



Licence Ref: MUL260058

(Please quote in all related correspondence)

11 September 2026

Maritime Area Regulatory Authority
2nd Floor
Menapia House
Drinagh Business Park
Drinagh
Wexford
Y35RF29

Via: licence@mara.gov.ie

Re: Maritime usage licence application for ecological, archaeological and structural site investigation surveys within the River Lee, Cork City

A chara

I refer to correspondence on 11 August 2026 received in connection with the above.

Outlined below are heritage-related observations/recommendations coordinated by the Development Applications Unit under the stated headings.

Nature Conservation

The applicant/the Maritime Area Regulatory Authority (MARA) should note the protection of all cetaceans and pinnipeds afforded under Wildlife Acts and EU Habitats Directive. Although this current Maritime Usage Licence (MUL) application does not relate to a Special Area of Conservation selected for marine mammals, the applicant/MARA must be cognisant of their national and international protection. Further information on species conservation status etc. can be found on the National Parks and Wildlife website: <https://www.npws.ie/>.

Underwater Archaeology

It is noted that the purpose of the proposed maritime usage is to undertake a programme of marine, intertidal and structural site investigation surveys within the River Lee to inform the planning, environmental assessment and engineering design of the Cork Docklands South



Quays (CDSQ) public realm and flood defence project. The surveys will provide the baseline environmental, geophysical, structural and ecological data required to support the design and consenting of the proposed works along approximately 3.4 kilometres of the southern bank of the River Lee between Kennedy Quay and Blackrock Village.

It is noted that the application area is situated proximal to a number of Recorded Monuments that are subject to statutory protection in the Record of Monuments and Places established under Section 12 of the National Monuments (Amendment) Act 1930-2014. Furthermore, the Wreck Inventory of Ireland Database (WIID) contains numerous entries for losses within and in the environs of the MUL application area and it is therefore possible that the proposed development area contains wrecks or elements of lost vessels, including archaeological objects, which have not been previously undocumented. Section 3 of the National Monuments (Amendment) Act 1987 is the primary piece of legislation for the protection of wrecks over 100 years old and archaeological objects underwater irrespective of age. Wrecks that are less than 100 years old and archaeological objects or the potential location of such a wreck or archaeological object can also be protected under Section 3 of the 1987 (Amendment) Act. Over 18,000 wrecks have been recorded to date in the WIID, ranging from small fishing boats, dugout canoes and coastal traders to steamships and ocean-going ships. Though earlier sources have been included where obtainable, the Inventory is largely based on documentary sources available from after 1700AD. As such, previously unrecorded wreck sites, including those dating to earlier periods, may await discovery in the area under consideration here.

National heritage policy, as set out in *Frameworks and Principles for the Protection of the Archaeological Heritage* states 'there should always be a presumption in favour of avoiding developmental impacts on the archaeological heritage' and, given the archaeological sensitivity of the application area, this core principle should be proactively enshrined within the design process. It includes emphasis on the non-renewable nature of the archaeological heritage, the need to always consider its preservation in-situ as the first option, and the need to carry out appropriate levels and forms of archaeological assessment in advance of development.

It should be also noted that the *National Planning Framework*¹ states that 'the protection of archaeological heritage is recognised as a core component to achieving sustainable development' and the *National Marine Planning Framework*² includes the statement that:

¹ <https://cdn.npf.ie/wp-content/uploads/National-Planning-Framework-First-Revision-April-2025-1.pdf>

² <https://assets.gov.ie/139100/f0984c45-5d63-4378-ab65-d7e8c3c34016.pdf>



‘Proposals should consider the potential impact of their application on heritage assets from the earliest stages of project development, taking into account the potential risk of damage to, or degradation of, assets. Expert advice will be required at all stages to inform the development of the proposals. Such proposals may include plans to avoid locations where heritage assets may be located, or to minimise compromise or harm through the use of less invasive construction techniques. Proposals should consider evidence for the level of significance of a heritage asset, including information and advice from relevant regulators and advisors, and on how they are managed. This applies to both identified heritage assets and the potential for such assets to be discovered during development or activity.’ (National Marine Planning Framework, 89).

In light of the above observations, the following recommendations of the Department are provided to assist the MARA to ensure the proposed marine surveys and geotechnical investigations, should they receive consent, will align with statutory obligations and policy objectives for the protection of the State’s underwater cultural heritage.

The Department recommend the following conditions are attached to the MUL under the Maritime Area Planning Act 2021, should the MUL be granted:

1. Project Archaeologist

A suitably qualified and experienced underwater archaeologist shall be appointed to advise on all archaeological aspects of the project. The archaeologist shall have a track record in the interpretation of marine geophysical data for archaeological purposes.

2. Geophysical Surveys

- a) Geophysical surveys shall be licensed under the National Monuments Acts 1930-2014. A Dive Survey Licence (Section 3 1987 National Monuments Act) and Detection Device consent (Section 2 1987 National Monuments Act) will be required. Licence applications, accompanied by Method Statements, shall be sent for vetting to the Department. Please note that approvals take three-four weeks to issue. Geophysical survey of all areas where any geotechnical works are proposed is required.
- b) At a minimum, geophysical surveys shall include side scan, sonar, magnetometer and multibeam echo sounder. The project archaeologist shall advise on targeting of surveys for identification of previously recorded and potential wreck locations, archaeological objects underwater, recorded monuments, submerged palaeolandscapes and other underwater archaeological features and areas of potential within the MUL Area.



- c) Should any dive surveys be required in connection with proposed geophysical surveys these shall be licensed (Section 3 1987 National Monuments Act). Any dive survey shall be accompanied by a handheld metal detection survey which shall also be licensed (Section 2 1987 National Monuments Act).
- d) Geophysical surveys shall be carried out in advance of any proposed invasive or geotechnical works to ensure all potential impacts to the underwater cultural heritage are avoided.

3. Underwater Archaeological Impact Assessment (Geotechnical Works)

An Underwater Archaeological Impact Assessment (UAIA) report shall be forwarded to the Department for review and approval at least four weeks prior to any geotechnical works taking place. The UAIA shall include the following:

- a) Results of geophysical survey data sets assessment and archaeological interpretation by a suitably qualified and experienced maritime archaeologist, to ensure that any proposed geotechnical works do not negatively impact on locations where there is known or potential underwater cultural heritage.
- b) Results of archaeological intertidal assessment by way of walkover and drone survey and licensed metal detection survey, of all areas proposed for site investigation works in the foreshore/intertidal area. A Dive Survey Licence (Section 3 1987 National Monuments Act) and Detection Device consent (Section 2 1987 National Monuments Act) will be required for foreshore/intertidal survey.
- c) Once all geophysical and intertidal surveys and archaeological interpretations have been completed, the full information shall be compiled into a final UAIA report and submitted to the Department for review and approval, prior to undertaking any geotechnical works.

The UAIA report shall contain a detailed Archaeological Impact Statement that addresses all identified or potential impacts on underwater cultural heritage and also makes recommendations on measures to avoid (through the institution of Archaeological Exclusion Zones) or, where necessary, mitigate (by archaeological dive surveys/archaeological test excavations/archaeological geophysical surveys/archaeological monitoring/preservation by record or any other means as recommended by the Department) all potential/identified significant effects on underwater cultural heritage. Where submerged palaeolandscape deposits are identified/suspected the report shall recommend a strategy for their further investigation by way of targeted geotechnical and geoarchaeological investigation. The Developer shall be prepared to be advised by the Department in this regard or in regard to any subsequent recommendations that may issue. No geotechnical works shall be



undertaken until approval in writing from the Department has been received by the Developer.

4. Archaeological Assessment Geotechnical Works Results

Following the completion of all geotechnical works, the Developer shall furnish the Project Archaeologist with the results of all site investigation works and shall provide access to site investigation cores and physical samples for archaeological and, where warranted, geoarchaeological review by a qualified geoarchaeologist. Where suitable samples are identified, for example of potential submerged palaeolandscape deposits, they shall be subject, where warranted, to geoarchaeological analysis, scientific dating and palaeoenvironmental analysis. The Department shall be furnished with a final archaeological report describing the results of the works.

5. Protocol for Archaeological Discoveries

A Protocol for Archaeological Discoveries shall be agreed at least four weeks in advance of the commencement of geotechnical works with the Department.

Should you require any further information or clarification on any of the above submission please do not hesitate to contact this Department.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) fem.dau@npws.gov.ie, or to the following address:

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Amy Thornton
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Administration