

## Nathan Foster

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**From:** Graham Towers  
**Sent:** Thursday, 27 September 2018 2:35 PM  
**To:** Nathan Foster  
**Subject:** FW: Kiama Gateway determination - Dido Street

Nathan,

Could you please consider this request and prepare documentation. I think it is reasonable to delete the BAM reference and leave it at the discretion of Council to decide what study is needed.

Cheers

### Graham Towers

**Team Leader**

**Southern Region**

Department of Planning & Environment

PO Box 5475 Wollongong NSW 2500

T 02 4224 9467 Mob 0437 548 718



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**From:** Edward Paterson <edwardp@kiama.nsw.gov.au>  
**Sent:** Thursday, 27 September 2018 1:48 PM  
**To:** Graham Towers <Graham.Towers@planning.nsw.gov.au>  
**Cc:** Ben Muller <Ben.Muller@planning.nsw.gov.au>; Mark Lyndon <markl@kiama.nsw.gov.au>  
**Subject:** RE: Kiama Gateway determination - Dido Street

Hi Graham,

Thanks for the chat today.

As discussed, the proponent for this Planning Proposal has queried the need to carry out a BAM Assessment as part of the Gateway Determination. Council are of the opinion that a BAM Assessment is not necessary at this stage and that a 'Test of Significance' (CI7.3 of the Biodiversity Conservation Act 2016) should be carried out at this stage. If it is determined that the proposal is likely to significantly affect threatened species a BAM Assessment would then be required.

Can you please confirm if the Department are willing to remove the reference to 'BAM Assessment' in the Gateway Determination.

Regards,

Ed Paterson



Edward Paterson

**Strategic Planner/Development Assessment Officer**

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**From:** Graham Towers <[Graham.Towers@planning.nsw.gov.au](mailto:Graham.Towers@planning.nsw.gov.au)>

**Sent:** Thursday, 27 September 2018 1:30 PM

**To:** Edward Paterson <[edwardp@kiama.nsw.gov.au](mailto:edwardp@kiama.nsw.gov.au)>

**Cc:** Ben Muller <[Ben.Muller@planning.nsw.gov.au](mailto:Ben.Muller@planning.nsw.gov.au)>

**Subject:** FW: Kiama Gateway determination - Dido Street

Hi Edward,

I just tried to call you to discuss.

You can request that we review the condition to remove the reference to the flora and fauna assessment. If we agree we would issue a modified determination sans the study.

Regards,

**Graham Towers**

**Team Leader**

**Southern Region**

Department of Planning & Environment

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**Planning &  
Environment**

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**From:** Ben Muller

**Sent:** Thursday, 27 September 2018 11:42 AM

**To:** Graham Towers <[Graham.Towers@planning.nsw.gov.au](mailto:Graham.Towers@planning.nsw.gov.au)>

**Subject:** Kiama Gateway determination

Hi Graham,

Sorry to trouble you but I was wondering if you could help out at all? Ed Patterson (Kiama Council) rang Lisa to query the requirement to undertake a BAM (flora and Fauna) assessment for a proposal on Dido Street Kiama (see attached gateway determination). Ed was wondering, if they could demonstrate that a BAM assessment is not required (i.e. there are no threatened species of flora or fauna on the site) do they still need to submit one? Ed is going on leave tomorrow and was hoping that you could give him a call before he goes on leave to have a chat. I advised him that you are out of the office and are still travelling tomorrow so this may not happen.

Hope all of this makes sense, but don't hesitate to call me if you have any questions.

Cheers

Ben