

From: MARA Licence
Sent: Friday 29 August 2025 09:09
To: seabed.art@gmail.com
Cc: MARA Licence
Subject: FW: FS007497 / MUL240045
Attachments: CorkCoCo planning letter.jpg; RE: FS007497 / MUL240045

Dear Ms Gaughran

Further to your email of 18 August 2025, I can advise as follows:

The decision to seek a further Section 5 Declaration from Cork County Council is a matter for Seabed Sanctuary.

At this point, MARA's position is as stated in our email communication of 12 August 2025 (attached for ease of reference) .

The Section 5 Declaration from Cork County Council (dated 23 April 2025) deems the project to constitute 'development' which is subject to the Planning and Development Act 2000 (as amended). The requirement for a MAC pertains even if this 'development' is deemed to be exempted development whereupon planning permission is not required.

Once the project as 'development' is subject to the Planning and Development Act 2000 (as amended), Part 4 of the MAP Act 2021 arises whereby a MAC is required.

As such and as previously advised, you may now proceed to withdraw the MUL application (reference MUL240045) and submit a MAC application under section 79 of the MAP Act.

Further information on the MAC application process is available from the MARA MAC Team at mac@mara.gov.ie who are happy to assist with any application queries you may have further to the MAC pre-application meeting held on 08 May 2025.

Regards

Jacinta

Jacinta Ponzi
Head of Maritime Usage Licensing

Maritime Area Regulatory Authority (MARA)
2nd Floor, Menapia House, Drinagh Business Park,
Drinagh, Wexford, Y35RF29 IRELAND.

An tÚdarás Rialála Limistéir Mhuirí (MARA)
2ú Dara hUrlár, Teach Menapia, Páirc Ghnó Dhraighní,
Draighneach, Loch Garman, Y35RF29 Éire.



From: Seabed Sanctuary <seabed.art@gmail.com>

Sent: Monday 18 August 2025 11:05

To: MARA Licence <licence@mara.gov.ie>

Subject: FS007497 / MUL240045

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Dear Martina,

Thank you for your email of 12 August with clarification of procedure. At this stage, we do not wish to withdraw our current application.

When we received your letter dated 10 March 2025, requesting further information in the form of a planning exemption, it was a surprise, but we thought it a simple formality because we had been under what is, clearly now, a misapprehension that our foreshore licence application already has everything needed. Our understanding has always been that due to the volume of applications to Foreshore Licensing, and now to MARA, that it was only a matter of waiting until our application would be assessed.

As Secretary and Coordinator of Seabed Sanctuary Collective, your request in March for a Section 5 exemption came at an unfortunate time. Due to a close family bereavement just the previous week my concentration was not optimum, and I had to fly to UK to make funeral arrangements. With your notification's specified 30 days turnaround, Dolf D'Hondt offered to submit our exemption request to the planning department in my absence, so I sent him the file with our original licence application and maps, but totally forgetting that the original file was not the most recent.

In June 2023 the Foreshore Licensing Department reduced the area we originally requested and with our consent they had kindly drawn up new maps to comply with then current regulations. Originally submitted in April 2023, the original application had also had a few changes made and was resubmitted the following month. It's these most recent documents that are currently held by MARA and that I should have given to Dolf. My apologies that I did not realise this mistake until our MAC pre planning session when one of your team accessed our MUL licence application online and pointed out we were discussing different areas.

As CorkCoCo Planning Department were sent the wrong plans, we want to resubmit a Section 5 application. Previous to our resubmission we also request time to research current exemption regulations, of which we were previously unaware, and which were not relevant when drawing up the licence application which you now hold. We may need to adjust our current application as necessary in order to comply with legislation now in place, and ask for MARA's agreement and cooperation in this.

As an artists' initiative, and a volunteer led non-profit organisation, we have a large and varied stakeholder base, and wide community support hoping to see sculptures in Bantry Bay in the foreseeable future. The site chosen for our current application was carefully researched at the inception of this project, drawing on local knowledge and published marine data for its suitability regarding currents, tides, navigation channels, seabed, accessibility, ecology, and other features. Since our application in 2023 the time lapse has seen the area become identified in community perception with the proposed sculpture garden; we have baseline ecological observations begun and divers have been exploring the area regularly.

Currently I am on annual family holiday, and will be back in Ireland at the end of this month, expecting a team meeting in September after the summer break. With MARA's permission I will bring to our leadership team this proposal to adjust our MUL application in compliance with current Section 5 legislation, and to resubmit it to Cork Planning Department.

Yours sincerely,

Chris Gaughran (Ms)

Coordinator, Seabed Sanctuary Collective

Copies to:

Dolf D'Hondt (Marine Advisor);

Rob Monaghan (Chairperson);

Wendy Miles (Treasurer);

Louis Heath (Marine Engineer)

Peter McDonnell (Ecologist)

Sylvia Wilson (Art Advisor)

Brian O'Rourke (Marine Advisor)