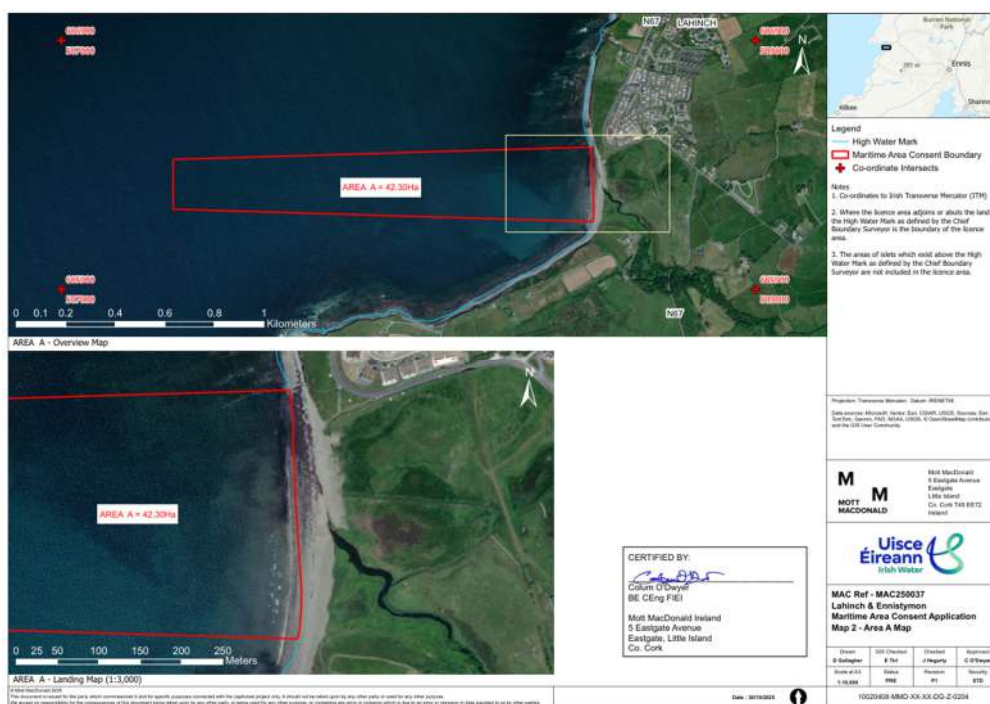


Figure 2 – Applicant map of proposed MAC Area A for (long sea outfall pipeline).

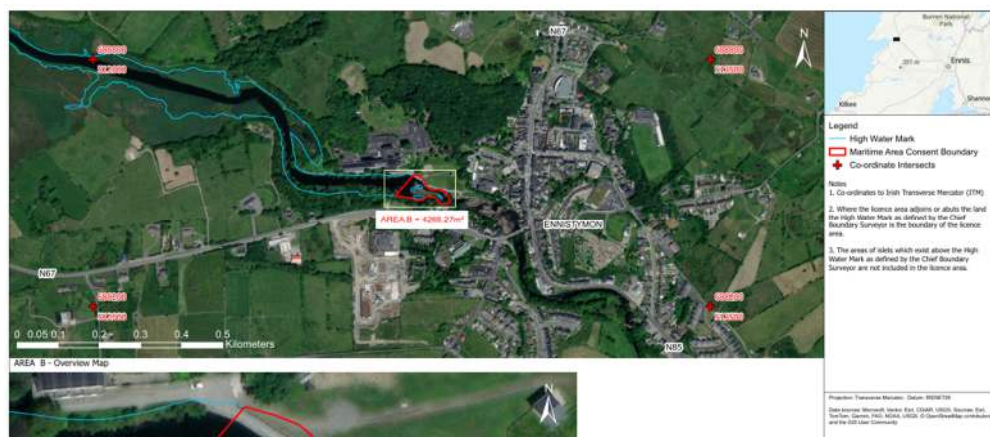


Figure 3 – Applicant map of proposed MAC Area B for (riser main).

#### **4. Site Visit**

A site inspection of proposed MAC areas A and B was undertaken by Richard Browne, Chartered Engineer and Director at McCarthy Browne, on 3 May 2026. Conditions on the day were dry and bright. The purpose of the visit was to review the existing site conditions, surrounding land and marine uses, accessibility, and any potential constraints or interactions with existing infrastructure and activities within the proposed MAC areas.

##### **Proposed MAC Area A – Long Sea Outfall**

The maritime area at proposed MAC Area A comprises a low-lying coastal environment at the mouth of the Clooneyogan North River, which is characterised by a cobble and stony strand adjoining agricultural lands. Access to the area is available from the N67 via an existing gated beach access route. Vehicular access is constrained by barriers. During the inspection, the area was observed to be frequented by recreational walkers, with approximately 6–8 users present during the visit. No evidence of existing marine infrastructure or navigation activity was identified within the proposed MAC Area A. It was noted that the proposed MAC Area A extends for approximately 300 m along the strand, and consideration should be given for the requirement to install temporary pedestrian access arrangements during the construction phase. The strand also functions as a natural protective barrier to adjacent grasslands.

##### **Proposed MAC Area B – Riser Main**

Proposed MAC Area B is located within the tidal estuary of the River Inagh immediately downstream of the Ennistymon Cascades and adjacent to the Falls Hotel. The area is urban in character and includes a heavily utilised public walkway which has recently undergone upgrades as part of Project Ireland 2040 initiatives. Existing infrastructure within and adjoining the MAC area includes public pathways, retaining wall structures, drainage infrastructure, inland fisheries infrastructure, a foul water pumping station, and infrastructure associated with the Falls Hotel hydroelectric power plant, including a debris screen and possible outfall arrangement. Access to the northern bank was readily achievable via the Falls Hotel and existing paths, while access to the southern bank was more constrained due to the presence of vegetation and private properties.



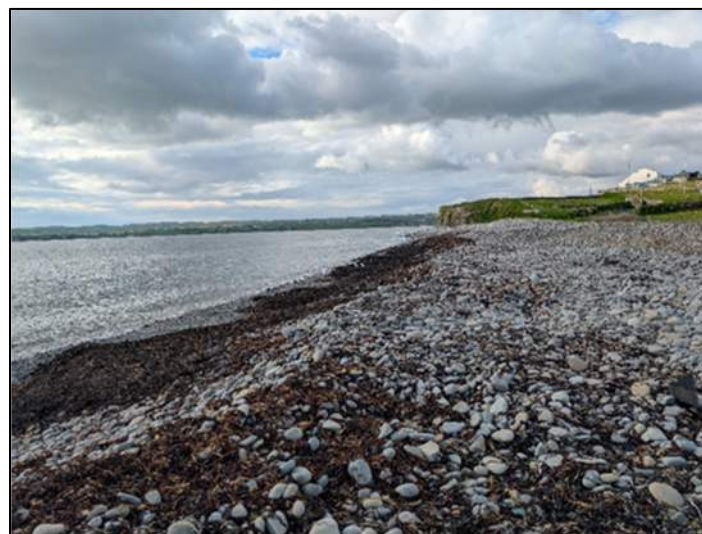
Photographs 1 to 8 detail the nature and character of the maritime area in the vicinity of the proposed works.



Photograph 1 – Access road from N67 towards proposed MAC Area A [R.B. - 3/05/2026]



Photograph 2 – View south at shoreward extent of proposed MAC Area A [R.B. - 3/05/2026]



Photograph 3 – View north at shoreward extent of proposed MAC Area A [R.B. - 3/05/2026]



Photograph 4 – View west from shoreline towards proposed MAC Area A [R.B. - 3/05/2026]



Photograph 5 – View from upper floor of Falls Hotel over proposed MAC Area B [R.B. - 3/05/2026]



Photograph 6 – Intake/outfall and screen, possibly from hydroelectric power plant [R.B. - 3/05/2026]





Photograph 7 – Existing foul water pump house infrastructure on southern bank [R.B. - 3/05/2026]



Photograph 8 – Existing public pathway on northern bank looking east [R.B. - 3/05/2026]

Considering the above, there was nothing evident on the day of the site inspection that would preclude MARA from granting a MAC for the proposed maritime usage.

## **5. Review of Legislation & Associated Consents**

### **5.1 Applicable Provisions of the Maritime Area Planning Act, 2021 as amended (the Act)**

Under the Act, MARA has responsibility for granting MACs. Schedule 3 and Schedule 4 of the Act specifies maritime usages for which a MAC is not required, including where the proposed maritime usage falls under the remit of 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, the subject of this application, requires development permission. In accordance with Section 75(1) of the Act, a MAC is required before an application for development permission can be lodged with the relevant consent authority.

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

## 5.2 Existing Consents & Authorisations

A search of the MARA's GIS database was undertaken on 14 April 2026 to assess potential spatial overlaps between the proposed MAC area and any existing foreshore authorisations or MARA licences and consents. The proposed MAC areas do not overlap with any existing MACs or foreshore leases or licences. The proposed MAC areas overlap with one Maritime Usage Licence (MUL) and one Maritime Usage Licence (MUL) application as detailed in Table 1 below.

| Table 1: Summary of Overlapping foreshore authorisations |                   |                        |                                                       |                           |
|----------------------------------------------------------|-------------------|------------------------|-------------------------------------------------------|---------------------------|
| File Reference Number                                    | Applicant/ Holder | Consent Type           | Maritime Usage                                        | Status                    |
| MUL24033                                                 | Uisce Éireann     | Maritime Usage Licence | Marine Surveys for the purpose of site investigation. | Extant Expires 22/04/2031 |
| MUL260006                                                | Uisce Éireann     | Maritime Usage Licence | Marine Surveys for the purpose of site investigation. | Applied                   |

**MUL240033** is a Maritime Usage Licence, held by the Applicant, to conduct surveys to support a strategic modelling study of water currents within Galway Bay and the exposed coast extending northwest to Roundstone, County Galway and southwest to Loop Head Lighthouse, County Clare. As this MUL is held by the Applicant, and MULs are non-exclusive in nature, no conflict with the proposed maritime usage, the subject of this application, is considered to exist.

**MUL260006** is an application for a Maritime Usage Licence, by Uisce Éireann, to conduct Intertidal site investigation surveys in Liscannor Bay, County Clare. The surveys are required to inform the design and consenting of the proposed wastewater infrastructure which is the subject of this MAC application. No conflict between the two proposed maritime usages is therefore considered to exist.

The Marine Institute's Ireland's Marine Atlas database<sup>1</sup> was searched on 14 April 2026 for spatial overlap between the proposed MAC areas and any Department of Agriculture, Food and Marine (DAFM) foreshore authorisations for aquaculture sites. There are no licenced aquaculture operations overlapping with or in close proximity to the proposed MAC area

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.

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<sup>1</sup> <https://atlas.marine.ie/>

### **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 14 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.

No conflicts of interest affecting the proposed MAC area were identified.

## **6. Assessment**

### **6.1 Schedule 5**

The MAC application was submitted on 09 January 2026 with the appropriate fee paid on 06 February 2026 and reviewed for completeness on 06 February 2026. An incomplete application notification was issued on 12 February 2026; with supplementary documentation/information received on 12 February 2026. The application was deemed complete by MARA on 12 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**

| <b>Schedule 5 Requirements</b> |                                                                                                                                  | <b>Synopsis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Assessment</b>   |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 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 Sections 3 &amp; 4 above.</p> <p>The Applicant has requested a MAC term of 100 years. Applicable design codes and or design details, supporting a 100-year design life for the proposed infrastructure in the maritime environment, has not been provided by the Applicant.</p> <p>It is considered that, with proper maintenance and repair, a design life for the infrastructure of circa 50 years (as stated by the Applicant in section 2.5 C of the application form) should be achievable. Although the Applicant has not specified the proposed outfall materials, a 50-year design life would be common for HDPE/PE pipes/diffuser arrangements in accordance with BS EN 12201/ISO standards.</p> <p>Accordingly, a MAC term of 55 years (allowing for the planning, construction and rehabilitation/decommissioning phases) is recommended.</p> <p>The proposed maritime usage is considered satisfactory, having regard to the nature and scope.</p> <p>The proposed maritime usage is considered partially satisfactory, having regard to duration.</p> | Partially Satisfied |
| 2.                             | Whether the proposed maritime usage is in the public interest.                                                                   | <p>Uisce Éireann states that <i>‘The project delivers substantial secondary public benefits. By increasing wastewater treatment capacity and eliminating untreated discharges, it improves water quality in Liscannor Bay, safeguarding bathing waters and supporting tourism, recreation, and local economic activity. These improvements enhance public health, protect the marine environment, and enable sustainable housing and business development in Lahinch and Ennistymon, which are critical for the long-term vitality of the community.’</i></p> <p>In consideration of the existence of public amenity and walkways, it is recommended that a condition is included in any MAC which may issue to safeguard public access to and amenity use of Area A and Area B of the proposed Consent Area.</p> <p>The proposed maritime usage is considered satisfactory, having regard to the public interest.</p>                                                                                                                                                                                                                                                  | Satisfactory        |



|    |                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                |
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| 3. | The location and spatial extent of the occupation of the maritime area concerned for the purposes of the proposed maritime usage. | <p>Details of the location, relevant consents, ownership and development permissions are provided in Sections 2 to 5 above. Based on the searches and site visit undertaken, nothing was identified that would preclude the granting of a MAC in the proposed area.</p> <p>The total area proposed to be occupied by the MAC is <b>42.6781Ha</b>, comprising MAC Areas A and B as illustrated in Figures 5 and 6 (Proposed MAC Maps) in Section 7.</p> <p>It is considered that the extent of the areas, as applied for by the Applicant, are reasonable as the site investigation works required to determine final route selection have not yet been completed, and the exact location of the proposed pipeline cannot be determined at this stage. MARA issued a Request for Additional Information (RAI) to the Applicant on 26 May 2026 seeking clarification on the width of the corridor required, post construction, for the occupation, maintenance and decommissioning of the proposed infrastructure. The Applicant provided additional information in a letter dated 10 June 2026 stating the following: -</p> <p><i>"The proposed outfall pipeline within Area A will consist of a pipe of indicative 400mm diameter, with a 50m corridor width either side of the pipeline once constructed for operation, maintenance and rehabilitation activities.</i></p> <p><i>The proposed pipeline crossing under the Inagh River within Area B will consist of a pipe of indicative 250mm diameter, with an indicative 5m corridor width either side of the pipeline once constructed for operation, maintenance and rehabilitation activities."</i></p> <p>Considering the above it is recommended that conditions and definitions are included in any MAC which may issue which facilitate the reversion of the <i>Consent Area</i> to the necessary <i>Infrastructure Corridor</i>, in respect of each MAC area, 60 days after the <i>Build Completion Date</i> is reached (as discussed in section 9 below).</p> <p>Accordingly, the proposed maritime usage is considered satisfactory, having regard to the location(s) and spatial extent of the occupation.</p> | Satisfactory   |
| 4. | Guidelines issued under Section 7 which are relevant to the proposed maritime usage.                                              | No such guidelines have been published to date.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Not applicable |

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| 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.                                   | In accordance with S.I No. 94/2026, <i>Maritime Area Planning Act 2021 (Fit and Proper Person - Uisce Éireann) Order 2026</i> Uisce Éireann has been declared as a fit and proper person to be granted and to hold any MAC in accordance with Section 90(1)(b) of the Act. | 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 |

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| 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 economic and social objectives set out therein.</p> <p>It is considered that the proposed project aligns with the following economic, social and key sectoral policy objectives of the NMPF: -</p> <ul style="list-style-type: none"> <li>• <b>Wastewater Treatment and Disposal Policy 1</b> - <i>Proposals by Irish Water related to the treatment and disposal of wastewater that:</i> <ul style="list-style-type: none"> <li><i>i) service the social and economic development of the country under the National Planning Framework;</i></li> <li><i>ii) resolve environmental issues at priority areas identified by the EPA;</i></li> <li><i>iii) contribute to the realisation of the objectives of:</i> <ul style="list-style-type: none"> <li>• <i>Ireland's River Basin Management Plan 2018 – 2021</i></li> <li>• <i>The Water Services Policy Statement 2018 – 2025</i></li> <li>• <i>Marine Strategy Framework Directive 2012 - 2020</i></li> </ul> </li> </ul> </li> </ul> <p><i>should be supported, provided they fully meet the environmental safeguards contained within relevant authorisation processes.</i></p> <ul style="list-style-type: none"> <li>• <b>Social Benefits Policy 1</b> – <i>proposals that enhance or promote social benefits should be supported.</i></li> <li>• <b>Co-existence Policy 1</b> – <i>proposals that demonstrate consideration on how to optimise the use of space, including consideration of opportunities for co-existence and co-operation with other activities should be supported.</i></li> <li>• <b>Infrastructure Policy 1</b> - <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></li> <li>• <b>Social Benefits Policy 2</b> - <i>Proposals that increase the understanding and enjoyment of the marine environment (including its natural, historic and social value), or that promote conservation management and increased education and skills, should be supported.</i></li> </ul> <p>In the application, the Applicant states that the proposed project is consistent with the environmental objectives of the NMPF.</p> <p>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</p> | Satisfactory |
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|    |                                                                                                                                                                                                                                                                                   | <p>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.</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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |              |
| 9. | <p>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> | <p>In respect of preparatory works the applicant has stated the following:</p> <p>-</p> <p><i>"There are ongoing land ownership and legal checks, in addition to assessments already completed using Land Registry, to determine if there are any other claims to the proposed MAC areas. Noted that assessments to date have not found details of private ownership in the maritime area.</i></p> <p><i>Assessment of navigational routes has been completed using the applicable Admiralty Charts, noting no major shipping routes within the bay. Also anchorage points are located at the northern end of the bay. No known shipwrecks are outlined on the Admiralty Charts in the vicinity of the proposed outfall.</i></p> <p><i>Assessment of the sea bed levels has been undertaken using OPW bathymetry data to determine viable outfall locations.</i></p> <p><i>Hydrodynamic marine modelling has been completed which will be submitted with the proposed planning application for the scheme, outlining that the proposed discharge will not impact on the designated bathing area at Lahinch or the other known recreational area at Cregg Beach.</i></p> <p><i>Finally, a MUL application is to be submitted to allow for the completion of environmental surveys and site investigation works which will inform the ultimate design and mitigation to be included in the proposed planning application.</i></p> <p><i>Detailed design of the proposed outfall pipeline to be finalised following completion of the outlined surveys. Also, liaison with the harbourmaster to be undertaken prior to the submission of planning".</i></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 |

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| 10. | The extent and nature of stakeholder engagement undertaken by the applicant in respect of the proposed maritime usage. | <p>Uisce Éireann stated that 'A stakeholder engagement evening was held in relation to the proposed WWTP project, during which it was outlined that the final discharge location would be to Liscannor Bay, although the exact locations had not yet been determined at that time. A public consultation process took place between May and June 2025, including an elected representative briefing and a public information evening at The Falls Hotel, Ennistymon. The event was widely advertised via local radio (Clare FM), newspapers (Clare Champion), and online platforms. A total of 68 individuals participated. Feedback was received from residents, business owners, environmental groups (including Clean Coasts and Surfrider), and marine users such as Surf School, who raised concerns about sand flow and beach usability.</p> <p>Key themes included:</p> <p>Support for improved wastewater infrastructure</p> <p>Concerns about ongoing pollution in Liscannor Bay</p> <p>Potential impact on tourism and water sports</p> <p>Need for transparency in site selection and environmental safeguards</p> <p>These engagements have informed project planning and will continue throughout the development process to ensure co-existence with marine users and alignment with community priorities'.</p> <p>Uisce Éireann have also stated 'Future engagements will include targeted consultations with marine stakeholders potentially affected by the outfall pipe installation, such as recreational water users, tourism operators, and local fisheries. These will be facilitated through public meetings, digital platforms, and direct correspondence. Additional engagement with statutory bodies including the Marine Institute, Inland Fisheries Ireland, and Clean Coasts will be undertaken during the planning and licensing phases. Liaison with the harbourmaster &amp; Ports Authority will be undertaken during detailed design, prior to submission of planning. If needed, UÉ will engage with the Commissioner of Irish Lights to ensure compliance with buoyage requirements and safe navigation.'</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 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.

## 6.3 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 requested that the MAC be granted on a “Exclusive Use” basis. Having regard to the nature and lifecycle of the proposed maritime usage the subject of this application, it is reasonably foreseeable that Uisce Éireann 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.

## 6.4 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.

|                                  |                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>MAPA Levy Framework Part:</b> | <b>A: Nearshore</b>                                                                                                                                                                                                                                                                                                                               |
| <b>Category/Class:</b>           | <b>Area A</b> - Outfall Pipe – Band 2 (151-450mm diameter)<br><br><b>Area B</b> – Cables pipelines and ducting.                                                                                                                                                                                                                                   |
| <b>Tier:</b>                     | 4                                                                                                                                                                                                                                                                                                                                                 |
| <b>Applicable Rate:</b>          | <b>Area A</b> - Base Annual Charge of €642.28 + €4.28 per linear metre for any pipe in excess of 10 linear metres<br><br><b>Area B</b> - 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. |
| <b>Length:</b>                   | <b>Area A</b> - Band 2 (151 - 450mm diameter) – <b>1690m</b><br><br><b>Area B</b> - Cables pipelines and ducting - <b>68m</b>                                                                                                                                                                                                                     |
| <b>Calculation:</b>              | <b>Area A</b> - $€642.28 + (€4.28 * (1,690.00 - 10.00)) = €7,832.68$<br><br><b>Area B</b> - €321.14                                                                                                                                                                                                                                               |
| <b>Levy due:</b>                 | €7,832.68 (Area A) + €321.14 (Area B) = €8153.82                                                                                                                                                                                                                                                                                                  |

The MAC levy has been calculated as €8,153.82 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)

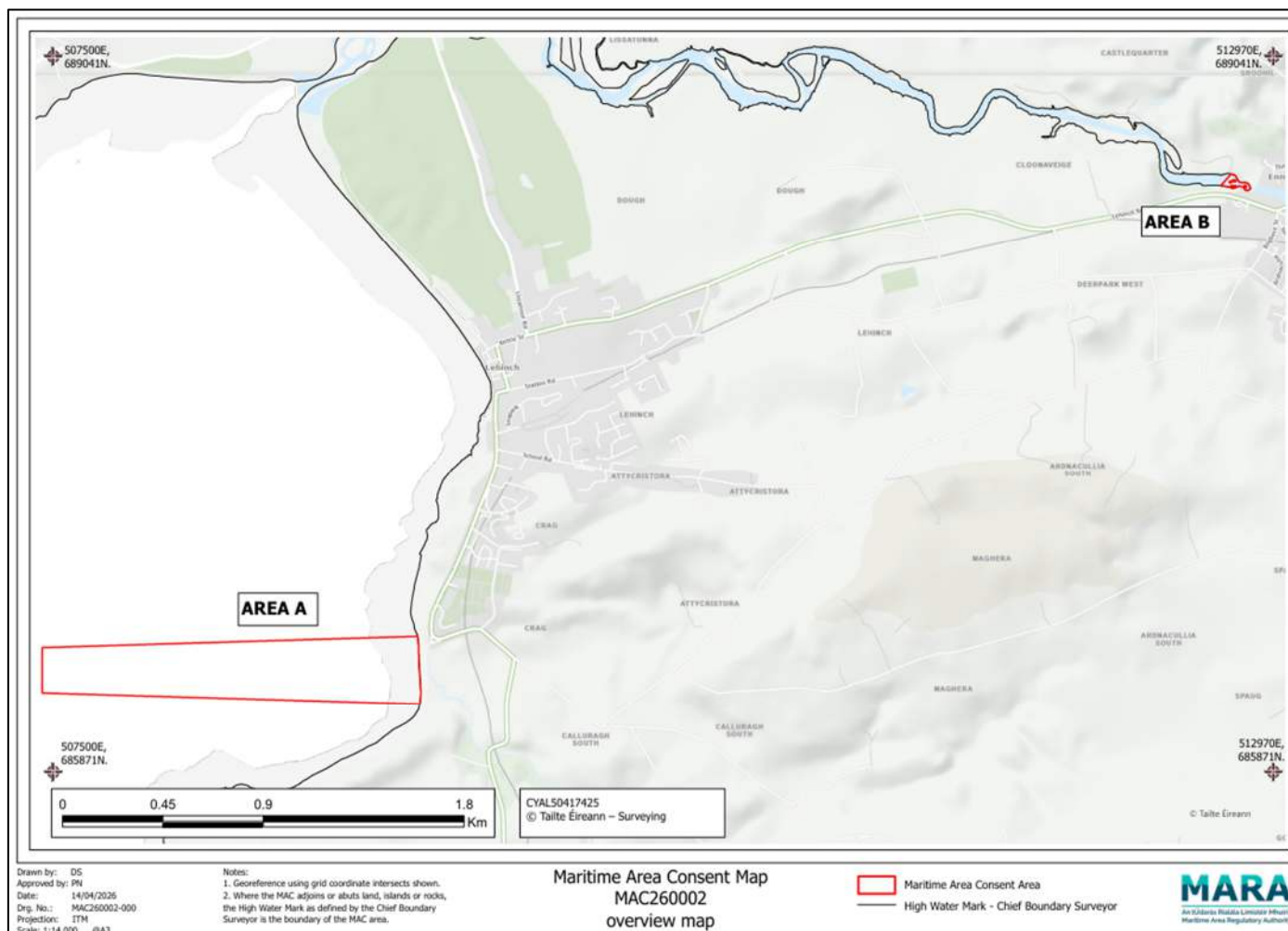


Figure 4 – Proposed Overview MAC Map

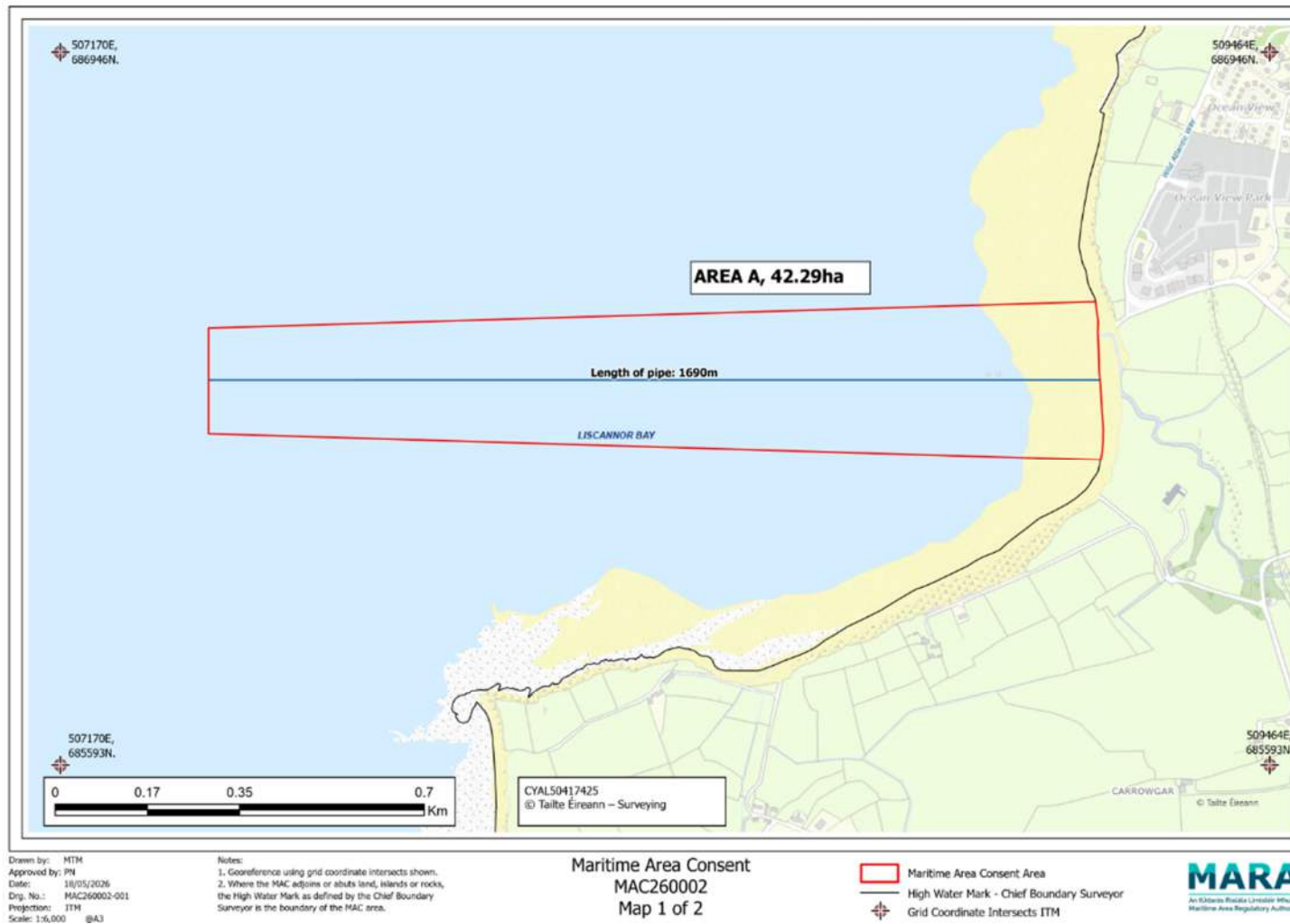


Figure 5 – Proposed MAC Map – Area A

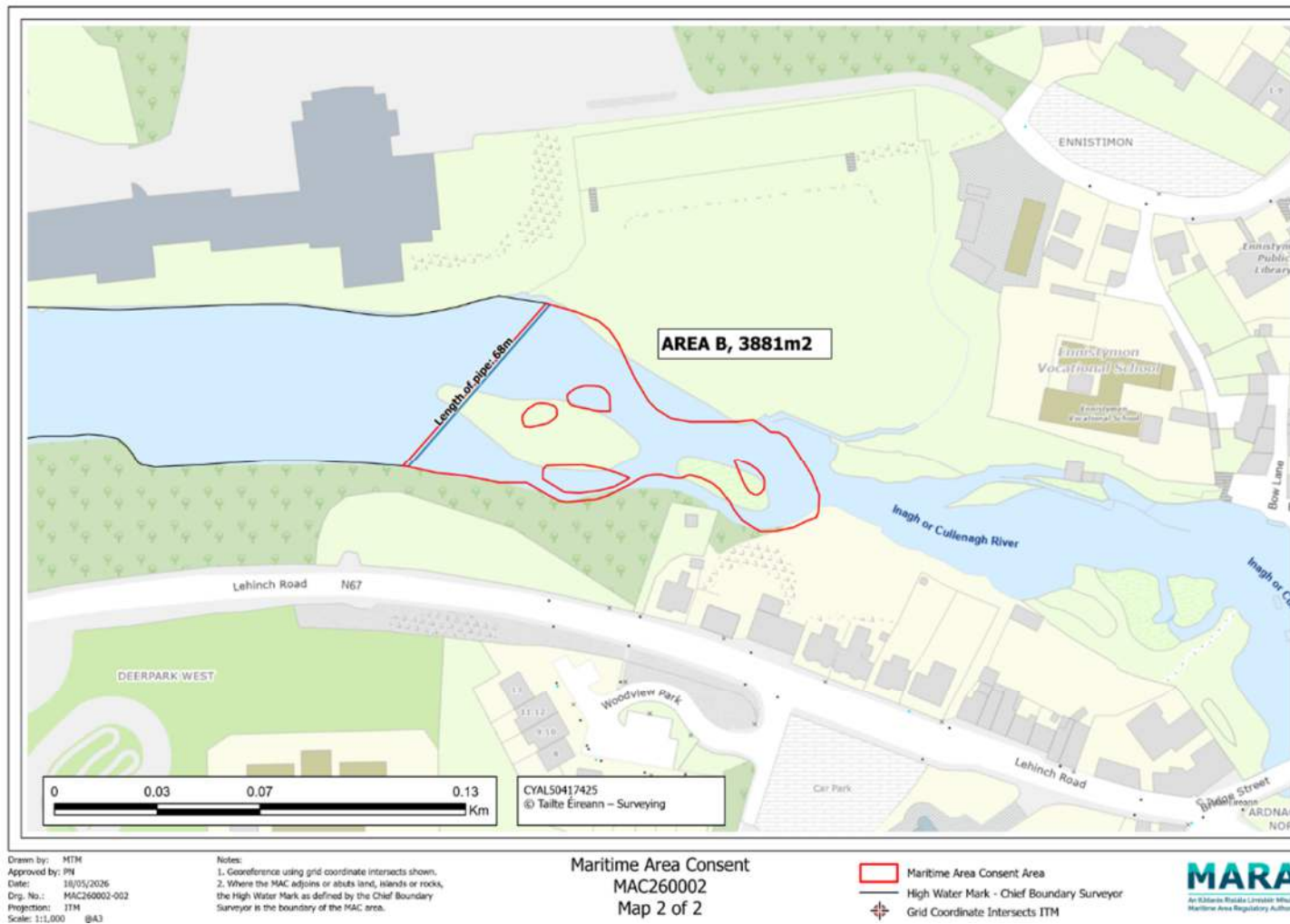


Figure 6 – Proposed MAC Map – Area B

## 8. Discussion

Based on the assessments undertaken contained herein, it is considered that the proposed MAC application complies with all the necessary requirements of Schedule 5 of the Act, where relevant and appropriate, with the exception of Schedule 5(1).

The Applicant has requested a MAC term of 100 years. Applicable design codes and or design details, supporting a 100-year design life for the proposed infrastructure in the maritime environment, has not been provided by the Applicant. It is considered that, with proper maintenance and repair, a design life for the infrastructure of circa 50 years should be achievable. Accordingly, it is recommended that the MAC is part granted for a term of 55 years (allowing for the planning, construction and rehabilitation/decommissioning phases).

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 would preclude the use of that part of the maritime area for any other usage. As detailed in Section 6.3, while it is reasonably foreseeable that Uisce Éireann 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.

The above consideration has been made subject to the following recommended terms and conditions:

### a. Terms

|                                                                                |                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>MAC Term:</b>                                                               | 55 Years                                                                                                                                                                                                                                                                                                            |
| <b>Consent Area:</b>                                                           | That part of the maritime area marked red on the MAC Map.                                                                                                                                                                                                                                                           |
| <b>MAC Map Title:</b>                                                          | Maritime Area Consent MAC260002 Map 1 of 2 dated 18/05/2026<br>Maritime Area Consent MAC260002 Map 2 of 2 dated 18/05/2026                                                                                                                                                                                          |
| <b>Permitted Maritime Usage:</b>                                               | The construction, operation and maintenance of a long sea outfall pipeline into Liscannor Bay and a rising main crossing of the Inagh River including all associated decommissioning, demolition, rehabilitation and any other works required on foot of any development permission relating to the infrastructure. |
| <b>Nature of Usage:</b>                                                        | May/May Not be Exclusive                                                                                                                                                                                                                                                                                            |
| <b>Date by which application for Development Permission must be submitted:</b> | 18 months from date of grant of MAC.                                                                                                                                                                                                                                                                                |



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

#### **a. 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, a number of additional specific conditions and the reasons for these conditions and definitions to be attached to the MAC, are recommended below.

### **3. Grant of Consent**

*3.2 The rights and entitlements conferred by this Consent shall (subject to condition 4) endure for the Term.*

*3.2.1 The Term of this Consent in respect of the Infrastructure Corridor shall commence on the MAC Commencement Date and endure for the period of time identified in the Particulars Schedule.*

*3.2.2 The Term of this Consent in respect of that part of the Consent Area other than the Infrastructure Corridor shall commence on the MAC Commencement date and terminate 9 months after the Build Completion Date*

*3.2.2 Not later than 6 months after the Build Completion Date the Holder shall provide the Grantor with a map in a format and scale to be determined by the Grantor providing a true description of the Infrastructure Corridor, which map shall be appended to and deemed to be part of this Consent.*

*Reason: In the interests of clarity.*

**Definitions:**

***“Build Completion Date”*** means the date upon which the construction of the project has been completed, such that it can be taken over and used for its intended purpose, and a certificate of substantial completion or taking over certificate (or an equivalent completion certificate) has been issued to the companies under the relevant construction contract for the completion of the Project;

***“Infrastructure Corridor”*** means that part of the Consent Area where the infrastructure is laid or installed, in accordance with this Consent, before the Build Completion together with the associated area reasonably necessary to facilitate any associated operation, maintenance, decommissioning and rehabilitation. In respect of Area A the Infrastructure Corridor shall not exceed 50 metres in width as measured either side from the centre line of the constructed infrastructure. In respect of Area B the Infrastructure Corridor shall not exceed 5 metres in width as measured either side from the centre line of the constructed infrastructure.

**Condition 19.2**

*The Holder shall maintain public access to and amenity use of Area A and Area B of the Consent Area including the right of the public to pass and repass along the existing strand and walkway for the duration of the Permitted Maritime Usage. This public access, amenity use and right to pass and repass is subject to appropriate restrictions for the construction works reasonably required to conduct the Permitted Maritime Usage.*

***Reason:*** To ensure the public interest is safeguarded.

**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 a reduced MAC terms being granted and subject to the nature of use of the proposed MAC being granted on a “may or may not be exclusive” basis. 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 will be notified and MARA will publish a notice on its website as soon as practicable thereafter.

Signed: Sharon Dobbs Position: Analyst, MACU

Signed: [Signature] Position: Senior Engineer, ARDU