



Your ref: SSI-77018220
Our ref: DOC26/228112

Ms Jess Watson
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Department of Planning, Housing and Infrastructure
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Dear Jess

Lake Lyell Pumped Hydro Energy Storage (SSI-77018220) – EIS Exhibition

Thank you for your email request dated 30 March 2026 to the Conservation Programs, Heritage and Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) inviting comments on the Environmental Impact Statement (EIS) for Lake Lyell Pumped Hydro Energy Storage.

We met with the proponent and their accredited assessor to discuss our review of the BDAR on the 8 and 23 April 2026. These comprise five key recommendations, outlined in **Attachment A**.

We will continue to work with them to address these recommendations to ensure the Biodiversity Development Assessment Report (BDAR) is compliant with the Biodiversity Assessment Method (BAM) 2020.

If you have any questions about this advice, please do not hesitate to contact Candice Larkin, Principal Project Officer via candice.larkin@dcceew.nsw.gov.au or 02 8217 2065.

Yours Sincerely

Dr Michelle Cox
Manager Renewable Energy Biodiversity Support & Manager Offset Assessment and Systems
Conservation Planning and Offsets Division
NSW Department of Climate Change, Energy, the Environment and Water

24 April 2026

Attachment A – CPHR Review of EIS and BDAR

ATTACHMENT A: Recommendations from the review of the Environmental Impact Statement Biodiversity Development Assessment Report

Recommendation 1: Provide additional information for candidate species exclusions

- Apply the steps outlined in *BAM Operations Manual Stage 1* if 'vagrancy' is used to exclude a species from further survey.
- To exclude threatened frogs from survey, document evidence that there is no suitable frog habitat in the development footprint.
- The spatial data package should be updated to contain a shapefile of rock and cliffline habitat with 2 kilometres of the development footprint for threatened microbats or proximate habitat for the Brush-tailed Rock-wallaby.
- Additional information is required for the following species exclusions:
 - Brush-tailed Rock-wallaby
 - Green and Golden Bell Frog
 - Littlejohn's Tree Frog
 - Superb Parrot
 - Bathurst Grassland Earless Dragon
 - *Leucochrysum albicans* var. *tricolor*
 - Giant Burrowing Frog
 - Southern Bell Frog
 - Red-crowned Toadlet
 - Large Bent-winged Bat
 - Striped Legless Lizard
 - Booroolong Frog
 - Spotted Tree Frog
 - Stuttering Frog
 - Large-eared Pied Bat
 - Pink-tailed Legless Lizard

Recommendation 2: Targeted surveys for threatened species

- The following list of species were either surveyed outside the appropriate survey period; some areas of suitable habitat were not surveyed (i.e. Table 6.2 of the BDAR does not include all plant community type (PCT) associations for candidate threatened species), or surveys undertaken did not conform to the 40-metre flora survey grids as per the BAM threatened flora survey guidelines:
 - *Asterolasia buxifolia*
 - *Acacia flocktoniae*
 - *Veronica blakelyi*
 - Pink-tailed Legless Lizard
 - *Southern Greater Glider*
 - *Eastern Pygmy-possum*
 - Purple Copper Butterfly
- Up-date the BDAR to reflect how these survey gaps have been addressed.

Recommendation 3: Revise the species polygons for threatened fauna

- Up-date the species polygons for threatened forest owls to include all areas of contiguous habitat in associated PCTs.
- Up-date the species polygon for the Purple Copper Butterfly to include all areas of *Bursaria spinosa*.
- Up-date the spatial data package to include all observations of threatened species from surveys.

Recommendation 4: Expand the explanation of the actions to avoid and minimise impacts to biodiversity values

- Explain the biodiversity impact avoidance measures considered through design process, particularly in response to confirming breeding habitat for threatened species.
- The steps considered or taken to avoid and minimise impacts to the diverse biodiversity values in the proposed upper reservoir footprint are to be documented.

- In addition to standard mitigation measures include commitments to undertake works outside key breeding or nesting periods for threatened cockatoos and owls; and specify proposed treatment for vegetation in the upper reservoir.