

Statement of Compliance with National Marine Planning Framework (NMPF)

The Purpose of the Statement of Compliance

The NMPF sets out Overarching Marine Planning Policies (**OMPPs**) that will apply to all marine activities or development. These include policies in relation to, inter alia, co-existence, biodiversity, coastal and island communities, and infrastructure.

The NMPF further sets out Activity-specific or Sectoral Marine Planning Policies (**SMPPs**) to guide decision makers in assessing or dealing with specific proposals (for example, offshore renewable energy development).

The NMPF provides that it “will be the key consideration for decision makers on all marine authorisations” including under the Foreshore Act 1933, as amended, and that all applications “will be considered in terms of their consistency with the objectives of the plan”¹. Consistency with the NMPF is just one of a number of factors required to be taken into consideration in determining an application under the 1933 Act. Other requirements include relevant environmental assessments such as screening for Appropriate Assessment (AA)/ and AA, as appropriate.

The NMPF provides that, for any given proposal, a range of OMPPs and SMPPs may need to be considered and applied to ensure full compliance with all relevant NMPF objectives and policies². OMPPs are grouped according to environmental, social and economic objectives and policies. OMPPs are supplemented by, and should be read in conjunction with, the SMPPs.

Kinsale Offshore Wind Limited – FS007354

Kinsale Offshore Wind Limited (FS007354) has submitted a Foreshore Investigation Licence to the Foreshore Unit to conduct surveys of the seabed off the Cork Coast for the potential development of an offshore wind farm. The application is made under section 3 of the 1933 Act. Kinsale Offshore Wind Limited is a wholly owned subsidiary of Inis Offshore Wind Limited. Inis Offshore Wind selected this area following an extensive selection and constraints process, in consideration of the draft NMPF, Offshore Renewables Energy Development Plan (OREDPA) and the Maritime Area Planning (MAP) Bill (now the MAP Act 2021)

Consistency with OMPPs

Kinsale Offshore Wind Limited will be consistent with the OMPPs as follows³:

Environmental – Ocean Health	
Biodiversity & Protected Marine Sites	
Biodiversity	The Kinsale Offshore Wind proposal is supported by the following documents:

¹ Page 9, NMPF

² Page 23. NMPF

³ This Statement follows the Table 2: Grouping of Overarching Marine Planning Policies in the NMPF

	<ul style="list-style-type: none"> • Schedule of Works • Non-Statutory Environmental Report (NSER) • Supporting Information for Screening for Appropriate Assessment (SISAA) • Natura Impact Statement (NIS) • Annex IV Risk Assessment <p>These describe the type and scale of the works; potential effects and the best practice and mitigations employed to avoid and minimise effects.</p> <p>Due to the nature and scale of the proposed surveys the NSER has concluded there will be no significant environmental impacts due to the proposed surveys.</p> <p>Due to the nature and scale of the proposed surveys the NIS concludes that no adverse effects are expected on the features of interest or conservation objectives of any European site and the integrity of the sites will not be adversely affected.</p>
Protected Marine Sites	<p>Due to the nature and scale of the proposed surveys (described in the Schedule of works) the NIS concludes that no adverse effects are expected on the features of interest or conservation objectives of any European site and the integrity of the sites will not be adversely affected.</p> <p>It is not considered that the other Protected marine sites Policies (i.e. 2 – 4) are relevant to the Application (as the application is not for a proposal supporting the objectives of protected marine sites’ or ‘that enhance a protected marine site’s ability to adapt to climate change’</p>
Non-indigenous Species	<p>The Schedule of Works outlines the water quality management procedures managed through implementation of a Project Environmental Management Plan (PEMP), developed prior to any survey being undertaken. These include measures to manage risks of invasive alien species such as:</p> <ul style="list-style-type: none"> • Vessels must be free of invasive alien species on their hulls and in their ballast water • Vessels must comply with the IMO ballast water management guidelines. <p>The NSER concludes that due to the short-term temporary nature of the surveys, and following standard good practice, and as required by law, there are no significant impacts expected to water quality due to the proposed surveys.</p>
Water Quality	<p>The Schedule of Works outlines the water quality management procedures managed through</p>

	<p>implementation of a PEMP, developed prior to any survey being undertaken. The NSER concludes that due to the short-term temporary nature of the surveys, and following standard good practice, and as required by law, there are no significant impacts expected to water quality due to the proposed surveys.</p> <p>It is not considered that Water Quality Policy 2 is relevant to the application as the works are not intended to deliver improvements to water quality</p>
Sea-floor and Water Column Integrity	<p>The Schedule of Works outlines the scale of the works and their expected sea-floor footprint. Due to the nature and scale of the proposed surveys the NSER has concluded there will be no significant environmental impacts due to the proposed surveys. There would be no impacts on the water column itself.</p> <p>It is not considered that Sea-floor and Water Column Integrity Policy 3 is relevant to the application as the works are not intended to protect, maintain, restore or enhance coastal habitat.</p>
Marine Litter	<p>Marine Litter Policy 1 states that <i>'Proposals that could potentially increase the amount of litter that is discharged into the maritime area, either intentionally or accidentally, must include measures (such as development of a waste management plan) to, in order of preference and in accordance with legal requirements: a) avoid, b) minimise, or c) mitigate the litter'</i></p> <p>The Schedule of Works outlines the water quality management procedures managed through implementation of a PEMP, developed prior to any survey being undertaken.</p>
Underwater Noise	<p>The Schedule of Works describes the noise sources associated with the geophysical surveys and the pre-start monitoring and ramp-up procedures included as embedded mitigation. The NIS includes a detailed assessment of underwater noise effects on sensitive receptors using available information on noise levels associated with the equipment and activities to be undertaken. The NIS concludes that there would be no potential for adverse effect from underwater noise sources.</p>
Air Quality	<p>The NSER concludes that due to the nature of the proposed surveys, there will be no releases to air other than from vessel exhausts, which will not exceed Air Quality standards. Therefore, there will be no impact to air quality due to the proposed surveys.</p>

	It is not considered that Air Quality Policy 1 is relevant to the application as the works are not intended to address air pollution
Climate Change	<p>Given there are no impacts to air quality or water quality, and following standard good practice, and as required by law, to prevent accidental oil spillages, the proposed surveys are not expected to contribute to climate change in a significant way.</p> <p>It is not considered that Climate Change Policy 1 is relevant to the application as the works will not impact physical features of the coast or enhance, restore or recreate habitats.</p> <p>Climate Change Policy 2 refers to lifetime effects of the proposal. Given that the survey works would be temporary and require no permanent infrastructure, this is not considered relevant.</p>
Economic – Thriving Maritime Economy	
Co-existence	<p>Given that the works are temporary and require no permanent infrastructure, it is not considered that Co-existence Policy 1 is relevant as it states <i>‘Proposals should demonstrate that they have considered how to optimise the use of space, including through consideration of opportunities for co-existence and co-operation with other activities, enhancing other activities where appropriate’</i>.</p> <p>There will be a medium-term deployment of metocean buoys and the consultation on the application will enable Wicklow Sea Wind Limited to ensure that these buoys are located sensitively.</p>
Infrastructure	<p>Given that the works are temporary and require no permanent infrastructure, it is not considered that Infrastructure Policy 1 is relevant as it states <i>‘Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported. Proposals for appropriate infrastructure that facilitates the diversification or regeneration of marine industries should be supported’</i></p>
Social – Engagement with the sea	
Access	Given that the works are temporary and require no permanent infrastructure, it is not considered that Access Policy 1 – 2 are relevant to the Application.
Employment	Given that the works are temporary it is not considered that Employment Policy 1 is relevant to the Application.
Heritage Assets	The Schedule of Works describes the embedded mitigation associated with the surveys which will be licenced under the National Monuments Acts 1930 –

	2014 and National Cultural Institutions Act 1991. The NSER concludes that if the embedded mitigation measures are implemented, there will be no impacts to marine archaeology due to the proposed surveys
Rural Coast and Island Communities	Given that Rural Coastal and Island Communities Policy 1 concerns <i>'Proposals contributing to access, communications, energy self-sufficiency or sustainability of rural coastal and / or island communities'</i> it is not considered this is relevant to the Application.
Seascape and Landscape	The NSER concludes that due to the distance from the coast, the short-term temporary nature of the proposed surveys, and due to the existing vessels already present in the area, no impacts to landscape and visual receptors are expected
Social Benefits	<p>Whilst not the direct aim of the surveys, the information collected will be publicly available and will increase understanding of the natural and historic environment.</p> <p>Given that the works are temporary it is not considered that there are opportunities to enhance or promote social benefit as per Social Benefits Policy 1</p>
Transboundary	Transboundary policy 1 states that <i>'Proposals that have transboundary impacts beyond the maritime area, on either the terrestrial environment or neighbouring international jurisdictions, must show evidence of consultation with the relevant public authorities'</i> . Given that the scale of the works and their temporary nature no significant effects are likely (as per the conclusions of the NSER and NIS) it is not considered necessary to undertake transboundary consultation at this stage. The NIS includes detailed consideration of transboundary sites for marine mammals. Effects on transboundary sites for birds were also considered within the SISAA but were screened out given the nature and scale of the proposed surveys.

Consistency with SMPPs for Energy – Offshore Renewable

There are seven SMPPs for Energy - Offshore Renewable are found in Chapter 13⁴. The proposal is consistent with the SMPPs for Offshore Renewable Energy, as follows:

- The proposal supports the development of ORE in Ireland as a driver to significantly reduce greenhouse gas emissions and accelerate the move to cleaner energy in line with nation and EU policy, by enabling the delivery of up to 1GWW of offshore wind generation to production by 2030.
- The proposal increases the sustainable ORE use of our extensive marine resource in an efficient and co-ordinated manner identifying, where possible, potential for synergies and opportunities

⁴ Page 120, NMPF

for multi-use of our shared maritime area, by working with our stakeholders, project partners and other ORE developers to identify areas where we can work together.

- The proposal supports Ireland’s decarbonisation journey through increased use of ORE while delivering significant and sustained benefits, import substitution, fiscal return, national and local economic development, and technology learning, by contributing to our Ireland’s energy security, domestic renewable energy infrastructure and creating employment opportunities and growth indigenous supply chain.
- The proposal supports the strategic growth of the ORE industry recognising the potential to derive benefits particularly for Ireland’s coastal communities by supporting the potential for local jobs and contributing directly to coastal communities through the local community benefit fund which is set at minimum a €2/mwh generated from the offshore wind farm, should the proposed wind farm be permitted.
- The proposal provides enhanced security of energy supply for Ireland in the short and medium, in accordance with the Climate Action Plan by building domestic energy infrastructure contributing to the 5GW offshore wind target which forms part of the 80% renewable electricity target by 2030.
- The proposal is consistent with the objective to develop a robust, effective transparent consenting process to ensure appropriate environmental protections are built-in, while enabling sustainable ORE development to progress, because it falls under the transitional arrangements for licence applications under the 1933 Act pending the full implementation of the Maritime Area Planning Act 2021.
- The proposal ensures good regulatory practices in ORE installation and generation, including decommissioning of existing facilities, at end of life, according to international best practice, by adhering to best practice and working with industry and stakeholders to consistently ensure that these standards protect and enhance the marine environment.

Consistency with ORE Planning Policies

Chapter 13⁵ also sets out eleven ORE Policies. Many of the ORE Policies specify a requirement that proposals must demonstrate that they will, in order of preference: a) avoid, b) minimise, or c) mitigate significant adverse impacts on the subject matter of the policy. To comply with this requirement, proposals must demonstrate how avoidance of significant adverse impacts is considered as the preferred option. If the proposal demonstrates that significant adverse impacts cannot be avoided the proposal must then proceed to consider minimising significant adverse impacts. If the proposal demonstrates that significant adverse impacts cannot be avoided or minimised the proposal must then proceed to consider mitigating significant adverse impacts.

The proposal is consistent with the ORE Planning Policies as follows:

<p>ORE Policy 1: Proposals that assist the State in meeting the Government’s offshore renewable energy targets, including the target of achieving 5GW of capacity in offshore wind by 2030 and proposals that maximise the long-term shift from use of fossil fuels to renewable electricity energy, in line with decarbonisation targets, should be supported. All proposals will be rigorously assessed to ensure compliance with environmental standards and seek to minimise impacts on the marine environment, marine ecology and other maritime users.</p>	<p>The proposal has the potential to enable the delivery of up to 1GW of offshore generation, to contribute to the Government’s target of 5GW of offshore renewable energy by 2030. The application is accompanied by all necessary environmental assessments to</p>
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⁵ Page 120, NMPF

	facilitate rigorous assessment prior to any decision to grant the licence.
ORE Policy 2: Proposals must be consistent with national policy, including the Offshore Renewable Energy Development Plan (ORED) and its successor. Relevant Projects designated pursuant to the Transition Protocol and those projects that can objectively enable delivery on the Government's 2030 targets will be prioritised for assessment under the new consenting regime. Into the future, areas designated for offshore energy development, under the Designated Marine Area Plan process set out in the Maritime Area Planning Bill, will underpin a plan-led approach to consenting (or development of our marine resources) (Note – see Appendix D on Spatial Designation Process).	The proposal is consistent with national policy, including ORED. The proposal will ultimately, subject to licence and development permission, facilitate an offshore wind farm which will likely utilise fixed jacket foundations which are proven commercial foundation technology and used widespread in the offshore industry and thus, can be delivered by 2030.
ORE Policy 3: Any non-ORE proposals that are in or could affect sites held under a permission or that are subject to an ongoing permitting or consenting process for renewable energy generation (wind, wave or tidal should demonstrate that they will in order of preference: a) avoid, b) minimise, c) mitigate adverse impacts, or d) if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding. Applicants for non-ORE proposals in or affecting ORE sites should engage ORE developers in consultation during the pre-application processes as appropriate.	This Policy is directed towards non-ORE proposals
ORE Policy 4: Decisions on ORE developments should be informed by consideration of space required for other activities of national importance described in the NMPF	The proposal is informed in consideration of other marine users and the space required for these uses.
ORE Policy 5: Proposals for activity that may adversely impact ORE test projects by virtue of being within or adjacent to ORE test sites, or between site and landfall of ORE test projects that may adversely impact ORE test site projects, should demonstrate that they will in order of preference: a) avoid, b) minimise, c) mitigate adverse impacts.	The proposal is not located adjacent to ORE test projects however will a) avoid, b) minimise or c) mitigate adverse impacts on such ORE projects should these emerge.
ORE Policy 6: Proposals for infrastructure enabling local use of excess energy generated from emerging marine technologies (wave, tidal, floating wind) should be supported.	This Policy is not relevant to this proposal.
ORE Policy 7: Where potential for ports to contribute to ORE is identified, plans and policies related to this port must encourage development in such a way as to facilitate ORE and related supply chain activity.	This Policy is directed towards policy makers
ORE Policy 8: Proposals for ORE must demonstrate consideration of existing cables passing through or adjacent to areas for development, making sure ability to repair and carry out cable-related remedial work is not significantly compromised. This consideration should be included as part of statutory environmental assessments where such assessments are required.	The proposal demonstrates consideration for existing cables and will seek to avoid cables where present. This proposal does not require any cable crossings
ORE Policy 9: A permission for ORE must be informed by inclusion of a visualisation assessment that supports conditions on any	As this Proposal is for a licence for site investigations, there is

<p>development in relation to design and layout. Where a development consent is applied for in an area already subject to permission, proposals must include a visualisation assessment to inform design and layout. Visualisation assessments should demonstrate consultation with communities that may be able to view the proposal, in addition to any other ORE development, which had received consent to proceed at a given site at the time the consent application is made, with the aim of minimising impact. Visualisation assessments will be informed by specific emerging guidelines (detailed in the actions set out in Annexes to this NMPF). Prior to specific guidelines being available, policy and best practice relating to visualisation assessment should be used. This consideration must be included as part of statutory environmental assessments where such assessment is required.</p>	<p>no requirement for a visualisation assessment, however any application for development permission ultimately will be accompanied and informed by a visualisation assessment that supports the conditions on any development in relation to design and layout. Work on visualisations is already underway in relation to the proposed application for development permission which may ultimately be made and will be completed in consultation with communities that may be able to view the proposal.</p>
<p>ORE Policy 10: Opportunities for land-based, coastal infrastructure that is critical to and supports development of ORE should be prioritised in plans and policies, where possible.</p>	<p>This Policy is directed towards policy makers</p>
<p>ORE Policy 11: Where appropriate, proposals that enable the provision of emerging renewable energy technologies and associated supply chains will be supported.</p>	<p>This Policy is primarily directed towards policy makers, however this proposal will ultimately enable an application for development permission to be made for a project which will utilise commercially proven technologies, in the first instance, and will support the supply chain network which will ultimately be required to support the deployment of emerging renewable technologies</p>

In light of the above, it has been demonstrated in this statement Kinsale Offshore Wind Project is consistent and compliant with the objectives and planning policies set out in the National Marine Planning Framework.



26/08/2022

Inis Offshore Wind Limited on behalf of Kinsale Offshore Wind Limited