



NSW National Parks and Wildlife Service

Your ref: SSI-77018220
Our ref: DOC26/203372

Ms Jess Watson
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Wind and Transmission Assessments
Department of Planning, Housing and Infrastructure (DPHI)
12 Darcy St
PARRAMATTA NSW 2124

By email: jess.watson@dpie.nsw.gov.au

Dear Ms Watson

Thank you for notifying the NSW National Parks and Wildlife Service (NPWS) of the exhibition of the Environmental Impact Statement (EIS) for the proposed Lake Lyell Pumped Hydro Energy Storage (SSI-77018220). I understand this development has been declared to be critical state significant infrastructure, and I appreciate the extension of time in which to provide this advice.

NPWS is interested in this development as the development site adjoins Marrangaroo National Park (referred to as 'park' in this letter). In part, the proposal's construction envelope will only be 20 metres away from the park's boundary, and the construction and operational footprint extends upstream to areas of the Cocks River surrounded by the park.

NPWS licensed the proponent's preliminary access to the proposed Upper Reservoir site via a fire trail through the park and it appears fire trails in the park will continue to be used in connection to the proposal, if only for emergency access. The EIS appears to be unclear on this point.

In assessing the proposal, NPWS requests the Department of Planning, Housing and Infrastructure (DPHI) consider the matters listed in the published guideline [Developments adjacent to National Parks and Wildlife Service lands | NSW Environment and Heritage](#) (DPIE-NPWS 2020). These guidelines were prepared for consent and planning authorities and outline key matters of concern for NPWS which are commonly encountered with development on lands next to our parks and reserves.

NPWS has reviewed the EIS and its supporting documentation and has identified concerns regarding its adequacy of assessment and the level of detail on each of the following matters:

- Noise, vibration and blasting impacts to Marrangaroo National Park
- Impacts to the park's biodiversity
- Impacts to the park's Aboriginal cultural heritage values
- Continued access along Mount Walker Road.

Detailed comments and recommendations on each of these matters are included as Attachment A to this letter.

NPWS recommends additional assessment to describe and quantify the potential direct and indirect impacts to the park.

If DPHI decides to recommend the approval of SSI-77018220, NPWS requests the following to be included as conditions of consent:

- A modification to the proposed construction hours (Table 3.4 of the EIS) to exclude construction and blasting on Saturdays, Sundays or public holidays to avoid causing unacceptable noise levels during periods of peak visitation to the park.
- Any future research activity in Marrangaroo National Park regarding the status, ecology and distribution of plants or animals is subject to approval from NPWS under the *National Parks and Wildlife Regulation 2019*.
- The boundary of the park to be identified by survey, with placement of temporary signage to prevent unauthorised access to the park during all phases of the development (noting that Mount Walker Road and Sugarmans Road are to remain open as access for firefighting purposes).
- No access to or works on the park are to occur as part of this proposal unless written authorisation is granted by NPWS under the *National Parks and Wildlife Act 1974* or the *National Parks and Wildlife Regulation 2019*. In particular, the park is not to be used to gain access to the development site or for the storage of materials, equipment, workers' vehicles or machinery at any time.
- The use of Mount Walker Road and Sugarmans Road as emergency escape routes in the event of a fire emergency is to be authorised by NPWS
- Any upgrade works on Sugarmans Road and Mount Walker Road will be subject to additional environmental impact assessment and NPWS approval.

If you have any further questions about this issue, please contact Ms Sarah Brookes, a/Manager, Kanangra Area, on 02 6336 6200 or at npws.kanangra@environment.nsw.gov.au.

Yours sincerely



David Crust
**Director, Blue Mountains
Park Operations Inland**

29 April 2026

Detailed NPWS comments on Lake Lyell EIS

In providing these comments, NPWS has reviewed the following documents:

- Environmental Impact Statement, Lake Lyell Pumped Hydro Energy Storage, Prepared for Lake Lyell Project Pty Ltd by EMM, dated 25 February 2026, inclusive of:
 - Appendix E Mitigation Measures, version 1, Prepared for Lake Lyell Project Pty Ltd by EMM, undated.
 - Appendix J Biodiversity development assessment report, Prepared for Lake Lyell Project Pty Ltd by EMM, dated 30 January 2026 (**BDAR**)
 - Appendix K Aquatic ecology assessment, Prepared for Lake Lyell Project Pty Ltd by EMM, dated 20 November 2025
 - Appendix L Aboriginal cultural heritage assessment, Prepared for Lake Lyell Project Pty Ltd by EMM, dated 26 November 2025
 - Appendix R Noise and vibration impact assessment, Prepared for Lake Lyell Project Pty Ltd by EMM Consulting Pty Ltd, dated 21 November 2025
 - Appendix T Soil, Land Use and Rehabilitation Assessment, Prepared for EMM Consulting Pty Ltd by Minesoils Pty Ltd, dated 20 November 2025
 - Appendix U Bushfire assessment, Prepared for Lake Lyell Project Pty Ltd by Waratah Bushfire, dated 19 November 2025

1. Noise, vibration and blasting impacts to Marrangaroo National Park

The EIS states that noise, vibration and blasting impacts to the park are not expected to be a problem except for visitors walking to Mount Walker Trig Point. It is unclear on what basis this conclusion has been reached. According to Figure 6.1 of Appendix R, the noise impact assessment did not include any sites in the park, even though NPWS had specifically requested assessment of impacts on the park's designated camping area, and its consideration as a 'sensitive receiver', equivalent to a residence (see wording of request in Table 1.1 of Appendix J).

Section 6.2.1 of Appendix R discusses the number of residential receivers where predicted noise levels are not expected to satisfy 'the relevant sleep disturbance screening criteria', during both early-stage and main construction works. The sleep disturbance screening criteria used in this report are LAeq, 15 minute of 40dB(A), and LAmx of 52dB(A). These are above the relevant night-time noise management levels for a rural residence under the Noise Policy for Industry (NPfI).

According to section 12.3.6 of the EIS, the Mount Walker Trig Point was chosen to be 'representative of potential impacts to Marrangaroo National Park'. This section of the EIS also asserts that noise levels will not exceed the NfPI's 'adopted criteria for passive recreation', which is 50dB(A). NPWS stresses that this is purely an acceptable noise level during daytime pursuits (e.g. bushwalking and picnicking). It is not an acceptable noise level for people camping in national parks, when the rural residential level of 35dB(A) is far more appropriate. It must be remembered that the noise attenuation of tents is much less than for a house or other building, and that park visitors are seeking the natural sounds of the park, and are likely to have their visit to a park significantly affected by the artificial sounds associated with construction works particularly at night.

Figure 6.7 in Appendix R identifies that, during the 'morning shoulder' of the main construction works (from 6am to 7am, Monday to Saturday), large areas of park will experience noise levels >40dB(A), including the Marrangaroo campground. This is above the sleep disturbance screening criteria. The scientific literature identifies that impacts on fauna behaviour (movements, avoidance and vocalisation) also start to occur at levels more than 40dB(A).

During the 'morning shoulder', Figure 6.7 identifies that small areas along the boundary of the park will be >65dB(A) which is more than 5 times the intensity of noise compared to the 50dBA

set under the NfPI for 'areas reserved for passive recreation'. Sleep in these areas will be impossible. While not yet at the level of being 'annoyingly loud', conversation is difficult at levels of noise above 65dB(A).

NPWS advises that the EIS is misleading in its assertion that that noise levels will not exceed the NfPI's 'adopted criteria for passive recreation'. The noise levels predicted to be experienced in parts of the park will have a measurable impact on fauna in the park and the amenity of park visitors. Further, in NPWS's opinion, these noise impacts have not been adequately assessed or mitigated.

In terms of mitigation, the EIS in section 12.6 recommends 'an out of hours works protocol be developed for the project and to reduce potential impacts, that high noise generating activities be limited during more sensitive periods'. NPWS advises that 'more sensitive periods' should include weekends and public holidays when visitation to the park markedly increases.

NPWS recommends:

- Additional assessment to recognise and quantify the noise impacts on the park's fauna and the amenity of visitors to the park, including the unacceptable disturbance to campers' sleeping before 7am during the main construction works.
- A modification to the proposed construction hours (Table 3.4 of the EIS) to exclude construction and blasting on Saturdays, Sundays or public holidays to avoid causing unacceptable noise levels during periods of peak visitation to the park.

2. Impacts to the park's biodiversity

NPWS acknowledges that the assessment of biodiversity has covered the requested additional matters, including potential impacts on Platypus (including macroinvertebrates as their food source) and stygofauna. These are addressed in Appendix J (the BDAR) and Appendix K (Aquatic Ecology Assessment).

The BDAR acknowledges that noise, vibration and artificial lighting during the construction of the project may impair the normal activities of some animals in the park or may lead to them temporarily ceasing to utilise habitat within areas of the park. Given that noise levels greater than 40dB(A) are known to affect animal behaviour and that noise levels of up to 65dB(A) are predicted to occur in the park, these impacts are not unexpected.

The BDAR states that the noise levels experienced in the park are 'unlikely to cause a significant impact on any species as the boundary is on a sharp ridgeline which provides a topographic barrier and will screen noise, vibration and lighting from encroaching far beyond the boundary of the National park'. The predicted noise contours in Figure 6.7 of Appendix R – which indicates noise levels >40dB(A) would be experienced in a substantial part of the park – appears to disagree with this statement.

NPWS highlights that only some key species recorded in the area are considered in detail in section 8.3 of the BDAR which outlines the measures to avoid, minimise and mitigate impacts.

Those species covered by mitigation measures include the Purple Copper Butterfly, with the following proposed measures:

- research into the status, ecology and distribution of the species' population in Marrangaroo National Park and Lidsdale State Forest
- use of the results of this research to optimise restored habitat for the species in the project area.

NPWS advises it fully supports this research, and also for the surveys for Booroolong Frog to extend into Marrangaroo National Park, and that such research activity in the park would be subject to approval from NPWS under the *National Parks and Wildlife Regulation 2019*.

Most Aboriginal participants in the cultural mapping values study (as documented in Annexure F of Appendix L) expressed strong concerns about the potential impacts to totems, such as Platypus, Wedge-Tailed Eagle, Powerful Owl and macropod populations. Given the expression

of totemic relationships with these species, these concerns can be understood as falling within a broad definition of Aboriginal cultural values. Associated mitigation measures to ensure the protection of these species and related breeding, feeding and habitat areas are, however, only provided for the Platypus. The total credits required to offset impacts on Powerful Owls and their habitat is 4,053. According to the BDAR, there appears to be little attempt to mitigate impacts on this species.

NPWS recommends:

- Consideration of additional avoidance or mitigation measures to reduce the impacts on threatened or totemic species.
- Identifying as a condition of consent that any future research activity in Marrangaroo National Park regarding the status, ecology and distribution of plants or animals is subject to approval from NPWS under the *National Parks and Wildlife Regulation 2019*.

3. Aboriginal cultural heritage values

The values of the Marrangaroo National Park include its Aboriginal heritage. This is confirmed in Appendix L.

Appendix L includes comments from a Wiradjuri custodian in the Lithgow area (Rick Slavin) which describes the importance of Mount Walker, as 'the heart of spiritual connection and protection for all life'. In the Aboriginal Cultural Values Mapping Report (Annexure F to Appendix L), Uncle Bill Allen identifies that Mount Walker is a significant sacred area, as 'a significant place for Wiradjuri warriors'.

While it is acknowledged there will be no physical impacts to the northern side of Mount Walker in Marrangaroo National Park, there will be impacts to the park's broader cultural significance and its contemporary value as a landscape that provides spiritual strength to the Wiradjuri people.

Appendix E outlines Aboriginal heritage mitigation measures including:

- preparation of an Aboriginal Cultural Heritage Management Plan (ACHMP) in consultation with the Registered Aboriginal Parties (RAPs)
- potential salvage excavations for sites that may be directly impacted.

If re-location of salvaged objects into Marrangaroo National Park is proposed as part of the ACHMP, this will be subject to NPWS approval.

The lowering of water levels in Lake Lyell may expose further artefacts associated with the known artefact scatters and open sites along the Coxs River. The mitigation measures should include additional surveys along the river during construction.

NPWS recommends:

- Additional surveys along the Coxs River while water levels are lowered to inspect for artefacts or other Aboriginal objects.
- Consultation with NPWS in the development of the Aboriginal Cultural Heritage Management Plan should re-location of Aboriginal cultural material be proposed in Marrangaroo National Park.

4. Continued access along Mount Walker Road

NPWS acknowledges that the EIS and various supporting documents confirm that no access to the project would be required through Marrangaroo National Park during construction or operation of the project other than in the event of an emergency. Further, it is claimed: 'as the internal access roads would be secure and not publicly accessible, no additional unauthorised

access to the National park would result from the project' (reference: Appendix J, section 8.1.3, page 206).

In contrast, however, Table 3.3 (in section 3.3.3 of the EIS) links use of Mount Walker Road to 'public access', stating: 'Access along Mount Walker Road will not be restricted and will remain open during construction for existing use'. NPWS raises concerns regarding this statement as it implies the road is open to public use. It is not. Mount Walker Road crosses private property and Marrangaroo National Park to the north-east of the development site. NPWS considers Figure 3.6 of the EIS to be misleading in implying that maintenance of access to Mount Walker Road through Marrangaroo National Park to the north-east of the project site is purely up to the proponent. The use of this section of Mount Walker Road is subject to NPWS authorisation.

NPWS is pleased that Appendix T has confirmed the project will not impede NPWS access to Marrangaroo National Park. The section of Mount Walker Road immediately adjacent to the project site provides an essential link to the park's eastern section from Sugarmans Road.

Appendix U (Bushfire Assessment) in Table 5-1 mentions that Mount Walker Road will provide secondary firefighting access for the main works area, and that (when combined with Sir Thomas Mitchell Drive from the south and Sugarmans Road to the north), Mount Walker Road provides through access within the main works area. It identifies that this through access would provide an essential emergency egress option from the site of the Upper Reservoir during a fire emergency. NPWS confirms it is willing to provide any necessary consent under the *National Parks and Wildlife Regulation 2019* for such use of fire trail network through Marrangaroo National Park.

Appendix U recommends the following:

- The portion of fire trail within the northwestern boundary of the project area (adjoining Marrangaroo National Park) and link between Sugarmans Road and Mount Walker Road must be upgraded/maintained to comply with the fire trail standards for a Category 9 firefighting vehicle.

NPWS confirms it is supportive of these proposed works but advises they are subject to NPWS authorisation following an appropriate level of impact assessment, such as under Division 5.1 of the EP&A Act.

NPWS recommends:

- The boundary of the park to be identified by survey, with placement of temporary signage to prevent unauthorised access to the park during all phases of the development (noting that Mount Walker Road and Sugarmans Road are to remain open as access for firefighting purposes).
- No access to or works on the park are to occur as part of this proposal unless written authorisation is granted by NPWS under the *National Parks and Wildlife Act 1974* or the *National Parks and Wildlife Regulation 2019*. In particular, the park is not to be used to gain access to the development site or for the storage of materials, equipment, workers' vehicles or machinery at any time.
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- Any upgrade works on Sugarmans Road and Mount Walker Road will be subject to additional environmental impact assessment and NPWS approval.