



Council of the  
European Union

Brussels, 11 January 2023  
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2022/0160(COD)**

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**16240/22  
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IND 574  
ENV 1331  
COMPET 1065  
ECOFIN 1360  
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CODEC 2071**

#### **OUTCOME OF PROCEEDINGS**

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From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	16041/22
No. Cion doc.:	ST 9363/22
Subject:	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency - General approach

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In the document INIT ST 16240/22, on page 29, Article 16a(5) should read:

- (5) Following the screening process, the applications referred to in paragraph 3 shall be authorised from an environmental perspective without requiring any express **screening** decision from the competent authority, unless the competent authority adopts an administrative decision, duly motivated and based on clear evidence, that a specific project is **highly** ~~highly~~ likely to give rise to significant unforeseen adverse effects in view of the environmental sensitivity of the geographic area where they are located that cannot be mitigated by the measures identified in the plan or plans designating go-to areas or proposed by the developer for the project. Such decision shall be made available to the public. Such projects ~~shall~~ **may** be subject to an assessment in accordance with Directive 2011/92/EC and, if applicable, to an assessment under ~~Article 6(3) of~~ Directive 92/43/EEC, ~~which shall be carried out within {six months} following the screening decision~~ **which shall be carried out within six months following the submission of complete documentation including information necessary for such assessment. Where Member States exempt such projects from those assessments, the operator has to adopt proportionate mitigation measures or pay a monetary compensation in order to address those adverse effects. Where those effects impact species protection, the operator shall pay a monetary compensation for species protection programmes for the duration of the operation of the renewable power plant in order to ensure or improve the conservation status of the species affected. Where duly justified on the ground of extraordinary circumstances that {six months} period may be extended by up to {six months}**