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PLANNING

ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR) FOR THE PROPOSED BARNADIVANE WIND FARM & SUBSTATION, CO. CORK

VOLUME 2 – MAIN EIAR

CHAPTER 3 - POLICY AND LEGISLATION

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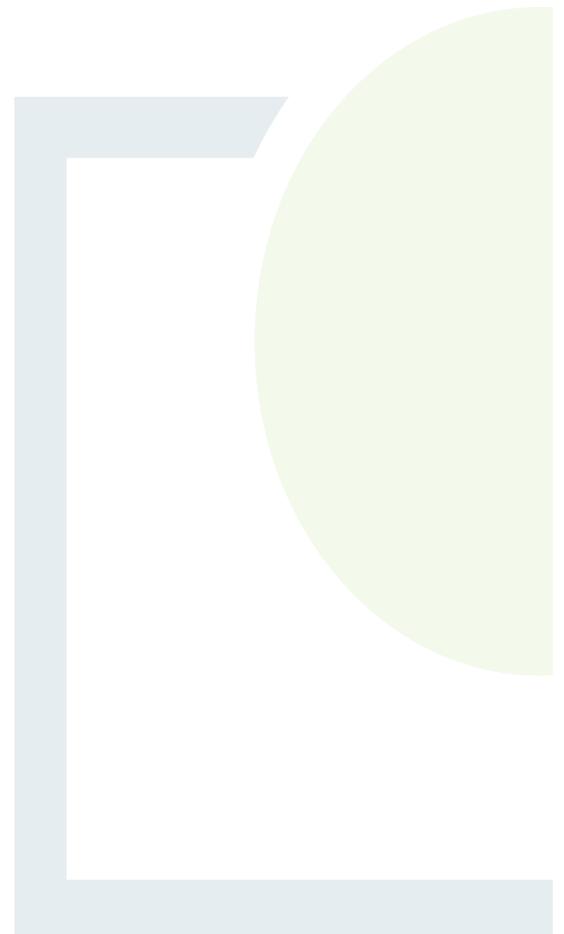


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3. POLICY AND LEGISLATION

EU and Government policies identify the development of renewable energy, including wind energy, as a primary strategy in implementing national energy policy. To follow is a review of the policies and legislation, at international, European, and national level that relate to the Proposed Development.

3.1 Global Policy

International and European legally binding agreements to reduce the reliance on fossil fuels and to manage climate change internationally have been adopted into Ireland's National Energy Policy. This section of the EIAR outlines how these legally binding agreements are being facilitated through national energy and climate policy with a clear mandate to support onshore wind energy development within the state. The importance in complying with the national energy policy at a local level cannot be overstated if Ireland is to achieve its national renewable energy targets.

The latest SEAI figures indicate that Ireland has not met its 2020 renewable energy targets with renewable electricity production approximately 8.5% below the 40% national target (SEAI, 2020a). Furthermore, the recent increase in renewable electricity targets to 80% by 2030 indicates the need for significant escalation in renewable energy production in Ireland. The following Chapter sets out how the Proposed Development complies with national and local energy policy and will contribute towards Ireland's national renewable energy targets.

3.1.1 United Nations Framework Convention on Climate Change

The United Nations Framework Convention on Climate Change (UNFCCC) is an international environmental treaty negotiated at the United Nations Conference on Environment and Development (UNCED), in Rio de Janeiro in 1992. Its ultimate objective was to achieve "... *stabilisation of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system*"¹(United Nations, 2013). There are 195 parties ratified to the Convention and these are subdivided into Annex I, Annex II, Annex B, Non-Annex I and Least Developed Countries.

The UNFCCC specifies the aim of developed (Annex I) parties stabilising their greenhouse gas emissions (carbon dioxide and other anthropogenic greenhouse gases not regulated under the Montreal Protocol) at 1990 levels, by the year 2000. The treaty did not set any limits or binding targets, instead, it provided a framework for negotiating specific international treaties ("protocols") that set binding limits on greenhouse gases. It does, however, require all parties in Annex 1² [Decision 3 CP.5] (of which the European Union 15 (EU-15) forms part of) to prepare and publish National Inventory Report (NIRs) on emissions. The Environmental Protection Agency (EPA) is responsible for the preparation of Ireland's NIR.

¹ United Nations Framework Convention on Climate Change (2013) five steps to a safer future, available: http://unfccc.int/essential_background/convention/items/6036.php [accessed 25.07.13]

² Decision 3/CP.5



The Conference of the Parties (COP) is the highest body of the UNFCCC and consists of environment ministers who have met annually since 1995 to assess progress in dealing with the issue of climate change. At the Paris climate conference (COP21) in December 2015, 195 countries adopted the first-ever universal, legally binding global climate deal. COP 21 sets out a global action plan to put the world on track to avoid dangerous climate change by limiting global warming to well below 2°C above pre-industrial levels and to limit the increase to 1.5°C. Under the agreement, Governments also agreed on the need for global emissions to peak as soon as possible, recognising that this will take longer for developing countries and to undertake rapid reductions thereafter in accordance with the best available science.

The greater urgency with which the world is required to address climate change through ambitious targets was recently reflected in the publication of the sixth Intergovernmental Panel on Climate Change ('IPCC') in August 2021. The overarching assertion is that, "It is unequivocal that human influence has warmed the atmosphere, ocean and land".

This report confirms with alarming certainty the detrimental and linear relationship of CO₂ emissions and global temperature rise, as set out in section in D1.1 of the report:

"This Report reaffirms with high confidence the AR5 finding that there is a near-linear relationship between cumulative anthropogenic CO₂ emissions and the global warming they cause.....This relationship implies that reaching net zero anthropogenic CO₂ emissions is a requirement to stabilize human-induced global temperature increase at any level, but that limiting global temperature increase to a specific level would imply limiting cumulative CO₂ emissions to within a carbon budget."

The detrimental effects of rising global temperatures are evidenced in regionally intensified weather patterns. Severe heat waves that happened only once every 50 years are now happening roughly once a decade. Tropical cyclones are getting stronger. Most land areas are seeing more rain or snow fall in a year. Severe droughts are happening 1.7 times as often while fire seasons are getting longer and more intense. COP 26 was held in November 2021, where the Glasgow Climate Pact was agreed. The pact agrees to focus on the terms of the Paris Agreement and for the first time there was an explicit agreement to reduce use of fossil fuels including Coal.

3.1.2 Kyoto Protocol (1997)

In 1997, at one of the COPs, the Kyoto Protocol which set legally binding obligations for developed countries to reduce their greenhouse gas (GHG) emissions in two commitment periods was established.

The first commitment period (2008 - 2012) applied to emissions of six main greenhouse gases (carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulphur hexafluoride (SF₆)), and set targets for:

- A 5% overall reduction in the emission of greenhouse gases in developed countries.
- An average 8% reduction below 1990 levels within the EU.

The EU 15 and other European countries (some of which subsequently acceded to the EU) have individual GHG reduction and limitation targets under the Kyoto Protocol.

Together, these European countries committed to achieve an annual emission reduction of 456 Mt CO₂-equivalent (CO₂eq) below 1990 levels over the period 2008 to 2012 (European Environmental Agency 2010).



Ireland's contribution was a limit of 13% above 1990 greenhouse gas emission levels which corresponds to an average limit of 62.8 million tonnes (Mt) of carbon dioxide equivalent (CO₂eq) per annum during the period 2008 – 2012. Countries not fulfilling their obligations will be forced to purchase carbon credits on an open market from compliant countries.

The second commitment period applied to emissions from 2013 - 2020. All members of the European Union had binding targets in the second commitment period.

The EU 27 countries committed to reduce their GHG emissions by at least 20% by 2020 compared to 1990 levels and to increase this commitment to a 30% reduction if other major emitting countries agree to similar targets under a global climate agreement.

Developing countries do not have binding targets under the Kyoto Protocol but are still committed under the protocol to reduce their emissions. Actions taken by developed and developing countries to reduce emissions include support for renewable energy, improving energy efficiency, and reducing deforestation.

One of the key mechanisms introduced under the Kyoto Protocol is the international emissions trading scheme which allows developed countries to trade their commitments. They can trade emissions quotas among themselves and can also receive credit for financing emissions reductions in developing countries.

The EU Emission Trading Scheme (ETS) came into operation on 1 January 2005 and was introduced to facilitate Member States achieve their commitments to limit or reduce greenhouse gas emissions in a cost-effective way. It is the largest such scheme in the world and allows participants to buy or sell emission allowances which means that emission cuts can be achieved at least at cost.

The EU ETS is a 'cap and trade' scheme, in that it caps the overall level of emissions allowed but, within that limit, allows participants in the scheme to buy and sell allowances as they require.

These allowances are the common trading 'currency' at the heart of the scheme. One allowance gives the holder the right to emit one tonne of CO₂ or the equivalent amount of another greenhouse gas (CO₂eq).

The categories of activity covered by the EU ETS are set out in Annex 1 of the principal Directive (2003/87/EC) and the greenhouse gases to which the Scheme applies to are set out in Annex II of the same Directive. While all six gases listed in Annex A of the Kyoto Protocol are included in Annex II, not all are in practical terms actually covered by the ETS and the listing of all in Annex II is perhaps a signal of the intention to extend the scheme in the future.

The Scheme operates in periodic cycles that have come to be known as 'phases' as the EU ETS scheme is open ended with no termination date specified. Phase 1 ran from 2005 - 2007 and was known as the commitment period, Phase 2 covered 2008 -2012 (the Kyoto Phase) and Phase 3 extended from 2013 – 2020 and this phase ties in with the EU Commissions end date of 31 December 2020 for its own reduction in greenhouse gases.

Phase 4 runs from 2021-2030 and aims to improve the ETS as part of a revision to the ETS Directive concluded in 2018, to achieve the EU's 2030 emission reduction targets in line with the 2030 climate and energy policy framework and as part of the EU's contribution to the 2015 Paris Agreement (EU, 2019). The legislation governing the auctions of emission allowances were required to be changed, to take into account new rules agreed as part of the 2018 revision of the ETS Directive. The changes, in particular, concern the use of the common auction platform to monetise the allowances dedicated to the Innovation and Modernisation Fund which is part of the ETS Directive 2018. This phase will include a reduced emissions allowance at an annual rate of 2.2%, up from 1.74%, increasing each nation's need to cut emissions on an annual basis.



Further changes proposed for the ETS commenced in 2013 through Directive 2009/29/EC. In summary, Member states, will no longer draw up National Allocation Plans (NAPs) – instead, there will be a single EU-wide cap and allowances will be allocated on the basis of harmonised rules amongst other changes to the trading period etc.

3.2 EU Policies

This section summarises the previous policies and targets for renewable energy and GHG emissions in Europe up to 2020 in order to provide context and establish the progress made in Ireland over the past two decades to achieve these EU targets. The section then details the latest policies and targets with a view of 2030 and beyond. The various directives and policies of the EU set a clear mandate for each member state to transition to sustainable, renewable energy and reduce greenhouse gas emissions. This is reflected in the theme of European Commission President, Ursula von der Leyen’s inaugural ‘State of the Union’ address delivered on 16 September 2020 which emphasised the need to transform the European economy and society to deal with the climate change emergency. It was also stated that the EU aims to reduce the EU’s net greenhouse gas emission by at least 55% on 1990 levels by the end of this decade.

3.2.1 European Union Targets for 2020 and the Irish Context

The year 2020 was a significant milestone for renewable energy and emissions targets in Europe. The EU Directive on the Promotion of the Use of Energy from Renewable Sources (2009/28/EC)³ sets a target of 20% of EU energy consumption from renewable sources by 2020 and a 20% cut in greenhouse gas emissions by 2020, the so-called 20:20:20 plan. The Directive recognises the need to promote renewable energy sources and technologies which will have a positive impact on:

- security of energy supply;
- regional and local development opportunities;
- rural development;
- export prospects;
- social cohesion;
- employment opportunities.

As part of this Directive, Ireland’s overall national target for the share of energy from renewable sources in gross final consumption of energy in 2020 is 16% (increased from 3.1% in 2005)⁴.

For renewable electricity alone, Ireland has set a national target of 40% by 2020 as outlined in the National Renewable Energy Action Plan (NREAP). The sectoral components of the overall 16% target are detailed in Table 3-1, which outlines each form of renewable energy supply (RES). The current share of renewable energy in these components is also presented. The latest figures from SEAI detail the 2019 share of renewable energy.

³ EU Directive on Promotion of the Use of Energy from Renewable Sources,
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:140:0016:0062:EN:PDF>

⁴ Directive of the European Parliament and of the Council on the Promotion of the Use of Energy from Renewable Sources, 2008/0016 (COD), Council of the European Union, Brussels, December 2008;
http://www.ewea.org/fileadmin/ewea_documents/documents/00_POLICY_document/RES-directive_consolidated.pdf



Table 3-1 demonstrates that Ireland has made significant progress in achieving its 2020 renewable electricity targets. Wind energy accounted for 32% of all electricity generated in 2019, the largest contributor of renewable electricity in Ireland:

Table 3-1: Target and Current Share of Renewable Energy in Energy Sectors

Form of Renewable Energy Supply	2018 Position (SEAI, 2020)	2019 Position (SEAI, 2020a)	2020 Position (SEAI, 2021)	Target Share For 2020
Electricity (RES-E)	33.2%	36.5%	39.1%	40%
Heat (RES-H)	6.5%	6.3%	6.3%	12%
Transport (RES-T)	7.2%	8.9%	10.2%	10%

Source: SEAI (2020), Renewable Energy in Ireland 2020 Update & SEAI (2020a), Energy in Ireland 2020 Report

In 2008, the EU agreed a climate and energy package that included a target to reduce GHG emissions across the EU by 20% below 1990 levels by the year 2020. This resulted in two pieces of European legislation focusing on reduction in GHG emissions. Directive 2009/29/EC requiring ETS companies to reduce their emissions by 21% below 2005 levels by 2020; and Decision 406/2009/EC requiring Ireland to reduce non-ETS emissions (as defined in section 3.3.7 below) by 20% below 2005 levels by 2020.

According to SEAI (2020a), Ireland achieved approximately 14.6% reduction in GHG emissions compared to 2005 levels. This included an approximate 23% reduction in GHG emissions in the energy sector, indicating renewable energy's significant contribution to the overall reduction in greenhouse gas emissions in Ireland.

Renewable energy's contribution to GHG is demonstrated by the progress made towards the 2020 targets as detailed in Table 3-1. This shows that renewable sources of energy have contributed greatly to the achievement of Ireland's energy and emissions targets as set by the EU. This places Ireland in a strong position to continue this progress towards 2030 EU targets, as detailed in the following sections.

3.2.2 2030 Climate and Energy Framework

In October 2014 EU leaders adopted the 2030 Climate and Energy Framework (European Commission, 2014) which was subsequently updated in 2018. The framework provides a long-term perspective beyond 2020 targets. The 2030 Climate and Energy Framework sets out three key targets for the year 2030:

- At least 40% cuts in greenhouse gas emissions (from 1990 levels);
- At least 32% share of renewable energy;
- At least 32.5% improvement in energy efficiency.

Further to this, the European Commission in 2016 published its 2030 emissions targets break down for each Member State. While the overall EU target is a reduction of 40% on 1990 greenhouse gas emissions by 2030, every Member State negotiates an individual target. Ireland will have to reduce its emissions by 30% relative to its 2005 emissions.

Ireland will have 4% one-off flexibility from emissions trading, at the highest end of the ranking. Ireland will have 5.6% flexibility from land use. This is a substantially larger margin than any other Member State except Latvia.



3.2.3 A Roadmap for Moving to a Competitive Low Carbon Economy in 2050 (EC Energy Roadmap 2050)

Looking beyond 2020 in compliance with the EC Energy Roadmap 2050, an EU target of at least 27% has been indicated as the share of renewable energy consumed in the EU in 2030. While the Department of Communications, Climate Action and Environment (DCCAE) is currently examining the potential for diversifying Ireland's renewable technology mix in the post-2020 period, the Department recognises in the Roadmap that; *"as a proven and cost effective technology, onshore wind will remain part of Ireland's generation portfolio out to 2030 and will help to meet Ireland's contribution to the binding EU-wide 2030 renewable energy target"*. The Roadmap has informed national policy and has influenced the Climate Action Plan (2019) and (2021) which set out actions to reduce climate change towards 2050.

3.2.4 Clean Energy for all Europeans Package (2019)

In 2019 the EU overhauled its energy policy framework to tackle the transition towards clean energy and a carbon-neutral economy, and to facilitate a clean and fair energy transition.

By providing a modern, stable legal environment and setting a clear and common sense of direction, the EU aims to stimulate the necessary public and private investment to address these challenges. As a package, the new rules will reinforce consumer rights, putting them at the heart of the energy transition and creating growth and green jobs in a modern economy. They will enable the EU to show leadership in the fight against climate change following the Paris Agreement.

The Clean energy for all Europeans package sets the right balance between making decisions at EU, national, and local level. Member States will continue to choose their own energy mix but must meet new commitments to improve energy efficiency and the take-up of renewables in that mix by 2030. For example, the new rules on the electricity market, which have been adopted, will make it easier for renewable energy to be integrated into the grid, encourage more inter-connections and cross-border trade, and ensure that the market provides reliable signals for future investment. Member States are required to draft plans to prevent, prepare for and manage possible crisis situations in the supply of electricity in coordination with neighbouring Member States, and to enhance the role of the Agency for the Cooperation of Energy Regulators.

In December 2018, the Recast Renewable Energy Directive 2018/2001/EU entered into force, as part of the Clean energy for all Europeans package, aimed at keeping the EU a global leader in renewables and, more broadly, helping the EU to meet its emissions reduction commitments under the Paris Agreement.

The need to transform the European economy and society to deal with the climate change emergency was a defining theme of European Commission President, Ursula von der Leyen's inaugural 'State of the Union' address delivered on 16 September 2020. The Commission has also indicated an intention to adopt the increased target of 55% as the EU's Nationally Determined Contribution (NDC) under the Paris Agreement by the end of 2020. As well as the target being given legislative force in the EU through the proposed EU Climate Law, it will oblige all EU institutions across all areas of competence, and the Member States, to work collectively to achieve the target of 55%.

3.2.5 Recast Renewable Energy Directive (RED2)

In June 2018, an agreement was made in Europe between negotiators for the Commission, the European Parliament and the Council with regard to increasing renewable energy use in Europe.

The new regulatory framework includes a binding renewable energy target for the EU for 2030 of 32% with an upwards revision clause by 2023. This agreement will help the EU meet the Paris Agreement goals. In terms of renewable energy production, the agreement has achieved:



- A new, binding EU renewable energy target of 32% by 2030, including a review clause by 2023 for an upward revision of the EU level target;
- Improved design and stability of renewable energy support schemes.

The revised renewable energy Directive 2018/2001/EU entered into force in December 2018.

3.2.6 European Green Deal (December, 2019)

The European Green Deal is a growth strategy for the EU which aims to transform the EU into a fair and prosperous society, improving quality of life with modern, resource-efficient, and competitive economy where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. The EU aim to do this by becoming climate-neutral by 2050.

With regard to the supply of clean, affordable, and secure energy, the European Green Deal underlines the fact that in order to meet the EU's climate and sustainability goals, all sectors must increase their use of renewable energy and phase out fossil fuels.

The EU aim to increase the greenhouse gas emission reduction targets for 2030 to at least 50% and towards 55%, compared to 1990 levels, in order to achieve net-zero greenhouse gas emissions by 2050. A key principle for achieving this will be to develop a power sector based largely on renewable resources.

3.2.7 European Commission Recommendation – on speeding up permit-granting procedures for renewable energy projects and facilitating Power Purchase Agreements (May 2022)

This recommendation published by the EU Commission aims to streamline the permitting process for renewable energy projects across the EU, in light of the energy and climate crisis currently at play globally, and within the EU. The recommendation notes that permitting procedures are required for renewable energy developments, but *“the complexity, variety and excessive duration of those procedures constitutes a major barrier to the swift necessary deployment of renewable energy and to achieving a more affordable, secure and sustainable Union energy system”*.

This recommendation applies to Ireland as an EU Member state, and it is noted that efforts are underway to streamline the planning system in Ireland through legislative changes. However, the determination period for this application extends to approximately 8 years which does not align with the EU Commission's recommendation to streamline renewable energy projects, in light of the energy and climate crisis.

3.2.8 European Climate Law (July 2021)

The European Climate Law which entered into force on 9th July 2021 writes into law the goal set out in the European Green Deal for Europe's economy and society to become climate-neutral by 2050. The law also sets the intermediate target of reducing net greenhouse gas emissions by at least 55% by 2030, compared to 1990 levels.

Climate neutrality by 2050 means achieving net zero greenhouse gas emissions for EU countries as a whole, mainly by cutting emissions, investing in green technologies, and protecting the natural environment. The law aims to ensure that all EU policies contribute to this goal and that all sectors of the economy and society play their part.



The main objectives of the climate law include:

- Setting the long-term direction of travel for meeting the 2050 climate neutrality objective through all policies, in a socially fair and cost-efficient manner;
- Setting a more ambitious EU 2030 target, to set Europe on a responsible path to becoming climate-neutral by 2050;
- Creating a system for monitoring progress and take further action if needed;
- Providing predictability for investors and other economic actors;
- Ensuring that the transition to climate neutrality is irreversible.

3.3 National Energy and Environment Policies

National energy and climate policy is derived from the overarching European Policy which aims to unify the European Union in energy and climate goals. The following section sets out the relevant national policies which will influence the development of the country in the coming decades with respect to energy production, carbon neutrality and climate change mitigation.

These policies are supported by the latest Programme for Government (2020) ‘Our Shared Future’ which presents strong climate governance in rapidly reducing climate change in order to protect and improve public health and quality of life. The government are committed to rapid decarbonisation of the energy sector with an aim of providing the necessary actions to deliver national renewable electricity targets. In line with the European Green Deal (2019), The Programme for Government sets out the Government’s commitment to an average 7% per annum reduction in overall greenhouse gas emissions from 2021 to 2030 (a 51% reduction over the decade) and to achieving net zero emissions by 2050 (DoECC, 2020). These government ambitions support the ongoing generation of renewable energy from onshore wind sources, as detailed in the following section.

3.3.1 Climate Action and Low Carbon Development Act 2015

The Climate Action and Low Carbon Development Act was published in January 2016 by the then Minister for Environment, Heritage and Local Government.

The Act sets out the national objective of transitioning to a low carbon, climate resilient and environmentally sustainable economy in the period up to and including the year 2050. The Act provides for a solid statutory foundation to the institutional arrangements necessary to enable the State to pursue and achieve *the “national transition objective”*.

While there are no explicit targets set out within the Act itself, the legislation obliges the State to take into account any existing obligations of the State under the law of the European Union or any international agreement. In effect, the Act formally obliges the State to adhere to EU targets. The other major feature of the Act is the establishment of an expert advisory council which will advise and make recommendations to the Minister for the Environment.

The Climate Action and Low Carbon Development Act has paved the way for national policy support for renewable energy generation and the reduction in greenhouse gas emissions as set out in the following sections.



3.3.2 Climate Action and Low Carbon Development (Amendment) Act 2021

The Climate Action and Low Carbon Development (Amendment) Act 2021, signed into law 23rd July 2021, is an Act to provide for the approval of plans by the Government in relation to climate change for the purpose of pursuing the transition to a climate resilient, biodiversity rich and climate neutral economy by the end of the year 2050.

It will establish a legally binding framework with clear targets and commitments set in law, and ensure the necessary structures and processes are embedded on a statutory basis to ensure we achieve our national, EU and international climate goals and obligations in the near and long term. The Act amends the Climate Action and Low Carbon Development Act 2015 to significantly strengthen the framework for governance of climate action by the State in order to realise our national, EU and international climate goals and obligations.

The Act embeds the process of carbon budgeting into law, the Government is required to adopt a series of economy-wide five-year carbon budgets, including sectoral targets for each relevant sector, on a rolling 15-year basis, starting in 2021. This includes a provision for the first two five-year carbon budgets to equate to a total reduction of 51% emissions over the period to 2030, in line with the programme for Government which commits to a 7% average yearly reduction in overall greenhouse gas emissions over the next decade, and to achieving net zero emissions by 2050. This Act will drive implementation of a suite of policies to help us achieve this goal.

The Act also requires for all Local Authorities to prepare individual Climate Action Plans which will include both mitigation and adaptation measures, representing a mandate for Local Authorities to adapt to climate change.

3.3.3 Climate Action Plan 2023 (CAP23)

The Government published an updated Climate Action Plan 2023 (CAP23) in December 2022. This second updated action plan follows on from the inaugural plan of 2019 which was a result of the Irish Government declaring a climate and biodiversity emergency on 9th May 2019.

The CAP 23 provides a framework for delivering the Government's target of a 51% reduction (relative to 2018) in greenhouse gas (GHG) emissions by 2030. CAP23 follows the Climate Action and Low Carbon Development (Amendment) Act 2021, which commits Ireland to a legally binding target of net zero greenhouse gas emissions no later than 2050, and a reduction of 51% by 2030. The Act provides a governance framework for annual revisions of the Climate Action Plan and the development of a National Long-Term Climate Action Strategy at least once every ten years. As part of this plan, the Government is also committed to reducing emissions by an average 7% per annum by 2030. CAP 23 is underpinned by a series of sectoral emissions reduction ambitions and enabling actions, with a selection of relevant actions that are relevant to the Proposed Development outlined below.

CAP23 sets out an objective to more than double Ireland's onshore wind energy capacity to 8 GW by 2030 in order to meet new renewable energy targets and reduce emissions.

In launching CAP 23, An Taoiseach, Leo Varadkar stated:

"We should be the generation that turns the tide on climate change and biodiversity loss and leaves the planet to the next generation in a better condition than we inherited it. Within a generation, Ireland can become energy independent by harnessing our untapped renewable energy resources. We can reap the rewards for our people that come with it - greater energy security, stable prices, new industries producing green fertilisers and green hydrogen, more jobs and regional development."



Key actions shown for the electricity sector include:

- The electricity system must achieve a 75% reduction in CO₂, reaching 3MtCO₂eq in the final year of 2026-20230 carbon budget period.
- Deliver up to 9 GW onshore wind (with 6GW by 2025), 8 GW solar, and at least 7 GW of offshore wind by 2030 (with 2GW specifically for green hydrogen production).
- Complete a revised version of Shaping our Electricity Future to define required new grid construction and reinforcements to achieve sectoral ceilings and carbon budgets.
- As an urgent priority, establish the investment framework and competitive market, arrangements needed to deliver zero carbon system services.
- Align the relevant constituent elements of the planning and permitting system to support accelerated renewable energy development and ensure renewables will be considered to be in the overriding public interest.
- New, dynamic Green Electricity Tariff will be developed by 2025 to incentivise people to use lower cost renewable electricity at times of high wind and solar generation.

The following actions relevant to electricity within CAP23 include:

- Action EL/23/1: Establish a taskforce to accelerate renewables.
- Action EL/23/2: Publish the Renewable Electricity Spatial Policy Framework
- Action EL/23/3: Publish a roadmap for the development and implementation of Regional Renewable Electricity Strategies
- Action EL/23/4: Prepare new draft Wind Energy Development Guidelines for onshore renewables.
- Action EL/23/5: Complete analysis to update Shaping Our Electricity Future to accommodate 80% renewables and align with carbon budgets and sectoral emissions ceilings for electricity.
- Action EL/23/6: Ensure electricity generation grid connection policies and regular rounds of connection offers which facilitate timely connecting of renewables, provides a locational signal and supports flexible technologies.
- Action EL/23/7: Publish an annual report setting out identifiable public benefits delivered by renewable energy sector including employment and skills/ training metrics, local investment and community benefits.
- Action EL/23/10: Deliver onshore and offshore RESS auctions as per the annual RESS auction calendar.
- Action EL/23/21: Carry out further studies to identify the investments and upgrades needed to facilitate 80% renewable electricity annual share.
- Action EL/23/22: Publish a policy framework for electricity storage based on electricity system needs.

The policies and objectives of the CAP 23 are reflected in the Draft National Energy & Climate Plan (NECP) 2021-2030, which was submitted to the European Commission in December 2018.



3.3.4 EU Governance Regulation and Ireland's National Energy and Climate Plan (NECP)

Under the EU Governance Regulation, Member States had to submit their 2021-2030 draft National Energy and Climate Plans (NECP's) by the end of 2018 and final plans by the end of 2019. The Commission has assessed these both at EU and Member State level. Member States will also need to update their NECPs by the end of June 2023 in a draft form and by 30 June 2024 in a final form in order to reflect an increased ambition. Member States are required to report on the progress made in implementing their energy and climate policies, including their NECPs, for the first time in March 2023 and every two years thereafter. The Governance Regulation is effectively the piece of EU legislation under which Ireland is held accountable in meeting its de-carbonisation targets.

It is important to note that Article 4 of the Governance Regulation sets out specific trajectory requirements for renewable energy share in key intermediate years of 2022, 2025 and 2027. The final version of Ireland's first NECP published in 2020 and sets out specific annual targets for delivery of onshore and offshore wind in order to meet the requirements of Article 4. These intermediate targets will be particularly difficult to deliver and will require early deployment of onshore wind in particular, as the legislative framework underpinning offshore wind is still under development. The minimum target for onshore wind in Ireland by 2025 is a total installed capacity of 5900MW, an increase of approximately 1700MW in the next 4 years. This would need to increase substantially if there is any delay in the delivery of offshore wind in this timeframe. Given the timelines for grid offer processing, financing and construction, which can only commence after a successful grant of planning permission, the delivery of this 2025 intermediate target will depend entirely on the scale of projects consented in the next 1-2 years.

It should be noted that under the Programme for Government, 'Our Shared Future', Ireland is committed to achieving a 7% annual average reduction in GHG between 2021 and 2030. The NECP was drafted in line with the current EU effort-sharing approach, before the Government committed to this higher level of ambition, and therefore does not reflect this higher commitment. Ireland is currently developing those policies and measures and intends to integrate the revision of the NECP into the process which will be required for increasing the overall EU contribution under the Paris Agreement.

3.3.5 Project Ireland 2040: The National Planning Framework

As a strategic development framework, Project Ireland 2040: The National Planning Framework (NPF), demonstrates an approach that joins up ambition for improvement across the different areas of our lives, bringing the various government departments, agencies, State owned enterprises and local authorities together behind a shared set of strategic objectives for rural, regional and urban development.

"The National Planning Framework is a planning framework to guide development and investment over the coming years.

It does not provide every detail for every part of the country; rather it empowers each region to lead in the planning and development of their communities, containing a set of national objectives and key principles from which more detailed and refined plans will follow."

The NPF sets out the key goals and objectives for the State, and central to this framework, is the theme of Realising Our Sustainable Future. In particular, the Framework notes in Section 9.2:



Resource Efficiency and Transition to a Low Carbon Economy that:

“Our transition to a low carbon energy future requires:

- A shift from predominantly fossil fuels to predominantly renewable energy sources;
- Increasing efficiency and upgrades to appliances, buildings and systems;
- Decisions around development and deployment of new technologies relating to areas such as wind, smart grids, electric vehicles, buildings, ocean energy and bio energy; and
- Legal and regulatory frameworks to meet demands and challenges in transitioning to a low carbon economy.”

The NPF is supported by a series of National Strategic Outcomes (NSOs) which the Framework seeks to deliver. The purpose of the NSOs is to create a single vision, through a shared set of goals for every community across the country. The most pertinent outcomes in the context of the Proposed Development are as follows:

National Strategic Outcome 3: Strengthened Rural Economies and Communities,

National Strategic Outcome 6: A Strong Economy Supported by Enterprise, Innovation and Skills,

National Strategic Outcome 8: Transition to Sustainable Energy.

A series of National Policy Objectives (NPOs) were developed to set the context for regional and local planning policy in Ireland. In the context of the Proposed Development, the following NPOs are considered the most relevant:

Table 3-2: National Policy Objectives (NPOs) from Project Ireland 2040: The National Planning Framework

Policy Objective	Description
National Policy Objective 15	Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.
National Policy Objective 21	Enhance the competitiveness of rural areas by supporting innovation in rural economic development and enterprise through the diversification of the rural economy into new sectors and services, including ICT based industries and those addressing climate change and sustainability.
National Policy Objective 23	Facilitate the development of the rural economy through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting the natural landscape and built heritage which are vital to rural tourism.



Policy Objective	Description
National Policy Objective 52	The planning system will be responsive to our national environmental challenges and ensure that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of our natural capital.
National Policy Objective 54	Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions.
National Policy Objective 55	Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050.

Section 1.2: Making the Vision a Reality, recognises the need for new energy systems and transmission grids in order to deliver a more distributed, renewable focused national energy system in order to harness the potential from wind, wave and solar energy sources.

“The National Climate Policy Position establishes the national objective of achieving transition to a competitive, low carbon, climate-resilient and environmentally sustainable economy by 2050.

This objective will shape investment choices over the coming decades in line with the National Mitigation Plan and the National Adaptation Framework. New energy systems and transmission grids will be necessary for a more distributed, renewables-focused energy generation system, harnessing both the considerable on-shore and off-shore potential from energy sources such as wind, wave and solar and connecting the richest sources of that energy to the major sources of demand.”

With regard to planning and investment for rural locations, Section 5.4: Planning and Investment to Support Rural Job Creation, recognises the key role of energy production in assisting in the rejuvenation of rural towns and villages to create and sustain vibrant rural communities.

“Rural areas have significantly contributed to the energy needs of the country and will continue to do so, having a strong role to play in securing a sustainable renewable energy supply. In planning Ireland’s future energy landscape and in transitioning to a low carbon economy, the ability to diversify and adapt to new energy technologies is essential. Innovative and novel renewable energy solutions have been delivered in rural areas over the last number of years, particularly from solar, wind and biomass energy sources.”

3.3.6 Project Ireland 2040: National Development Plan 2021 - 2030

The National Development Plan 2021-2030 (NDP) published in October 2021, in tandem with the National Planning Framework (NPF), sets out the Government’s over-arching investment strategy and budget for the period 2021-2030.



The plan aims to balance the demand for public investment across all sectors with focus on improving the delivery of infrastructure projects. The NDP provides a platform from which investment can be provided and strategized in terms of economic growth, development, and sustainability needs.

The key role of the NDP is to set out the updated configuration for public capital investment over the next 10 years in order to achieve the National Strategic Outcomes as set out within the NPF. The NDP outlines a number of key energy initiatives, which set out to diversify our energy resources, and to assist in the transition towards a decarbonised society.

The NDP emphasises National Strategic Outcome 8: Transition to a Climate-Neutral and Climate Resilient Society, noting that:

“The Government will continue to support the deployment of additional electricity generation through the auction-based Renewable Electricity Support Scheme (RESS)”

In achieving a Climate-Neutral and Climate Resilient Society, the NDP outlines strategic investment priorities which related to the aims of the Renewable Electricity Support Scheme. It is stated that the Renewable Energy Support Scheme (RESS) auctions will deliver competitive levels of onshore wind electricity generation which indicatively could be up to 8 GW of onshore wind by 2030. The NDP also outlines that the RESS will also support the delivery of up to 5 GW of additional offshore renewable electricity generation by 2030.

It is considered that such schemes, in conjunction with greater investment in renewable energy, diversity of supply, and increased utilisation and adoption of electricity storage, will significantly assist in promoting a low carbon/less energy intensive supply. The investments outlined within the NDP Review will make a critical contribution to the achievement of a low carbon and resilient electricity system. The Proposed Development will contribute to the aims of the NDP in providing renewable electricity generation to the national grid.

3.3.7 Ireland’s Greenhouse Gas Emission Projections, 2018 - 2040

The National Climate Change Strategy designated the Environmental Protection Agency (EPA) with responsibility for developing annual national emission projections for greenhouse gases for all key sectors of the economy, including transport. The EPA publishes greenhouse gas emission projections on an annual basis and submits emission projections to the Commission as required under Monitoring Mechanism Regulation 525/2013.

The EPA’s publication entitled Ireland’s Greenhouse Gas Emission Projections (2019) provides an updated assessment of Ireland’s projected greenhouse gas emissions out to 2040 which includes an assessment of progress towards achieving its emission reduction targets to 2030 set down under the EU Effort Sharing Decision (Decision No 406/2009/EC). Ireland’s 2020 target was to achieve a 20% reduction of non-Emission Trading Scheme (non-ETS) sector emissions (i.e. agriculture, transport, the built environment, waste and non-energy intensive industry) on 2005 levels with annual binding limits set for each year beyond 2020. 2030 targets for EU Member States were adopted by the European Council in 2018. Ireland’s 2030 target under the Effort Sharing Regulation is a 30% reduction of emissions compared to 2005 levels by 2030. There will be binding annual limits over the 2021-2030 period to meet that target.



During its operation, the estimated range of between 61,320 and 73,584 MWh per year of electricity produced by the Proposed Wind Farm would be sufficient to supply between approximately 14,600 and 17,520 Irish households with electricity per year, based on the average Irish household using 4.2 MWh of electricity (this figure is available from the March 2017 CER Review of Typical Consumption Figures Decision). Thus, this energy will be used to offset the same amount of energy that would otherwise be generated from burning of fossil fuels at power stations.

It is estimated that approximately 24,283 tonnes of CO₂ per annum will be offset due to the Proposed Wind Farm.

As a result, the operational stage of the Proposed Development will have a significant long-term positive impact on air quality and climate change, in line with policy and legislation at a local, regional, national, and international level.

Further details relating to the positive effects of the proposal on air quality and climate change are included in Chapter 14 of this EIAR.

3.3.8 National Policy Conclusion

The development of the Barnadivane Wind Farm is in support of national policy as set out above. The project supports the enhancement of the competitiveness of rural areas and facilitates the Proposed Development and diversification of the rural economy by supporting the energy sector and increasing the share of renewables in Ireland's energy mix.

The Proposed Development contributes to the nation's target increase of renewable energy from 30% to 80% by 2030 and supports the doubling of onshore wind energy in Ireland by 2030 as set out in the Climate Action Plan 2021.

The project supports national targets of climate change mitigation and reduction in greenhouse gas emissions where significant focus has been set out in the recent Climate Action and Low Carbon Development (Amendment) Act 2021. The ambitious new programme for government is prioritising carbon neutrality and renewable energy generation. In light of this, it is important for the nation to rely on proven technologies such as on shore wind in order to meet the near-term objectives, as well as long-term objectives.

In 2021 the EPA published 'The Status of Ireland's Climate 2020', which demonstrates that the country is becoming warmer and wetter while sea levels and greenhouse emissions are rising. Extreme weather events, such as droughts and wet spells, are becoming more frequent and lasting longer, detrimentally impacting our ecosystem, crops, and coastlines. The urgency with which Ireland and the rest of the world need to tackle climate breakdown is clear and reflected in our national targets, with the energy sector being a key component in reaching decarbonization.

The Proposed Development promotes the generation of renewable energy at appropriate locations and supports the achievement of a low carbon economy by 2050. It is therefore considered that the Proposed Development is in line with national policy and supports the achievement of national energy and sustainability targets.



3.4 Regional Policies

3.4.1 Southern Regional Spatial & Economic Strategy

The Southern Regional Spatial & Economic Strategy (SRSES) came into effect on 31st January 2020. The SRSES sets out a strategy to implement the NPF at a regional level. The RSES sets out a strategic vision which includes actions to mitigate against climate change. The SRSES recognises the urgency to transition to a low carbon future, accelerate the transition towards low carbon economy and increase the use of renewable energy sources across the key sectors of electricity supply, heating, transport, and agriculture in order to safeguard and enhance the region’s environment through sustainable development, prioritising action on climate change across the region, driving the transition to a low carbon and climate resilient society.

The RSES states the following in relation to wind energy:

“Wind energy is currently the largest contributor of renewable energy and it has the potential to achieve between 11-16GW of onshore wind and 30GW of offshore wind by 2050 (SEAI, 2016). The sector can make a significant contribution to meeting national energy demands while attaining our energy and emissions targets for 2020 and beyond.”

The RSES includes a range of policy objectives which support the development of renewable energy projects such as the Proposed Development.

Objectives include the following:

Table 3-3 Regional Spatial and Economic Strategy Objectives

Policy	Description
RPO 50	It is an objective to further develop a diverse base of smart economic specialisms across the rural Region, including innovation and diversification in (among other things) renewable energy as a dynamic driver for the rural economy.
RPO 56	The RSES recognizes the urgency to transition to a low carbon future and it is therefore an objective to accelerate the transition towards low carbon economy and circular economy through mechanisms such as the Climate Action Competitive Fund;
RPO 95	It is an objective to support implementation of the National Renewable Energy Action Plan (NREAP), and the Offshore Renewable Energy Plan and the implementation of mitigation measures outlined in their respective SEA and AA and leverage the Region as a leader and innovator in sustainable renewable energy generation.
RPO 99	It is an objective to support the sustainable development of renewable wind energy (on shore and offshore) at appropriate locations and related grid infrastructure in the Region in compliance with national Wind Energy Guidelines.

The Proposed Development will aid in meeting the objectives set out in the RSES including diversification of the rural economy, actions against climate change and the sustainable development of wind energy at an appropriate location.



3.5 Local Policy

3.5.1 Cork County Development Plan 2022-2028

The Cork County Development Plan 2022-2028 (CDP) was adopted in April 2022 and came into effect in June 2022, replacing the Cork County Development Plan 2014 as the main guiding planning policy for development within Cork County. The Plan sets out policy and objectives relating to Energy and Climate Action.

In relation to Renewable Energy, the CDP sets out objectives in Section 13 which supports the delivery of sustainable sources of energy. Relevant objectives are listed in Table 3-4:

Table 3-4 Objectives Pertinent to the Proposed Development – Cork County Development Plan

Landscape Policy / Objective	Description
Objective ET 13.1: Energy	Ensure that County Cork fulfils its potential in contributing to the sustainable delivery of a diverse and secure energy supply and to harness the potential of the county to assist in meeting renewable energy targets and managing overall energy demand.
Objective ET 13.2: Renewable Energy	<ul style="list-style-type: none"> a) Support Ireland’s renewable energy commitments as outlined in Government Energy and Climate Change policies by facilitating the development of renewable energy sources such as wind, solar, geothermal, hydro and bio-energy and energy storage at suitable locations within the county where such development has satisfactorily demonstrated that it will not have adverse impacts on the surrounding environment (including water quality), landscape, biodiversity or amenities. b) Support and facilitate renewable energy proposals that bring about a direct socio-economic benefit to the local community. The Council will engage with local communities and stakeholders in energy and encourage developers to consult with local communities to identify how they can invest in/gain from significant renewable energy development.
Objective ET 13.4: Wind Energy	In order to facilitate increased levels of renewable energy production consistent with national targets on renewable energy and climate change mitigation as set out in the National Energy and Climate Plan 2021-2030, the Climate Action Plan 2021, and any updates to these targets, and in accordance with Ministerial Guidelines on Wind Energy Development, the Council will support further development of on-shore wind energy projects including the upgrading, repowering or expansion of existing infrastructure, at appropriate locations within the county in line with the Wind Energy Strategy and objectives...

The CDP states that *“if Ireland is to meet our renewable energy target, then we need to double capacity nationally over the next ten years. On a pro rata basis, that could see capacity in Cork expand to 1,100MW”*.

Section 13.6 of the CDP details the Wind Energy Strategy (WES) for the County. The WES remains in line with that of the County Development Plan 2014, including the wind zoning areas which places the Proposed Development within an area ‘Acceptable in Principle’. Relevant objectives contained within the Wind Energy Strategy are listed in Table 3-5.



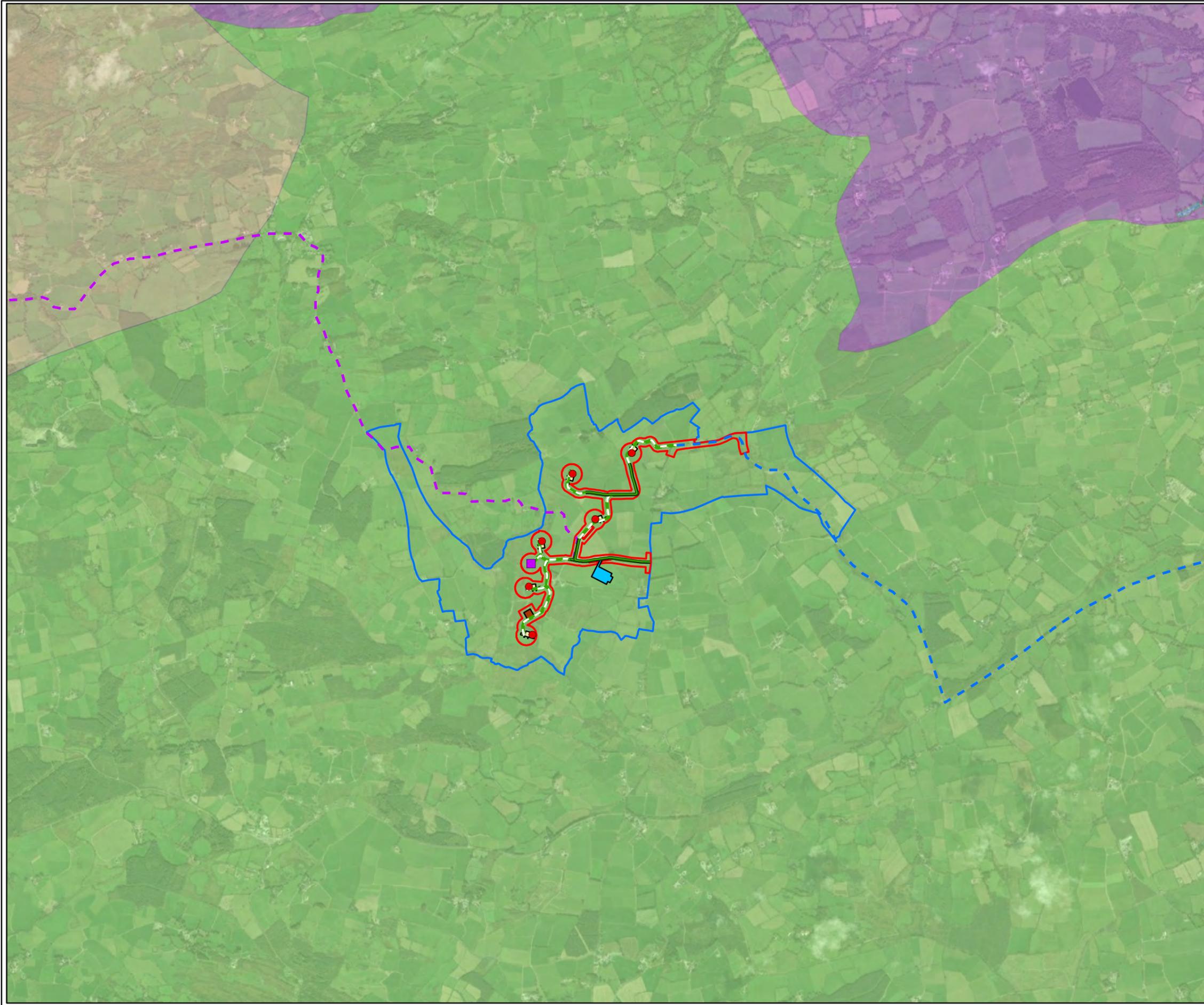
Table 3-5: Objectives Pertinent to the Proposed Development – Wind Energy Strategy

Landscape Policy / Objective	Description
Objective ET 13.6: Acceptable in Principle	Commercial wind energy development is normally encouraged in these areas subject to protection of residential amenity particularly in respect of noise, shadow flicker, visual impact and the requirements of the Habitats, Birds, Water Framework, Floods and EIA Directives and taking account of protected species of conservation concern.
Objective ET 13.9: National Wind Energy Guidelines	Development of on-shore wind should be designed and developed in line with the ‘Planning Guidelines for Wind Farm Development 2006’ and ‘Draft Wind Energy Development Guidelines 2019’ and any relevant update of these guidelines.

Figure 3-1 below shows the site of the Proposed Development located within the centre of an area identified in the recently adopted CDP as ‘Acceptable in Principle’ for wind energy development.

The WES contained in the CDP also sets out requirements for development proposals which includes a comprehensive assessment of the potential impacts of the Proposed Development on the receiving environment, requirement for EIA and AA, community engagement and participation, grid connection details, geology and ground conditions, drainage, landscape and visual impact assessment, natural heritage, built heritage, consideration of carbon emissions, noise, shadow flicker, electromagnetic interference, transport, cumulative assessment, waste and decommissioning.

Chapter 17 of the CDP deals with Climate Action and sets out the Local Authority’s policies and objectives for the transition to a low carbon competitive, climate resilient and environmentally sustainable economy. Specific climate action objectives which seek to deliver climate mitigation and adaptation included in the CDP are detailed in Table 3-6.



- Legend**
- Development Planning Boundary
 - Study Area Boundary
 - Proposed Substation
 - Turbine Hardstandings
 - Proposed Temporary Construction Compound
 - Proposed Borrow Pit
 - Proposed Met Mast
 - Proposed Turbine Layout
 - Tracks-Existing
 - Tracks-Proposed
 - Alternative Grid Connection Route
 - Turbine Delivery Route
- Wind Strategy - Cork County Development Plan 2022**
- Urban
 - Open to Consideration
 - Acceptable in Principle
 - Normally Discouraged

TITLE:	Wind Energy Zoning		
PROJECT:	Barnadivane Wind Farm, Co.Cork		
FIGURE NO:	3-1		
CLIENT:	Barna Wind Energy Ltd.		
SCALE:	1:30000	REVISION:	0
DATE:	10/02/2023	PAGE SIZE:	A3

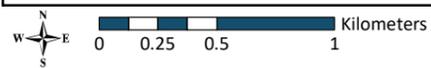




Table 3-6 Objectives Pertinent to the Proposed Development – Climate Action

Landscape Policy / Objective	Description
Objective CA 17-1: Climate Action	<p>Support national and local climate change objectives set out in the following:</p> <ul style="list-style-type: none"> • National Planning Framework • Southern Region Spatial and Economic Strategy • Climate Action Plan (2021 or any successor plan). • National Climate Change Adaptation Framework (2018 or any successor framework). • National Mitigation Plan (2017 or any successor plan). • Cork County Council Climate Change Adaptation Strategy.
Objective CA 17-2: Climate Action	<p>In order to achieve a reduction in greenhouse gas emissions, an increase in renewable energy production, an increase in energy efficiency and enhanced biodiversity, support the transition to a low carbon, competitive, climate resilient and environmentally sustainable economy by 2050 through implementation of the polices of this plan that seek to deliver the following:</p> <ul style="list-style-type: none"> • Renewable energy production and reduced energy consumption

The Proposed Development is considered compliant with the policies and objectives of the CDP in relation to Renewable Energy and Climate Action. The Proposed Development is located in an area ‘acceptable in principle’ and will provide additional renewable energy to the national grid while minimising impact on the receiving environment.

3.5.2 Cork County Development Plan 2022, Landscape Character Assessment

The site falls within one landscape character type as set out in the CDP Landscape Character Assessment. This area is further detailed in the Cork County Draft Landscape Strategy 2007. The CDP states that the landscape strategy remains in Draft format until the National Landscape Strategy is published as it may require a comprehensive review of the Draft strategy.

Landscape Character Type 10a: Fissured Fertile Middleground

As can be seen in Figure 3-2 below, the Proposed Development falls fully within this landscape character area. According to Appendix F of the CDP: Landscape Character Assessment, the landscape value and landscape sensitivity of this landscape type is considered to be of local importance.

Scenic Routes

The CDP policy objective GI 14-13: Scenic Routes states the following:

“Protect the character of those views and prospects obtainable from scenic routes and in particular stretches of scenic routes that have very special views and prospects identified in this plan.”

One scenic route is located in close proximity to the Proposed Development.



Scenic Route S36 is located north of the site and consists of local mountain roads adjoining Teerelton. The route is designated for the ' views of valleys and rugged mountainous landscapes'. The overall landscape value of Route S36 is considered low.

Volume 2, Chapter 5 of the 2022 CDP sets out details of each designated scenic route. Details of the relevant routes are included in Table 3-7 and illustrated in Figure 3-2 . An assessment of the potential impact on these scenic routes is described in Chapter 8 - Landscape and Visual Impact.

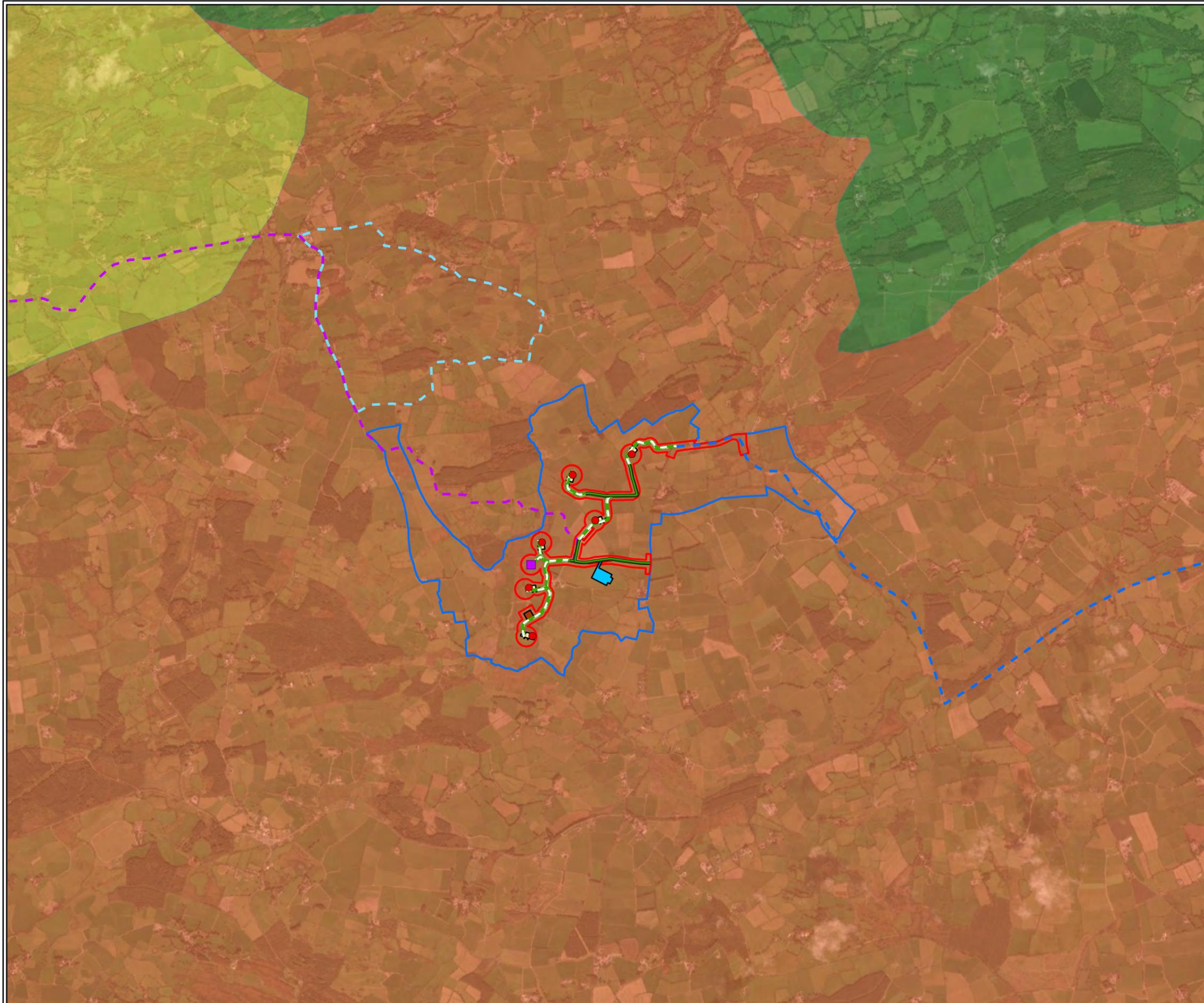


Table 3-7: Scenic Routes (Extract from Cork County Development Plan, Volume 2, Chapter 5)

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Table 2.5.1 Scenic Routes – Views and Prospects and Scenic Route Profiles										
Scenic Route	Does Route Run Through or Adjoin High Value Landscape	Does the Route adjoin a NHA, pNHA, cSAC a SPA or pSPA	Landscape Type(s) Route Runs Through	Overall Landscape Value	Main Features of Land Cover	Description & General Views Being Protected	Structures of Historic or Cultural Importance Visible from Route	Key Characteristics of Land Use	Is There a Sense of Remoteness as you Travel the Route?	Rural Character
S35	No	No	Type 15a Ridged & Peaked Upland & Type 13a Valleyed Marginal Middle-ground	Medium - High	Minor hills & valleys	Local Road Between Dromcarra and Rossmore Views of rolling hills, open countryside, valley, the River Lee & distant mountain views	Dromcarra Castle	Agriculture - subsistence farming	No	Not Prevalent
S36	No	No	Type 10a Fissured Fertile Middle-ground	Low	Mountains, valleys, grasslands & trees	Local Roads adjoining Teerelton to the east Views of valleys & rugged mountainous landscape	Archaeological features	Subsistence farming & forestry	Yes	Prevalent



Legend

- Development Planning Boundary
- Study Area Boundary
- Proposed Substation
- Turbine Hardstandings
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- Proposed Borrow Pit
- Proposed Met Mast
- Proposed Turbine Layout
- Tracks-Existing
- Tracks-Proposed
- Alternative Grid Connection Route
- Turbine Delivery Route
- Scenic Routes - Cork County Development Plan 2022

Landscape Character Type - Cork County Development Plan 2022

- Fissured Fertile Middleground
- Hilly River and Reservoir Valleys
- Valleyed Marginal Middleground

TITLE:	Landscape Character Areas & Scenic Routes		
PROJECT:	Barnadivane Wind Farm, Co.Cork		
FIGURE NO:	3-2		
CLIENT:	Barna Wind Energy Ltd.		
SCALE:	1:30000	REVISION:	0
DATE:	10/02/2023	PAGE SIZE:	A3



Relevant landscape policies in relation to the Proposed Development are listed in Table 3-8 below:

Table 3-8: Landscape Policies / Objectives Pertinent to the Proposed Development

Landscape Policy / Objective	Description
Objective GI 14-9	<ul style="list-style-type: none"> • Protect the visual and scenic amenities of County Cork’s built and natural environment. • Landscape issues will be an important factor in all land use proposals, ensuring that a proactive view of development is undertaken while maintaining respect for the environment and heritage generally in line with the principle of sustainability. • Ensure that new development meets high standards of siting and design. • Protect skylines and ridgelines from development. • Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.
Objective GI 14-10	<p>Ensure that the management of development throughout the County will have regard for the value of the landscape, its character, distinctiveness and sensitivity as recognised in the Cork County Draft Landscape Strategy and its recommendations, in order to minimize the visual and environmental impact of development, particularly in areas designated as High Value Landscapes where higher development standards (layout, design, landscaping, materials used) will be required.</p>
Objective GI 14-12	<p>Preserve the character of all important views and prospects, particularly sea views, river or lake views, views of unspoilt mountains, upland or coastal landscapes, views of historical or cultural significance (including buildings and townscapes) and views of natural beauty as recognized in the Draft Landscape Strategy.</p>
Objective GI 14-13	<p>Protect the character of those views and prospects obtainable from scenic routes and in particular stretches of scenic routes that have very special views and prospects identified in this Plan. The scenic routes identified in this Plan are shown on the scenic amenity maps in the CDP Map Browser and are listed in Volume 2 Heritage and Amenity Chapter 5 Scenic Routes of this Plan.</p>
Objective GI 14-14	<ul style="list-style-type: none"> • Require those seeking to carry out development in the environs of a scenic route and/or an area with important views and prospects, to demonstrate that there will be no adverse obstruction or degradation of the views towards and from vulnerable landscape features. In such areas, the appropriateness of the design, site layout, and landscaping of the proposed development must be demonstrated along with mitigation measures to prevent significant alterations to the appearance or character of the area. • Encourage appropriate landscaping and screen planting of developments along scenic routes (See Chapter 16 Built and Cultural Heritage).

Having regard to objectives and policies pertaining to landscape, the Proposed Development is considered to be compliant with the CDP. Further details in relation to potential impacts on landscape are included in Chapter 8: Landscape and Visual.



3.6 Other Relevant Policy and Strategy Documents

3.6.1 Department of the Environment, Heritage and Local Government – Wind Energy Development - Planning Guidelines

The Wind Energy Development Planning Guidelines (2006) published by the Department of the Environment, Heritage and Local Government (DoEHLG) offer advice to planning authorities assessing planning applications for wind farm developments. The guidelines set out criteria which assist in the identification of suitable locations for wind energy development. They are also of assistance to developers and the wider public in considering wind energy development.

The Proposed Development has considered the provisions of the WEG's in the design and siting of the Proposed Development. The Proposed Development is considered to be in line with the recommendations as set out in the WEG's.

3.6.2 Draft Revised Wind Energy Development Guidelines (December 2019)

The Draft Revised Wind Energy Development Guidelines (Draft Guidelines) were published in December 2019 for public consultation. The guidelines will supersede the WEG's if formally adopted by the government. The revised guidelines aim to apply consistency across all Renewable Energy Strategies with regard to Development Management objectives.

The key points of note in the Draft Guidelines include:

- Revised set back distances. 4 times the tip height is to be applied between turbines and the nearest point of the curtilage of any residential property with a mandatory minimum set back distance of 500 meters to be applied.
- Revised noise limits provide a higher level of protection to nearby residential receptors. The Draft Guidelines propose a noise limit, referred to as a “Relative Rated Noise Limit (RRNL) in the range of 35 – 43 dB(A) while not exceeding the background noise level by more than 5dB(A) with an upper limit of 43 dB(A)” (Section 5.7.11).
- The Draft Guidelines confirm a policy of zero shadow flicker at nearby existing dwellings or other affected properties.
- Wind energy developers will have to provide evidence for developments to be of enduring economic or social benefit to the local community, whether by facilitating community investment/ ownership in the project, other types of benefits/ dividends, or a combination of the two.

The Proposed Development has been designed in accordance with the current statutory Section 28 Ministerial Guidelines, Wind Energy Development Guidelines 2006. We are aware that these guidelines are subject to targeted review therefore the Proposed Development including its layout can be adapted to accommodate any particulars relating to any revisions to the WEG's if adopted prior to a decision being made on this proposal.

It is noted that the Draft Guidelines may be subject to further revisions following public consultation. As such, the noise limits from the WEG's form the basis of the assessment. Furthermore, the Draft Guidelines have a number of technical errors, ambiguities and inconsistencies relating to noise assessment and requires further detailed review and amendment.



3.6.3 Irish Wind Energy Association – Best Practice Guidelines for the Irish Wind Energy Industry

The ‘Best Practice Guidelines for the Irish Wind Energy Industry’ were published by the Irish Wind Energy Association (now called Wind Energy Ireland (WEI)) in 2008 and the Guidelines were updated in 2012. These guidelines are to encourage responsible and sensitive wind farm development, and to provide assistance and recommendations for those developing onshore wind energy projects in Ireland.

The approach to taken to the design of the Proposed Development is in line with the 2012 IWEA guidelines in that it complies with relevant planning and environmental legislation, requirements for environmental impact assessment, provides an environmentally sensitive design, takes account of best practice health and safety and provides quality public engagement in order to develop a responsible and sensitive wind energy project.

3.6.4 IWEA Best Practice Principles in Community Engagement and Community Commitment 2013

The Best Practice Principles in Community Engagement and Community Commitment were published by IWEA in 2013. IWEA and its members support the provision of financial contributions by wind farm operators to local communities and have sought to formulate best practice principles for the provision of a community commitment. The inclusion of community benefit has now been supplemented by the provisions of the Renewable Energy Support Scheme as described in Section 1.6.7.

However, the Best Practice Principles in Community Engagement and Community Commitment also sets out Best Practice Principles of community engagement when planning the engagement strategy and preparing associated literature. The aim of the publication is to ensure that the view of local communities is taken on board at all stages of development and that local communities share in the benefits of the development. Throughout the consultation process for the Proposed Development, specific regard has been taken of this guidance document. Details of the public and stakeholder consultation process carried out throughout the development of the project is detailed in Chapter 4 – EIA Scoping, Consultation and Key Issues.

3.6.5 Code of Practice for Wind Energy Development in Ireland – Guidelines for Community Engagement

In December 2016, the Department of Communications, Climate Action and Environment (DCCA) issued a code of practice for wind energy development in relation to community engagement.

This Code of Good Practice:

“is intended to ensure that wind energy development in Ireland is undertaken in observance with the best industry practices, and with the full engagement of communities around the country.”

The guidance states that the methods of engagement should reflect the nature of the project and the potential level of impact that it could have on a community. Throughout the consultation process the applicant has had regard to the Code of Practice for Wind Energy including the practical steps that wind farm promoters should comply with in engaging with communities as set out in this above referenced Guidance.

3.6.6 Commission for Regulation of Utilities: Grid Connection Policy

The Commission for Regulation of Utilities (CRU) (previously the Commission for Energy Regulation (CER)) launched a new grid connection policy in March 2018 for renewable and other generators, known as ECP-1, which will seek to allow “shovel ready” projects that already have a valid planning permission, connect to the electricity networks. The principal objective which guides this decision is to allow those projects which are ‘shovel ready’ to have an opportunity to connect to the network, along with laying the foundations for future, more regular batches for connection.



The first connection offers were issued in August 2018 with the system operators expected to issue a further batch as soon as reasonably practical following the conclusion of the 2018 batch. On the 10 June 2020 the CRU published their decision on ECP-2 which is the second stage of the CRU's development of enduring connection policy in Ireland. This sets the policy for three annual batches, ECP 2.1, ECP 2.2 and ECP 2.3 to be held on a yearly basis. The first was held in September 2020.

The ECP system replaces the previous 'Gate' system of grid connection applications. The grid connection application window under ECP-1 was the first time since 2007 that certain renewable energy projects including wind farms, have had an opportunity to secure a new grid connection offer.

The Developer will apply for a grid connection for the Proposed Development through the ECP process following the receipt of a grant of planning permission which is required to qualify for an application.

3.6.7 Renewable Electricity Support Scheme (RESS)

The RESS scheme was launched in July 2018. RESS is different to previous support schemes as it proposes to support renewable electricity projects through a series of scheduled, competitive auctions.

The primary policy objectives relevant to RESS include delivering Ireland's renewable electricity ambitions, increasing community participation in and ownership of renewable electricity projects, ensuring value for electricity customers and enhancing security of supply. The scheme will help deliver Ireland's contribution to the EU-wide binding renewable energy target of 32% Renewable Energy by 2030 and the nation's renewed targets of 80% electricity produced by renewable sources by 2030 as set out in the Climate Action Plan (2021).

In February 2020 the Government of Ireland published the 'Terms and Conditions for the First Competition Under the Renewable Electricity Support Scheme RESS 2020'. The RESS is an auction scheme in which renewable energy projects bid for grid capacity. The noted document sets out the terms and conditions that apply to the first competition, RESS - 1.

Eligible projects under RESS include onshore wind, offshore wind, solar, hydro along with many other renewable generation methods. Should an applicant be successful under this system they will be invited to submit an offer price on their RESS project.

The results of the RESS-1 auction were published in August 2020. Successful onshore wind projects accounted for up to approximately 480MW of capacity. The draft terms of RESS-2 were open for public consultation until August 2021. The results of the RESS-2 auction were published in June 2022. Successful onshore wind energy projects accounted for up to approximately 414MW of capacity. The provision of the RESS scheme, along with the Enduring Connection Policy as detailed in section 1.6.6 highlights the governments push towards a transition to a low carbon economy and the achievement of renewable energy targets as set out in the Climate Action Plan (2021).

The RESS also provides for a community benefit fund which contribute €2/MWh for all RES-E for the first 15-years of the project. In 2021 a 'Good Practice Principles Handbook for Community Benefit Funds' was published by the Department of the Environment, Climate and Communications which sets out guidance for the use of the fund, ensuring that communities can support sustainable initiatives and decide themselves as to what worthy local causes need support. Guidance on division of the fund sets out 4 no. categories A – D.

Category A provides for near neighbours within 1km of a project, Category B assigns 40% of the fund for not-for-profit community enterprises, Category C provides for a maximum of 10% for administration and Category D allows the remaining balance of the fund to be spent on initiatives successful in the annual application process, as proposed by clubs and societies and similar not-for-profit entities and potential for the near neighbour payment scheme to extending to 2 km from onshore wind projects.



If the Proposed Development is successful in receiving planning consent, the Developer will apply for support through the RESS process. Therefore, a community benefit fund will apply to the Proposed Development. The community benefit fund is further detailed in Section 10.4.3.2 of this EIAR.

3.7 Conclusion

The various policies which have been described throughout this chapter demonstrate the significant international, European, national and local policy support for a move to renewable energy technologies and a reduction in greenhouse gas emissions. Ireland is committed to meeting International and European targets and if these targets are not met the government must purchase Carbon Credits to meet compliance with both emissions and renewable energy targets or face fines from the EU.

The SEAI report: Energy in Ireland (2021) sets out the nation's latest progress towards renewable energy targets, with an overall shortfall on the 2020 targets as renewable energy production accounts for approximately 13.5% of the nation's energy production whereas the 2020 target was set for 16%.

While Ireland has come a long way in increasing renewable energy generation, the targets are ever increasing from a European perspective. 2050 European targets effectively mean that Europe's energy production will have to be almost carbon-free by 2050, with an aim to increase reliance on renewable electricity from 30% to 80% by 2030.

In response to this, Ireland produced the Climate Action Plan (2019) which was recently updated to the Climate Action Plan 2021 which aims to steer the country towards clean energy and reduce emissions. CAP 23 sets out an objective to more than double Ireland's onshore wind energy capacity to 8GW by 2030, greatly reducing the nation's dependency on fossil fuels.

Therefore, there is a clear national mandate to accommodate significant onshore wind within the next decade. Furthermore, the NPF emphasises a move to a low-carbon economy to reduce Ireland's carbon footprint by integrating climate action into the planning system in support of national targets.

It is this commitment on energy and climate policy that justifies a clear need for renewable energy generation in Ireland. It is recognised that a range of renewable resource alternatives are needed to meet our International and European commitments, however onshore wind is an established sector and economically competitive. It is also a proven technology that will be critical to meeting the near term renewable targets up to 2030 i.e. the key intermediate years of 2022, 2025 and 2027.

The Regional Spatial and Economic Strategy (RSES) for the Southern Region supports the increased use of renewable energy sources to transition the Southern Region to a low carbon, climate resilient and environmentally sustainable economy and mitigate against climate change. The RSES aims to leverage the Southern Region as a leader and innovator in sustainable renewable energy generation, supporting the development of a renewable energy project in an appropriate location, such as that of the Proposed Development.

National and regional energy policies have been reinforced by the Cork County Development Plan 2022-2028 which applies a plan-lead approach to wind energy development. The Proposed Development is located within an area considered to have capacity for wind energy development and is considered compatible with the existing land use on the site as discussed in detail in Chapter 10 – Population, Human Health & Material Assets. The CDP places the Proposed Development in an area 'Acceptable in Principle' for wind energy development. The CDP supports further development of on-shore wind energy projects including the upgrading or expansion of existing infrastructure, at appropriate locations within the county in line with the WES and objectives.



In conclusion, the policy context for the Proposed Development site and surrounding area is considered favourable for the Proposed Development, both from a national policy perspective with regard to renewable energy provision and renewable electricity targets for the near future, and at a local level with respect to designations and the ability for the site to accommodate the Proposed Development while avoiding adverse impacts on the receiving environment as detailed throughout this EIAR, and providing benefit to the recreational offering of the area, and financial benefit to the nearby community.

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