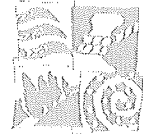


Decision Notification Form
Development Act 1993



CITY OF
Port Adelaide Enfield

Development Application Number: 040/0342/19
Development Application Date: 14/02/2019
Registered on: 14/02/2019

To: Estuary Care Foundation SA Incorporated

on behalf of the owner:

City of Port Adelaide Enfield
PO Box 110
PORT ADELAIDE SA 5015

Department for Environment & Water
C/- Anthony Fox
43 High Street
GAWLER EAST SA 5352

Location of Proposed Development	Wirra Dr NEW PORT SA 5015 Allotment 903 D 77218 CT Vol 6014 Folio 258 & Port River adjacent
Nature of Proposed Development	Nature-based bank stabilisation trial deploying hessian bags of clean, recycled shell and juvenile mangroves

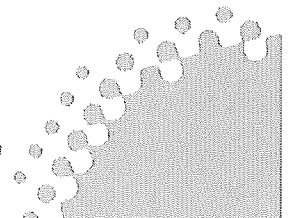
In respect of this proposed development you are informed that:

Nature of Decision	Decision	No. of Conditions	Date of Decision
Development Plan Consent	Granted	5	16/05/2019
Development Approval	Granted	5	16/05/2019

The development must lawfully commence by substantial work on the site of the development within 12 months from the date of Development Approval and be completed within 3 years from the date of Development Approval.

Signed
16/05/2019

- Tim Hicks – Senior Planning Officer
- Sheets Attached



CONDITIONS AND NOTES OF DEVELOPMENT APPROVAL

Development Plan Consent Conditions

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development is to be established in strict accordance with the endorsed stamped details and plans submitted in Development Application 040/0342/19.
2. Collection of propagules or seedlings should be undertaken in a sustainable matter and under the direction of a professional to ensure no long term impacts to the collection area occur.
3. All material to be added to the site including the Pacific oyster shells are to be adequately cleaned before being used for the trial to minimise the spread of aquatic pests and diseases.
4. All structures must be retrieved if they become dislodged as a result of storm events and debris is adequately and quickly recovered post storm.
5. The site is to be adequately remediated and all structures removed within 3 months of trial completion if the trial is deemed not successful (based on advice from, and to the satisfaction of, the Coastal Protection Board).

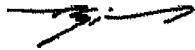
Notes:

- The waters within the Port Adelaide River fall within the area covered by the Adelaide Dolphin Sanctuary Act 2005. The purpose of this Act is to protect the dolphin population and their natural habitat, including the protection of the dolphin population from direct physical harm including changes in water quality. The Act is available from (<https://www.legislation.sa.gov.au/LZ/C/A/ADELAIDE%20DOLPHIN%20SANCTUARY%20ACT%202005.aspx>). Contractors should be made aware of the Adelaide Dolphin Sanctuary Act and that there is a general duty of care to protect the dolphin population from physical harm.
- DEW's licensing and permit section should be contacted to ascertain what approvals may be required for the collection of mangrove propagules from Mutton Cove. If mangrove seedlings are to be collected, additional approval may be required from the Native Vegetation Council prior to works commencing. Your attention is drawn to the Interactive Guide for Native Vegetation tool that may be able to assist in determining any requirements under the Native Vegetation Act 1991: (<https://www.environment.sa.gov.au/managing-natural-resources/native-vegetation/interactive-guide>).
- The applicant is reminded of their general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, do not pollute the environment in a way which causes or may cause environmental harm.
- The applicant should be made aware of their obligations regarding noxious species and notifiable aquatic pests and diseases under the Fisheries Management Act 2007. If a feral species is identified or if there is a recognised risk, PIRSA Biosecurity should be contacted immediately.
- The works are to be undertaken on the seabed. The proponent is encouraged to contact DPTI to ascertain if a lease or licence to occupy the seabed would be required. For more information phone Marine Transport Safety Compliance on [8260 0220 <tel:+61-8-208260-0220>](tel:+61-8-208260-0220).

- Based upon current knowledge and information the development and development site is at some risk of coastal erosion and inundation due to extreme tides notwithstanding any recommendations or advice herein, or may be at future risk. Neither erosion nor the effect of sea level change on this can be predicted with certainty. Also, mean sea level may rise by more than the 0.3 metres assumed in assessing this application.

Accordingly neither Council nor any of its servants, agents or officers accept any responsibility for any loss of life and property that may occur as a result of such circumstances.

- It is the applicant's responsibility to obtain any relevant land ownership related consents separately prior to undertaking works.
- The Certificate of Title for Allotment 903 contains a number of easements. It is the applicant's responsibility to ensure any separate permissions/approvals that may be required relating to any associated encroachment are addressed/obtained prior to undertaking works.
- The granting of this consent does not remove the need for the applicant to obtain all other consents that may be required by other statutes or regulations.



Tim Hicks
Senior Planning Officer
16/05/2019

Appeal Rights

Appeal Rights (as an Applicant)

As an applicant, you have appeal rights to any decision notification issued by Council if:

- The notification is a refusal; or
- The notification is a consent/approval with conditional imposed.

An appeal must be lodged within **two (2) months** after receiving notice of a decision unless the Environment Resources and Development (ERD) Court, in its discretion, allows an extension of time.

If you wish to lodge an appeal the ERD Court is located at Sir Samuel Way Building, Victoria Square, Adelaide. Alternatively you can contact the ERD Court on 8204 0300.

If your application was subject to Category 3 Public Notification where third party representations