STATKRAFT

ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR) FOR THE PROPOSED DERNACART WIND FARM, COUNTY LAOIS

VOLUME 2 – MAIN REPORT

CHAPTER 3 - POLICY

DECEMBER 2019

Statkraft

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30 YEARS

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3 POLICY

3.1 Introduction

This Chapter of the EIAR outlines current EU, national, regional and where relevant local energy and planning policy and legislation relating to the proposed Dernacart Wind Farm Development.

The Irish Planning Policy system is set within a hierarchical structure, as identified in Figure 3-1. National policy is informed by EU Directives, Planning Legislation, Ministerial Guidelines, Government Policy and Capital programmes.

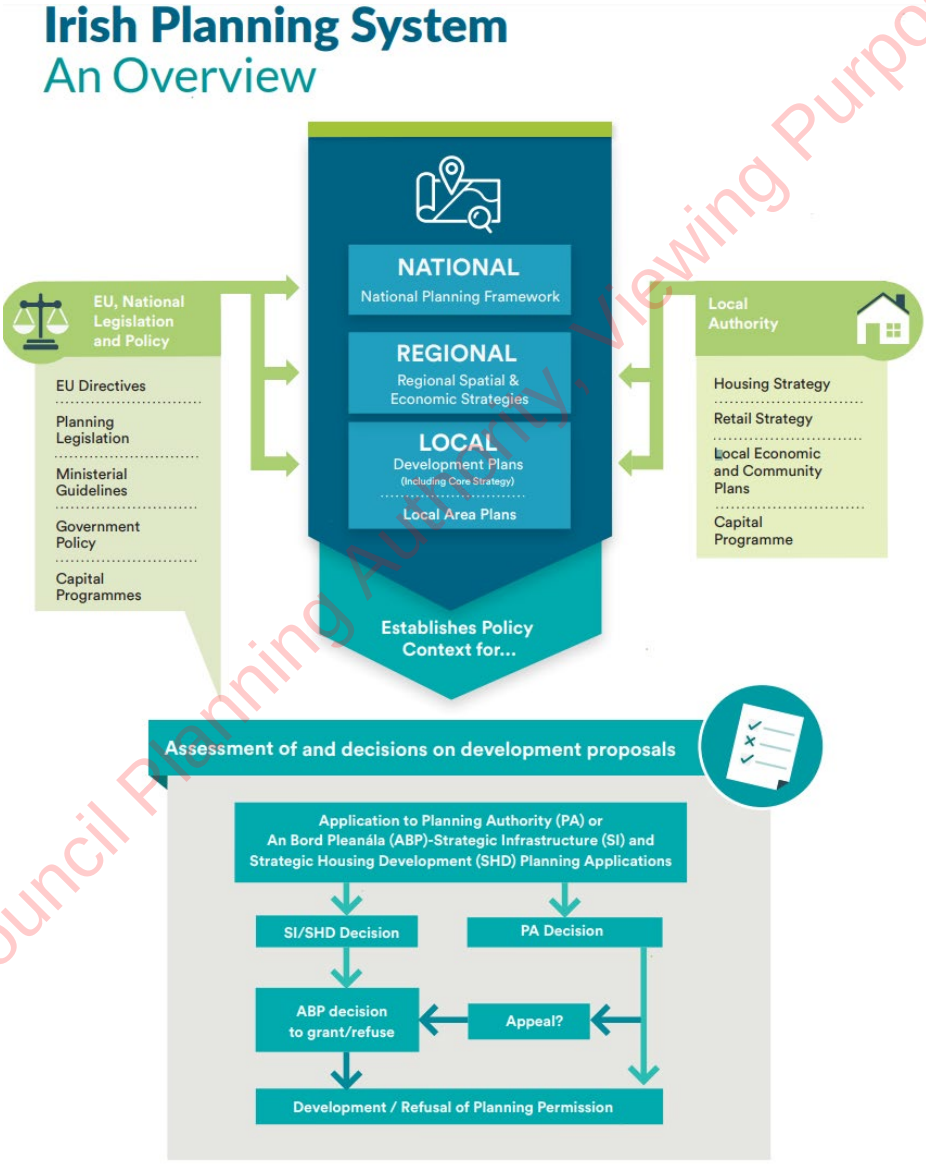

Figure 3-1: Irish Planning System – An Overview Extract from the National Planning Framework – Ireland 2040

International and European legally binding agreements to reduce the reliance on fossil fuels and to manage climate change internationally have been adopted into Irelands National Energy Policy. This section of the EIAR outlines how these legally binding agreements are being facilitated through national energy 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 understated if Ireland is to comply with agreed national energy targets.

3.2 International Global Policies

3.2.1 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* (United Nations, 2013)[1]." 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 Framework Convention 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 1 [Decision 3 CP.5] (of which the European Union 15 (EU-15) forms part) to prepare and publish National Inventory Reports (NIRs) on emissions. The Environmental Protection Agency (EPA) is responsible for the preparation of Ireland's NIR.

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. The agreement 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 International Panel on Climate Change (IPCC) has put forward its clear assessment that the window for action on climate change is rapidly closing and that renewable energy sources such as wind will have to grow from 30% of global electricity at present to 80% by 2050 if we are to limit global warming to well below 2°C above pre-industrial levels in accordance with the COP 21 agreement. Former Minister Kelly remarked in 2015 that "*As a nation we must do everything in our power to curb our emissions*". In this regard the Irish Government enacted the Climate Action and Low Carbon Development Act 2015 which provides for the approval of plans by the Government in relation to climate change for the purpose of pursuing the transition to a low carbon, climate resilient and environmentally sustainable economy.

3.2.2 Kyoto Protocol

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

The first commitment period (2008 - 2012) applied to emissions of six main greenhouse gases (carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulphur hexafluoride (SF_6)), 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 Greenhouse Gas reduction and limitation targets under the Kyoto Protocol.

[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

Together, these European countries committed to achieve an annual emission reduction of 456 Mt CO_2-equivalent (CO_2eq) below 1990 levels over the period 2008 to 2012 (European Environmental Agency 2010)[2].

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 (CO_2eq) per annum during the period 2008 – 2012. Countries not fulfilling their obligations would be forced to purchase carbon credits on an open market from compliant countries. By 2012, Ireland was 5.68 Mt CO_2eq below the Kyoto limit. However, when the impact of the EU Emissions Trading Scheme and forest sinks are taken into account, Ireland exceeded the Kyoto limit by 2.1 Mt CO_2eq.[3]

The second commitment period applies to emissions from 2013 to 2020. All members of the European Union have binding targets in the second commitment period.

The EU-27 countries have committed to reduce their greenhouse gas 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 treaty 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 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 CO_2 or the equivalent amount of another greenhouse gas (CO_2eq).

The categories of activity covered by the EU ETS are set out in Annex 1 of the principal Directive (2003/87/EC[4]) and the greenhouse gases to which the Scheme applies 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 to 2007 and was known as the commitment period, Phase 2 covered 2008 -2012 (the Kyoto Phase) and Phase 3 extends from 2013 to 2020 and this phase ties in with the EU Commission's end date of 31 December 2020 for its own reduction in greenhouse gas emissions.

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.

[2] European Environmental Agency (2010) Tracking Progress Towards Kyoto and 2020 Targets in Europe

[3] https://www.epa.ie/pubs/reports/air/airemissions/GHG_1990-2012_April_2014.pdf

[4] DIRECTIVE 2003/87/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC

3.3 EU Directives and Policies

3.3.1 Directive on the Promotion of the Use of Energy from Renewable Resources

The EU Directive on the Promotion of the Use of Energy from Renewable Sources (2009/28/EC)[5] 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)[6]. 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.

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

Form of Renewable Energy Supply	Target Share (2020)	2017 Position [7]	2015 Position	2010 Position
Electricity (RES-E)	40%	30.1%	25.5%	15.6%
Heat (RES-H)	12%	6.9 %	6.2%	4.3%
Transport (RES-T)	10%	7.4%	5.9%	2.5%

3.3.2 European 2020 Strategy for Growth

The 'Europe 2020 Strategy' is the EU's agenda for growth and jobs for the current decade, and it identifies five headline targets:

1. **Employment** – 75% of the population aged 20-64 to be employed.
2. **Research and Development** – 3% of the EU's GDP to be invested in research and development
3. **Climate Change and Energy Sustainability**
    - A reduction in greenhouse gas emissions of 20% compared with 1990
    - 20% of energy from renewables
    - 20% increase in energy efficiency
4. **Education** – Reducing the rate of early school leavers to below 10% and at least 40% of 30-34 year olds completing third level educations.

[5] 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

[6] 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

[7] SEAI Report – Renewable Energy in Ireland 2019 Report
https://www.seai.ie/publications/Renewable-Energy-in-Ireland-2019.pdf

5. **Fighting Poverty and Social Exclusion** – At least 20 million fewer people in or at risk of poverty and social exclusion

In 2011, the renewable energy share (RES) in the final energy consumption of the EU was 13% compared to 8.5% in 2005. With binding national targets, growth in renewable energy has increased but significant improvements are still required (to average 6.3% per year) to meet the overall 2020 target.

In a Renewable Energy Progress Report published by the European Commission[8] the Commission notes that "*Member States are "well on track in terms of renewable energy deployment".* Four Member States however – of which Ireland is one, Luxembourg, the Netherlands and the United Kingdom are currently projected not to meet their national binding targets. The United Kingdom's expected gap is however very short (approximately 0.2%) so it is expected that Ireland will be one of only three Member States projected to not meet their national binding 2020 targets.

Ireland's mandatory national target is to supply 16% of its overall energy needs from renewable sources by 2020. This target covers energy in the form of electricity (RES-E), heat (RES-H) and transport fuels (RES-T). For RES-E alone, Ireland has set a national target of 40% by 2020 as outlined in the NREAP. Government policies identify the development of renewable energy, including wind energy, as a primary strategy in implementing national energy policy. As outlined in Table 3-1, Ireland is below all of its mandatory targets.

3.3.3 Europe 2020 Indicators – Climate Change and Energy

The Europe 2020 Strategy targets on climate change and energy include the '20-20-20' targets as follows:

- Reducing greenhouse gas emissions by at least 20% compared with 1990 levels;
- Increasing the share of renewable energy in final energy consumption to 20%; and
- Moving towards a 20% increase in energy efficiency.

The Europe 2020 indicators – Climate Change and Energy Report[9] provides a summary of the main statistical findings regarding the path to achieving the EUs emissions reduction target for 2020.

In 2015, the EU as a whole had cut man-made greenhouse gas emissions by 22.1 % compared with their 1990 levels.

Regarding the progress of individual Member States, the report notes that certain member states including Luxembourg showed the highest reduction in per capita emissions. However, Ireland, Denmark, Greece, Belgium, Finland and Cyprus also showed large falls.

Sixteen countries reduced their emissions and have already reached their national targets. Emissions increased in three countries, but of these only Malta went above its target. Ten Member States remain above their national reduction targets, although all of them except one had reduced their emissions up to 2015. Malta was the furthest from its target, followed by Ireland, Belgium and Luxemburg.

Looking towards 2020, projected greenhouse gas emissions based on Member States' existing policy measures shows that the EU is on track to surpass its 2020 target.

[8] European Commission (2017), Report from the Commission to the European Parliament, the Council, The European Economic and Social Committee and the Committee of the Regions Renewable Energy Progress Report, available at: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52017DC0057

[9] Europe 2020 indicators – Climate Change and Energy, available at: http://ec.europa.eu/eurostat/statistics-explained/index.php/Europe_2020_indicators_-_climate_change_and_energy, available at: http://ec.europa.eu/eurostat/statistics-explained/index.php/Europe_2020_indicators_-_climate_change_and_energy

3.3.4 2030 Climate and Energy Framework

In October 2014 EU leaders adopted the 2030 Climate and Energy Framework, which provides a long term prospective 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 27% share of renewable energy
- At least 27% improvement in energy efficiency

Further to this the European Commission in 2016 published its 2030 emissions targets break down for each Member State. Ireland[10] 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.

3.3.5 A Roadmap for Moving to a Competitive Low Carbon Economy in 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 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"*[11].

3.3.6 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. The main achievements of this agreement in terms of renewable energy production are:

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

The revised targets were introduced as a Directive under The Renewable Energy – Recast to 2030 Directive (RED II). The RED II Directive was adopted on 11th December 2018 and all Member States must transpose these amended provisions into national legislation by 30th June 2021.

The proposed Dernacart Wind Farm development supports the shift towards increased levels of renewable energy production and helps Ireland towards achieving its renewable energy targets as set out in the 2009/28/EC Directive and the revised figure as outlined in the RED II Directive.

[10] European Commission (July 2016) Ireland's EU 2030 emissions targets published, available at: http://ec.europa.eu/ireland/news/ireland-s-eu-2030-emissions-targets-published_en

[11] http://www.housing.gov.ie/sites/default/files/publications/files/circular_letter_pl05-2017_interim_guidelines.pdf

3.4 National Policies

3.4.1 Project Ireland 2040: The National Planning Framework

As a strategic development framework, Project Ireland 2040 states that:

> *"Project Ireland 2040 represents an important shift from previous approaches to long-term planning and investment by Government. It is 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."*

Further:

> *"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 Framework 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 carb 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, smartgrids, 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 which the Framework seeks to deliver. The purpose of the National Strategic Outcomes (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 Dernacart Wind Farm 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.

Policy Objective	Description
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.
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 53	Support the circular and bio economy including in particular through greater efficiency in land management, greater use of renewable resources and by reducing the rate of land use change from urban sprawl and new development.
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."*

In the context of the Eastern and Midlands region, Section 3.2 acknowledges the potential to harness renewable energy across the technological spectrum in order to sufficiently adapt to a greener society.

> *"Harnessing the potential of the region in renewable energy terms across the technological spectrum from wind and solar to biomass and, where applicable, wave energy, focussing in particular on the extensive tracts of publicly owned peat extraction areas in order to enable a managed transition of the local economies of such areas in gaining the economic benefits of greener energy."*

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."*

Section 5.4: Planning and Investment to Support Rural Job Creation further considers the suitability of some peatlands for wind/biomass energy generation:

> *"In relation to peatlands, some of Ireland's cutaway bogs are suitable to facilitate the generation of energy, most notably wind/biomass.*

It should be noted from a local context that the site is designated in the Laois County Development Plan as being located within a lowland agricultural area however it is directly adjacent to a peatland area to the north and north east.

3.4.2 Project Ireland 2040: National Development Plan 2018-2027

The National Development Plan 2018-2027 (NDP) published in February 2018, in tandem with the National Planning Framework (NPF), seeks to drive Ireland's long term economic, environmental and social progress over the next decade, in accordance with the spatial planning context of the NPF.

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, that set out to diversify the country's energy resources, and to assist in the transition towards a decarbonised society. The NDP further emphasises National Strategic Outcome 8: Transition to Sustainable Energy, noting that:

> *"Ireland's energy system requires a radical transformation in order to achieve its 2030 and 2050 energy and climate objectives. This means that how we generate energy and how we use it, has to fundamentally change. This change is already underway with the increasing share of renewables in our energy mix and the progress we are making on energy efficiency.*
>
> *Investment in renewable energy sources, ongoing capacity renewal, and future technology affords Ireland the opportunity to comprehensively decarbonise our energy generation. By 2030, peat and coal will no longer have a role in electricity generation in Ireland. The use of peat will be progressively eliminated by 2030 by converting peat power plants to more sustainable low-carbon technologies."*

To achieve a Low-Carbon, climate resilient society, the NDP proposes a new Renewable Electricity Support Scheme (RESS) to support up to 4,500 megawatts of additional renewable electricity 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 figure of 4,500 megawatts may be increased in the future to meet the new requirements of the Climate Action Plan.

3.4.3 Climate Action Plan (2019)

The Government published a Climate Action Plan (CAP) in June 2019. The CAP resulted from the Irish Government declaring a climate and biodiversity emergency on 9th May 2019.

The CAP identifies how Ireland will achieve its 2030 targets for carbon emissions throughout various sectors with a number of actions. A selection of these, relevant to the development are listed below. The CAP states that:

"The analysis presented in this Plan shows that it is not only technically feasible to meet our 2030 EU target, but that it is also economically achievable. The majority of the required abatement to 2030 could be achieved by deploying measures that are, over their life-time, either cost-neutral or result in net savings to society."

Key actions identified for electricity with the plan are as follows:

- Increase reliance on renewables from **30% to 70%** adding 12GW of renewable energy capacity (with peat and coal plants closing) with a target of up to 8.2 GW increase in onshore wind capacity.
- Put in place a coherent support scheme for micro-generation with a price for selling power to the grid

- Open up opportunity for community participation in renewable generation as well as community gain arrangements
- Streamline the consent system, the connection arrangements, and the funding supports for the new technologies on and off shore

The following actions are of importance in relation to the proposed Dernacart Wind Farm development:

- Action 2: Establishment of Climate Action Delivery Board.
- Action 4: Publish the Climate Action (Amendment) Bill 2019.
- Action 15: Implement National Planning Framework.
- Action 17: Ensure that ESB Networks and EirGrid plan network and deliver on connecting renewable energy sources to meet the 2030 70% RES-E target.
- Action 18: Facilitate additional hybrid connections (e.g. solar/wind/batteries) operating in the electricity market to increase RES-E penetration.
- Action 19: Ensure that the next phase of renewable connection policy is fit for purpose to deliver on renewable energy targets and community projects, and report annually on the timeliness of grid connection.
- Action 21: Ensure that updating planning guidelines for onshore wind are published in 2019.
- Action 24: Facilitate very high penetration of variable renewable electricity by 2030 (both System Non-Synchronous Penetration [SNSP] and average) through system services and market arrangements.
- Action 28: Design and implement the RESS. Increase the volumes and frequencies of RESS auctions to deliver on the 70% renewable electricity target by 2030 ensuring an appropriate community/enterprise mix to achieve an efficient delivery of renewables.
- Action 29: Ensure that 15% of electricity demand is met by renewable sources contracted under Corporate Purchase Power Agreements.

3.4.4 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 such as 20% reduction in emissions by 2020 over 1995 levels. The other major feature of the Act is the establishment of an expert advisory council of between 9 and 11 members which will advise and make recommendations to the Minister for the Environment.

3.4.5 National Mitigation Plan 2017

The National Mitigation Plan (NMP) adopted by the Government in July 2017 recognises climate change as one of the greatest global challenges for this and future generations. A key objective of Ireland's first NMP is to try and close the gap to our target under the Effort Sharing Decision for 2020.

The plan notes that:

> *"According to the latest provisional GHG inventory published by the Environmental Protection Agency (EPA) (November 2016), emissions for 2015 are estimated at 59.84 Mt CO2 e.q. which is 3.7% higher than emissions in 2014. These figures indicate that Ireland will be in compliance with its 2015 annual limit under the ESD, but the latest projections indicate that Ireland will exceed its annual targets in 2016 or 2017 and over the remainder of the period to 2020."*

Whilst the National Mitigation Plan 2017 has not been updated to reflect greenhouse gas (GHG) emissions for 2017, its predications that Ireland would exceed targets in 2016 were correct, with total national greenhouse gas emissions estimated to be 61.55 million tonnes, which is 3.6% higher (2.12 Mt CO2eq) than emissions in 2015. The Mitigation Plan recognises that to date

> "*wind energy has been the largest driver of growth in renewable electricity. The total amount of renewable generation connected to the grid at December 2016 was 3,120MW, of which wind generation was approximately 2,796MW, hydro was 238MW and biomass was 86MW".* This leaves a requirement for a further 880MW to be installed by 2020.[12]

3.4.6 Ireland's Greenhouse Gas Emission Projections 2016-2035

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 (May 2018)*[13] provides an updated assessment of Ireland's progress towards achieving its emission reduction targets set down under the EU Effort Sharing Decision (Decision No 406/2009/EC) for the years 2013-2020. Ireland's 2020 target is 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 over the period 2013-2020. The report also looks at an updated assessment of Irelands total projected greenhouse gas emissions out to 2030.

The report outlines that Ireland is not projected to meet 2020 emissions reduction targets and is not on the right trajectory to meet longer term national and EU emission reduction commitments.

During its operation, the 147,168 MWh of electricity to be produced by the proposed wind farm would be sufficient to supply approximately 35,000 Irish households with electricity per year, based on the average Irish household using 4,200 MWh of electricity (this latest 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.

As a result, the operational stage of this proposal will have a moderate long-term positive impact on air quality and climate change and its associated 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 16 of this EIAR.

3.5 Regional and Local Policies

3.5.1 Regional Planning Guidelines for the Midland Region 2010-2022

Prior to the establishment of the Eastern and Midland Regional Assembly on 1st January 2015, the three previous Regional Authorities within Eastern and Midland Region produced individual Regional Planning Guidelines (RPG's). The Midland Regional Authority adopted the Regional Planning Guidelines for the Midland Region 2010-2022 on the 20th July 2010. The area covered by the RPGs comprises 4 no.

[12] According to Eirgrid's Annual Renewable Constraint and Curtailment Report (2017), the installed wind capacity of Ireland and Northern Ireland increased from 3,727.1 MW to 4,471.3 MW between 2016 and 2017, representing a 20% increase in the installed wind energy capacity within Ireland.

[13] Environmental Protection Agency (April 2017) Ireland's Greenhouse Gas Emission Projections available at: https://www.epa.ie/pubs/reports/air/airemissions/ghgprojections2017-2035/EPA_2018_GHG_Emissions_Projections_Summary_Report.pdf

Local Authority administrative boundaries including:

- Laois County Council
- Offaly County Council
- Westmeath County Council
- Longford County Council

The Regional Planning Guidelines (RPGs) discusses supporting the development of economic clusters in strategic areas and supporting policies which promote clustering activities outside of the core economic areas including those related to green economy projects such as renewable energies. Also discussed is the need for a study on the wind energy potential of different areas and producing regionally consistent new land use policies and objectives and associated development management guidance to potential projects.

3.5.2 Eastern & Midland Regional Assembly, Regional Spatial & Economic Strategy (2019)

Arising from the Local Government Reform Act 2014, the Eastern and Midland Regional Assembly has assumed a number of new functions. Chief among these responsibilities is the preparation of a Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Region. The final RSES was published in July of 2019 and replaces the function of the Regional Planning Guidelines at this tier in the hierarchy of planning policy. The RSES runs until 2031.

The region covers nine counties containing twelve local authorities namely – Longford, Westmeath, Offaly, **Laois**, Louth, Meath, Kildare, Wicklow, Fingal, South Dublin and Dún Laoghaire-Rathdown County Councils along with Dublin City Council. The region includes 3 no. sub regions or Strategic Planning Areas (SPAs), namely the **Midland**, Eastern and Dublin, see Figure 3-2 hereunder.

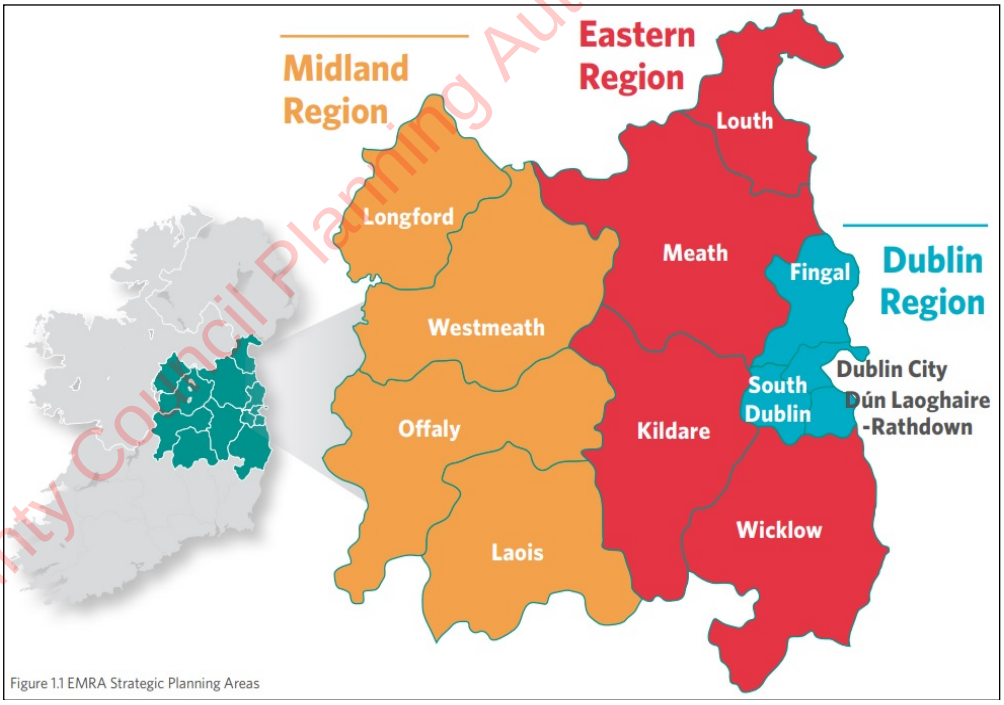

Figure 3-2: The Regional Assembly Area and the Eastern, Dublin and Midland Regions

The principal statutory purpose of the RSES is to support the implementation of Project Ireland 2040, the National Planning Framework (NPF) and National Development Plan 2019-2027 and the economic policies of the Government by providing a long-term strategic planning and economic framework for the development of the Regions.

The RSES echoes the sentiments of the NPF in its objective to shift reliance on fossil fuels including natural gas to a more diverse range of low and zero-carbon sources, including renewable energy and secondary heat sources as set out in Chapter 7 of the RSES: Environment.

Under Chapter 10: Infrastructure, Section 10.3 Energy, it is highlighted that:

> *"To meet our energy targets, we need to better leverage natural resources to increase our share of renewable energy. There is an established tradition of energy production in the Midland counties by state agencies, however national environmental policies are dictating the wind down of traditional fossil fuel powered stations, such as peat fired power plants in these counties."*

The Regional Policy Objective relating to Energy Infrastructure of pertinence to the proposed wind energy development is identified as follows:

> *"RPO 10.22: Support the reinforcement and strengthening of the electricity transmission and distribution network* ***to facilitate planned growth and transmission/ distribution of a renewable energy focused generation*** *across the major demand centres to support an island population of 8 million people, including:*
>
> - *Facilitating interconnection to Europe, particularly the 'Celtic Interconnector' to France and further interconnection to Europe/the UK in the longer term*
> - *Facilitating interconnection to Northern Ireland, particularly the North-South Interconnector and further co-operation with relevant Departments in Northern Ireland to enhance interconnection across the island in the longer term*
> - *Facilitating transboundary networks into and through the Region and between all adjacent Regions to ensure the RSES can be delivered in a sustainable and timely manner and that capacity is available at local, regional and national scale to meet future needs*
> - *Facilitate the delivery of the necessary integration of transmission network requirements to allow linkages of renewable energy proposals to the electricity transmission grid in a sustainable and timely manner*
> - *Support the safeguarding of strategic energy corridors from encroachment by other developments that could compromise the delivery of energy networks."*

Under Section 7.9 Climate Change, in respect of *Decarbonising Electricity Generation* it is identified that:

> *"The Region will need to shift from its reliance on using fossil fuels and natural gas as its main energy source to a more diverse range of low and zero-carbon sources, including renewable energy and secondary heat sources. Decentralised energy will be critical to the Region's energy supply and will ensure that the Region can become more self-sufficient in relation to its energy needs."*

3.5.3 Laois County Development Plan 2017-2023

It is a specific planning policy requirement under Section 28 of the Planning & Development Act 2000 (as amended) that in making development plans a planning authority has regard to national policy on renewable energy as contained in the aforementioned policy documents. A County Development Plan is required to indicate how the implementation of the development plan will contribute to realising overall national targets on renewable energy and climate change mitigation. This applies in particular to wind energy production and the potential wind energy resource.

The Laois County Development Plan 2017-2023 sets out the strategic framework for land use planning in the county. The Development Plan was adopted on 26th June 2017 and came into effect from 24th July 2017.

On the 28th of September 2017 the Minister of State at the Department of Housing, Planning and Local Government issued a Direction under Section 31 of the Planning and Development Act 2000 (as amended) directing that Laois County Council take the following steps with regard to the Laois County Development Plan 2017-2023.

These are:

> *"**(i)** The text in policy EN7 is to be deleted as shown below:*
>
> *~~Ensure a setback distance of 1.5 km of Wind turbines from schools, dwellings, community centres and all public roads in all areas open for consideration for wind farm development;~~*
>
> ***(ii)** The text in Section 6.1 of Appendix 5 – Wind Energy Strategy is to be deleted as shown below:*
>
> *~~Ensure a setback distance of 1.5 kms of Wind turbines from schools, dwellings, community centres and all public roads in all areas open for consideration for windfarm development.~~*
>
> ***(iii)** The Map 1.6.5 – Wind Energy as adopted is to be removed…*
> *And;*
> *The Map 1.6.5 – Wind Energy as included in the Draft Laois County Development Plan 2017-2023 is to be included."*

The Map 1.6.5 referred to in point 3 above (Draft Version) is shown in Figure 3-3 below and supersedes the previously published Wind Energy map. The subject site is contained entirely within an area open to consideration for wind energy development

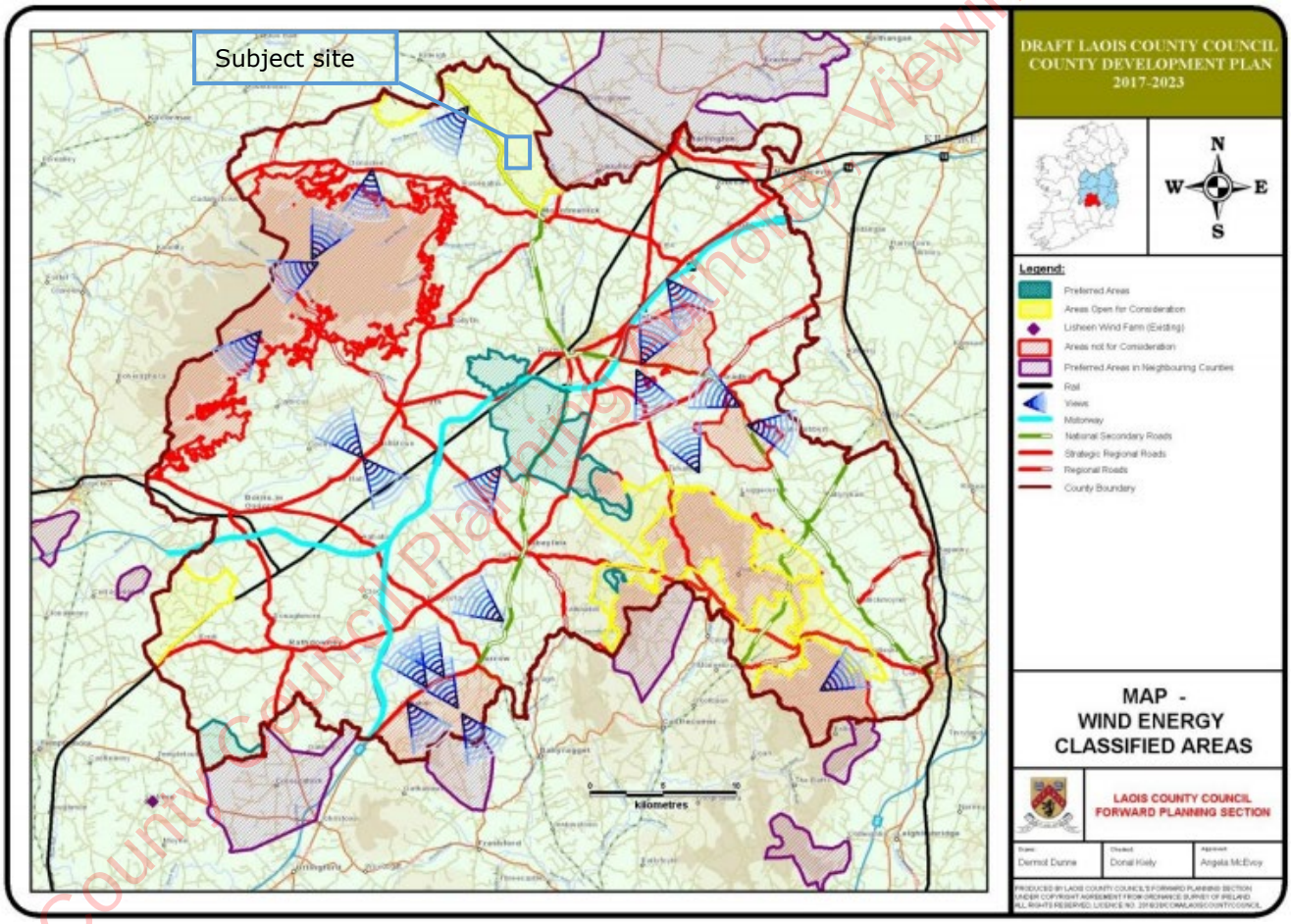

Figure 3-3: Wind Energy as included in the Draft Laois County Development Plan with site location circled in blue

The proposed development would have contravened the previous version of the Development Plan however following the Ministerial Direction it is located in an area designated "Areas Open for Consideration".

The policies and objectives in relation to energy development are set out in Chapter 6 'Infrastructure' whereby Section 6.6 deals with *Energy and Communications* in the County Development Plan.

Section 6.6.1.4 outlines the issues which must be taken into consideration when assessing a wind energy development these are:

- Visual impact
- Landscape protection
- Impacts on residential amenity
- Impact on wildlife and habitats
- Connections to the national grid
- Impact of construction and ancillary infrastructure including access roads and grid connections

Each of these issues are assessed in detail in this EIAR. There are a number of policies within the Laois County Development Plan which are applicable to the proposed development. These are listed in Table 3-3 below:

Table 3-3: Policies from the Laois County Development Plan 2017-2023

Policy Objective	Description
EN1	Encourage and favourably consider proposals for renewable energy developments and ancillary facilities subject to compliance with normal planning and environmental criteria; in order to meet national, regional and county renewable energy targets and to facilitate a reduction in CO_2 emissions and the promotion of a low carbon economy, and in compliance with Article 6 of the Habitats Directive;
EN2	Raise awareness of the need to reverse fossil fuel dependency, to mitigate the effects of peak oil and reduce carbon emissions, to mitigate the effects of climate change;
EN3	Promote and facilitate wind energy development in accordance with Guidelines for Planning Authorities on Wind Energy Development (Department of Environment, Heritage and Local Government, 2006) and the Wind Energy Strategy which forms part of this Plan, and subject to compliance with normal planning and environmental criteria;
EN4	Promote and encourage the development of energy from renewable sources such as hydro, bio-energy, wind, solar, geothermal and landfill gas subject to compliance with normal planning and environmental criteria and the development management standards contained in Section 8;
EN6	Ensure that the assessment of energy development proposals will have regard to the impacts on public rights of way and walking routes;
EN9	Planning applications shall comply with DECLG Guidelines (2006) or any future guidelines and the best international practices and standards;
EN10	Identify existing public rights of way and preserve them as public rights of way. Take into account, when assessing planning applications, the impact on public access to the countryside including public rights of way, recreational amenities and the openness and visual amenity of the countryside.

The original Policy EN7 restricted almost the entire county from the siting of any wind turbines due to the significant setback distance of 1.5km, a policy not consistent with national guidance.

3.5.3.1 Laois County Development Plan Wind Energy Strategy 2017-2023

As outlined above the Laois County Development Plan Wind Energy Strategy 2017-2023 (WES) was amended by a Ministerial Direction. This removed the requirement that all turbines were to be located with a minimum 1.5km buffer to all dwellings, schools, community centres and public roads. This Direction also removed policy EN7 of the Development Plan and reinserted the Wind Energy Classified Areas that were outlined in the Draft Stage. This reinserted classification places the development entirely within an "*Areas Open for Consideration* "whereby policy WES 6 states that:

> *"Wind energy applications in these areas will be evaluated on a case by case basis subject to viable wind speeds, environmental resources and constraints and cumulative impacts"*

The development is in an area with wind speeds greater than 7.5 m/s at a height of 100m. The WES notes the importance of proximity to the transmission network as an important factor in the siting and viability of wind farms. Environmental resources and constraints are assessed throughout this EIAR.

3.5.3.2 Laois County Development Plan Landscape Character Assessment 2017-2023

The Laois County Landscape Character Assessment (LCA) defines the site as a "*Lowland Agricultural Area*", adjacent to a Peatland Area and between 2 no. river corridors.

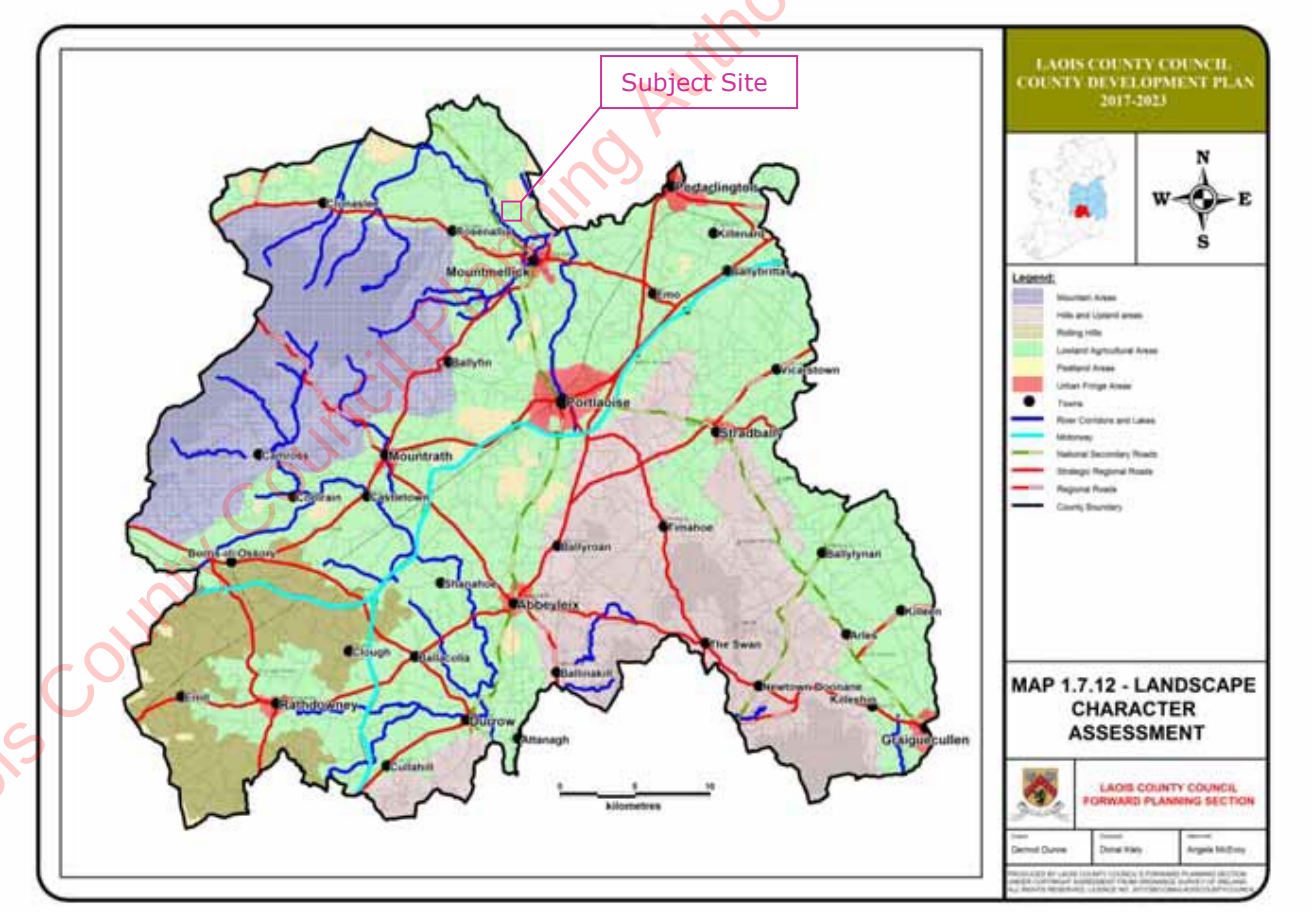

Figure 3-4: Landscape Character Assessment (Figure 30) of the Laois County Development Plan 2017-2023

The Lowland Agricultural Area is identified as a Landscape Character Type (LCT) and is a generally flat and open landscape with long range views towards upland areas.

> *"Wind energy is also a visually prominent form of development and should be located away from highly sensitive landscapes and those of exceptional value. One landscape character type in the county being considered for this form of development is harvested peatland. While substantially lower than hill and mountain locations, the potential landscape impact will still need careful appraisal."* (Page 20)

According to page 27 of the LCA, general recommendations of Lowland LCT include:

1. Promote good agricultural practices to create a sustainable rural economy
2. Provide incentives for smaller rural/family farms to manage their land to avoid loss of hedgerows and field patterns.
3. Maintain and enhance the 18th and 19th century estate landscapes and associated parkland & woodland to develop them as a tourism resource.
4. Diversify the urban fringe by developing mixed-use amenity areas, which will create a landscape buffer creating a transition between urban and rural areas.
5. Define the urban fringe with planting of native species and mixed woodland to tie into existing rural landscape.
6. Reflect the 18th and 19th century field patterns in the scale of new development.
7. Restoration of historic boundaries, walls to original standard with coursing and materials to match existing.
8. Design all single one-off houses to be fully compliant with Rural House Design Guidelines.

Each of these 8 no. recommendations is listed as a policy (LS9-LS16) of the Landscape Section (7.19) of the Development Plan. According to Section 4.8 of the LCA the features of wind farms which are likely to cause adverse impacts on landscape character are:

> *"visual impact on long and short-range views, sensitive historic landscapes and cumulative impacts of other wind farms, including those in neighbouring counties such as Tipperary where a large facility at Lisheen near Rathdowney has been opened. Physical impacts on sensitive landscape features such as habitats, historic artefacts and vegetation will also need to be considered and mitigated against."*

For a more detailed analysis on the landscape impact reference is made to Chapter 11 of this EIAR which deals with the Landscape and Visual Impact of the proposed development. The cumulative impact of the development in combination with other projects and wind farm developments has also been examined.

3.5.4 Offaly County Development Plan (2014-2020)

The proposed development is in proximity to the Offaly County Border and so the Offaly County Development Plan has also been considered. The landscape sensitivity of the area directly to the east and north east of the site ranges from moderate to low. The moderate designation is due to the exploited peatlands which are largely flat and open. There are no other major sensitive areas within County Offaly in close proximity to the site. The area in County Offaly to the east of the site is designated a Wind Energy Development Area. It is intended to connect to the future proposed Bracklone substation in Portarlington, Co. Laois and will pass through parts of Co. Offaly.

Therefore, wind energy development is would be acceptable in principle, having regard to available grid connections, the absence of overwhelming environmental constraints and low densities of adjacent residential development.

3.6 Other Relevant Policies and Guidelines

3.6.1 Department of the Environment, Heritage and Local Government – Wind Energy Development – Planning Guidelines 2006

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 Wind Energy Development Guidelines (2006) are currently the subject of a targeted review. Should the revised Wind Energy Guidelines be finalised in advance of a planning decision being made on the proposed development with current noise and shadow flicker limits being amended, the proposed development will comply with revised noise and shadow flicker requirements by implementing any necessary mitigation through the use of turbine control systems.

3.6.2 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 (IWEA) in 2008 and updated in 2012. These guidelines encourage responsible and sensitive wind farm development and provide assistance and recommendations for those developing onshore wind projects in Ireland and have been taken into account during the design process.

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

IWEA published its 'Best Practice in Community Engagement and Commitment' in 2013. IWEA and its members, which include Statkraft Ireland, 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 document sets out IWEA's best practice principles for delivering extended benefits to local communities for wind farm developments of 5MW or above. Best Practice Principles of community engagement when planning the engagement strategy and preparing associated literature are also outlined in the document. The aim of the publication is to ensure that the view of the 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 this proposed development, specific regard has been had to this guidance document as set out in Chapter 5 EIA Scoping and Consultation.

3.6.4 Code of Practice for Wind Energy

In December 2016, the Department of Communications, Climate Action and Environment (DCCAE) issued guidelines for community engagement in the form of a Code of Practice for Wind Energy Development in Ireland.

The DCCAE state that this Code of 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 methods of community engagement should reflect the nature of the project and the potential level of impact that it could have on a community. The guidelines advise that ignoring or poorly managing community concerns can have long-term negative impacts on a community's economic, environmental or social situation. Not involving communities in the project development process has the potential to impose costly time and financial delays for projects or prevent the realisation of projects in their entirety.

Statkraft Ireland has had due regard to the guidance contained in this Code of Practice throughout the consultation process for the proposed development.

3.6.5 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 hold a further batch as soon as reasonably practical following the conclusion of the 2018 batch. The CRU expects that efficient and timely processing of the 2018 batch will allow the next batch to start in 2019/2020.

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

3.6.6 Renewable Electricity Support Scheme

The new RESS scheme was launched by the DCCAE in July 2018. The 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 our renewable electricity ambitions; increasing community participation in and ownership of renewable electricity projects, ensuring value for electricity customers and enhancing security of supply. The new scheme will help deliver Ireland's contribution to the EU-wide binding renewable energy target of 32% renewable energy source (RES) by 2030.

RESS auctions will be designed in line with trajectory targets identified in Ireland's National Climate and Energy Plan (NECP). In terms of 2020 and 2030 targets, it is expected that renewable energy in the form of electricity RES-E will be required to compensate for under-achieving in Heat and Transport; and the expectation is that Ireland will have to be at a mid to high 20% range in overall RES terms by 2030. Therefore, as part of the RESS scheme, an accelerated renewable electricity programme (via near-term delivery date RESS-1 and RESS-2 auctions) are proposed, to facilitate the early delivery required.

The exact quantities to be auctioned in each round will be a function of the following:

- Growth in electricity demand during the lifetime of the scheme;
- Project pipeline i.e. the number of available projects working through the CRU's Enduring Connection Policy 'batch' process – to ensure a competitive outcome;
- Ireland's NECP trajectory targets and the ability of RES-E to compensate other sectors such as Heat and Transport.

RESS will be characterised by increased community participation in, and ownership of, renewable electricity projects. Policies and support measures include:

- Financial support for community led projects;
- Mandatory Community Benefit Fund and Register;
- Mandatory investment opportunities for communities and citizens;
- Separate 'community' category in the RESS auction;
- Project supports including independent financial, legal, technical and project advice funded by both state and private sector funding;
- DCCAE will work with the CRU to identify measures to support community-led projects through the grid connection process;
- DCCAE will work with industry representative groups and community representatives.

The new RESS will be characterised by a series of renewable energy auctions, scheduled at frequent intervals throughout the lifetime of the scheme.

The roadmap proposes auction years from 2019 to 2025 with delivery years between 2020 and 2030. The roadmap will provide developers with the confidence to progress their projects in advance of RESS auctions.

In terms of cost control measures, these may include Administrative Strike Prices; the setting of budgetary caps per auction; and technological competition. The auction design will provide the opportunity to push out or pull back the demand curve to allow more to be bought if prices are lower and supply is high.

The Minister for Communications, Climate Action and Environment, Richard Bruton, TD recently announced details of the first Renewable Electricity Support Scheme (RESS) auction which has received Government approval. The first RESS auction is set to open early next year (2020), subject to EU State Aid approval and will deliver up to a 3,000GWh increase in renewable electricity generation by the end of 2022. The frequency of future RESS auctions will depend on the renewable electricity project supply pipeline. It is envisaged that a minimum of four auctions will occur between 2020 and 2027 to deliver on the 2030 targets.

The proposed RESS financial structure is a 2-way contract for difference (CFD) which will be funded via the Public Service Obligation (PSO) levy. It is proposed that a Floating Feed in Premium (FIP) is the default primary mechanism for RES-E support where payments made to generators are a function of (i) generation output, (ii) a strike price, and (iii) a reference market price.

It is proposed that each auction would be a uniform price, with the level of support set by the highest value bidder still needed to meet the required amount of RES-E capacity auctioned and all bidders with offers below the clearing price would receive the clearing auction price. The market reference price will be a key detailed design feature of the RESS in terms of the distribution of balancing costs. It is proposed that the reference price will be the day ahead I-SEM price, such that generators bear the balancing costs. This is in line with the recast RED II and the market regulation under the Clean Energy Package.

There are also pre-qualification rules including the following:

- Ensuring the technologies require financial support – some RES-E projects will become viable by 2030, and therefore eligibility rules will need to be monitored continuously to ensure only technologies with viable gaps are allowed to participate in RESS auctions.
- Community Criteria – Project will need to prove that they have met all community criteria.
- Planning Permission – Projects will need to have secured planning permission in advance of participating in RESS auctions.
- Grid Connection Offer/Application – Projects will have to secure a grid connection offer in advance of being eligible to participate in RESS auctions. There will need to be close alignment between RESS auction (demand) and the CRU's Enduring Connection Policy.
- Bid Bonds – Projects will have to submit bid bonds in advance of participation in RESS auctions.

The Government has agreed the following elements of the scheme, subject to state aid approval:

- **Increasing Technology Diversity:** The Scheme will be open to a range of technologies that will broaden the renewable energy mix and enhance security of supply.
- **Solar:** The Government has approved the inclusion of a solar category, subject to state aid approval, which would represent approximately 10% of the overall auction
- **Community led category:** The Government has approved the inclusion of a community category within the auction, subject to state aid approval of up to 30 GWh
- **Community Participation:** An obligatory community benefit fund scheme will provide opportunities for communities to play their part in Ireland's renewable energy transition

3.7 Conclusion

It is clear from the above that there is significant international, European, national and local policy support for a move to renewable energy resources, including onshore wind farms. Ireland is committed to meeting International and European targets and if these targets are not met fines will be imposed on the State. To illustrate the severity of this issue, Ireland's failure to fully implement the 2009 Renewable Energy Directive suggested a penalty of €25,445.50 for each day that the Directive was not fully implemented.

Whilst this action was discontinued due to the enactment of legislative measures to adapt the Directive, it provides context to the severity of not meeting European Energy targets. Work undertaken by the SEAI in 2016 indicated that the cost to Ireland of not meeting our overall renewable energy targets may be in the range of €65 million to €130 million for each percentage point Ireland falls short of the overall 2020 16% renewable energy target.

While Ireland has come a long way in increasing renewable energy generation, the targets continue to increase in light of recent climate change research and predictions. From a European perspective, the 2050 EU targets effectively mean that the European Union's energy production will have to be almost carbon-free by 2050.

It is this commitment on energy and climate policy that justifies a clear need for renewable energy generation in Ireland. It is recognised that there are a range of renewable resources alternatives that could be explored to meet our International and European commitments however onshore wind energy is currently recognised as being the most economically competitive.

National energy policies have been reinforced and have amended the Laois County Development Plan 2017-2023 which applies a plan-lead approach to wind energy development. The Dernacart wind farm site is located within an area considered to have capacity and be open for consideration for wind energy development and is compatible with the existing land use on the site.