



Department of  
**Agriculture,  
Food and the Marine**

An Roinn  
**Talmhaíochta,  
Bia agus Mara**

**T05/314**

**AQUACULTURE LICENCE**

**AQ1245**

**AQUACULTURE LAND BASED FINFISH  
SHELLFISH AND PLANTS(MULTISPECIES)**

**(FRESHWATER AND SEAWATER)**

**Bantry Marine Research Station Ltd**

**Gearhies,**

**Bantry,**

**Co. Cork**

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**AQUACULTURE LICENCE NO. 1245**

**GRANTED UNDER THE FISHERIES (AMENDMENT) ACT, 1997 (NO. 23 of 1997)**

The Minister for Agriculture, Food and the Marine (hereinafter referred to as the “Minister”), in exercise of the powers conferred on him by the Fisheries (Amendment) Act, 1997 (No. 23 of 1997) (hereinafter referred to as the “Act”), grants an Aquaculture Licence to:

**Bantry Marine Research Station Ltd**

**Gearhies**

**Bantry**

**Co. Cork**

(hereinafter referred to as the “Licensee”) for the cultivation of a variety of species as specified in Schedule 2 on a site at Gearhies, Bantry, Co. Cork as specified in Schedule 1 attached, subject to the Act and Regulations made under the Act and to the terms and conditions set out in the attached pages.

This Aquaculture Licence shall remain in force for a maximum period of ten (10) years commencing on 4 December 2018, and only so long as the fish farm complies with the planning permission granted by Cork County Council on 11<sup>th</sup> December 1991 (ref no.W/1856/91) as specified in Schedule 1 attached, the Local Government (Water Pollution) Acts licence to discharge effluent granted by Cork County Council on 30<sup>th</sup> March 1992 (ref no.W.P.(W) 7/91) (or a further such licence granted by the said Council or by the Environmental Protection Agency).



A person authorised under Section 15(1)  
of the Ministers and Secretaries Act 1924 to  
authenticate the Seal of the Minister for  
Agriculture, Food and the Marine.

## TERMS AND CONDITIONS APPLYING TO THIS AQUACULTURE LICENCE

### 1. Licensed Area

1.1. The area specified in *Schedule 1* attached.

### 2. Species, Cultivation and Method Licensed

2.1. Species to be farmed: a variety of species as specified in Schedule 2 and no fish other than those specified in Schedule 2 shall be bred and handled at this site.

2.2. Method: Landbased in circular tanks subject to the stocking limits as specified in *Schedule 2* attached and in accordance with all other consents issued.

2.3. The introduction of fish/ova/fry to the site shall comply with the legislation relating to fish health.

### 3. Infrastructure and Site Management

#### Indemnity

3.1. The Licensee shall indemnify and keep indemnified the State, the Minister, his officers, servants or agents against all actions, loss, damage, costs, expenses and any demands or claims howsoever arising in connection with the construction, maintenance or use of any structures, apparatus, equipment or any other thing used in connection with the licensed operation in the licensed area or in the exercise of the rights granted under the licence and the Licensee shall take such steps as the Minister may specify in order to ensure compliance with this condition.

3.2. The duty of maintenance and responsibility for the upkeep and safety of the site rests with the Licensee.

#### Design, Arrangement and Maintenance of Structures

3.3. The Licensee shall ensure that the equipment is placed within the licensed area only. Storage or placement of equipment or stock outside the licensed area is not permitted under any circumstances.

3.4. The Licensee shall at all times for the duration of the licence keep all equipment used for the purposes of the licensed operations in a good and proper state of repair and condition to the satisfaction of the Minister or other competent State authority.

#### Operational Conduct

3.5. The Licensee shall conduct its operations in a safe manner and with regard for other persons in the area and the environment and shall ensure that the operations are not injurious to adjacent lands or the public interest (including the environment) and do not interfere with lawful activity in the vicinity of the licensed area, and shall comply with any lawful directions issued by the Minister and any other competent State authority in that regard.

- 3.6. The Licensee shall ensure that any aquaculture or other activity conducted under this licence does not adversely affect the integrity of the Natura 2000 network (if applicable) through the deterioration of natural habitats and the habitats of species and/or through disturbance of the species for which the area has been designated in so far as such a disturbance may be significant in relation to the stated conservation objectives of the site concerned.
- 3.7. The Licensee shall ensure that best practice is employed to keep structures and netting clean at all times and any biofouling by alien invasive species shall be removed and disposed of in a responsible manner. In particular, in 'Natura 2000' sites care must be taken to ensure that any biofouling by alien invasive species will not pose a risk to the conservation features of the site. Measures to be undertaken are set out in the draft Marine Code of Practice prepared by Invasive Species Ireland and can be found on the web site at: <http://invasivespeciesireland.com/>.

#### Waste Management

- 3.8. The Licensee shall ensure that the licensed and adjoining area shall be kept clear of all redundant structures (including apparatus, equipment), waste products and operational litter or debris and shall make provision for the prompt removal and proper disposal of such material. If the Licensee refuses or fails to do so, the Minister may cause the said structures, apparatus, equipment or other thing to be removed and the licensed area restored and shall be entitled to recover from the Licensee as a simple contract debt in any court of competent jurisdiction all costs and expenses incurred by him in connection with the removal and restoration.

#### Inspection

- 3.9. The licensed area and any equipment, structure, thing, or premises wherever situated used in connection with operations carried out in the licensed area shall be open for inspection at any time by an authorised person (within the meaning of Section 292 of the Fisheries (Consolidation) Act 1959) (No. 14 of 1959) (as amended by Fisheries Act 1980) (No. 1 of 1980), a Sea Fisheries Protection Officer (within the meaning of Sea Fisheries and Maritime Jurisdiction Act 2006) (No. 8 of 2006) or any other person appointed in that regard by the Minister or other competent State authority.
- 3.10. The Licensee shall give all reasonable assistance to an authorised officer or a Sea Fisheries Protection Officer or any person duly appointed by any competent State authority to enable the person or officer enter, inspect, examine, measure and test the licensed area and any equipment, structure, thing or premises used in connection with the operations carried out in the licensed area and to take whatever samples may be deemed appropriate by that person or officer.
- 3.11. The Licensee shall keep and maintain in the State for inspection on demand by the Minister or a competent State authority, at all times, records of all operations including compliance monitoring and any required follow up action. These records shall be produced by the Licensee on demand by the Minister or other competent State authority and in any event not later than 24 hours from the making of that demand.

3.12. The Licensee shall furnish to the Minister or other competent State authority in the form and at the intervals determined by the Minister or other competent State authority, such information relating to the licensed area as may be required to determine compliance by the Licensee with the terms of this licence and applicable legislation.

4. **Containment of Stock**

4.1. The Licensee shall take all steps necessary to prevent the escape of fish from its landbased site and shall notify the Department of Agriculture, Food and the Marine, Clogheen, Clonakilty, Co. Cork, the Department's Regional Engineering Division, the Marine Institute (Salmon Management Services Division), Oranmore, Co. Galway, and Inland Fisheries Ireland within twenty four hours of any escapes of fish from the licensed area and shall keep records of the fish escaped, including numbers, types, origin and year classes and shall make these records available to the Department, the Marine Institute and Inland Fisheries Ireland.

4.2. The Licensee shall provide and maintain such gratings or other devices at the point of water abstraction from the river into the fish farm, and also at a point as near as possible to the discharge of water, as will prevent the admission of wild fish into the fish farm, and shall make all necessary provisions to prevent the escape of fish from the fish farm.

5. **Environmental Monitoring**

**Monitoring**

5.1. The Licensee shall undertake and/or partake in monitoring, in particular environmental monitoring, as directed by the Minister or other competent State authority.

6. **Fish Health / Mortality Management / Movement of Fish**

**Fish Health Regulations**

6.1. Before the site is stocked the Licensee shall ensure that a Fish Health Authorisation under statutory provisions giving effect to Council Directive No. 2006/88/EC, as amended, or any other legislative act that replaces that Directive on animal health requirements for aquaculture animals and their products, and on the prevention and control of certain diseases in aquatic animals, is in place.

**Disposal of Mortalities**

6.2. The Licensee shall dispose of dead fish in accordance with the applicable statutory provisions and requirements.

**Movement of Fish**

6.3. The Licensee shall comply with any regulations in force governing the movement of fish.

7. **Animal Remedies and Dangerous Substances**

**Authorised Remedies**

7.1. The Licensee shall only use those animal remedies approved by the Department or other competent State authority for the purpose of maintaining the health of the fish stocked. The Licensee shall only use those chemicals and animal remedies in the licensed area in accordance with instructions issued by the Minister, the Marine Institute or other competent State authority from time to time and in accordance with the prescribing instructions set by the veterinarian.

**Authorised Substances**

7.2. The Licensee shall not use a "Priority Hazardous Substance" as may be defined from time to time in legislation concerning water quality.

7.3. The Licensee shall not use any substance or thing or do anything, which has a deleterious effect on the environment of the licensed area and shall make adequate arrangements for the hygienic and disease free operation of the licensed area and shall comply with any directions issued by the Minister, the Marine Institute or other competent State authority from time to time in that regard.

**Records of Use and Withdrawal Periods**

7.4. The Licensee shall keep full records, at the place of business, of all chemicals and animal remedies with which the fish have been treated, including quantities and times of use. All chemical and animal remedies used in the licensed area shall be used in accordance with instructions issued by the Minister, the Marine Institute or other competent State authority from time to time.

7.5. The Licensee shall maintain the following:-

7.5.1. Records of a receipt of a dangerous substance.

7.5.2. Each prescription issued in respect of an animal remedy which consists of or contains a dangerous substance.

7.5.3. Records of storage of a dangerous substance,

7.5.4. Records of use of a dangerous substance, and

7.5.5. Such other record as the Minister may specify.

**Storage Requirements**

7.6. The Licensee shall ensure that all dangerous substances within the meaning of List II of Annex I to Directive 2006/11/EC on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community are stored in a manner so as to prevent any discharge, accidental or otherwise.

8. **Emergency Plans**

8.1 The Licensee shall regularly maintain and update its Comprehensive Emergency Plan, providing in particular for an appropriate response to, unexplained mortalities

significantly above the level of what is considered to be normal for the farm area in question under prevailing conditions, fish escapes, fish disease, chemical spills and other significant matters arising in the course of its aquaculture operations.

9. **Duration, Cessation, Review, Revocation, Amendment, Assignment**

**Duration, Cessation**

9.1. This Licence shall remain in force until 3 December 2028 and only so long as the fish farm complies with the planning permission granted by Cork County Council on 11<sup>th</sup> December 1991 (ref W/1856/91), the Local Government (Water Pollution) Acts licence to discharge effluent granted by Cork County Council on 30<sup>th</sup> March 1992 (ref W.P.(W) 7/91) (or a further such licence granted by the said Council or by the Environmental Protection Agency).

**Review**

9.2. The Licensee may apply for a review of the licence at any time after the expiration of three years since the granting of the licence or its last renewal in accordance with section 70 of the Act.

**Revocation, Amendment**

9.3. Subject to the Act, the Minister may revoke or amend the licence if:-

- (a) he considers that it is in the public interest to do so,
- (b) he is satisfied that there has been a breach of any condition specified in the licence,
- (c) the licensed area to which the licence relates is not being properly maintained,
- (d) water quality results or general performance in the licensed area do not meet the standards set by the Minister or the competent State authority.

**Assignment**

9.4. This Licence shall not be assigned without the prior written consent of the Minister and may not be assigned during the period of three years, dating from the commencement or renewal of this licence, unless the Minister determines that it may be assigned under condition 9(5) or the condition set out in 9(6) applies.

9.5. A Licensee, who considers that there are exceptional reasons for the assignment of the Licence during the first three years, may apply to the Minister, giving those reasons, for a determination that the Licence may be assigned. The Minister may, at his discretion, having considered the reasons given by the Licensee, determine whether or not the Licence may be assigned. The determination of the Minister in this regard is final.

9.6. Where the Licensee is a company (within the meaning of the Companies Acts) and goes into Liquidation (within the meaning of the Companies Acts) in the first three years dating from the commencement of the licence, the Liquidator shall, with the consent of the Minister, be entitled to assign the licence to enable him to discharge any debts of the liquidated company.



9.7. This licence is issued subject to any order that the High Court may make under section 218 of the Companies Act 1963 or otherwise with regard to the assignment of this licence.

10. **Fees**

10.1. The Licensee shall pay to the Minister an annual aquaculture licence fee in accordance with the Aquaculture (Licence Application and Licence Fees) Regulations 1998 (S.I. No. 270 of 1998) as amended by the Aquaculture (Licence Fees) Regulations 2000 (S.I. No. 282 of 2000) or an amount payable under Regulations made under section 64 of the Act. .

10.2. The Minister may revoke the licence where the Licensee fails to pay the aquaculture licence fees on demand.

11. **General Terms and Conditions**

11.1. The Licensee shall at all times comply with all laws and Departmental Protocols applicable to aquaculture operations.

11.2. Any reference to a statute or an act of an institution of the European Union (whether specifically named or not) includes any amendments or re-enactments in force and all statutory instruments, orders, notices, regulations, directions, bye-laws, certificates, permissions and plans made, issued or given effect under such legislation shall remain valid.

11.3. If any condition or part of a condition in this licence is held to be illegal or unenforceable in whole or in part, such condition shall be deemed not to form part of this licence but the enforceability of the remainder of this licence is not affected.

11.4. The Licensee shall at all times hold all necessary licences, consents, permissions, permits or authorisations associated with any activities of the Licensee in connection with the licensed area.

**Notification**

11.5. Without prejudice to any other remedy under the licence or in law, if the Minister is of the view that the Licensee is in breach of any obligation under this licence, the Minister may, by notice in writing, require that the Licensee rectifies such breach, within such time as is specified by the Minister. The Licensee shall comply with any direction of the Minister within the time specified in the notice.

11.6. Any notice to be given by the Minister may be transmitted through the Post Office addressed to the Licensee at the last known address of the Licensee.

11.7. The Licensee shall notify the Minister within 7 days of any change in the Licensee's address, telephone, e-mail or facsimile number.

**Tax Clearance Certificate**

11.8. During the term of this licence the Licensee shall provide to the Minister on demand a current tax clearance certificate.

### Companies and Co-operatives

- 11.9. In the event of the licence being granted to a company (within the meaning of the Companies Acts), control of the licensee company shall not change in any respect from the control of the company as existed on the date that the licence was granted so long as this licence shall remain in force save with the prior written permission of the Minister.
- 11.10. In the event of a licence being granted to a company that has been incorporated outside this State, the licensee company shall register with the Companies Registration Office within one month of the establishment of a place of business in the State or alternatively, within one month of the establishment of a branch of the said company in the State and the licensee company shall submit proof to the Department within 14 days of the end of that month that it has been so registered.
- 11.11. Where the licensee is a company within the meaning of the Companies Acts, the licensee company shall ensure that it does not become dissolved within the meaning of the Companies Acts for so long as this licence shall remain in force.
- 11.12. In the event of the licence being granted to a society (within the meaning of section 2 of the Industrial and Provident Societies (Amendment) Act 1978 (No.23 of 1978) the following conditions shall apply:-
- 11.12.1. The rules relating to membership of the society shall enable any resident of the State to become a member of it where the resident fulfils all the conditions laid down by the society for membership of it and the rules shall not lay down different conditions for different classes of people;
- 11.12.2. The rules relating to the society as submitted to the Minister before the grant of this licence shall not be amended subsequently other than with the written permission of the Minister; and
- 11.12.3. The Minister may, if he considers it necessary in the interests of good management of the licensed area, direct that an amendment may be made to the rules of the society, and the Licensee shall amend the rules in accordance with that direction.

## **SCHEDULE 1**

**Schedule 1 contains:**

- **a copy of planning permission granted for the premises**
- **a copy of the effluent discharge licence**
- **maps and drawings of the licensed site**

C O R K C O U N T Y C O U N C I L

Local Government (Planning and Development) Acts, 1963 - 1990

NOTIFICATION OF DECISION TO GRANT PERMISSION (subject to conditions).

Reference No. In Planning Register  
W/1856/91.

University College Cork,  
Buildings Office,  
U.C.C.  
Cork.

In pursuance of the powers conferred upon them by the above mentioned Acts the Council of the County of Cork have by Order dated **11 DEC 1991** decided to grant Permission for the development of land namely:  
Aquaculture Research Centre at Gerahies, Bantry.

in accordance with the plans and particulars submitted by the applicant on 20/6/91 as amended on 9/7/91 <sup>30/12/91</sup> and subject to the conditions (13 No.) set out in Column 1 of the Schedule attached hereto. The reasons for the imposition of the said conditions are set out in Column 2 of the Schedule.

If there is no appeal against the said decision, a grant of Permission in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanala (See Footnote).

It should be noted that until a grant of Permission has been issued, the development in question is NOT AUTHORISED.

Planning Department,  
County Hall,  
Cork.

Signed on behalf of the said Council

*M. O. O'Connell*

DATE:

**11 DEC 1991**

NOTE:

An appeal against a decision of a Planning Authority under Section 26 of the Act of 1963 may be made to An Bord Pleanala. The APPLICANT FOR PERMISSION may appeal within ONE MONTH beginning on the date of receipt by him of the decision. ANY OTHER PERSON may appeal to An Bord Pleanala within THREE WEEKS beginning on the date of decision.

Appeals should be addressed to the SECRETARY, AN BORD PLEANALA, FLOOR 3, IRISH LIFE CENTRE, LOWER ABBEY ST., DUBLIN 1 and will be invalid unless accompanied by a fee of £100.00

An appeal by the applicant for permission SHOULD BE ACCOMPANIED BY THIS FORM. In the case of an appeal by any other person, the name of the applicant, particulars of the proposed development or of the structure to be retained and the date of the decision of the Planning Authority should be stated.

## SCHEDULE

Reference No in Planning  
Register

Referred to in Order No  
P.D. /

W/1856/91

Column 1 - Condition	Column 2 - Reason
<p>Provided that:</p> <p>(1) All domestic effluent shall be fed by foul sewer to the existing Rotating Biological Contactor, on the site owned by Fastnet Mussels, Gearhies. Only ordinary domestic toilet effluent shall be discharged to the Rotating Biological Contactor. A separate inspection chamber shall be installed on the foul sewer, on the site occupied by U.C.C. prior to its entry to the site occupied by Fastnet Mussels. This inspection chamber shall be provided with suitable access to the satisfaction of the Council and to facilitate sampling of the effluent discharging when required.</p> <p>(2) The proposed Rotating Drum Filter and Settlement Tank to treat all farm effluents shall be adequate to handle the volume of effluent to be generated, particularly during cleaning operations and emptying of the Algal culture and Zooplankton tanks in the constant temperature rooms and also the 14 no. 2 metre diameter and 10 no. 4 metre diameter tanks in the hatchery building. Rotating Drum Filter should be properly maintained and desludged when necessary.</p> <p>(3) All discharges from the Rotating Drum Filter and Settling Tank shall pass through a separate sewer, discharging via the manhole and pipe to the sea 20m west of the Fastnet Mussels outfall, as shown on the site layout plan</p>	<p>In the interests of public health.</p> <p>To ensure satisfactory drainage arrangements and to safeguard the amenities of the area.</p> <p>To ensure satisfactory drainage arrangements and to safeguard the amenities of the area.</p> <p>Cont'd...</p>

## SCHEDULE

Reference No in Planning  
Register

Referred to in Order No

P.D.

/

W/1856/91

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Column 1 - Condition	Column 2 - Reason
<p>(3) Cont'd...</p> <p style="padding-left: 20px;">in the documentation lodged with the Planning Authority on October 30th, 1991. This sewer shall be provided with an inspection chamber prior to discharge to its sea outfall. This inspection chamber shall allow suitable access to the satisfaction of the County Council, for the sampling of effluent when required.</p>	
<p>(4) With respect to Chemical usage, a Log Book shall be kept of therapeutic, prophylactic chemical treatments and disinfectants. A record of the type of treatment applied, material name, principal active ingredients of the application, method of application, volume use, rate of application and dosage must be recorded and available on site within the Log Book for inspection.</p>	<p>To enable the Planning Authority to assess the impact of the development on the amenities of the area.</p>
<p>(5) All solid wastes arising on the site shall be disposed of at a location and in such a manner as is agreed with the Planning Authority. In any case no such wastes shall be stored on the site except within the confines of the buildings on site.</p>	<p>To safeguard the amenities of the area.</p>
<p>(6) Noise levels emanating from the proposed development when measured at the site boundaries shall not exceed 50 dBa between 08.00 hours and 20.00 hours and shall not exceed 40 dBa at any other time. Measurements shall be made in accordance with I.S.O. Recommendations</p>	<p>To safeguard the amenities of the area.</p>
	<p>Cont'd...</p>

## SCHEDULE

Reference No in Planning  
Register

Referred to in Order No

P.D.

/

W/1856/91

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Column 1 - Condition	Column 2 - Reason
<p>(6) Cont'd...</p> <p>R.1996 "Assessment of Noise with respect to Community Response" and shall be of a minimum duration of 15 minutes.</p>	
<p>(7) All operations on-site shall be carried out in such a manner as to ensure that no odour or dust nuisance occurs beyond the site boundary because of such operations.</p>	<p>To safeguard the amenities of the area.</p>
<p>(8) All water contaminated with Hydrocarbons including storm water from bunded areas shall be discharged via a grit trap and 3 chambered hydrocarbon interceptor to soakaways. Inspection chamber shall be provided between the hydrocarbon interceptor and the soakaways. The interceptor shall be installed and operated to the satisfaction of the Planning Authority.</p>	<p>To safeguard the amenities of the area.</p>
<p>(9) Waste oil shall be stored in a tank in a waterproof bunded area and capacity of bund to be 110% of the tank size. The bunded area to be fitted with a locking pentstock valve which shall be opened only to discharge storm water to the interceptor. The developer shall ensure that the valve is locked at all times. This oil shall be disposed of to the satisfaction of the Planning Authority, i.e. to be recycled.</p>	<p>To provide safe storage of waste oil and to ensure that no water pollution occurs.</p>
<p>(10) All over ground tanks containing diesel shall be contained in a waterproof bunded area of sufficient volume to hold 110% of the value of the largest tank within the bund. All valves on the tank shall be</p>	<p>To provide safe storage of diesel and to ensure that no water pollution occurs.</p> <p>Cont'd...</p>

## SCHEDULE

Reference No in Planning  
Register

W/1856/91

Referred to in Order No

P.D.

/

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Column 1 - Condition	Column 2 - Reason
<p>(10) Cont'd...</p> <p>contained within the bunded area. The bunded area shall be fitted with a pentstock valve which shall be opened only to discharge storm water to the interceptor. The developer shall ensure that this valve is locked at all times.</p>	
<p>(11) All uncontaminated roof and surface water shall be discharged to soakage areas within the confines of the site.</p>	<p>To ensure satisfactory disposal of roof and surface water.</p>
<p>(12) Adequate on-site parking area shall be provided for all vehicles using the site.</p>	<p>To prevent parking on the public road in the interests of road safety.</p>
<p>(13) The site shall be landscaped in accordance with a comprehensive scheme of landscaping, full details of which shall be submitted to and agreed with the Planning Authority before development commences. The said scheme shall include, inter alia, a programme for the implementation of the scheme and landscaping scheme shall include for mass planting to East of structures.</p>	<p>In the interests of visual amenity.</p>



C O R K C O U N T Y C O U N C I L  
LOCAL GOVERNMENT (WATER POLLUTION) ACT 1977

Licence to discharge Trade or Sewage Effluent to Waters

Reference No. TO/ University College Cork,  
in Register Zoology Department,  
W.P.(W) 7/91 College Road,  
CORK.

The Council of the County of Cork, in exercise of the powers conferred on it by the Local Government (Water Pollution) Act, 1977, hereby GRANTS a Licence Reference Number W.P.(W) 7/91

To discharge waste water arising from fish farming activities  
From U.C.C. Aquaculture Research Centre  
Located at Gerahies, Bantry  
To the sea  
At Gerahies, Bantry

subject to the Conditions set out in the schedule attached hereto. It should be noted that a person shall not be entitled solely by reason of a licence to make, cause or permit the discharge of Trade or Sewage Effluent to Waters.

ENVIRONMENT SECTION,  
COUNTY HALL,  
CORK.

Signed on behalf of the said Council.

County Manager 

Date

30<sup>th</sup> March, 1992

Order No.

W.P. 13/92.

NOTE:

An appeal against a decision made by a Local Authority under Section 4 and Section 7 of the Act of 1977 may be made to An Bord Pleanala under Section 8 of the Act. Any person may appeal to An Bord Pleanala within ONE MONTH beginning on the date of the Local Authority's decision.

Appeals should be addressed to THE SECRETARY, AN BORD PLEANALA, Floor 3, Irish Life Centre, Lower Abbey Street, Dublin 1, and will be invalid unless accompanied by a fee of £36.00.

Submissions or observations made to the Board by or on behalf of a person (other than the applicant) in relation to an appeal made by another person must be accompanied by a fee of £10.00.

A Party to an appeal shall give to An Bord Pleanala any document, information or evidence in his possession or procurement which An Bord Pleanala consider necessary for the purpose of determining the appeal.

Schedule

Effluent Discharges shall take place only as specified in the application W.P. (W) 7/91 as modified and/or controlled by this licence and subject to the requirements of law . Any changes in the nature or quantity of any emission shall require the Licensee to notify the Licensing Authority and in the case of any material change for the Licensee to request a review or obtain a new licence as may be determined by the Licensing Authority prior to any such change being made . The Licensing Authority shall interpret whether any change is material or not .

This licence supercedes all previous licences and correspondence issued in respect of this plant under the terms of the Water Pollution Act (1977) .

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the left.

1. CONTAMINATED WASTE WATERS.

1.1 All contaminated waste water shall be discharged to the foreshore through a single pipeline at a point where the seabed lies at least three metres below low water level. The Licensee shall submit details of a diffuser which shall be attached to the pipe discharge for the approval of the Licensing Authority within two months of issue of this licence. The diffuser shall be installed in 1992.

1.2 Contaminated waste water shall comprise those arising from the farming of fish only.

1.3 There shall be no use of organotin or organochlorine compounds in operations on the premises which would give rise to any of these materials being present in the effluent.

1.4 The discharge pipeline shall be fitted with a flow meter of the continuous recording and integrating type. In addition the outflow pipe shall be fitted with a composite sampler of a flow proportionate type.

The sampler shall be operated so as to take samples at a frequency to be agreed with the Licensing Authority making up to a composite sample once every 24 hours. In this regard, a composite sample for testing purposes shall be defined as any sample extracted from the sampling apparatus between the hours of 8.00 am and 12.00 noon.

This composite sample shall be collected at 12:00 noon each day or as otherwise agreed with the Licensing Authority.

The sampler shall be installed in the effluent discharge pipe at a location agreed with the Licensing Authority.

This sampling and monitoring system shall be fully operational and in use at all times during which effluent is being discharged.

1.5 The total volume of effluent shall not exceed 600 cubic metres/day nor 25 cubic metres/hour. The maximum fish crop shall be restricted to 2 Tonnes.



1.6 Composite samples obtained in accordance with condition 1.4 above shall be tested by the Licensee for the parameters indicated in the following table and no such sample shall exceed the following condition limits :-

pH	6.0 - 9.0
B.O.D.	not more than 2mg/l more than B.O.D. at intake
Suspended Solids	not more than 10mg/l more than Suspended Solids at intake
Ammonia ( as N )	not more than 0.3mg/l more than Ammonia at intake

Composite samples shall be tested by the Licensee for any other parameters which may be required by the Licensing Authority .

No grab sample shall exceed the limits indicated for the parameters listed hereunder :-

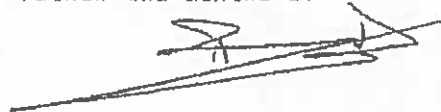
pH	6 - 9
B.O.D.	10 mg/l
S.S.	40 mg/l
Ammonia (as N )	1 mg/l

The frequency of testing shall be once per week for all of the parameters listed above . Samples taken a half-hour and one hour after time of feeding shall be analysed at least once per year . Samples taken a half-hour and one hour after time of chemical dosing shall be analysed at least once per year . Time elapsed since feeding or chemical dosing shall be stated for each test .

In the event that satisfactory correlation can be established between C.O.D (or T.O.C. ) and B.O.D. levels , then with the agreement of the Licensing Authority the C.O.D. (or T.O.C.) test results may be used to estimate the B.O.D. loading , subject to the following :-

- (i) Quarterly B.O.D. (5 day) tests being carried out .
- (ii) Yearly reevaluation of the C.O.D. (or T.O.C.) / B.O.D. ratio .

Any future licence issued in respect of this plant or an expanded plant shall be supported with a methodology statement showing effluent minimisation . The Applicant shall monitor the sea in three locations in the vicinity of the outfall monthly . The results of this monitoring shall be submitted to the Licensing Authority . The information thus collected will be used in the assessment of any future licence application . The extent of this monitoring shall be agreed with the Licensing Authority within two months of the granting of this licence .




1.7 The Licensee shall take all steps necessary to minimise the discharge of biocides , pesticides , anti-bacterial agents and antibiotics with the effluent . Any antibiotics dosed to the tanks shall be prescribed by a Veterinary Surgeon and applied in accordance with his instructions . The Licensee shall maintain a record of all chemicals applied to the tanks in respect of date , type and quantity and shall agree a programme of increased monitoring with the Licensing Authority in respect of frequency and the residual concentrations of these chemicals in the effluent for these occasions .

1.8 In compliance with the terms of the above paragraphs , the Licensee shall have a study carried out into the best practicable means of dealing with fish disease or ill-health . The cost of this study shall be borne by the Licensee and it shall be submitted to the Licensing Authority within one year of the issue of this licence .

1.9 Fats , oils and greases shall not be present in quantities such as to :-  
(a) form visible films on the surface of the water .  
(b) form coatings on the bed , benthic biota or food sources .  
(c) cause deleterious effects to aquatic life .  
(d) impart a detectable taste or odour to edible aquatic species .

1.10 The Licensee shall provide a sampling point on the treated effluent discharge line for the use of any statutory body having statutory responsibility for water pollution control . The Licensee shall also ensure that direct access to the sampling point is available at all times .

1.11 The Licensee shall arrange to have studies undertaken to show that the existing outfall location provides for adequate dilution and dispersion of the effluent . These studies shall be carried out by a competent independent body approved by the Licensing Authority . The results and conclusions of these studies shall be submitted to the Licensing Authority within six months of issue of this licence .



## 2 SOLID WASTES

2.1 All solid waste including general refuse shall be disposed of to landfill or by other means as may be agreed with the Licensing Authority . Dead fish shall be disposed of to landfill in a location and manner to be agreed with the Licensing Authority .

2.2 While awaiting disposal , all wastes and by-products shall be collected and stored in designated areas protected against spillage and leachate run-off . Waste management shall be carried out in such a manner as not to cause an odour nuisance .

2.3 The Licensee shall keep records of all wastes disposed of off-site (including dead fish ) and shall retain such records for at least two years . Copies of these records shall be submitted to the Licensing Authority annually with the report required in clause 3.3 .

## 3 MONITORING

3.1 The Licensee shall grant immediate and unhindered access to the site to any authorised personnel representing any statutory body having statutory responsibility for water pollution control , at all times to carry out such inspections , monitoring and investigations as the body deems necessary .

3.2 The Licensee shall keep records of all monitoring carried out . These records shall be available for inspection by authorised personnel representing any statutory body responsible for controlling water pollution at all reasonable times . The Licensee shall submit monthly reports to the Licensing Authority outlining the results of tests carried out in compliance with this licence together with any other records relating to pollution control which may be required by the Licensing Authority . The format of these results shall include minimum , maximum and average values for each of the parameters tested . Any non-compliance with the terms of the licence shall be highlighted and the reason why this occurred shall be stated . The measures taken to ensure non-recurrence shall also be outlined . The percentage compliance with licence values for each parameter shall also be indicated .

These records shall also include details of the following :-

- (a) Use and method of disposal of chemicals ,
- (b) Disposal of sludge ,
- (c) Quantities of fish ,
- (d) Flow records ,
- (e) Sampling and analysis records ,
- (f) Type and quantity of fish food used

3.3 Before January 15th. of each calendar year, the Licensee shall submit a summary report of all monitoring carried out in the previous year. This report shall include annual totals for all parameters emitted. All monthly and annual reports shall be certified accurate and representative by the Licensee's plant manager or other senior officer designated by him.

3.4 The Licensee shall carry out a visual inspection of the effluent discharge point daily and any abnormalities in water quality shall be noted. If it appears that the abnormalities may be occurring as a result of the Licensee's discharges then the Licensee shall immediately notify the Licensing Authority and initiate an investigation into the possible cause of the abnormalities.

#### 4 RESPONSIBLE PERSON

4.1 The Licensee shall ensure that a person or persons is/are available at all times to give relevant information on emissions to the Licensing Authority. The Licensee shall identify to the Licensing Authority each such person.


#### 5 CONTRIBUTIONS

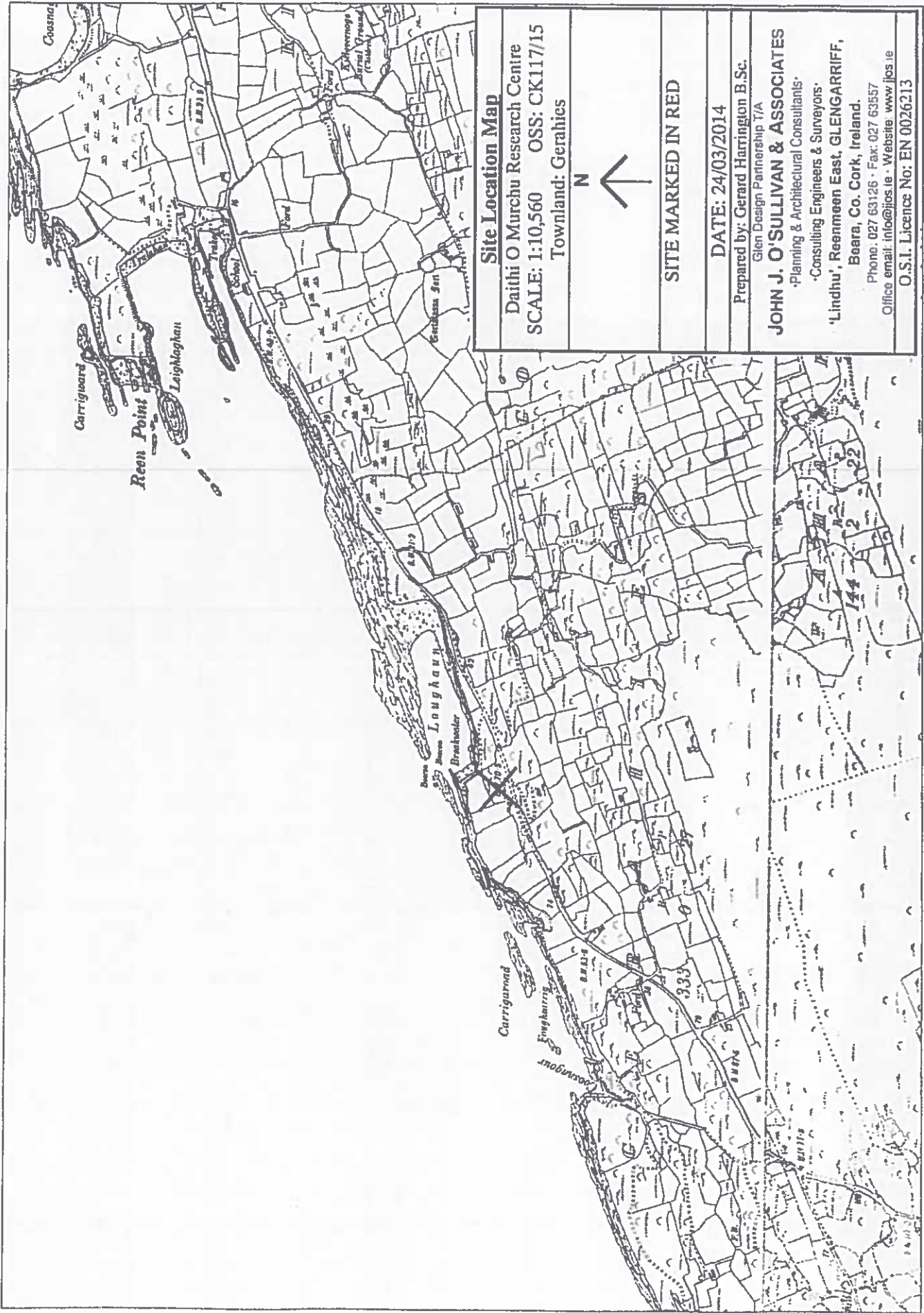
5.1 The Licensee shall pay to the Licensing Authority such annual contributions towards the cost of monitoring the discharge as the Licensing Authority considers necessary for the performance of its duties under this Act as follows :-

(a) Not later than 30th September 1992 the Licensee shall pay to the Licensing Authority a contribution of not less than £ 500.00.

(b) In subsequent years the Licensee shall pay to the Licensing Authority an annual amount of not less than £ 500.00 updated in accordance with the Consumer Price Index from the date of the grant of this licence to the value pertaining at the time of payment of each annual contribution.

(c) Notwithstanding the foregoing, the rate of contribution each year shall take account of the actual costs of monitoring as incurred by the Licensing Authority in the previous year and as estimated for the next year.





**Site Location Map**

Daiti O Murchu Research Centre  
 SCALE: 1:10,560 OSS: CK117/15  
 Townland: Gerahies



**SITE MARKED IN RED**

DATE: 24/03/2014

Prepared by: Gerard Harrington B.Sc.  
 Glen Design Partnership T/A

**JOHN J. O'SULLIVAN & ASSOCIATES**

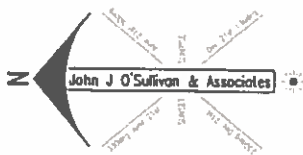
- Planning & Architectural Consultants
- Consulting Engineers & Surveyors

'Lindhu', Reenmeen East, GLENGARRIFF,  
 Beara, Co. Cork, Ireland.

Phone: 027 63126 • Fax: 027 63557  
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 O.S.I. Licence No: EN 0026213



BANTRY BAY



Loughan

GEARHIES PIER

GEARHIES

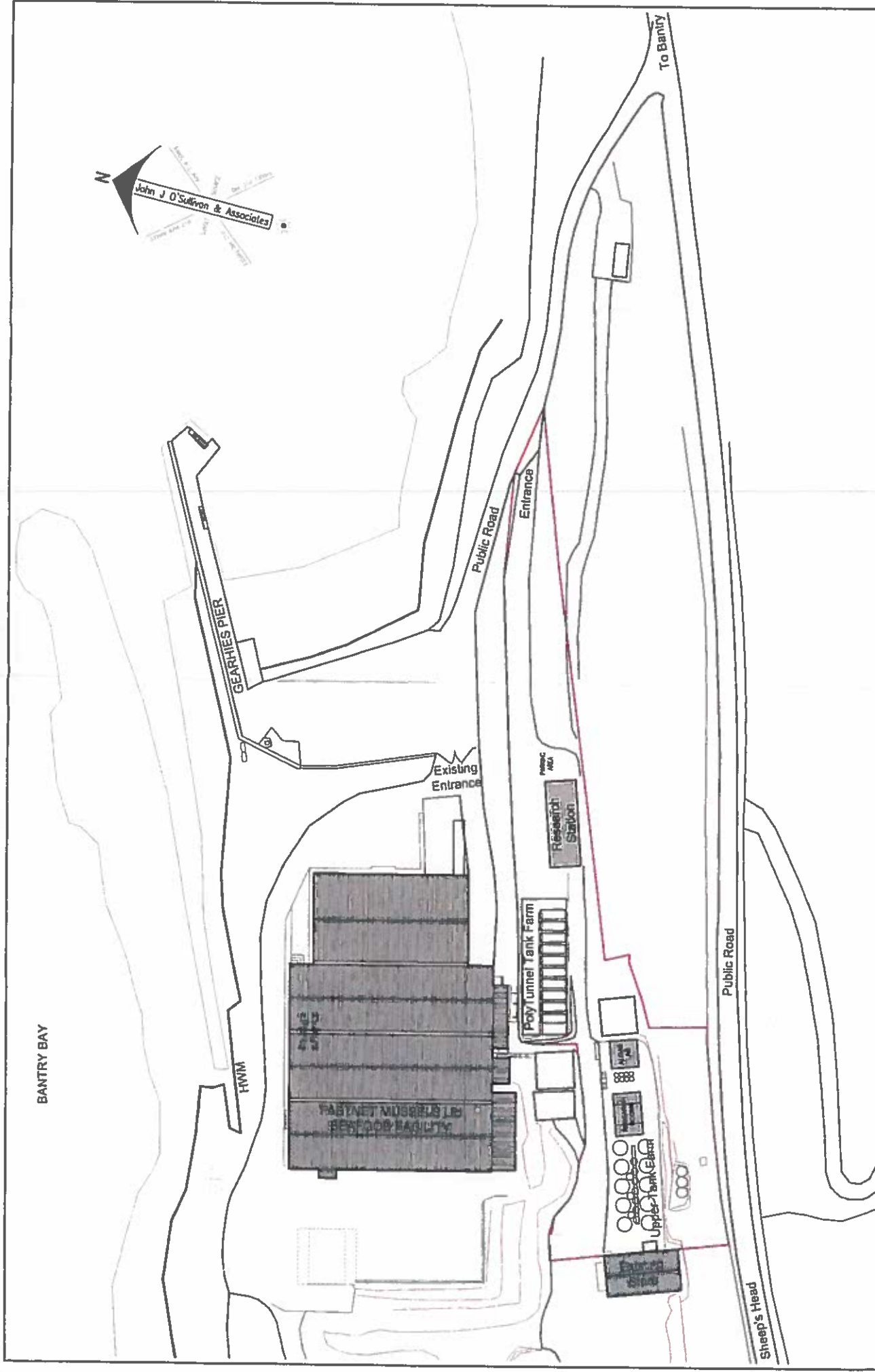


Drawn By: Gerard Harrington B.Sc. Arch. Tech.  
 Checked By: John J O'Sullivan B.E., MIE  
 Date: 02/09/16  
 Draw No: 100241501-06

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 Lindu's, Reenmeen East, GLENGARRIFF, BARRA, Co. Cork, Ireland  
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APP DRAWING  
 SITE LOCATION MAP  
 AJ - 1/2,500  
 CK17/15

Client: Doilthi O Murchu Marine Research Center  
 Project: AQUACULTURE LICENCE RENEWAL APP AT GEARHIES,  
 BANTRY, CO CORK.



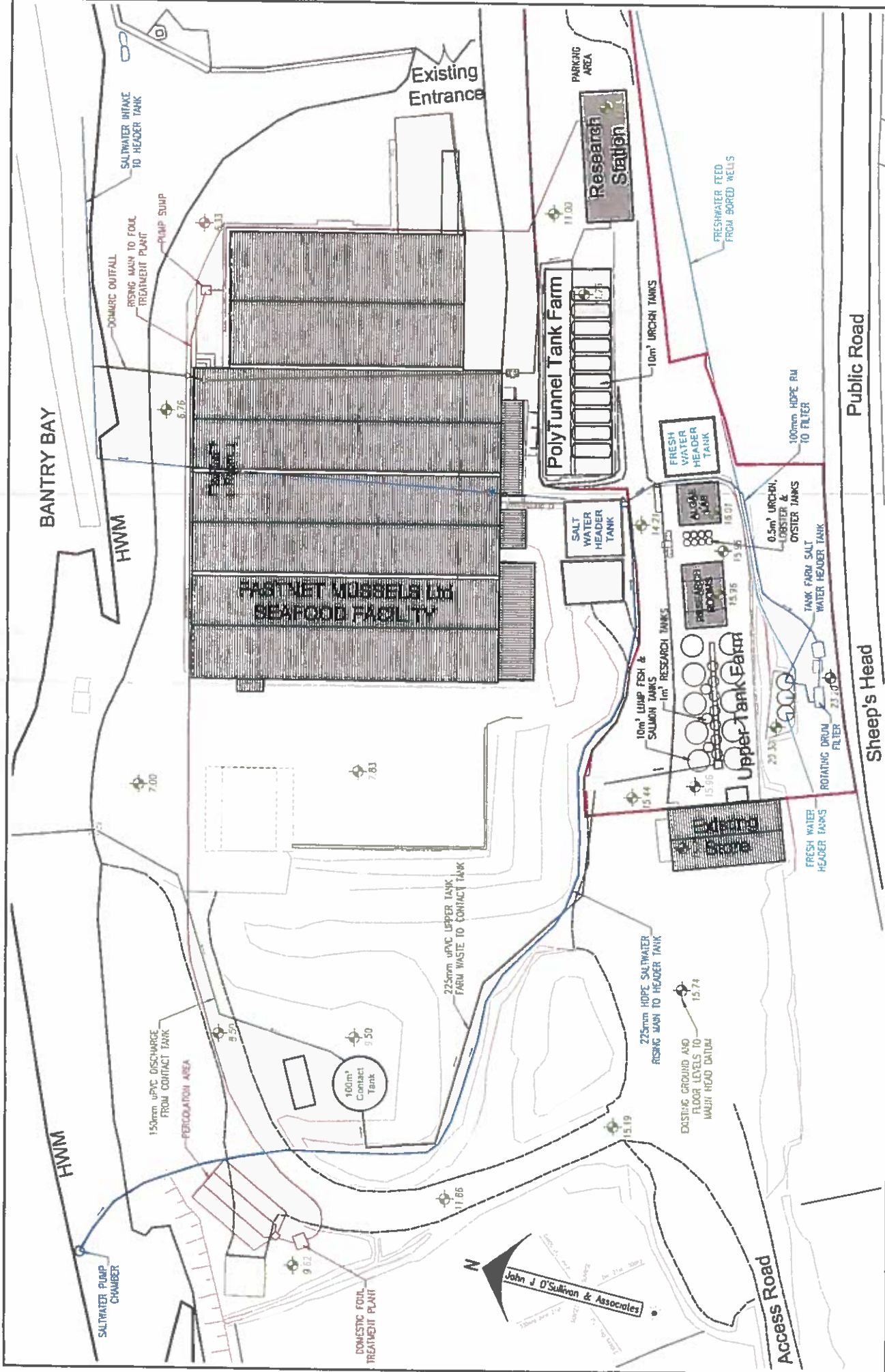
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 Checked By: John J O'Sullivan B.E., MIEI  
 Date: 02/09/16  
 Ref No: L00241501-06

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APP DRAWING  
 OVERALL SITE LAYOUT  
 Scale: 1/750  
 Drawing Status: AJ - 1/750  
 Drawing Title: OVERALL SITE LAYOUT  
 Scale: 0.55  
 CORK

Client: Doilhi O Murchu Marine Research Center  
 Project: AQUACULTURE LICENCE RENEWAL APP AT GEARHIES, BANTRY, CO CORK.



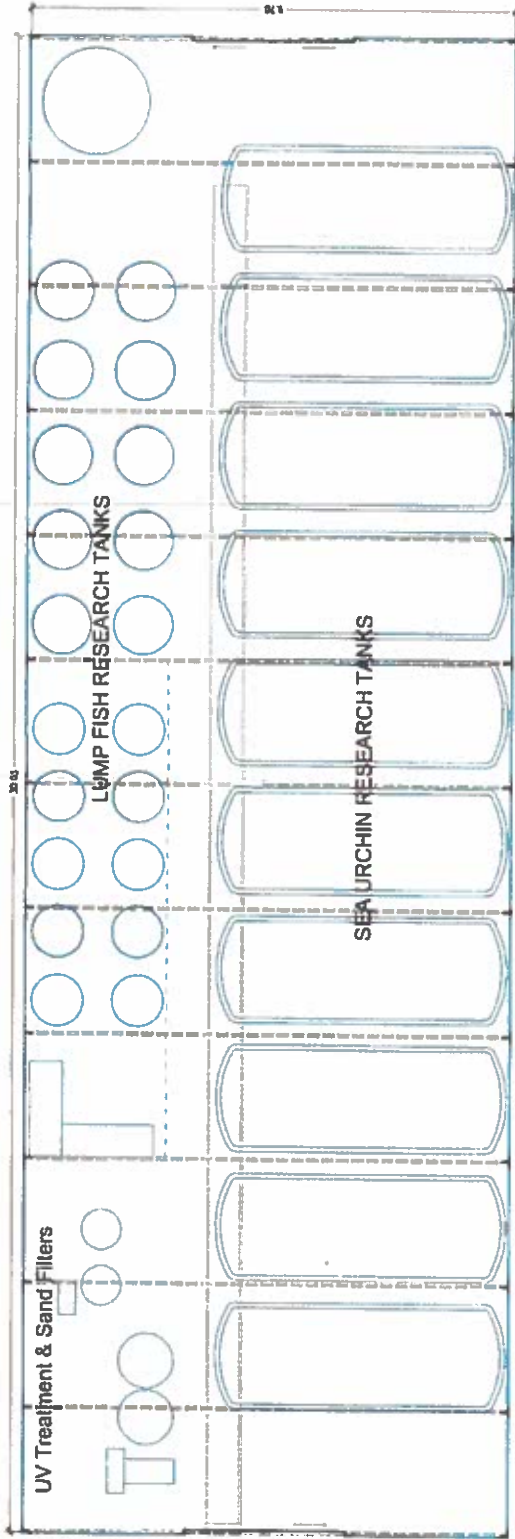
Drawn By: Gerard Harrington B.Sc. Arch. Tech.  
 Created By: John J O'Sullivan B.E., MIEI  
 Date: 02/09/16  
 Drawing No: L00241501-06

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 Tel: 027 83126 • Fax: 027 83157 • Office email: info@jjas.ie • Website: www.jjas.ie

APP DRAWING  
 DETAIL SITE LAYOUT  
 AJ - 1/500  
 CORR

Client: Deilbhí Ó Murchu Marine Research Center  
 Project: AQUACULTURE LICENCE RENEWAL APP AT GEARHIES, BANTRY, CO CORK.

# POLYTUNNEL TANK FARM



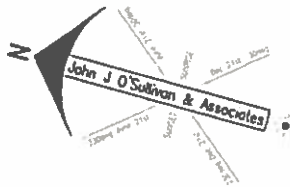
**Ground Floor Plan**  
Floor Area = 291m<sup>2</sup>(3132ft<sup>2</sup>)



North & South Elevations



East & West Elevations



<p>Client: <b>Dailithi O Murchu Marine Research Center</b> Project: <b>AQUACULTURE LICENCE RENEWAL APP AT GEARRIES, BANTRY, CO CORK.</b></p>	<p>Design Status: <b>APP DWGS</b> Design Title: <b>POLYTUNNEL TANK FARM</b> Scale: <b>A3 - 1:100</b> Date: <b>05/5</b></p>	<p>Client Design Partner: <b>T/A JOHN J. O'SULLIVAN &amp; ASSOCIATES</b> Planning &amp; Architectural Consultants - Consulting Engineers &amp; Surveyors - 'Linda', Reenmeen East, GLENGARRIFF, BARRA, Co. Cork, Ireland. Tel: 027 63128 - Fax: 027 63357 - Other email: info@jja.ie - Website: www.jja.ie</p>	<p>Drawn By: <b>Gerard Harrington B.Sc. Arch. Tech.</b> Checked By: <b>David A O'Neill</b> Date: <b>02/09/2016</b> Dwg No: <b>L00241502-01</b></p>
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## SCHEDULE 2

**Schedule 2 contains:**

**The variety of species to be produced annually is for experimental purposes only and will not exceed more than two tonnes of standing stock at any one time.**

**Species to be cultivated:**

Atlantic Salmon (*Salmo Salar*), Abalone (*Haliotis Spp*), Ballan Wrasse (*Labrus Bergylta*), Black Sea Cucumber (*Holothuria Forskali*), Blue Mussels (*Mytilus Edulis*), Brill (*Scophthalmus Rhombus*), Brown Trout (*Salmo Trutta*), Char (*Salvelinus Alpinus*), Cockles (*Cerastoderma Edule*), Cod (*Gadhus Morhua*), Common Sole (*Solea Solea*), Crayfish (*Astacas Spp, Austropotamobius Spp*), Dab (*Limanda Limanda*), European Eel (*Anguilla Anguilla*), European Flounder (*Platichthys Flesus*), Flat Oysters (*Ostrea Edulis*), Goldsinny Wrasse (*Ctenolabrus Rupestris*), Haddock (*Melanogrammus aeglefinus*), Halibut (*Hippoglossus Hippoglossus*), Lobsters (*Homarus Gammarus*), Lump sucker (*Cyclopterus Lumpus*), Periwinkles (*Littorina Spp*), Prawns (*Palaemon Spp.*), Rainbow Trout (*Oncorhynchus Mykiss*), Scallops (*Pecten Maximus*), Sea Bass (*Dicentrarchus Labrax*), Sea Urchins (*Paracentrotus Lividus*), Shrimps (*Crangon Crangon*), Soft-shell Clams (*Mya Arenaria*), Turbot (*Scophthalmus Maximus*), Whelks (*Buccinum Undatum, Nuvella Lapillus*), Wolffish (*Anarhichas Lupus*), Microalgae, Native indigenous macroalgae, Zooplankton and other native species.