

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-007
MAC Holder:	Fuinneamh Sceirde Teoranta (FST)
Date Application received:	26/04/2024
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

FST have stated that they have experienced significant delays in obtaining foreshore licences following application for same in early 2022 and which were only granted in September 2023. This delay has had knock-on effects on the schedule for obtaining and processing the relevant data to inform their Environmental Impact Assessment. Therefore, FST have requested a 6-month extension to the date by which application for Development Permission must be submitted is appropriate for the above reason. This will result in the expected Commercial Operation Date moving from 2028 to 2029.

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 2029. 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