

**Adelaide Dolphin Sanctuary Act 2005
And
Adelaide Dolphin Sanctuary Advisory
Board**

ANNUAL REPORT

1 July 2013 to 30 June 2014



**Government
of South Australia**

Adelaide Dolphin Sanctuary Act 2005 and Adelaide Dolphin Sanctuary Advisory Board
Annual Report 2013-14

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ADELAIDE DOLPHIN SANCTUARY ACT 2005

This report is for the financial year 1 July 2013 to 30 June 2014 and is presented to fulfil the requirements of sections 21 and 26 of the *Adelaide Dolphin Sanctuary Act 2005*.

OBJECTS AND OBJECTIVES OF THE ADELAIDE DOLPHIN SANCTUARY ACT

Section 7 of the Adelaide Dolphin Sanctuary Act (the Act) defines the objects of the Act as:

- (a) to protect the dolphin population of the Port Adelaide River estuary and Barker Inlet; and
- (b) to protect the natural habitat of that population.

These objects are to be accomplished by the achievement of the following six objectives, as defined under section 8 (1) of the Act:

- (a) the protection of the dolphin population of the Port Adelaide River estuary and Barker Inlet from direct physical harm is to be maintained and improved;
- (b) the key habitat features in the Port Adelaide River estuary and Barker Inlet that are necessary to sustain the dolphin population are to be maintained, protected and restored;
- (c) water quality within the Port Adelaide River estuary and Barker Inlet should be improved to a level that sustains the ecological processes, environmental values and productive capacity of the Port Adelaide River estuary and Barker Inlet;
- (d) the interests of the community are to be taken into account by recognising indigenous and other cultural, and historical, relationships with the Port Adelaide River estuary and Barker Inlet and surrounding areas, and by ensuring appropriate participation in processes associated with the management of the Port Adelaide River estuary and Barker Inlet;
- (e) Public awareness of the importance of a healthy Port Adelaide River estuary and Barker Inlet to the economic, social and cultural prosperities of the local communities, and the community more generally, is to be promoted;
- (f) The principles of ecological sustainable development in relation to the use and management of the Port Adelaide River estuary and Barker Inlet are to be promoted.

For the purposes of subsection 8(1) (f) above, the Act declares the following as principles of ecologically sustainable development:

- (a) that the use, development and protection of the environment should be managed in a way, and at a rate, that will enable people and communities to provide for their economic, social and physical well-being and for their health and safety while—
 - (i) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and
 - (ii) safeguarding the life-supporting capacity of air, water, land and ecosystems; and
 - (iii) avoiding, remedying or mitigating any adverse effects of activities on the environment;
- (b) that proper weight should be given to both long and short term economic, environmental, social and equity considerations in deciding all matters relating to environmental protection, restoration and enhancement;

- (c) that, if there are threats of serious or irreversible environmental harm, lack of full scientific certainty should not be taken to justify the postponement of decisions or measures to prevent the environmental harm.

ADMINISTRATION OF THE ACT

The Minister for Environment and Conservation (the Minister) is responsible for administering the Act. The Department of Environment, Water and Natural Resources (DEWNR) is responsible for day-to-day management of the Adelaide Dolphin Sanctuary (ADS).

ACHIEVEMENT OF SOUTH AUSTRALIA'S STRATEGIC PLAN

In 2005, the *Adelaide Dolphin Sanctuary Act 2005* was proclaimed and the Adelaide Dolphin Sanctuary was established to address community concerns about the safety of the dolphins living in the Port Adelaide River and Barker Inlet. During 2013-14 DEWNR staff undertook actions outlined in the draft ADS Management Plan and Annual Implementation Program. These actions support the following targets of South Australia's Strategic Plan (SASP):

- T3.1 Biodiversity - Lose no species. Resource protection activities were conducted within the ADS, Port Gawler and Torrens Island Conservation Parks to manage significant existing threats to biodiversity conservation, including action to conserve threatened species and communities.

ADELAIDE DOLPHIN SANCTUARY MANAGEMENT PLAN

The Act requires the Minister to prepare and implement a Management Plan for the Sanctuary. The adopted ADS Management Plan was launched by the Minister on 26 September 2008.

The ADS Management Plan sets out the South Australian Government's plans to achieve the objects and objectives of the Act. It broadly charts the direction for Government and stakeholders to pursue in managing the local dolphin population and their environment. The Management Plan covers a seven year period, and actions will be progressed in stages over this time.

The plan is structured around the achievement of each of the six ADS Act objectives. For each objective, the plan:

- describes issues to support its achievement;
- defines a strategic direction;
- makes a priority assessment;
- identifies government agency responsibilities; and
- proposes actions to fulfil the strategy.

The Department of Environment, Water and Natural Resources (DEWNR) is working with the other agencies responsible for furthering the objects and objectives of the Act to implement the actions outlined in the plan.

Supporting Documents

The Management Plan is supported by four companion documents:

- **Three Reference Papers** which compile specific information about the three main environmental objectives – Dolphins, Key Habitat Features and Water Quality. The papers provide a summary of the information that has informed the Plan. These may be updated as new scientific research becomes available and new initiatives begin.
- An **Annual Implementation Program** which forms part of the Minister's Report to Parliament. This Implementation Program sets specific annual targets and tasks for the coming year, how these will achieve the actions established by the management plan and assess the achievement of the previous year's program.

ADELAIDE DOLPHIN SANCTUARY ADVISORY BOARD

Section 12 of the Act establishes the Adelaide Dolphin Sanctuary Advisory Board (the Board) to provide advice to the Minister on a number of matters.

The Annual Report of the Board is attached as Appendix 2.

ADELAIDE DOLPHIN SANCTUARY FUND

In accordance with section 22 of the Act, the ADS Fund was established to receive monies from grants, gifts, bequests, proceeds of sales or any other means to further the Act's objects and objectives.

No deposits were made to the fund in the 2013-14 financial year and no fund monies were expended.

AUTHORISED OFFICERS

Section 28 of the Act provides for the appointment of officers authorised under the Act. No new officers were appointed during the reporting period.

PREPARATION OF THE ANNUAL REPORT

Section 26 of the Act defines the following requirements relating to the Annual Report:

- (1) The Minister must on or before 30 September in each year prepare a report on the operation of this Act for the financial year ending on the preceding 30 June.
- (2) The annual report must include—
 - (a) information on the extent to which the objects and objectives of this Act are being achieved; and
 - (b) reports on the following matters for the preceding financial year:
 - (i) the referral of matters to the Minister under any related operational Act; and
 - (ii) the enforcement of the general duty of care; and
 - (iii) action taken by the Minister or authorised officers under Part 6; and
 - (c) a program setting out the Minister's proposals for the implementation of the ADS Management Plan during the current financial year.
- (3) The Minister must cause a copy of the report to be laid before both Houses of Parliament within 12 sitting days after the report is prepared.

ACHIEVEMENT OF THE ADS OBJECT AND OBJECTIVES

IMPLEMENTATION OF THE ACT

Actions undertaken aim to ensure the objectives of the ADS Act are achieved. The actions undertaken during 2013-14 are detailed below

OBJECTIVE 1 - PROTECTION OF THE DOLPHINS

A key aim of the Adelaide Dolphin Sanctuary (ADS) is to maintain and improve the protection of the resident dolphin population from direct and physical harm. During the reporting period a deceased juvenile dolphin was found at Outer Harbour within the boundary of the ADS. During a routine necropsy of this animal undertaken by the SA Museum, a shot gun pellet was discovered in the dorsal fin of the animal. DEWNR notified SAPOL and publically called for anyone with further information regarding the incident to come forward. The animal was not identified as a resident of the ADS and the location of where the animal was shot is not known as the body was discovered floating dead and subject to tidal movement. Investigations into this incident failed to result in any persons of interest being identified. Whether or not this was an intentional act towards the animal remains unknown.

Pathological examination of dolphins stranded in the Adelaide and Mt Lofty Ranges Natural Resources Management area is supported by funding from the Adelaide and Mt Lofty Ranges Natural Resource Management Board (AMLR NRM Board).



Image 1: Shotgun pellet in dorsal fin



Image 2: deceased dolphin with pellet in dorsal fin

A further five dolphin deaths were recorded in the ADS and are listed below in Table 1.

Table 1: Dolphin Deaths recorded in the Adelaide Dolphin Sanctuary 2013-14

No.	Date	Species/Sex/Age	Location	Necropsy Findings (cause of death)
1.	25/8/13	Bottlenose Dolphin (<i>Tursiops aduncus</i>), male	Garden Island	Disease (blunt trauma, multi-organ pathology)
2.	1/09/13	Bottlenose Dolphin (<i>Tursiops aduncus</i>), juvenile	Outer Harbour	Single shot gun pellet found present in dorsal fin. However cause of death could not be determined.
3.	3/09/13	Bottlenose Dolphin (<i>Tursiops aduncus</i>), male	Broad Creek	Body could not be retrieved due to its location in the mangroves
4.	6/09/13	Bottlenose Dolphin (<i>Tursiops aduncus</i>), male	Barker Inlet	Unknown (acute death, severe blunt trauma, floating dead)
5.	22/09/13	Bottlenose Dolphin (<i>Tursiops aduncus</i>), neonate calf	Inner Port	Calf was not observed alive, it was possibly stillborn.
6.	2/5/14	Bottlenose Dolphin (<i>Tursiops aduncus</i>), sex unknown	Outer Harbour	Body could not be retrieved

To ensure compliance with the legislation to protect dolphins, habitat and water quality staff completed over 90 water patrols. Staff investigated, recorded and reported all incidents of speeding vessels, harassment and feeding of dolphins. All reported offences under Section 68 of the *National Parks and Wildlife Act 1972* and *Marine Mammal Regulations 2010* were investigated. Two formal warning letters were issued during this period for breaching approach distances to a marine mammal and for feeding a marine mammal.

Regular patrols and observations of resident dolphin population were undertaken by staff to observe any notable changes in behaviour of the population. Staff were assisted by ADS Action Group volunteers who undertook regular observations of the dolphin population, monitoring individual resident dolphins to increase the knowledge about the ADS dolphins.

OBJECTIVE 2 - PROTECTION OF KEY HABITAT FEATURES

The ADS contains mangroves, seagrass, saltmarsh, tidal flats, tidal creeks and estuarine rivers which all combine to provide habitat for the ADS dolphins and for their food resources. The *Adelaide Dolphin Sanctuary Act 2005* requires that key habitat features in the Port River and Barker Inlet are necessary to sustain the dolphin population and are to be maintained, protected and restored.

The following actions were undertaken by Natural Resources, Adelaide and Mt Lofty Ranges (NR, AMLR) staff to address threats to specific vegetation communities within the ADS. Works were undertaken to assess and improve the vegetation condition with priority for the control of declared weeds in highest conservation priority areas as identified in the *Metropolitan Adelaide and Northern Coastal Action Plan 2009*. Funding has also been provided by the Australian Government via an Adelaide & Mt Lofty Ranges NRM Board Sapphire Coast Icon Project, which aims to improve biodiversity conservation of saltmarsh and shorebird habitats and increase community awareness of the conservation significance of coastal habitats in the Northern Adelaide area.

Table 2: Habitat protection and restoration works within the ADS

Location	Investment	works
Mutton Cove	\$8291 (AMLR NRM Board) \$5270 (Samphire Coast Biodiversity Fund) \$5000 (Coast Protection Board)	Weed control and revegetation Weed control Weed control, minor fence repairs
Port Gawler Conservation Park	\$10,700 (Samphire Coast Biodiversity Fund)	Bridal creeper control Revegetation (1073 plants)
Buckland Park	\$11,805 (Samphire Coast Biodiversity Fund)	Weed control (boxthorn, Euphorbia) Direct seeding Revegetation
Torrens Island Conservation Park	\$5000 (AMLR NRM Board) \$5000 (Samphire Coast Biodiversity Fund) \$6,212 (AMLR NRM Board)	Weed control Weed control Torrens Island Biodiversity Action Plan
St Kilda	\$9235 (AMLR NRM Board)	Revegetation Weed control
Bird Island	\$7892 (Samphire Coast Biodiversity Fund)	Bird Island Conservation Management Plan
TOTAL	\$58,958	

The Adelaide and Mt Lofty Ranges Natural Resource Management Board funded the Torrens Island Biodiversity Action Plan. The purpose of the Biodiversity Action Plan is to assist managers in their efforts to protect and conserve the coastal, estuarine and marine ecological values of Torrens Island Conservation Park. The Plan documents the key biodiversity values and threats on Torrens Island and prioritises the management of the threats for effective biodiversity conservation.

Feral deer in the northern coastal areas of the ADS have been observed impacting upon the coastal habitats. The Samphire Coast Icon Project funded an assessment and report prepared by Bushcare and Beyond “*An assessment of the presence of feral Fallow Deer (Dama dama) and environmental damage in the Gawler River delta: using motion-sensitive trail cameras and opportunistic ground search*”. The assessment determined that the abundance of feral deer were significantly impacting upon sensitive northern coastal habitats within and adjacent to the ADS. The results of the surveys have been crucial in determining the level of hazard posed by feral deer on public and private land in the area. Based on the information gathered during this process, an assessment will be made by Natural Resources, Adelaide & Mt Lofty Ranges of the need for a feral deer control program along the northern coastal plain, and then implement a program if required.

The AMLR NRM Board has funded the development of an on-ground works action plan for Bird Island /Section Bank and NR AMLR is progressing a memorandum of understanding with Department of Planning, Transport and Infrastructure (DPTI) and Flinders Ports for collaborative management of this significant conservation area.

OBJECTIVE 3 - IMPROVEMENT OF WATER QUALITY

The South Australian Environment Protection Authority (EPA) is the lead agency in monitoring coastal, estuarine and marine water quality off the Adelaide coastline and for Gulf St Vincent. They are identified as a key agency under this objective in the ADS Management Plan.

The Port River and Barker Inlet Estuary has large areas of shallow, warm waters with restricted flushing from the Gulf waters. The Port River and Barker Inlet waters tend to retain poorer quality water, maintain favourable conditions for algal growth have an increased risk of environmental impacts.

The Port River is heavily industrialised with Flinders Ports managing the shipping traffic for the import and export of goods to and from Adelaide. The Port River is also the site of Penrice Soda Products that produced soda ash at Osborne for several decades and discharged ammonia into the Port River. Penrice Soda Products at Osborne closed its soda ash plant in June 2014. The ammonia discharge into the Port River has dropped from approximately 670 tonnes per year down to zero. It is expected that this will positively enhance the water quality and health of the Port River and Barker Inlet environs.

ADS continued to work with the EPA regarding water quality issues in the ADS waters. The EPA investigated and provided information to the ADS and the community on the compliance of water based industrial activities and instances of fuel spills throughout the Port River.

In May 2014 one small fuel spill was reported in the ADS in the North Arm of the Barker Inlet. A resident dolphin was seen swimming for up to 20 minutes through the spill area. ADS followed up a response with DPTI Marine Safety officers and the EPA. DPTI Marine Safety and EPA Officers indicated that the likely source was some 20 litres of oil dumped in a car park area close to the water's edge. There is limited information on the health impacts of fuel and light oil spills on dolphins. Given the briefness of exposure in an open environment, the risk of long-term acute effects are probably limited. If dolphins swim through the spill whilst still volatile, and vapours are inhaled via the blowhole there may be some respiratory irritation to animals, as well as possible skin or eye irritations and irritation of the digestive tract if oil is swallowed.

Other actions:

- 11 Aquatic Licences referred to the ADS under *Harbor and Navigation Act 1993* were assessed for their potential to cause turbidity.
- New developments and activities referred to ADS were assessed for their potential impact on sediment disturbance and that appropriate actions recommended to minimise any disturbance.
- ADS staff continued to remove and document floating marine debris while on patrol

OBJECTIVE 4 - RECOGNITION OF LOCAL INTERESTS AND PARTICIPATION IN MANAGEMENT PROCESSES

There are significant indigenous and other cultural and historical relationships within the Port Adelaide River estuary and Barker Inlet which must be considered in the management of the ADS environment. Without the support of all the diverse users of the ADS environment, it would not be possible to achieve the ADS Act objectives of protecting the dolphins and their habitat.

The ADS Action Group established in 2012, has over 80 registered volunteers who have contributed over 3000 volunteer hours supporting in the achievement of the ADS management

plan objectives through on water and land based patrols, administration tasks and community outreach projects.

ADS staff also delivered several training programs for volunteers including dolphin identification, introduction to the ADS and marine safety training in conjunction with DPTI Marine Safety Officers.

ADS staff provided executive support for the Adelaide Dolphin Sanctuary Advisory Board who met four times during the reporting period providing advice to the Minister for Sustainability, Environment and Conservation as required on matter pertaining to the application of the *Adelaide Dolphin Sanctuary Act 2005*.

ADS assessed 11 referrals for aquatic activity licences (issued under section 26 of the *Harbours and Navigation Act 1993*) and worked with licensed and unlicensed recreational users to ensure best practices are undertaken. Assessments of referrals included sailing, rowing, and speed boat events.

ADS provided advice and assessment for new and existing ADS Commercial Tour Operators permit applications issued under the Tour Operator Licensing and Permitting Policy in support of the *National Parks and Wildlife (Protected Animals-Marine Mammals Regulations 2010)*.

ADS staff developed a series of information sheets about the ADS, with best practices in relation to marine mammal watching for commercial tour operators and recreational users.

OBJECTIVE 5- PROMOTION OF PUBLIC AWARENESS OF ECOLOGICAL IMPORTANCE OF THE AREA

ADS staff and volunteers delivered a second Dolphin Day community event on 16 March 2014. Major sponsors of the event were the Adelaide & Mt Lofty Ranges NRM Board, the Port Adelaide Enfield Council and Renewal SA. The event aimed to engage the community, increase community participation and promote the environmental importance of the ADS to the general public through a series of activities, information stalls, dolphin boat tours and more. 4000 people attended Dolphin Day in 2014. The Minister for Sustainability, Environment and Conservation Hon. Ian Hunter and State Member for Port Adelaide Susan Close attended, presenting local Junior Dolphin Rangers from North Haven School with an award recognising their efforts in fundraising for the resident dolphin population and future works in the ADS.



Photo 3: Hon Ian Hunter Minister for Sustainability, Environment and Conservation at Dolphin Day with students from North Haven Primary School

All activities aimed to raise the profile of the ADS within the community and encourage users of the ADS waters to understand and appreciate the unique resident dolphin population and supporting habitats within Sanctuary.

New signs have been installed throughout the Adelaide Dolphin Sanctuary with assistance from DPTI and Flinders Ports. Interpretative signs at boat ramps, caution signs on maritime channel markers and large marked marine buoys together promote the environmental importance of the ADS, increase awareness of resident dolphins and help to educate river users on existing safe boating speeds and approach distances to marine mammals within the Sanctuary. Increasing ADS users awareness of dolphins and speed restrictions in the Port River will assist in reducing the threat of vessel strike.



Image 4: ADS caution signage in the Port River

The ADS Management Plan aims and objectives were promoted to the community through presenting information to community groups and public forums including:

- SA Whale Season opening SA Museum 27 May 2014

- SA Caravan and Camping Show February 2013
- North Haven Primary School Junior Dolphin Ranger annual training day, SA Maritime Museum, 13 March 2014
- Regular community engagement days at boat ramps within the ADS
- Dolphin Day community event, Port Adelaide 16 March 2014
- Life in the Sanctuary Photo Exhibition, March- June 2014
- Illuminart ADS photo displays projected onto historic Port Adelaide buildings, August 2013
- Tall Ships Festival, August 2013
- SA State Coastal Conference, September 2013
- 'Spot a dolphin' guided walking tours as part of the Port Adelaide Festival, October 2013
- 4WD and Adventure Show / Club Marine SA October 2013
- Presentation at the Fishcare Forum, November 2013
- Presentation to Zambian Conservation Exchange program, April 2014
- World Environment Day at Thebarton High school, June 2014
- North Haven Schools Carnival day, June 2014
- Adelaide Boat Show June 2014

At these events staff and volunteers promote opportunities for community to get involved and understand the environmental importance of the ADS through the activities of the ADS Action Group.

ADS supported by ADS Action Group and AMLR NRM Board, has developed an ADS Users Guide to provide specific information about the ADS dolphins, their habitats and highlight the importance of the Port River and Barker Inlet environs for SA. Once published, booklets will be distributed at community events throughout 14/15.

The ADS dolphins and their supporting habitat was showcased in an Illuminart display, which projected 30 images together with narrative text onto historic buildings in Port Adelaide as part of the South Australian Living Arts Festival.

ADS worked closely with Renewal SA to ensure the ADS objectives were included throughout the Port Revitalisation process.

OBJECTIVE 6 - PROMOTION OF THE PRINCIPLES OF ECOLOGICAL SUSTAINABLE DEVELOPMENT

ADS worked with new and existing industries to support the achievement of ESD principles. The *Adelaide Dolphin Sanctuary Act 2005* aims to protect and improve the environment of the Port River and Barker Inlet ecosystem including the habitat of the resident dolphin population; it recognises that a wide range of multiple uses of the area will continue and identifies provisions aimed at preventing or minimising environmental impact of these activities and of new developments. Through the referral process DEWNR has continued to assess development proposals under the Act's 'general duty of care' ensuring that all reasonable measures to prevent or minimise any harm to the Sanctuary have been identified in their actions or activities.

ENFORCEMENT OF GENERAL DUTY OF CARE

There were no reported instances when the general duty of care was breached.

ISSUANCE OF PROTECTION OR OTHER ORDERS

No protection or reparation orders/authorisations were issued.

ANNUAL IMPLEMENTATION PROGRAM FOR MANAGEMENT PLAN

Section 26(2)(c) of the Act requires the preparation of a program setting out the Minister's proposals for the implementation of the ADS Management Plan for the current financial year. The Management Plan is a seven-year document and includes a broad description of activities to be considered over this time period.

The Annual Implementation Program provides a means for addressing which specific actions that will be undertaken and can be updated annually. It allows for incorporation of unexpected events and is an annual accountability mechanism.

The Annual Implementation Program for 2014-15 is attached as Appendix 1 and has been prepared in line with the strategies and actions outlined in the ADS Management Plan.

APPENDIX 1- ADS ANNUAL IMPLEMENTATION PROGRAM 2014-15

The following actions will be undertaken by staff in Natural Resources, Adelaide & Mt Lofty Ranges and supporting agencies during 2014-15 to achieve the objectives of the *Adelaide Dolphin Sanctuary Act 2005* and strategies outlined in the ADS Management Plan 2008.

Objective 1- The protection of the dolphin population of the Port Adelaide River estuary and Barker Inlet from direct and physical harm is to be maintained and improved” Adelaide Dolphin Sanctuary Act Section 8(1) (a)

Issue 1.1 Lack of scientific knowledge about ADS dolphins

ACTIONS:

- DEWNR will support on-going research into ADS dolphins and other South Australian dolphins where relevant and appropriate, and seek partnerships with local and interstate universities, the SA Museum and other researchers to explore possibilities for collaborative and low impact, non-invasive research in the ADS
- ADS staff will continue the collection of dead dolphins for examination by the SA Museum’s Dolphin Trauma Group to inform the ADS dolphin research and monitoring program.

Issue 1.2 Vessel strike (commercial shipping, fishing and recreational vessels)

ACTIONS:

- DEWNR and DPTI will implement preventative measures as required

Issue 1.3 Entanglement- in vessel and fishing gear

ACTIONS

- ADS staff will work with existing community education programs and undertake specific education programs to increase awareness of the impacts of litter on dolphins and their habitat.

Issue 1.4 Intentional Harm

ACTIONS

- ADS staff will continue regular land and sea patrols of the ADS to ensure compliance.
- ADS education programs will increase awareness of dolphins and support members of the public who report observations of any actual or potential incidents.

Issue 1.5 Impacts from human interaction

ACTIONS

- ADS staff will maintain regular observation of resident animals to observe any major behavioural changes.
- DEWNR will maintain an overview of Australian and international studies of impacts of human interactions on dolphins to review findings that may be applicable to the ADS.

Objective 2- “The key habitat features in the Port Adelaide River estuary and Barker Inlet that are necessary to sustain the dolphin population are to be maintained, protected and restored” Adelaide Dolphin Sanctuary Act Section 8(1) (b)

Issue 2.1 Food Supply

ACTIONS

- Support research to determine specific prey species of ADS dolphins.

Issue 2.2 Loss of vegetation: seagrass, mangroves and supporting species

ACTIONS

- Building on existing work, undertake surveys of seagrasses, mangroves and supporting vegetation (including saltmarsh) in the ADS to determine overall health and possible areas for rehabilitation action; and to monitor possible impacts of climate change.
- ADS staff will support government agency, local council and community group efforts to rehabilitate and re-establish vegetation.
- Support ongoing seagrass research and rehabilitation programs undertaken by SARDI, Adelaide Coastal Waters Study and Coast Protection Board.

Issue 2.3 New developments

ACTIONS

- DEWNR will continue to work with proponents of new and existing developments to ensure that ADS objectives are appropriately considered.
- DEWNR will work with DPTI and local councils develop performance guidelines to support achievement of ADS objectives.

Issue 2.4 Marine pests: Caulerpa taxifolia, Caulerpa racemosa and others

ACTIONS

- Support PIRSA initiatives and research in identifying and controlling introduced species.

Objective 3 - “Water quality within the Port Adelaide River estuary and Barker Inlet should be improved to a level that sustains the ecological processes, environmental values and productive capacity of the Port Adelaide River estuary and Barker Inlet” Adelaide Dolphin Sanctuary Act Section 8(1) (c)

Issue 3.1 Discharges- nutrients

ACTIONS

- Work with the EPA to implement the Port Waterways Water Quality Improvement Plan and address recommendations outlined in the Adelaide Coastal Waters Study which are relevant to the ADS
- Support research efforts into the effect of excess nutrients, particularly as they relate to prey species, vegetation health and pest species.

Issue 3.2 Discharges- pollutants

ACTIONS

- Provide information to support the use of the world's best practice methods for any new dredging and other sediment disturbance activities to minimise distribution of possibly contaminated sediments and introduced species such as *Caulerpa taxifolia*
- Support research efforts into the effects of thermal pollution, particularly as it relates to prey species, vegetation health and pest species.
- ADS staff will maintain litter management activities in the ADS.

Issue 3.4 Turbidity and release of toxins from sediment

ACTIONS

- Undertake work on vegetation protection to support stabilisation of sediments
- Ensure aquatic licence assessments address activities with the potential to cause turbidity.

Objective 4- “The interests of the community are to be taken into account by recognising indigenous and other cultural, and historical, relationships with the Port Adelaide River estuary and Barker Inlet and surrounding areas, and by ensuring appropriate participation in processes associated with the management of the Port Adelaide River estuary and Barker Inlet” Adelaide Dolphin Sanctuary Act Section 8(1) (d)

Issue 4.1 Inclusion of all stakeholders

ACTIONS

- Public consultation on any ADS Management Plan amendments will follow statutory process
- The Minister for Sustainability, Environment and Conservation's Annual Report and Annual Implementation Program will be made available to all stakeholders.
- The ADS Advisory Board of community representatives will continue to provide the Minister for Sustainability, Environment and Conservation with advice as required by the ADS Act.

Issue 4.2 Support of recreational users

ACTIONS

- DEWNR will continue ongoing assessment of referrals for aquatic licences (under Section 26 of *Harbors and Navigation Act 1993*)

Issue 4.3 Support of industry interests

ACTIONS

- DENWR will investigate establishment of an industry stewardship program for the ADS area to provide opportunities to best achieve ecologically sustainable development in collaboration with each other and with government.

Issue 4.4 Protection of indigenous values in the area

ACTIONS

- Work with ADS Advisory Board Kurna members and other Kurna people to ensure ADS information reflects Kurna culture accurately and appropriately.

Issue 4.5 Support for tourism activities**ACTIONS**

- DEWNR will liaise with existing operators to assess the current cumulative impact of activities and work with operators to develop appropriate ADS interpretative material.
- DEWNR officers will work with operators and the public to ensure understanding of the National Parks and Wildlife (protected Animals- Marine Mammal) Regulations 2010 and support compliance with these Regulations.

Objective 5 -“ Public awareness of the importance of a healthy Port Adelaide River estuary and Barker Inlet to the economic, social and cultural prosperities of the local communities, and the community more generally, is to be promoted“ *Adelaide Dolphin Sanctuary Act Section 8(1) (e)*

Issue 5.1 Supply of informative, timely and accessible information about the ADS**ACTIONS**

- Compile an ADS communications strategy, including an assessment of existing information, and ensure the strategy includes appropriate actions to support implementation of the plan
- DEWNR will work with relevant government agencies, including PIRSA Fisheries, DPTI and EPA, to ensure a consistency delivery of messages.
- DEWNR will continue to support and distribute the ADS Education Resource kit.

Objective 6- “The principles of ecological sustainable development in relation to the use and management of the Port Adelaide River estuary and Barker Inlet are to be promoted” *Adelaide Dolphin Sanctuary Act Section 8(1) (f)*

Issue 6.1 Promote the implementation of ESD principles with local industries and new developments**ACTIONS**

- In conjunction with other agencies, DEWNR will work with new and existing industries to support the achievement of ESD principles
- DEWNR will investigate interest and level of support for the establishment of an industry stewardship program for the ADS area to provide opportunities to best achieve ESD in collaboration with each other and with government.



APPENDIX 2 - ADELAIDE DOLPHIN SANCTUARY ADVISORY BOARD ANNUAL REPORT

1 July 2013 to 30 June 2014
LETTER OF TRANSMITTAL

Hon Ian Hunter MLC
Minister for Sustainability Environment and Conservation
Parliament House
North Terrace
ADELAIDE SA 5000

Dear Minister

In accordance with the requirements of the *Public Sector Act 2009* and 26(1) of the *Adelaide Dolphin Sanctuary Act 2005*, I have pleasure in presenting the annual report of the Adelaide Dolphin Sanctuary Advisory Board for the year ended 30 June 2014.

The Board met four times during the reporting period and provided advice on key matters out of session. The Board provided advice in relation to the achievement of the ADS Management Plan and other matters connected with the administration of the Act. Information on these matters is detailed on the pages which follow.

At each Board meeting, the Department of Environment, Water and Natural Resources (DEWNR) staff provided a report on actions taken to deliver the objectives of the Act and to fulfil the actions identified in the 2013-14 Annual Implementation Program.

I would like to acknowledge the valuable contribution made by Board members and I also wish to thank DEWNR staff for their ongoing support.

I look forward to continuing to work with you on matters relating to the Adelaide Dolphin Sanctuary.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Bossley'.

DR MICHAEL BOSSLEY, PRESIDING MEMBER
ADELAIDE DOLPHIN SANCTUARY BOARD
29 August 2014

ADELAIDE DOLPHIN SANCTUARY ADVISORY BOARD

Section 12 of the *Adelaide Dolphin Sanctuary Act 2005* establishes the Adelaide Dolphin Sanctuary Advisory Board to provide advice to the Minister for Sustainability, Environment and Conservation on a number of matters.

Functions of the Adelaide Dolphin Sanctuary Advisory Board

The functions of the Board are described in section 17 of the Act.

17- Functions of Board

The function of the Board is to advise the Minister on-

- (a) the preparation of the ADS Management Plan and any amendments to the Plan; and
- (b) the effectiveness of the ADS Management Plan in achieving the objects and objectives of this Act; and
- (c) the effectiveness of the implementation program; and
- (d) the application of money belonging to the ADS Fund; and
- (e) any matter referred to the Board by the Minister; and
- (f) any matter connected with the administration of this Act on which the Board believes it should advise the Minister.

Board Membership

The Adelaide Dolphin Sanctuary Advisory Board is made up of 11 members who are nominated by the Minister for appointment by the Governor. Pursuant to section 12 of the Act, the membership of the Board must include persons who together have, in the Minister's opinion, knowledge of, and experience in, the following areas:

- (a) dolphin conservation and research;
- (b) community education programs management;
- (c) conservation of marine ecosystems;
- (d) fisheries management;
- (e) local government;
- (f) tourism and recreation management;
- (g) industry development and management;
- (h) port and harbour management;
- (i) Kurna culture and heritage from the male perspective;
- (j) Kurna culture and heritage from the female perspective.

Further the Act stipulates:

- Before nominating a person or persons for appointment to the Board, the Minister must, by public notice, invite expressions of interest for appointment to the Board within a period specified in the notice and must consider any expressions of interest received in response to the notice.
- The Minister must not nominate a person for appointment to the Board unless the Minister is of the opinion that the person has a commitment to the protection and enhancement of the Port Adelaide River estuary and Barker Inlet.
- At least 2 members of the Board must be women and at least 2 must be men.
- The Minister must appoint one of the eleven members to serve as the presiding member. Members of the Board are entitled to remuneration, allowances and expenses as determined by the Governor.

As at 30 June 2014 Adelaide Dolphin Sanctuary Advisory Board membership was as follows:

1.	Dr Mike Bossley (Presiding Member)	Dolphin conservation and research, community education programs management and tourism and recreation management.
2.	Mr Carl Kavina	Ports and harbour management.
3.	Dr Susan Gibbs	Dolphin conservation and research, community education programs management, conservation of marine ecosystems, and fisheries management.
4.	Ms Shanti Ditter	Local government, tourism and recreation management and industry development and management.
5.	Dr B Freya Higgins-Desbiolles	Community education programs management, and tourism and recreation management.
6.	Mr Declan Andrews	Dolphin conservation and conservation of marine ecosystems.
7.	Dr John Cugley	Conservation of marine ecosystems and community education programs management.
8.	Mr Matthew Osborne	Represent Kaurna Culture and heritage from the male perspective, community education programs management, conservation of marine ecosystems and fisheries management.
9.	Mr Knut Gassmanis	Extensive local knowledge and recreational, sport fishing and fisheries management.
10.	Ms Julie Gregory	Community education programs management.
11.	Ms Jenny Hughes	Local government and recreation management.

Activities of the ADS Advisory Board

A total of four general Board meetings were held during the 2013-14 financial year. The meetings were held on 15 August 2013, 26 November 2013, 5 March 2014 and 30 June 2014.

There were no special Board meetings held during the 2013-14 financial year.

Attendance by appointed members at meetings:

Member	Meeting attendance
Dr Mike Bossley (Presiding Member)	4
Mr Carl Kavina	4
Dr Susan Gibbs	4
Ms Shanti Ditter	4
Dr B Freya Higgins-Desbiolles	3
Mr Declan Andrews	4
Dr John Cugley	2
Mr Matthew Osborne	2
Mr Knut Gassmanis	2
Ms Julie Gregory	4
Ms Jenny Hughes	2

Key Issues Considered:

ADS Management Plan

A function of the Board is to advise the Minister on the implementation of the ADS Management Plan and this item was discussed at all Board meetings. Board members discussed reports provided by DEWNR staff on the achievement of Management Plan objectives.

Development

The ADS Advisory Board discussed a number of developments in and around the Adelaide Dolphin Sanctuary that had the potential to impact upon the Sanctuary's dolphins or habitat. The Board became particularly concerned that on a number of different occasions they were aware of where the Minister for Adelaide Dolphin Sanctuary had not been consulted on local developments, nor had the proposed developments directly considered the duty of care statement under the *Adelaide Dolphin Sanctuary Act 2005*. After raising this matter with the Minister, the Board subsequently wrote to all agencies responsible for administering Acts amended by the *Adelaide Dolphin Sanctuary Act 2005* and each agency will nominate an appropriate liaison officer to follow up on any future referral processes.

The CERES Wind Farm Project is proposed to deliver a clean electricity source directly to metropolitan Adelaide. The Board raised several concerns about impacts related to the Project's intention to lay a cable beneath the substrate from Yorke Peninsula to St Kilda. Members expressed their concerns regarding the level of consultation with the Minister for Sustainability, Environment and Conservation regarding this project and the potential impacts to habitat disturbance and acoustic disturbance to resident dolphin population in the Sanctuary.

ADS Fund

A small team of ADS Board members was formed to look at growing and the application of the ADS Fund. The team acknowledged that the fund was too small for any substantial project to be funded to date. It was suggested further research would be required into how to attract more substantial funding. The difficulties in seeking donations when not having deductible gift recipients (DGRs) status was acknowledged.

Other issues

- The water quality in the ADS affects all life forms and food water quality is essential for maintenance of the entire food chain including prey species. The Board discussed the lack of regular water quality monitoring now occurring within the Port River. Following a presentation from the EPA the Board discussed an emerging issue of smaller unlicensed industrial sites near Wingfield area that are unsewered and have the potential to result in Port River pollution through storm water. ADS Board representatives intend to raise the need for an ecosystem health monitoring program in ADS waters (not limited to water quality) at future meeting with the Chief Executive of EPA.
- The Board regularly discussed the decommissioning of the Dry Creek salt fields and the recently announced International Bird Sanctuary. The need for the ADS to build strong linkages and partnerships with the adjacent International Bird Sanctuary was emphasised by the Board members.
- The Board held a strategic planning day out of session on 27 May 2014. The aim of the day was to develop an action plan to focus on how to raise the profile of the Board and Sanctuary, work efficiently and effectively as a Board in achieving identified upcoming priorities including a key role in advising and guiding the review of the ADS Management Plan due which is due in 2015.

Effectiveness of Implementation Program 2013-14

Functions of the Board, under section 17 of the Act, include the Board advising the Minister on the effectiveness of the ADS Management Plan (in achieving the object and objectives of the Act) and the implementation program.

At the meetings held in 2013-14, the Board discussed the effectiveness of the management plan and Annual Implementation Program 2013-14, taking into consideration actions undertaken by DEWNR staff, which are summarised below.

1. Dolphin carcasses in the ADS and the vicinity of metropolitan Adelaide were collected and post mortems to determine cause of death were conducted by the SA Museum.
2. All reports of harassment and molestation against ADS Dolphins were fully investigated under *National Parks and Wildlife Act 1972*.

3. Advice was provided to potential developers about the ADS and how to minimise any potential impacts on dolphins or their habitat.
4. Advice and recommendations were provided on Aquatic Licence Referrals for events held within the ADS to minimise any disturbance to the resident dolphin population and the habitats of the ADS.
5. Regular observations of resident animals were conducted by ADS staff and Action Group volunteers to monitor any major behavioural changes.
6. Work was undertaken to raise awareness of safe boating speeds and approach distances to dolphins to protect them from physical harm including boat and propeller strikes.

Objective 2 - Maintaining, protecting and restoring key habitat features

1. Natural Resources, Adelaide & Mt Lofty Ranges continued to undertake habitat restoration and conservation works in coastal Conservation Parks of Torrens Island and Port Gawler in the ADS.
2. ADS ensured that new developments minimised their impacts on dolphins and their habitat.
3. ADS has undertaken discussions with relevant agencies and developers on the impact of development within the ADS.
4. On-going land and sea patrols of ADS waters and land were conducted to ensure compliance with legislation protecting ADS habitat.
5. ADS staff assessed referrals for exemptions under section 115 the *Fisheries Management Act 2007* for any potential for habitat disturbance, spreading of marine pests and turbidity impacts.

Objective 3 - Improvement of water quality

1. ADS staff assessed development applications, activities and projects for water quality impacts including turbidity, nutrient run off and disturbance of contaminated sediments.
2. On-going land and sea patrols of ADS waters and land were conducted to ensure compliance with legislation protecting ADS water quality. During patrols, staff removed marine debris that could pose an entanglement risk or risks to navigation.
3. ADS staff worked with the EPA to support the relevant agencies and industry to implement strategies and recommendations outlined in the Port Waterways Water Quality Improvement Plan 2008 and the Adelaide Coastal Water Quality Improvement Plan 2013. And regarding water quality issues in the ADS waters including investigating water based industrial activities and instances of fuel spills throughout the Port River.

Objective 4 - Recognition of local interests and participation in management processes

1. The 2012-13 ADS Annual Report, including the Annual Implementation Program 2013-14 was prepared and made available for public information on the DEWNR website.
2. Aquatic licence applications referred under the *Harbors and Navigation Act 1993* were assessed and advice provided to support the achievements of the ADS Act objectives.
3. DEWNR supported the volunteers in the ADS Action Group to support the broad achievement of all ADS Act objectives.
4. Regular communication and advice was provided to a diverse range of people including those from industries, local councils and recreational users and conservationists.
5. Support was provided for the Board's activities.
6. DEWNR continued to work with key stakeholders and volunteer groups to protect the dolphins and improve their environment.

Objective 5 - Promotion of public awareness of ecological importance of the area

1. The Board promoted the ecological importance of the ADS habitats through delivery of education programs through the South Australian Maritime Museum's Dolphin and education programs for Schools, Junior Dolphin Ranger training day, and school and community presentations.
2. ADS promoted the ecological importance of the ADS environment through the delivery of regular community education days and events including hosting Dolphin Day for the local community.
3. ADS staff also worked with other government agencies to ensure consistent delivery of messages relevant to the achievement of ADS objectives.

Objective 6 - Promotion of the principles of ecological sustainable development

1. Advice was provided to a number of potential developers about how they could further the ADS objectives. Ecologically sustainable development principles were promoted to minimise potential impacts on dolphins and their habitat.
2. Further information on actions undertaken to meet the six objectives of the Act is included in the 2013-14 *Adelaide Dolphin Sanctuary Act 2005* Annual Report.

Advisory Committee Membership

Section 19(e) of the Act provides for the establishment of advisory committees to advise the Minister on any matter relating to the administration of the Act. This provision was not required in this reporting period.

Governance Arrangements

DEWNR provides support to the Adelaide Dolphin Sanctuary Advisory Board by providing an Executive Officer for administration and governance. Reporting on this matter is contained in the DEWNR Annual Report 2013-14.

Management of Human Resources

Adelaide Dolphin Sanctuary Advisory Board members (other than government employees) received the following remuneration as determined by the Governor:

- Chair: \$221 /sitting day
- Member: \$177 /sitting day

Employee Numbers, Gender and Status

The Adelaide Dolphin Sanctuary Advisory Board has no staff of its own and utilises the services of DEWNR. Reporting on this matter is contained in the DEWNR Annual Report 2013-14.

Executive, administrative and project support were provided to the Adelaide Dolphin Sanctuary Advisory Board from existing DEWNR resources.

The gender balance of the Adelaide Dolphin Sanctuary Advisory Board is taken into consideration when members are appointed. During this reporting period, membership of Adelaide Dolphin Sanctuary Advisory Board was made up of six males and five females.

The following matters are contained in the DEWNR annual report 2013-14:

- Superannuation contribution by the Adelaide Dolphin Sanctuary Advisory Board
- Executives
- Leave Management
- Workforce Diversity
- Voluntary Flexible Working Arrangements
- Performance Development
- Leadership and Management Development
- Accredited Training Packages
- Employment Opportunity Programs
- Work Health and Safety and Injury Management
- Financial Performance
- Account Payment Performance
- *Carers Recognition Act 1993*
- Disability Access and Inclusion Plans
- Energy Efficiency Action Plan Report
- Greening of Government Operations Framework

OTHER REPORTING ITEMS

Contractual Arrangements

The Adelaide Dolphin Sanctuary Advisory Board did not enter into any contractual arrangements during this reporting period.

Fraud

It is declared that there were no instances of fraud detected in the activities undertaken by the Adelaide Dolphin Sanctuary Advisory Board in this reporting period. Financial services are provided to the Adelaide Dolphin Sanctuary Advisory Board by DEWNR. Strategies to detect instances of fraud are reported in the DEWNR Annual Report 2013-14.

Consultants

The Adelaide Dolphin Sanctuary Advisory Board did not engage any consultants in this reporting period.

Overseas Travel

It is declared that no member of the Adelaide Dolphin Sanctuary Advisory Board has travelled overseas on Board business during this reporting period.

Asbestos Management in Government Buildings

The Adelaide Dolphin Sanctuary Advisory Board does not own any buildings and is therefore not required to develop an asbestos risk reduction program.

Urban Design Charter

No events occurred in 2013-14 that required the Adelaide Dolphin Sanctuary Advisory Board to consider the principles of urban design contained in the South Australian Urban Design Charter.

Freedom of Information - Information Statements

As a DEWNR administered entity, the Adelaide Dolphin Sanctuary Advisory Board participates and abides by the arrangements outlined in the DEWNR Freedom of Information regime. Reporting on this matter is available on the DEWNR internet site. Please visit <http://www.environment.sa.gov.au> to view the FOI statement.

Whistleblowers Protection Act 1993

Reporting requirements against *the Whistleblowers Protection Act 1993* require the Adelaide Dolphin Sanctuary Advisory Board to report on the number of occasions on which public interest information has been disclosed to a Responsible Officer of the agency. There were no disclosures made during the 2013-14 financial year.

Regional Impact Assessment Statements

The Board did not undertake any regional Impact Assessment Statements during the 2013-14 financial year.

RECONCILIATION STATEMENT

The Adelaide Dolphin Sanctuary Advisory Board would like to acknowledge the land on which it meets is the traditional lands for the Kaurna people and that it respects their spiritual relationship with their country. The Adelaide Dolphin Sanctuary Advisory Board also acknowledges the Kaurna people as the custodians of the greater Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

In fulfilling its functions, the Adelaide Dolphin Sanctuary Advisory Board is cognisant of the cultural and natural heritage of traditional owners and strives to achieve positive outcomes wherever these matters are concerned.

ACKNOWLEDGEMENTS

The Adelaide Dolphin Sanctuary Advisory Board would like to thank the Minister and staff of DEWNR for the support and encouragement that it has received over the year.