

Caseworker Report in response to comments from applicant on minded to notification

Application for a Material Amendment of a Maritime Area Consent (MAC) under Section 86(1) of Maritime Area Planning Act 2021 (the Act)

Application Details

MAC Holder:	Codling Wind Park Limited
MAC Reference No:	2022-MAC-006
Date Application received:	09 April 2024
Application Details	Codling Wind Park Limited (“CWPL”) have made an application under Section 86 of the Maritime Area Planning Act 2021 (the Act) for a material amendment to its existing Maritime Area Consent (MAC no. 2022-MAC-006) for the development of an Offshore Renewable Energy installation. MAC no. 2022-MAC-006 was previously issued to the Holder by the Minister for Environment, Climate and Communications under the first batch of Offshore Renewable Energy projects known as Relevant Projects (Phase 1 Projects) The amendment sought by CWPL is an extension of the subsidiary area for temporary demarcation buoys and a nearshore substation area along with an additional area for a nearshore section of cable; and removal of a section of export cable route from the subsidiary area.
Recommendation	To approve the Granting of the material amendment sought.

Document Control

Prepared By:		23/08/2024
Reviewed and Approved by:		23/08/2024

I refer to the minded to documentation that issued to CWPL on the 21st August 2024 and their subsequent response of 22nd August 2024 to the proposed MAC and conditions.

CWPL have made the following comments

1. Comments on the draft MAC

*We refer to Definitions 1.1(b) "**The Array Area**" means the geographical area within the Consent Area, identified as the Array Area in Appendix 1 (a) and area C in map bearing Ref [MARA INSERT].*

We assume that the reference to 'and area C in map bearing Ref [MARA INSERT]' has been included in error and can be removed from the final draft, noting that area C in the maps in Appendix 1 relates to the Subsidiary Area at the substation site.

The MAC has been amended accordingly

Definition 1.1(b) to now read

*"**The Array Area**" means the geographical area within the Consent Area, identified as the Array Area in Appendix 1 (a) in map bearing Ref Maritime Area Consent Map 1 of 2*

2. CWPL also commented on the caseworker report.

In reference to Table 1: Schedule 2(2) on page 6 of the Caseworker Report, we would like to clarify that no Letters of Reference were listed by Codling in section 1 of Form FPP1. However, as noted in the Caseworker Report, Dublin Port Company did provide a letter of support for the substation area and the proposed amendment to the MAC.

It is noted CWPL's comment categorising Dublin Port Company's letter dated the 25th of March (as submitted with the amendment application) as "a letter of support" rather than as correspondence from a third party for the purposes of the Schedule 2 (2) (a) of the Act. It was on the basis of this statutory provision the letter was assessed, in particular because of material amendments sought under section 86 of the Act as they pertain to the portions of Maritime Area in Dublin Port.

Further it is noted subject to the provisions of section 81 (7) (b) (ii) MARA will only consider submissions made in relation to reasons attached to conditions proposed to be inserted into the MAC.

Signed: _____

Date: 23 August 2024