

Caseworker Report

**Application for a Non-Material Amendment of a Maritime Area
Consent (MAC) under Section 86(5) of MAPA**

16th May 2024



1. Application details

MAC Reference No:	2022-MAC-003 and 004
MAC Holder:	Bray Offshore Wind Limited and Kish Offshore Wind Limited (BOWL/KOWL)
Date Application received:	01/05/2024
Non-material Amendment sought:	The granting of a <u>six-month</u> extension of time to the date by which the Holder's application for development permission must be submitted to An Bord Pleanála as set out in the Particulars Schedule and Condition 5.1 of the MAC. The associated date for compliance with the aforementioned is therefore sought to be extended from 23 rd June 2024 to 23 rd December 2024.

2. Reasons why non-material amendment is sought

BOWL/KOWL have stated that their request for extension is due to resource demands associated with a Judicial Review in respect of Foreshore Licence FS007188 which was initiated in April 2023 and which was settled in January 2024. The reasons given also list the fact that the pre-application consultation with An Bord Pleanála for the planning application has not been completed.

3. Assessment

The application has been processed in accordance with MARA's procedure for processing non-material MAC applications. On receipt of the application for a non-material amendment to a MAC, the application was reviewed for completeness. The Assessment Research & Data Unit (ARDU) and the Compliance, Enforcement & Revenue Unit (CERU) were consulted on the 15th May 2024 and invited to make any observations and comments on the non-material application. The CERU unit confirmed on the 15th May 2024 that they had no observations to make, while the ARDU confirmed the same on 16th May 2024.

The reasons for the particulars and conditions of the original MAC in relation to the timeframe for development permission were as follows:

"The Particulars Schedule and Condition 5

REQUIREMENT FOR DEVELOPMENT PERMISSION

Reason: to ensure the application for Development Permission is submitted within a reasonable timescale in order to assist in meeting Government climate targets and for the effective management of State resources.”

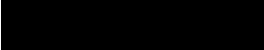
The applicant has indicated that if the amendment sought was granted, that the expected Commercial Operation Date for the project would be 2030, subject to successful completion of necessary site investigation works and final grant of development consent for all of the offshore and onshore infrastructure. Government climate targets have been set for 5 GW of capacity in offshore wind by 2030. Accordingly, I am satisfied that the extension of the timeframe sought for submission of an application for development permission is unlikely to impact overall timescales for assisting in meeting Government climate targets.

To promote continued effective management of state resources, it is recommended that the cover letter issued to the applicant notes that, although the date by which an application for Development Permission shall be submitted to An Bord Pleanála is extended by 6 months to 23 December 2024, this does not preclude the Holder from submitting such an application at an earlier date/the earliest opportunity.

4. Conclusion & Recommendation

All of the required information was provided by the Holder for the purposes of the assessment of this application for a non-material amendment to a MAC.

Following the detailed assessment of this information, I am satisfied that the proposed amendment is non-material in nature and that reasonable grounds for this amendment were provided by the holder. Accordingly, I, recommend that the MAC is amended, as per the amendment sought, in accordance with section 86(5)(b) of the MAP Act.

Signed: —  —

Date: 16/05/2024