

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-006
MAC Holder:	Codling Wind Park Limited (CWPL)
Date Application received:	24/04/2024
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

CPWL have stated that the planning pre-consultation process with An Bord Pleanála (ABP) took considerably longer than originally envisaged and only recently concluded. CWPL requires additional time to analyse the opinion received from ABP and to finalise the planning application.

CWPL also noted in their application that they have submitted an application to MARA for a material amendment to the MAC (MARA Ref MAC20230012) to include additional areas in their MAC (2022-MAC-006) to facilitate the construction of Codling Wind Park's onshore substation and the deployment of temporary demarcation buoys within a maritime safety demarcation area around the array site during the construction of the offshore wind farm. CWPL have indicated that they must await determination of this material amendment application before an application for development permission can be submitted.

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.”

CWPL have also stated that while they are seeking the subject amendment that they intend to submit the planning application for the project at its earliest opportunity to meet its projected commercial operation date and to support the Irish Government’s 2030 Climate Action Plan target. There are no proposed changes to the project timeline submitted as part of the original MAC application as a result of the proposed extension of time request, other than the submission date for the planning application. 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/your 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