

Monday, 13 February 2017

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Dear Geraldine,

Re: Assessment of an Osprey Nest on Lot 33 DP 754405, Ocean Drive, Kew.

As requested, we provide an assessment of an Osprey nest on Lot 33 DP 754405, Kew under the provisions of the Area 15 Port Macquarie-Hastings Council Development Control Plan 2011.

1.0 Background Information

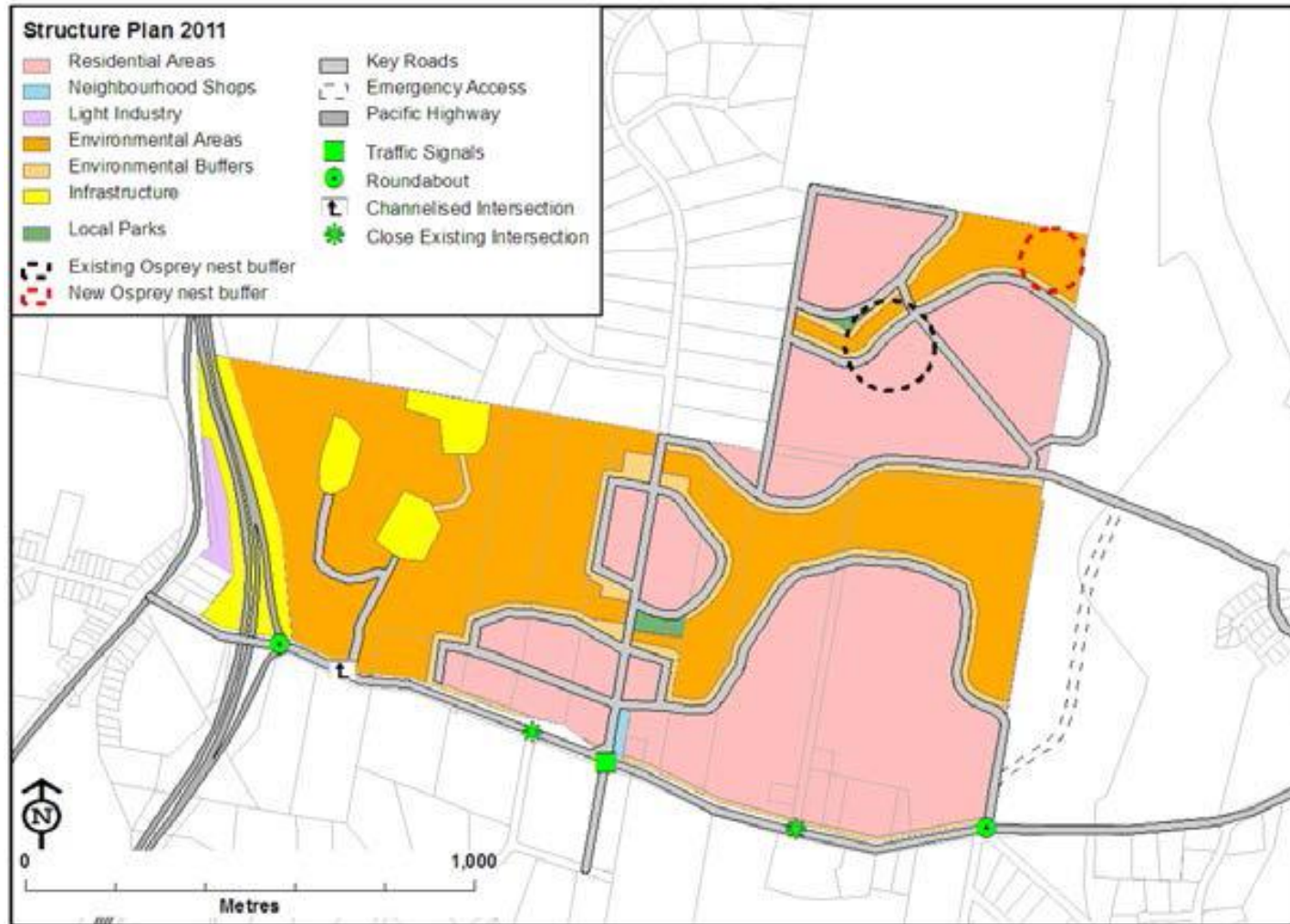
The subject Lot is located to the north of Ocean Drive, Kew. It is currently managed as a grazing property with a managed open understory and a sparse canopy of mature Eucalypts. Part of the subject land on Lot 33 DP 754405 is zoned for residential purposes in the Area 15 urban release area. One of the ecological constraints on site is a single large stag tree in the centre of the property (Figure 1) which is known to contain a nest of an Eastern Osprey (*Pandion cristatus*) listed as Vulnerable under the TSC Act 1995.

The Area 15 DCP states the following:

“Development consent shall not be granted for development on land within the Osprey nest tree buffer unless Council is satisfied that the Osprey nest has been abandoned, based on 2 full breeding cycles.”

If nesting activity is found to occur an alternative constructed nest pole location is to be determined that may facilitate the resident Osprey pair to self-re-locate nesting activity to a more favourable location within an area of E2 zoned land within the property. This will allow physical removal of the nest to progress the planned subdivision. Alternatively if the nest is found not to be active for 2 consecutive seasons physical removal will also be permitted.

Figure 1: Area 15 Structure Plan indicating Osprey nest location



2.0 Nest Assessment

2.1. Nest Details

A site inspection was undertaken by a Naturecall Ecologist on Thursday 26th January 2017. This inspection initially did not locate an Osprey nest on the property. A stick nest was pointed out by the tenant at this time, however it was not large enough to be an Osprey nest and was in a living tree, which is generally not preferred by the Osprey.

Following the initial site inspection, satellite imagery of the site was searched and a stag tree containing a large nest was located in the area indicated on the DCP plan. An additional site inspection was undertaken on 2nd February 2017 to locate the tree.

This inspection located the stag, however it was found that it had in fact fallen within the last few months due to a recent fire that had occurred in the vicinity. Communication with the land tenant had indicated that this fire had been the result of a lightning strike to the tree. Much of the trunk had been completely burned and few remnants remained. Fresh charcoal at the site and new regrowth of Pigeon Grass indicate that the fire was relatively recent (Figure 1).

Subsequent search of the ground near the base of the burnt stag located the fallen tree crown and confirmed the presence of an Osprey nest (Photo 2). The nest was characteristic of an Osprey nest measuring approximately 2m in diameter and formed of large woven sticks. The nest had largely decayed with only an outline of the nest being visible indicating a maximum of several months since falling. No remnants of nesting activity were recorded (eg bones, eggs, down feathers).

Neither of the site inspections recorded Ospreys, and it is not known when the nest was last used or if the local pair still have an association with the property.

2.2. Alternative Nest Locations

The site inspection noted alternative natural nesting options within stag trees on site, however none of these trees had evidence of nest construction by an Osprey. It could not be determined which part of the site may contain future nesting activity, if at all.

Based on the large distance of the previous nest from the water (>1km), it is considered a high possibility that the local pair may move to other more suitable areas closer to water within the locality.

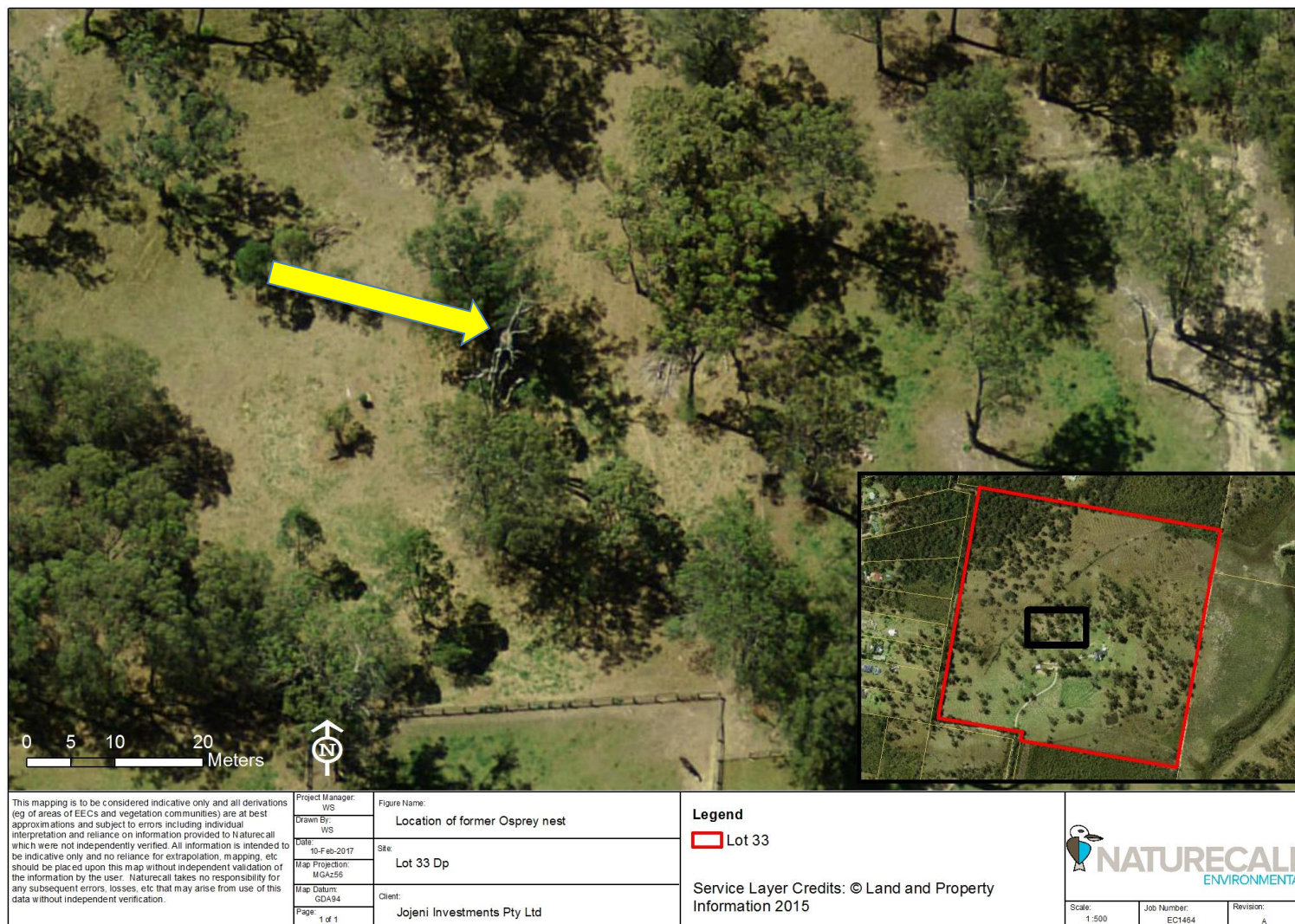
Photo 1: Base of burnt out stag tree where Osprey nest was located



Photo 2: Remnants of fallen Osprey nest



Figure 2: Osprey nest location



3.0 PMHC Area 15 DCP Osprey Nest Management Requirements

The property falls within the PMHC Area 15 DCP. Ecological objectives related specifically to the Osprey nest in the centre of Lot 33 DP 754405 state prior to the release of the first subdivision:

- A) A suitable artificial nesting pole is to be approved and installed on site.
- B) No development consent is to be granted within the Osprey nest buffer zone unless Council is satisfied that the nest has been abandoned, based on 2 full breeding cycles.

Due to the nest falling under natural circumstances it is not considered required that an alternative constructed nest pole be installed on the property. It is however considered a possibility that the resident Osprey pair will return to another location on the property. If this were to occur the above provisions would be triggered once again.

4.0 Recommendations

As the Osprey nest has been reported to have fallen under natural circumstances (lightning strike), it is not considered required to construct nesting pole at an alternative location on site. Considering the location of the former nest site being >1km from Queens Lake it is likely that the resident pair will relocate elsewhere within the locality closer to the water body.

It is however a possibility that due to this fire disturbance, nesting by the resident pair of Osprey will locate another large stag tree within the property. This will not be able to be confirmed until commencement of the following breeding season (April - November).

To satisfy the requirement that Osprey nesting has been abandoned on site, it is recommended that a site inspection is undertaken by an ecologist during the next breeding season to confirm that no further breeding activity is occurring. Recording of further nest activity will re-trigger the Area 15 DCP requirements.

5.0 Conclusion

This report has assessed the condition of an Osprey nest on Lot 33 DP 754405. As the nest has been reported to have fallen due to a natural fire event, it is not considered required to construct an artificial nest pole on site, especially given that numerous alternative nesting locations are available in the area.

Additional monitoring of nest activity is recommended to confirm whether any nesting activity is present on the site in the following breeding season. If no activity is recorded this will satisfy the Area 15 DCP provision that the nest site has been vacant for two consecutive seasons.

It is anticipated this correspondence contains all the relevant information you require, however if any additional information is required, or you wish to discuss the project further, please don't hesitate to contact Will on 0438 590 961.

Yours faithfully,



Will Steggall

B. Env't. Sc. and Mgt

Acting Principal Ecologist



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