COMPULSORY ACQUISITION OF LANDS AND RIGHTS OVER LAND

Uisce Éireann COMPULSORY PURCHASE (CLONEA POWER WASTEWATER TREATMENT PLANT UPGRADE) ORDER, 2026

ENGINEERS REPORT

To: **Chief Executive Officer, Uisce Éireann**

Date: **August/2026**

Purpose of Report 2
The Functions of Uisce Éireann 2
The Community Need underlying the Scheme 2
The Existing Situation & the Need for the Scheme 2
Description of the Scheme & Public Interest 3
History of Scheme Development and Statutory Processes 3
The Need for these Lands 4
Alternatives Considered 4
Works are not in Contravention of the Provisions of the Statutory Development Plan 6
Regulatory Compliance 7
Conclusion 8
Documents referred to within this Report 9

Purpose of Report

1. The purpose of this report is to recommend to the Chief Executive Officer the making of the proposed Uisce Éireann Compulsory Purchase (CLONEA POWER WASTEWATER TREATMENT PLANT UPGRADE) Order, 2026.

2. The Order is required for the purposes of Uisce Éireann's advancing the CLONEA POWER WASTEWATER TREATMENT PLANT UPGRADE ("the Project") which is included in the Nature Based Solutions Programme.

The Functions of Uisce Éireann

3. On 1st January 2014 all functions conferred on water services authorities by the Water Services Act 2007 (other than excluded provision and section 22) were transferred to Uisce Éireann by section 7(1) of the Water Services (No 2) Act 2013. Consequently, Uisce Éireann has powers, duties and functions vested in it by the Water Services Act, 2007 to make proper provision for water services as defined in the Water Services Act, 2007. In this regard, Uisce Éireann is responsible for the provision and development of water services, including the collection, treatment and discharge of urban wastewater. I confirm that the transferred functions include all functions necessary to Uisce Éireann's adoption and carrying into effect of the CLONEA POWER WASTEWATER TREATMENT PLANT UPGRADE and to the proposed Compulsory Purchase Order.

4. As a Water Services Authority, Uisce Éireann has under Sections 31 and 32 of the Water Services Act, 2007, powers and function to provide water services including but not limited to the provision, operation or maintenance of sewers and waste water collection and treatment facilities, the construction or maintenance, or arrangement for the construction and maintenance of, water works, or waste water works and the purchasing or obtaining premises or wayleaves that are necessary to fulfil its functions under the Water Services Act, 2007.

The Community Need underlying the Scheme

<u>The Existing Situation & the Need for the Scheme</u>

5. Clonea Power is a village in County Waterford. It is circa 8km south-west of Carrick-on-Suir and 30km north-east of Dungarvan. The R678 runs through the centre of the village. The River Clodiagh runs to the south of the village before crossing the R678 at the south-eastern end of the village at Clonea Bridge.

   There is a public sewerage scheme in Clonea Power comprising a Wastewater Treatment Plant (WwTP) located centrally in the village and a combined gravity sewer extending to residential estates. The existing infrastructure consists of a below-ground Activated Sludge Package Plant, a re-purposed septic tank used for stormwater storage, and an abandoned control kiosk. The primary outfall from the WwTP is to the Clodiagh River at Clonea Bridge. There is also an unscreened storm water overflow to an adjacent stream that converges with the Clodiagh River east of Clonea Bridge.

   The Clonea Power WwTP is currently licensed by the Environmental Protection Agency (EPA) who granted a Wastewater Discharge Certificate of Authorisation (CoA) (A0377-01) in 2011. Condition 3 of the CoA specifies that the Certificate of Authorisation holder shall identify

appropriate improvements to the sewerage system, including the wastewater treatment plant, which are necessary to ensure all discharge(s) from the agglomeration contribute towards achieving at least good status in accordance with the European Communities Environmental Objectives (Surface Waters) Regulations 2009 and/or the European Communities Environmental Objectives (Groundwater) Regulations 2010.

The project aims to provide appropriate treatment through the development of a Constructed Wetland (CW) WwTP as a Nature-based Solution (NbS) to facilitate the growth and sustainable development of the Clonea Power agglomeration.

Description of the Scheme & Public Interest

6. The scheme consists of the provision of an upgraded WwTP, on a new greenfield site, that consists of a new Constructed Wetland (CW) for the treatment of wastewater from the Clonea Power agglomeration comprising of:
    - One septic tank
    - Four Constructed Wetland ponds
    - A new gravity outfall pipe to the River Clodiagh
    - A new terminal wastewater pumping station and stormwater management to be installed buried at the car park opposite Saints Cuan and Broghan Church, near the existing Clonea Power Wastewater Treatment Plant
    - Access road surrounding the CW ponds
    - Decommissioning of the existing wastewater treatment plant
    - Ancillary works associated with the development including the associated pipework, fencing, and landscaping.

7. The main objectives of the project are as follows:

    - Allow for the future population increase in the area anticipated for the 30-year design.
    - Compliance with the Environmental Protection Agency (EPA) Wastewater Discharge (Authorisation) Regulations, 2007 (S.I. No. 684 of 2007) requiring the provision of appropriate treatment for the Clonea Power Agglomeration.
    - Compliance with the Urban Wastewater (Nutrient-Sensitive Areas) Treatment Regulations, 2025 (S.I. No. 403/2025) requiring the provision of appropriate treatment for the Clonea Power Agglomeration.

History of Scheme Development and Statutory Processes

8. In addition, the Clonea Power Wastewater Treatment Plant Upgrade is required to comply with European, National, Regional, and local strategic planning policies and legislative documents including, inter alia, the Urban Wastewater Treatment Directive (UWWTD), Water Framework Directive (WFD), Surface Water Regulations, Energy Efficiency Directive, 2030 Climate and Energy Framework, National Development Plan, Water Services Policy Statement, and Uisce Éireann's Wastewater Service Strategic Plan (WSSP).

9. The project is required to comply with the above to ensure that appropriate treatment is provided to the Clonea Power Agglomeration, in turn assisting receiving waters to achieve compliance with the standards defined in the Surface Water Regulations. A planning application for the project (Waterford City & County Council Planning Ref. 26/60182,

submitted in March 2026) indicates that this development complies with the policies and objectives of the Waterford City and County Development Plan 2022-2028 and does not have an adverse impact upon the character of the area or the amenities of adjoining properties. These are discussed in detail in the Clonea Power WWTP – Planning and Environmental Report prepared by Stantec in March 2026.

The Need for these Lands

10. To facilitate the construction of all elements of the scheme, namely the proposed Clonea Power WwTP, its access road, the proposed terminal wastewater pumping station, stormwater management tank, and to facilitate access for operation and maintenance purposes of the proposed WwTP and proposed influent (rising main) and effluent discharge pipelines.

    During the preliminary and design process, numerous sites were examined with the current proposed site being identified as most feasible; however, it was determined that lands not in the ownership of Uisce Éireann would be required. These lands consisted of lands, permanent wayleaves, and temporary working areas. In this regard, I refer to the Route and Site Selection Report – Clonea Power WwTP of Stantec dated August 2026.

11. The lands, permanent wayleaves, and temporary working areas are required for the Clonea Power WwTP project as it affects the Clonea Power agglomeration (and to be included in the proposed Compulsory Purchase Order) are described in the schedules to the enclosed draft "Uisce Éireann Compulsory Purchase (Clonea Power Wastewater Treatment Plant Upgrade) Order, 2026" and are depicted in the following proposed Compulsory Purchase Order Drawings:
    - UE/10057626/CPO/001
    - UE/10057626/CACQ/001
    - UE/10057626/CTWA/001
    - UE/10057626/CTWA/002
    - UE/10057626/CWL/001

    Attempts have been made, in the period from January 2023 to date, to acquire these lands, permanent wayleaves and temporary working areas by agreement.

    When it was determined that it would not be possible to acquire these lands, permanent wayleaves and temporary working areas by agreement, it was decided to seek a Compulsory Purchase Order.

Alternatives Considered

12. An outline of the alternatives include:
    - A detailed route and site selection process has been completed for the Clonea Power Wastewater Treatment Plant Upgrade project, outlined in the "Route and Site

Selection Report – Clonea Power WwTP". The main elements of the process for identifying the Constructed Wetland site were:

- A two-stage Initial Screening process conducted on the lands within an 850 m radius of the existing treatment plant. Stage 1 identified primary constraints, including designated European sites, flood risk areas and lands with unsuitable topographical gradients. Stage 2 assessed secondary constraints, including natural heritage designations, archaeology and cultural heritage, proximity to sensitive receptors, distance to public roads, and planning constrains.
- Five potentially suitable sites were identified and brought forward to the Site Short-Listing process that verified if parcels could accommodate the Constructed Wetland, which used nine criteria to evaluate each (including Planning and Zoning, Cordon Sanitaire, Access, and Flood Risk).
- All five shortlisted sites were deemed suitable and progressed to detailed assessment based on three primary criteria, Environmental, Planning and Technical/Costs and 23 corresponding sub-criteria including ecology, biodiversity, archaeology, planning policy, access, constructability, infrastructure requirements, land acquisition requirements and operational considerations.
- Following completion of the site selection process, Site 1 was identified as the most suitable for the project.

- The same process has been completed for identifying the Wastewater Pumping Station (WwPS) site. The main elements of this process were:
  - A two-stage Initial Screening process conducted on the lands within a 200 m radius of the existing treatment plant. Stage 1 identified primary constraints, including flood risk and environmental constraints. Stage 2 assessed secondary constraints, including natural heritage designations, archaeology and cultural heritage, proximity to sensitive receptors, access, planning constraints and land use considerations.
  - Three potentially suitable sites were identified and brought forward to the Site Short-Listing process that verified if parcels could accommodate the proposed terminal Wastewater Pumping Station, which used eight criteria to evaluate each (including Planning and Zoning, Cordon Sanitaire, Access, Protected Sites and Flood Risk).
  - All three shortlisted sites were deemed suitable and progressed to detailed assessment based on Environmental, Planning and Technical/Costs criteria and associated sub-criteria including ecology, biodiversity, archaeology, planning policy, access, constructability, infrastructure requirements, land acquisition requirements and operational considerations.
  - Following completion of the site selection process for the WwPS, Site 1 was identified as the most suitable for the project.
- A similar process has been completed for the three pipelines, the network gravity line section to the WwPS, the rising main from the WwPS to the CW and the outfall to the river from the CW. The main elements of this process were:
  - An Initial Screening process conducted within a 200 m study area established around the proposed WwPS location. The screening considered environmental, planning and technical constrains, including protected areas, heritage, flood risk, and planning constraints.
  - Route options were assessed based on environmental, planning, technical and engineering considerations, including constructability, maintenance

access, operational requirements, avoidance of environmental constraints and minimisation of wayleave and right of way requirements.

- Following completion of the assessment, the preferred Gravity Inlet Pipe, Rising Main and Treated Effluent Outfall Pipe routes were identified along the R678 corridor as the most suitable options for the project.

13. I am satisfied that all reasonable alternatives as outlined above and in the attached Route and Site Selection Report of Stantec dated August 2026 have been fully considered and are not demonstrably preferable and that these lands, permanent wayleaves and temporary working areas are necessary for the CLONEA POWER WASTEWATER TREATMENT PLANT UPGRADE, are suitable for the purpose for which they are required.

Works are not in Contravention of the Provisions of the Statutory Development Plan

14. The project is not in material contravention with the provisions of and supports the policies and objectives of the following plans:
    - National Planning Framework (Project Ireland 2040)
    - National Development Plan (2021-2030)
    - Uisce Éireann's Capital Investment Plan
    - Regional Spatial and Economic Strategy (RSES) for the Southern Region 2020 – 2032
    - Waterford City and County Development Plan (2022 – 2028)

    Please refer to the Planning Report – CPO – Clonea Power prepared by Stantec dated July 2026.

Planning Status

15. The Waterford City & County Council is currently reviewing the planning application for this project (Planning Ref. 26/60182, submitted in March 2026). Following a response to an initial further information request in June 2026, the local authority issued an additional request for further information on 22 July 2026.
    Please refer to the Clonea Power WWTP – Planning and Environmental Report prepared by Stantec dated March 2026.

16. Uisce Éireann's Landowner Liaison Partner (LLP) [John Daly], introduced the project in person and acted as the point of contact for the landowners (LO) for any queries related to the project (not related to compensation). This introduction was followed by multiple engagements with the landowners, their solicitors and other representatives by phone, email and in person.

17. Formal correspondence was also issued to the landowners as part of Uisce Éireann's engagement. The following letters were issued on the corresponding dates:
    - Site Investigation letters – Issued on 17th December 2023
    - Introduction to Project – Issued on or before 24th February 2026
    - Introduction to Valuer – Issued on or before 24th February 2026
    - 60 Day Letter – Issued on or before 30th April 2026

A public evening event to present the project was held on 14th January 2026.

Regulatory Compliance

18. Having consulted with the Uisce Éireann Asset Strategy Unit and taking into account all aspects of the Project I am satisfied that in developing the Project and in proposing this Compulsory Purchase Order full account has been taken of:
    - Proper Planning and Sustainable Development - The project is in full accordance with proper planning and sustainable development and does not materially contravene statutory plans. It strictly complies with the policies and objectives of the Waterford City and County Development Plan 2022-2028, specifically regarding rural wastewater investment, and aligns with the Regional Spatial and Economic Strategy (RSES) for the Southern Region.
    - Protection of Human Health and the Environment - The Project serves the primary objective of the Urban Wastewater Treatment Directive (91/271/EEC), which is to protect human health and the environment from the adverse effects of wastewater discharges. It provides appropriate treatment to ensure that discharges allow receiving waters to meet quality objectives.
    - Directive 2000/60/EC (Water Framework Directive) - The Project is designed in strict accordance with the Water Framework Directive to assist in facilitating the achievement of water body objectives. It contributes to the preservation of "Good Status" for the Clodiagh River by eliminating untreated storm overflow discharges.
    - Urban Wastewater Treatment Regulations - The project is required to comply with the Urban Wastewater (Nutrient-Sensitive Areas) Regulations 2025 (S.I. 403/2025) and the Urban Wastewater Treatment Regulations 2001 (S.I. No. 254/2001), ensuring the provision of appropriate treatment for the Clonea Power Agglomeration to protect and improve receiving water quality.
    - Water Services Acts 2007-2013 - These Acts set out the legislative context in which Uisce Éireann operates as a Water Services Authority. Uisce Éireann's powers and objectives are set out under these Acts, and the Project has been designed and will be implemented in line with these powers to deliver critical infrastructure necessary for social and economic development.
    - The Uisce Éireann Water Services Strategic Plan (WSSP) - The Project advances and is consistent with the strategic objectives of the WSSP 2015-2040 (and WSSP 2050), which provides for effective management of wastewater, environmental protection, and support for social and economic growth:
        - Meet Customer Expectations.
        - Ensure a Safe and Reliable Water Supply (by protecting drinking water sources and minimizing contamination).
        - Provide Effective Management of Wastewater.
        - Protect and Enhance the Environment (including targets for net zero carbon and net positive biodiversity).
        - Support Social and Economic Growth.
        - Invest in Our Future.

Conclusion

19. Attempts have been made, in the period from July 2023 to date, to acquire these lands, permanent wayleaves and temporary working areas by agreement.

20. When it was determined that it would not be possible to acquire these lands, permanent wayleaves and temporary working areas by agreement, it was decided to seek a Compulsory Purchase Order.

21. I am satisfied that all reasonable alternatives have been fully considered and these lands and rights over land are necessary for this scheme and suitable for the purpose for which they are required. I am also satisfied that Uisce Éireann requires to invoke the Compulsory Purchase Order procedure for the lands and rights over land required as it is unlikely that all of the foregoing could be required by agreement with the relevant Landowners with full title or otherwise in a timely fashion.

22. Accordingly, it is recommended that Uisce Éireann make the Uisce Éireann Compulsory Purchase (CLONEA POWER WASTEWATER TREATMENT PLANT UPGRADE) Order, 2026.

Dated this 31st day of August 2026

SIGNED: _____

Dawid Wozniak, Portfolio Manager, Chartered Engineer

Documents referred to within this Report

1. Overview Drawing of Scheme
2. Compulsory Purchase Order Drawings:
    1. UE/10057626/CPO/001
    2. UE/10057626/CACQ/001
    3. UE/10057626/CTWA/001
    4. UE/10057626/CTWA/002
    5. UE/10057626/CWL/001
3. Route and Site Selection Report of Stantec dated August 2026
4. Planning and Environmental Report of Stantec dated March 2026
5. CPO Planning Report of Stantec dated July 2026

SCHEDULE

PART 1 – LAND ACQUISITION

Land other than land consisting of a house or houses unfit for human habitation

and not capable of being rendered fit for human habitation at reasonable expense

Plot Number shaded grey on the drawings deposited at Uisce Éireann Colvill House 24-26 Talbot Street Dublin 1 And Waterford County Council, Customer Service, Baileys New Street, Waterford, X91 XH42	DRAWING No.	Quantity, Situation and Description of the Land			Owners or Reputed Owners	Lessees or Reputed Lessees	Occupiers
		Area in Hectares	Location	Description of Property			

001	UE/10057626/CPO/001	3.84	Ballyneal	Agricultural land	Peter Behan, Curralandy, Rathgormack, Co. Waterford	N/A	N/A

PART 2 – PERMANENT WAYLEAVE

Sub-Part A – Description of Wayleave

The right for the Company, its successors in title, assigns, tenants, servants or agents, contractors or other licensees:

(i) to construct, lay, keep, operate, maintain, renew, repair and inspect waste water works as defined in the Water Services Act, 2007 and all associated pipelines and all other associated physical elements used for collection, storage or treatment of waste water and such other works, services, facilities and other things as are necessary or expedient in relation thereto or are ancillary thereto or form part of such waste water works, in, on or under the land specified in Sub-Part B below, together with the right,

(ii) to enter with all necessary vehicles, plant and machinery upon the said land at all times for any of the said purposes.

Sub-Part B – Description of Land

Plot Number coloured yellow on the drawings deposited at Uisce Éireann Colvill House 24-26 Talbot Street Dublin 1 And Waterford County Council, Customer Service, Baileys New Street, Waterford, X91 XH42	DRAWING No.	Quantity, Situation and Description of the Land			Owners or Reputed Owners	Lessees or Reputed Lessees	Occupiers
		Area in Hectares	Location	Description of Property			

003	UE/10057626/CPO/001	0.0459	Ballyneal	Existing Car Park Area	Waterford County Council, Civic Office Dungarvan, Co. Waterford	N/A	Clonea Power Tidy Villages Group, c/o Angela Skehan, Killerguile, Clonea Power, Co. Waterford

PART 3 – PERMANENT RIGHT OF WAY

Not applicable

PART 4 – TEMPORARY WORKING AREA

Sub-Part A – Description of Rights

The temporary right for the Company, assigns, tenants, licensees, servants or agents, contractors and workmen in common with all others who have the like right to use the land specified in Sub-Part B below to enter with all necessary vehicles, plant and machinery upon the said lands and to use the land to pass and re-pass over same for the purpose of ingress and egress to and from the public road at all times, for all purposes of and by all means in connection with the use and occupation by the Company its successors in title, assigns, tenants, licensees, servants or agents, contractors and workmen in common with all others who have the like right of lands and rights over land acquired by it for the purposes of the Clonea Power Wastewater Treatment Plant Upgrade. Such rights include the right to do anything reasonably necessary for or ancillary or incidental to the construction of the structures and the waste water works as defined in the Water Services Act, 2007 to be laid, erected, or constructed on the lands described in Part 1 of this Schedule and the wayleaves described in Part 2 of this Schedule in, on, under or over the lands specified in Sub-Part B below.

Sub-Part B – Description of Lands

Plot Number coloured green on the drawings deposited at Uisce Éireann Colvill House 24-26 Talbot Street Dublin 1 And Waterford County Council, Customer Service, Baileys New Street, Waterford, X91 XH42	DRAWING No.	Quantity, Situation and Description of the Land			Owners or Reputed Owners	Lessees or Reputed Lessees	Occupiers
		Area in Hectares	Location	Description of Property			

002	UE/10057626/CPO/001	0.0566	Ballyneal	Existing wastewater treatment plant	Waterford and Lismore Diocesan Trust, Bishops House Johns Hill, Co. Waterford	N/A	N/A
004	UE/10057626/CPO/001	0.0116	Ballyneal	Agricultural land	Waterford County Council, Civic Office Dungarvan, Co. Waterford	N/A	N/A
005	UE/10057626/CPO/001	0.1080	Ballyneal	Agricultural land	Emer Moore, 12 Woodland Heights, Carrickbeg, Carrick-on-suir, Co. Tipperary	N/A	N/A