



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

An Roinn  
**Talmhaíochta,  
Bia agus Mara**

**T27/2B**

**AQUACULTURE LICENCE**

**AQUACULTURE LAND BASED FINFISH**  
**(FRESHWATER)**

**Goatsbridge Trout Farm Ltd**

**Thomastown**

**Co Kilkenny**

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*SCHEDULE 1*

*SCHEDULE 2*

**AQUACULTURE LICENCE NO. 798**

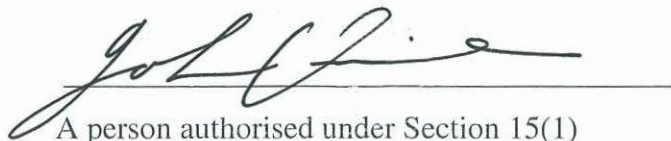
**GRANTED UNDER THE FISHERIES (AMENDMENT) ACT, 1997 (NO. 23 of 1997)**

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:

**Goatsbridge Trout Farm Ltd**  
**Thomastown**  
**Co Kilkenny**

(hereinafter referred to as the “Licensee”) for the cultivation of Rainbow Trout on a site at Coolroe, Ballyduff, Thomastown, Co. Kilkenny 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 years commencing on 10 September 2014, and only so long as the fish farm complies with the planning permission granted by Kilkenny County Council on 29th September 1987 (ref P. 481/87) as specified in Schedule 1 attached (or a further such licence granted by the said Council), the Local Government (Water Pollution) Acts licence to discharge effluent granted by Kilkenny County Council on 11th May 2012 (ref ENV/W/45) (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: Rainbow Trout and no fish other than Rainbow Trout shall be bred and handled at this site.
- 2.2. Method: Land Based 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.

#### Waste Management

- 3.7. 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

- 3.8. 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.
- 3.9. 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.
- 3.10. 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.
- 3.11. 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 land based 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.
- 5.2. Electronic flow meters with recording capabilities must be installed on the site.

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 09 September 2024 and only so long as the fish farm complies with the planning permission granted by Kilkenny County Council on 29th September 1987 (ref P. 481/87) (or a further such licence granted by the said Council), the Local Government (Water Pollution) Acts licence to discharge effluent granted by Kilkenny County Council on 11th May 2012 (ref ENV/W/45) (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**
- **maps of the licensed site**

ATTN DONAL MURPHY

Local Government (Planning and Development) Acts, 1963 to 1983

NOTIFICATION OF DECISION TO GRANT PERMISSION/~~OUTLINE PERMISSION/PERMIT~~

(SUBJECT TO CONDITIONS)

COUNCIL OF THE COUNTY OF KILKENNY

To Padraic & Rita Kirwan,  
Goatsbridge, Thomastown,  
Co. Kilkenny.

Reference No. in

Planning Register

P. 481/87

Application by or on behalf of Padraic & Rita Kirwan (address) Goatsbridge,  
Thomastown, Co. Kilkenny.

Received on 5th June, 1987

for: Excavate ponds for the rearing of fish.

In pursuance of the powers conferred upon them by the above-mentioned Acts, the COUNCIL OF  
THE COUNTY OF KILKENNY have by order dated ..... 28th September, 1987 .....

decided to grant A PERMISSION/~~AN OUTLINE PERMISSION/AN APPROVAL~~ SUBJECT TO the 8 No.  
conditions set out in the attached Schedule and the reasons therefor.

Signed on behalf of the said Council

T. Boyle

date 29th September, 1987

See notes on back of this form



*NOTE — An appeal against a decision of a Planning Authority may be made to An Bord Pleanala.*

*The applicant for permission may appeal within one month beginning on the day of receipt by him of the decision. Any other person may appeal within three weeks, beginning on the date of the decision.*

*Appeals should be addressed to: An Bord Pleanala, Floor 3, Blocks VI & VII, Irish Life Centre, Lr Abbey St, Dublin 1 (Telephone No. 01 728011). 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 proposed to be retained and the date of the decision of the Planning Authority should be stated.*

*Any appeal made to An Bord Pleanala on or after 11th April, 1983 will be invalid unless a fee of £36 is received by the Board within the statutory appeal period. Submissions or observations made to the Board by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be accompanied by a fee of £10.*

*If there is no appeal against the decision in the time allowed or if every appeal made is subsequently withdrawn a Grant of Permission, Outline Permission, or Approval in accordance with the decision will be issued. It should be noted that until a Grant of Permission or Approval has been issued the development in question is NOT AUTHORISED.*

*Where an application is in respect of Outline Permission it should be noted that the Approval of the Planning Authority to the detailed plans of the development is required. Until such Grant of Approval is obtained the proposed development is NOT AUTHORISED.*

#### FOOTNOTE

*In accordance with Section 29 of the Local Government (Planning and Development) Act, 1976 as amended by the Local Government (Planning and Development) Act, 1982 where a permission is granted under Part IV of the Principal Act, it shall, on the expiration of the period of five years beginning on the date of the granting of the permission, cease to have effect as regards :*

- (a) In case the development to which the permission relates is not commenced during that period, the entire development, and*
- (b) In case such development is so commenced, so much thereof as is not completed within that period.*

reduced during periods of dry weather.

8. **CONDITION:** The development shall be carried out and completed strictly in accordance with the conditions of this permission and with the plans and specifications lodged with this application.

(8 No) CONDITIONS ATTACHED TO PLANNING PERMISSION P. 481/87.

1. CONDITION: Wastewater from the proposed development shall not contain suspended solids in such quantities as to:-

- (a) cause scums of floating solids to be present in unsightly or deleterious amounts,
- (b) cause deposition of solids which would effect benthic biota or form putrescible or otherwise objectional sludge deposits.

REASON: In the interests of public health and amenity.

2. CONDITION: No silt shall be spread:

- (a) within 100 metres of any dwelling without the written consent of the owner and occupier.
- (b) within 50 metres of any source of potable water supply.
- (c) within 30 metres of any watercourse.

REASON: In the interests of public health and amenity.

3. CONDITION: Dead or diseased fish shall be disposed of in a line bed in a manner which shall not cause a risk to public health.

REASON: In the interests of public health.

4. CONDITION: The applicant shall notify the County Council and the Health Board within 24 hours of any incidence of disease in fish stock which could involve treatment with antibiotics. This would enable these bodies to arrange for independent monitoring of effluent.

REASON: In the interests of public health.

5. CONDITION: The granting of Planning Permission shall not prejudice the rights of the Local Authority, should the need arise, to abstract water from the Arrigal River in order to satisfy its future water requirements.

REASON: In the interests of public health.

6. CONDITION: Permission is hereby granted for the production of 10 tons of trout per annum. Any increase in the quantity of fish being produced above 10 tons, shall be subject to the approval of the Planning Authority.

REASON: To ensure that the development is carried out in accordance with the plans and information submitted.

7. CONDITION: The maximum water abstraction from the river shall be ½ a million gallons per day. Any increase in abstraction rate shall be subject to the approval of the Planning Authority.

REASON: To ensure that the flow of water in the Arrigal River is not excessively reduced during periods of dry weather.

8. CONDITION: The development shall be carried out and completed strictly in accordance with the conditions of this permission and with the plans and specifications lodged with this application.



Surveyed 1839  
Revised 1901-1949  
Levelled 1949

# Record PLACE Map



ITM CENTRE PT. COORDS

66581,639773

DESCRIPTION

MAP SHEETS

6 inch  
KK028 KK032



Produced by The Map Shop,  
54 Upr John Street, Kilkenny City  
On behalf of Ordnance Survey Ireland,  
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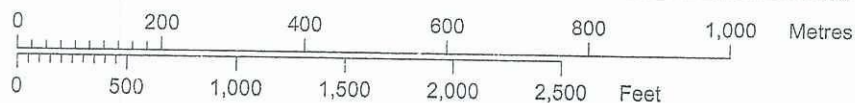
Ga n'cead cosnamh. Ní ceadmhach aon chuid  
deir. Inolseachán seo a chóipeáil, a atáirgeadh nó  
a trárthar in aon inoim ná ar son thealach gan  
cead. I scribhinn roimh ré ó úinéirí an chóipchirt.  
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138810  
255413

Scale:- 1:10,560  
Scála:- 1:10,560



Plot Ref. No. 1066904\_1  
Plot Date 07-DEC-2005

138818  
257873







Surveyed 1999-2000  
Revised 2011-2012  
Levelled

# BALLYDUFF SITE Land Registry Compliant Map



660844

637818

ITM CENTRE PT. COORDS.

660553,637603

DESCRIPTION

MAP SHEETS

Digital Map  
5134

1:2500  
5134-A

OSi Authorised  
Internet Map

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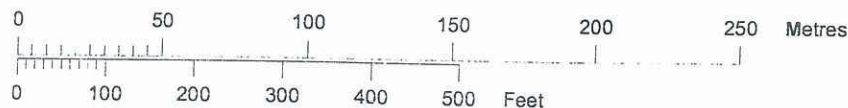
637388

660844

Land Registry Use Only

Plot Ref. No. 19620730\_1\_1  
Plot Date 10-MAY-2012

Scale:- 1:2,500  
Scála:- 1:2,500



637388

660262

## **SCHEDULE 2 – Stocking Biomass**

The maximum standing stock at the fish farm during the low flow months of July/August/September shall not exceed 10.5 tonnes and shall not exceed 17.25 tonnes at all other times



T27/2

AQUACULTURE LICENCE NO.314GRANTED UNDER THE FISHERIES (AMENDMENT) ACT, 1997 (NO. 23)

AGREEMENT made the 5 March, 2001, between the Minister for the Marine and Natural Resources (hereinafter referred to as the " Minister "), of the one part, and

**GOATSBRIDGE TROUT FARMS**

**GOATSBRIDGE**

**THOMASTOWN**

**CO KILKENNY**

(hereinafter referred to as the "Licensee") of the other part, whereby the Minister in exercise of the powers conferred on him by the Fisheries (Amendment) Act, 1997 (No. 23) grants an Aquaculture Licence for the culture of Rainbow Trout at a site at Coolroe, Co Kilkenny in accordance with plans approved of by the Minister, subject to the provisions of the Act referred to and to the terms and conditions set out in the Schedule attached.

Subject as aforesaid, this Aquaculture Licence shall remain in force for a maximum of 10 years from the 5 March, 2001.

SCHEDULE

TERMS AND CONDITIONS TO APPLY TO 10-YEAR AQUACULTURE  
LICENCE FOR THE CULTURE OF RAINBOW TROUT BY  
GOATSBRIDGE TROUT FARMS AT COOLROE IN THE BARONY OF  
GOWRAN, CO KILKENNY

General

1. Subject to the provisions of the Fisheries (Amendment) Act, 1997, this Licence shall remain in force for a *maximum of ten years* from the date of grant.
2. This Licence is valid only so long as:
  - (a) the layout of the fish farm conforms to the plans submitted to and approved of by the Minister for the Marine and Natural Resources (hereinafter referred to as "the Minister") and,
  - (b) any effluent from the fish farm is discharged in accordance with an Effluent Discharge Licence granted by Kilkenny County Council or by the Environmental Protection Agency.
3. The Licensee shall comply with such directions in writing as the Minister may issue from time to time for the proper management and control of all fish culture activities at the fish farm, including in particular directions issued in relation to any of the matters referred to in the following paragraphs.
4. The Licensee shall indemnify and keep indemnified the State, the Minister, their officers, servants or agents against all actions, loss, claims, damages, costs, expenses or demands arising in any manner whatsoever in connection with the construction, maintenance or use of any structures, apparatus equipment or other thing used in the exercise of the rights granted under this Licence and the Licensee shall take all steps specified by the Minister in order to ensure compliance with this condition.
5. In the event of neglect or abandonment of the fish farm, the Minister shall take such action as he thinks fit (including disposal of the fish and/or revocation of the Licence) and the Licensee shall be liable to reimburse the Minister the expenses involved in so doing .
6. This Licence is not to be construed as authorising the Licensee in any way to interfere with or infringe the rights of any other person.



7. The Minister shall be at liberty at any time to revoke or amend the Licence if he considers that it is in the public interest to do so, or if he is satisfied that there has been a breach of any condition specified in the Licence, or in the event of water quality results or general performance at the fish farm not meeting the standards set by the Department of the Marine and Natural Resources. Any such revocation or amendment shall be subject to the provisions of the Fisheries (Amendment) Act, 1997, or any amendment thereto.

#### Stocking etc, restrictions

8. No fish other than rainbow trout shall be bred and handled at the said fish farm.
9. The maximum standing stock at the fish farm during the low flow months of July/August/September shall not exceed 10.5 tonnes and shall not exceed 17.25 tonnes at all other times . However, in the event of extreme low flow these biomass limits shall be reduced as directed by the Minister to ensure that Condition 20 (c) of this Licence is complied with.
10. Such precautions shall be taken by the Licensee as the Minister may direct from time to time, in relation to the introduction of the rainbow trout or the ova, fry or fingerlings thereof for stocking the fish farm, including disease-free certification, and any alteration of methods of operation or type of installation.
11. Live rainbow trout and the ova, fry or fingerlings thereof shall not be sold or disposed of to any person or in any way transferred outside the said fish farm (except in any case to which Condition 15 refers) save in accordance with the prior written permission of the Minister.

#### Hygiene and Fish Health

12. The Licensee shall make adequate arrangements for the hygienic operation of the said fish farm (including selection and preparation of food, treatment and disposal of effluent).
- 13(a) The Licensee shall carry out such water quality monitoring and provide such data relating to such monitoring as may be requested from time to time by the Department of the Marine and Natural Resources.
- (b) The Licensee shall comply with the requirements of the current Effluent Discharge Licence under the Local Government (Water Pollution) Acts as issued by Kilkenny County Council dated 27/10/89 or with any subsequent revised or replacement Effluent Discharge Licence pertaining to the fish farm.

- (c) Unionised ammonia in waste water discharged from the fish farm to the Arrigle River shall not exceed 0.02mg/l.
14. The Licensee shall comply with any directions which may be issued by the Minister from time to time regarding the fitting of anti-predator netting on fish farm structures so as to prevent predation and the possible introduction of disease by predators.
  15. The Licensee shall notify the Department of the Marine and Natural Resources (Coastal Zone Administration Division), Leeson Lane, Dublin 2, the Fish Pathology Unit, Marine Institute, Abbotstown, Castleknock, Dublin 15, and the Southern Regional Fisheries Board within twenty-four hours of the appearance or suspected appearance of any disease at the said fish farm or abnormal losses or mortalities and shall send samples to the Fish Pathology Unit at the above address in a prescribed manner as and when requested to do so and shall comply with any directions issued by the Department of the Marine and Natural Resources including the treatment, disposal or destruction of stocks of fish at the said fish farm in the interests of safeguarding the stocks of fish in the State.
  16. The Licensee shall notify the Department of the Marine and Natural Resources (Coastal Zone Administration Division), the Fish Pathology Unit, at the above address, and the Southern Regional Fisheries Board, within twenty-four hours of any escapes of fish from the fish farm and shall keep records of fish escaped, including numbers, origin, types and year classes and shall make these records available to the Department, the Southern Regional Fisheries Board and said Fish Pathology Unit on request.

#### Special requirements on Fish By-Pass/Water Abstraction

17. The Licensee shall provide and maintain such gratings or other devices at a point as near as possible to the confluence of the fish farm waste channel and the Arrigle River as will effectually prevent the admission of migratory fish into the fish farm waste water channels and ponds of the fish farm, and shall make adequate arrangements to ensure the safe passage past the fish farm of migratory fish, and shall make all necessary provisions to prevent the escape of fish from the ponds and water courses of the fish farm.
18. Screens with a maximum gap of two inches, shall be placed in the feed channel at the point of divergence from the river, during the months of January, February and March, and at other times as may be directed from time to time by the Minister.



19. Suitable arrangements shall be adopted by the Licensee to prevent any fish migration into the outlet pipe network from the fish farm.
20. (a) A smolt and kelt by-pass arrangement approved by the Department of the Marine and Natural Resources shall be installed and maintained by and operated by the Licensee at all times. In the event that that by-pass arrangement does not operate to the satisfaction of the Department, gratings shall be provided and maintained by the Licensee at the point of water abstraction from the Arrigle River as will effectually prevent the admission of migratory fish into the fish farm feed channels.
- (b) The smolt by-pass notch shall be kept totally submerged at all times and shall be kept free of any blockage as far as practicable.
- (c) Not more than two-thirds of the Arrigle River shall be abstracted at any time by the Licensee subject, however, to a residual flow of 0.05 m<sup>3</sup>/sec being maintained in the Arrigle River at all times.
- (d) The Licensee shall install, and maintain in proper working order at all times:
- (i) a device to measure the flow of water abstracted from the Arrigle River into the fish farm, and
  - (ii) a method to control the flow of water abstracted by the fish farm from the Arrigle River, and
  - (iii) a device to measure the flow of water in the Arrigle River adjacent to the fish farm.

as approved by the Department of the Marine and Natural Resources from time to time.

21. The Licensee shall adopt a Fish Farm Management Plan such that the requirements of Condition 13 are met at all times. The Fish Farm Management Plan shall be agreed with the Department of the Marine and Natural Resources and shall include the following control options:
- (a) Increased stocking out/cropping out of fish
  - (b) Re-aeration
  - (c) Re-circulation (subject to suitable water quality standard)
  - (d) Reduced feeding
  - (e) Improved solid removal facilities at the outfall.
22. The Licensee shall make arrangements for the disposal of dead fish in a manner approved of by the Minister and Kilkenny County Council.

### Special requirements on chemical usage

23. All animal remedies and chemicals used in the fish farm shall be in accordance with instructions issued by the Minister and/or the Veterinary Surgeon to the fish farm. The Licensee shall keep records of all chemicals and animal remedies used on the fish farm including quantities and times of use. Such information shall be made available on request to the Minister and the Fish Health Unit of the Marine Institute.

### Inspections, records and returns

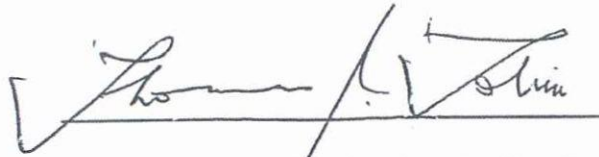
24. The Licensee shall keep records of all drugs (including antibiotics), chemicals and disinfectants with which the fish have been treated, including quantities and times of use.
25. (a) The said fish farm and any equipment, structure, thing or premises used in connection with operations carried on at the said fish farm and any smolt and kelt by-pass arrangement approved by the Department of the Marine and Natural Resources and installed by the Licensee\* shall be open to inspection at any time by any authorised officer (within the meaning of the Fisheries Acts), or any other person appointed by the Minister.
- (b) The Licensee shall give all reasonable assistance to any such authorised officer or other person appointed by the Minister to enable the officer or person to inspect the said fish farm and any equipment, structure, thing or premises used in connection with operations carried on at the said fish farm and any smolt and kelt by-pass arrangement approved by the Department of Marine and Natural Resources and installed by the Licensee\*.
26. Records shall be kept by the Licensee at the said fish farm of all fish stripped, bred, held and handled at the said fish farm and of all sales of fish from it and such records shall be available for inspection at all reasonable times by any inspector appointed for any purpose of the Fisheries Acts.
27. The Licensee shall furnish to the Department of the Marine and Natural Resources (Coastal Zone Administration Division) Leeson Lane, Dublin 2 such returns from the records kept at the said fish farm as may be required from time to time.

\* Clause 20 (a) refers.



PRESENT when the Seal of Office  
of the MINISTER FOR THE MARINE  
AND NATURAL RESOURCES  
was affixed and was authenticated  
by the Signature of:

THOMAS J. TOBIN



A person so authorised under Section  
15(1) of the Ministers and Secretaries  
Act, 1924 to authenticate the seal of  
the Minister.

WITNESS: Lorraine Hughes

ADDRESS: Dept. Marine & Natural

Resources, Heuston Lane, Dublin 2

OCCUPATION: CIVIL SERVANT

SIGNED on behalf of Licensee

  
Goatsbridge Trout Farms

in the presence of:

WITNESS: Mairéad Coogan

ADDRESS: Coolmore

Knocktopher Co. Killarney

OCCUPATION: Secretary