

Our ref: Liverpool Range Quarry (SSD-68063715)

Mr Stephen Barry
Planning Director
Office of the Independent Planning Commission
Level 15, 135 King Street
Sydney, NSW 2000

12 November 2025

Subject: Liverpool Range Quarry – Response to Request for Additional Information

Dear Mr Barry,

I refer to your letter dated 10 November 2025 regarding whether a preliminary site investigation has been undertaken for the Liverpool Range Quarry (SSD-68063715) in relation to section 4.6(2) of *State Environmental Planning Policy (Resilience and Hazards) 2021*.

The Applicant has engaged Umwelt Consultants to prepare a preliminary site investigation report in accordance with the contaminated land planning guidelines. This report is attached for your consideration.

The report found that the risk of contaminants being present from the current land use that could potentially impact on human health or the environment to be extremely low. The Department has reviewed the report and agrees, especially given the change in land use is from grazing to extractive industry. Therefore, the Department considers that no changes are required to the report or conditions of consent.

If you have any questions, please contact Carl Dumpleton on [REDACTED] or via email at [REDACTED]

Yours sincerely,

Jessie Evans

Director Energy & Resource Assessments

as delegate for the Planning Secretary

12 November 2025

Carl Dumbleton
Team Leader
Resources and Energy Assessments
Department of Planning, Housing and Infrastructure

E [REDACTED]

Dear Carl

RE: Liverpool Range Quarry Project (SSD-68063715) – Report on Preliminary Site Investigation

We refer to the Department of Planning, Housing and Infrastructure (DPHI) email of 10 November 2025 to ARDG Deans Quarry Pty Limited (the proponent of the Liverpool Range Quarry project) requesting consideration of clause 4.6 (2) and (4) of the *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazard SEPP) as it relates to the development and contamination considerations.

1.0 Background

The proposed Liverpool Range Quarry (the Quarry) (SSD-68063715) is located on rural-zoned (RU1) land approximately 10 km north of Cassilis, NSW. The site footprint spans two lots – Lot 89 DP750749 (main quarry and part access road) and Lot 3 DP1315388 (part access road) in separate (though family-related) landholdings (refer to Figure 1.1).

Clause 4.6 of the Resilience and Hazard SEPP provides:

4.6 Contamination and remediation to be considered in determining development application

- (1) *A consent authority must not consent to the carrying out of any development on land unless—*
 - (a) *it has considered whether the land is contaminated, and*
 - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*
- (2) *Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*

- (3) *The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*
- (4) *The land concerned is—*
 - (a) *land that is within an investigation area,*
 - (b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
 - (c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—*
 - (i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - (ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

The land has been used historically (and continues to be used) for low-intensity grazing activities. Agricultural/horticultural activities are specified in Table 1 of the *Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land* (DUAP/EPA, 1998) and, as such, the requirement for a preliminary investigation under clause 4.6(2) is triggered. The following preliminary investigation report in relation to the land has been prepared pursuant the requirements under clause 4.6(3) of the Resilience and Hazard SEPP.

Figure 1.1 Site Location



2.0 Potential for Site Contamination

2.1 Potential Contamination points and risk profile

The footprint of the proposed Quarry is located on land that has a long history of agricultural activities. Agricultural activities can present a range of potential contamination risks for land including:

- Dip site locations
- Hydrocarbon spills and
- Herbicides and pesticides used for cropping.

The following provides a review of site history and field observations which support a conclusion that the site is unlikely to be contaminated.

In the case of the proposed quarry development, the presence of any unexpected contamination of the land from agricultural activities is unlikely to render it unsuitable for the proposed temporary change in land use to a quarry. That is, any contamination present on site is unlikely to operate as a human health risk for workers on the site and the proposed works are considered unlikely to exacerbate any environment risks associated with mobilisation of contaminants. However, as material from the quarry and borrow pit will be used for road base material and will be transported to

other land, any contaminants present on the site could be transferred to other land and dust generated by traffic on material used for road base could present a human safety hazard. This latter impact pathway is therefore the primary area of consideration in this preliminary assessment.

2.2 Site and Land History

Appendix A provides a letter from each of the current landholders of Lot 89 and Lot 3 that details their knowledge of current and historic agricultural activities within the footprint of the proposed Quarry site, with respect to potential for contaminating activities to have occurred on the land.

As indicated in each letter, the landholders advise that to the best of their knowledge and based on a lengthy association with the land on which the proposed Quarry footprint is located:

- the land was originally cleared approximately 100 years ago, and since then has been used primarily for cattle and sheep grazing;
- vegetation on the land is all self-sown, and no artificial seeding has been undertaken;
- Lot 89 has never been ploughed or fertilized
- Lot 3 has never been ploughed and fertilizer use has been limited to approximately 3-4 applications of natural gypsum over a 40-year period;
- the land has never been sprayed for weeds and poisons have not been used for tree eradication, nor have poisons / baits been used for feral animal control; and
- stock dips have never been constructed on the land.

As part of the development application process for preparation of the Environmental Impact Statement (EIS), Umwelt (Australia) Pty Limited, as well as the project proponent, have undertaken numerous site visits / inspections of the Quarry site and can confirm that there is no physical evidence of any activities that would present a potential for contamination risk (e.g. no signs of cultivation, cattle yards or dipping areas or other industrial type use). Further, there is no visual evidence of contamination present in the form of scald patches or areas of poor groundcover which may indicate the presence of contaminated soils.

Historical aerial photographs of the site are provided in **Appendix B**, dating to 1955. The photos show the periodic changes in vegetation on the site and surrounding areas over time. Importantly, the photos do not show any evidence of physical structures (e.g. cattle yards, dips, sheds, fuel storages etc) that may be indicative of potentially contaminating activities on the site, nor do they indicate the site has been cropped or had trees poisoned. These aerial photographs support the land use history information provided by the landowners in **Appendix A**.

3.0 Conclusion

Given the nature of any potential contaminants that could be present on the site, the human and environmental health and safety consequences (and therefore risks) associated with this potential impact pathway are considered to be extremely low.

There is considered to be negligible contamination related risks associated with the proposed access road due to it being sealed. While there is potential for some very localised dust impacts associated with the construction of the road, these risks would be limited to the area immediately around the

area of disturbance. The use of this land as an access/haul road is considered unlikely to exacerbate any environmental or safety risks associated with any historical contamination that may be present due to the road being sealed (notwithstanding that historical contamination is unlikely).

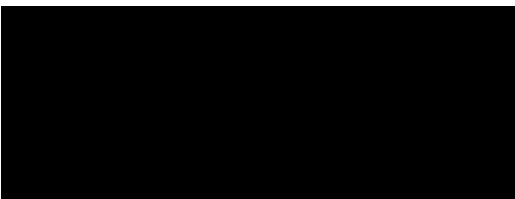
Based on site inspections, historical land use information provided by landholders and an inspection of aerial imagery of the site covering approximately 70 years, contamination is unlikely to be present on the land. Any unidentified contaminant which may be present on site would be unlikely to present an increased human or environmental health risk due to the proposed temporary change of land use of the site from rural use (*i.e.* grazing) to a quarry (*i.e.* extractive industry).

In the absence of any desktop or physical evidence of uses of the land that may give rise to a contamination risk, the potential for human or environmental risks associated with the use of quarry material from the site on other land is considered to be extremely low.

Base on the preliminary investigation undertaken in accordance with Section 3.4.1 (Stage 1) of the guidelines (DUAP, 1998), the site is considered to be suitable for the proposed change in land use without any need for remediation works and a detailed field investigation and soil sampling of the site is not considered to be warranted.

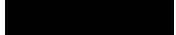
If you require any further information or have any questions, please don't hesitate to contact me.

Yours sincerely



David Holmes

Principal Environmental Consultant

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M 

References

Department of Urban Affairs and Planning/ Environment Protection Authority (DUAP/EPA), 1998.
Managing Land Contamination, Planning Guidelines, SEPP 55–Remediation of Land

Appendix A

Landowner Correspondence

ARDG Deans Quarry Pty Limited
[REDACTED]

11 November 2025

Dear [REDACTED]

**Re: Potential for Contamination associated with Agricultural Activities –
Lot 89 DP750749**

We refer to your request for further information with respect to historical and current agricultural activities that have occurred within the footprint of the proposed Liverpool Range Quarry on Lot 89 DP750749 and provide the following information.

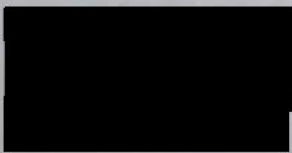
Lot 89 DP750749 – “Tangaratta”

- This land parcel has been owned for approximately nine (9) years (since 2016) by [REDACTED]
- The land was previously owned by [REDACTED] who owned the land for approximately 12 years.
- To the best of our knowledge:
 - the land was originally cleared approximately 100 years ago, and since that time has been used primarily for cattle grazing, as well as sheep grazing in the past;
 - the land has never been fertilized;
 - the land has never been sprayed for weeds;
 - poisons have not been used for tree eradication;
 - poisons / baits have never been used for feral animal control;
 - stock dips have never been constructed on the land;
 - vegetation on the land is all self-sown, and no artificial seeding has been undertaken;
 - the land has never been ploughed.
- Agricultural activities since we have owned the land have been confined to low-intensity cattle grazing.

We confirm as long-term landholders in this area, we are unaware of any historical activities prior to our ownership of the land that that would have contributed to any form of land contamination.

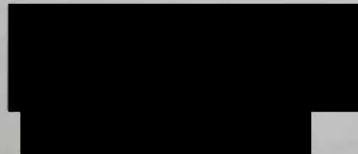
We also confirm that there is no evidence or signs of cultivation, cattle yards, stock dipping areas or other industrial land uses within the footprint of the proposed Liverpool Range Quarry.

Signed:

A large black rectangular box redacting the signature of the first individual.

11-11-2025

Date

A large black rectangular box redacting the signature of the second individual.

11-11-2025

Date

ARDG Deans Quarry Pty Limited

11 November 2025

Dear [REDACTED]

**Re: Potential for Contamination associated with Agricultural Activities –
Lot 3 DP1315388**

We refer to your request for further information with respect to historical and current agricultural activities that have occurred within the footprint of the proposed Liverpool Range Quarry on Lot 3 DP1315388 and provide the following information.

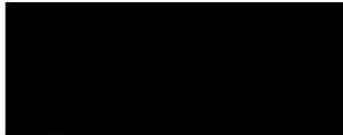
Lot 3 DP1315388 – “Dalkeith”

- This land parcel has been owned for approximately four (4) years by [REDACTED] and [REDACTED] (or associated entities). Prior to acquisition we have had a long-term association with agricultural activities on this land, given the land was owned by our parents / in-laws (refer below).
- The land was previously owned by [REDACTED] which was under the control of [REDACTED] and [REDACTED] since who acquired the land in 1980. Prior to that time, the land had been held by the McMaster family for over 100 years.
- To the best of our knowledge:
 - the land was originally cleared approximately 100 years ago, and since that time has been used for sheep and cattle grazing;
 - fertilization has been limited to approximately 3-4 applications of natural gypsum over a 40-year period;
 - the land has never been sprayed for weeds;
 - poisons have not been used for tree eradication;
 - poisons / baits have never been used for feral animal control;
 - stock dips have never been constructed on the land that is subject to the development application for the Liverpool Range;
 - vegetation on the land is all self-sown, and no artificial seeding has been undertaken;
 - the land has never been ploughed.
- Agricultural activities since we have owned the land have been confined to cattle and sheep grazing.

We confirm as long-term landholders in this area, we are unaware of any historical activities prior to our ownership of the land that that would have contributed to any form of land contamination.

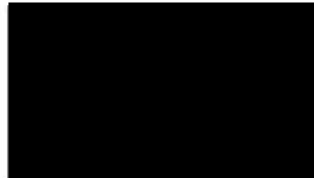
We also confirm that there is no evidence or signs of cultivation, cattle yards, stock dipping areas or other industrial land uses within the footprint of the proposed Liverpool Range Quarry.

Signed:



Damon Mark Soster

12/11/25
Date



Sophie Ann Soster

12/11/25
Date

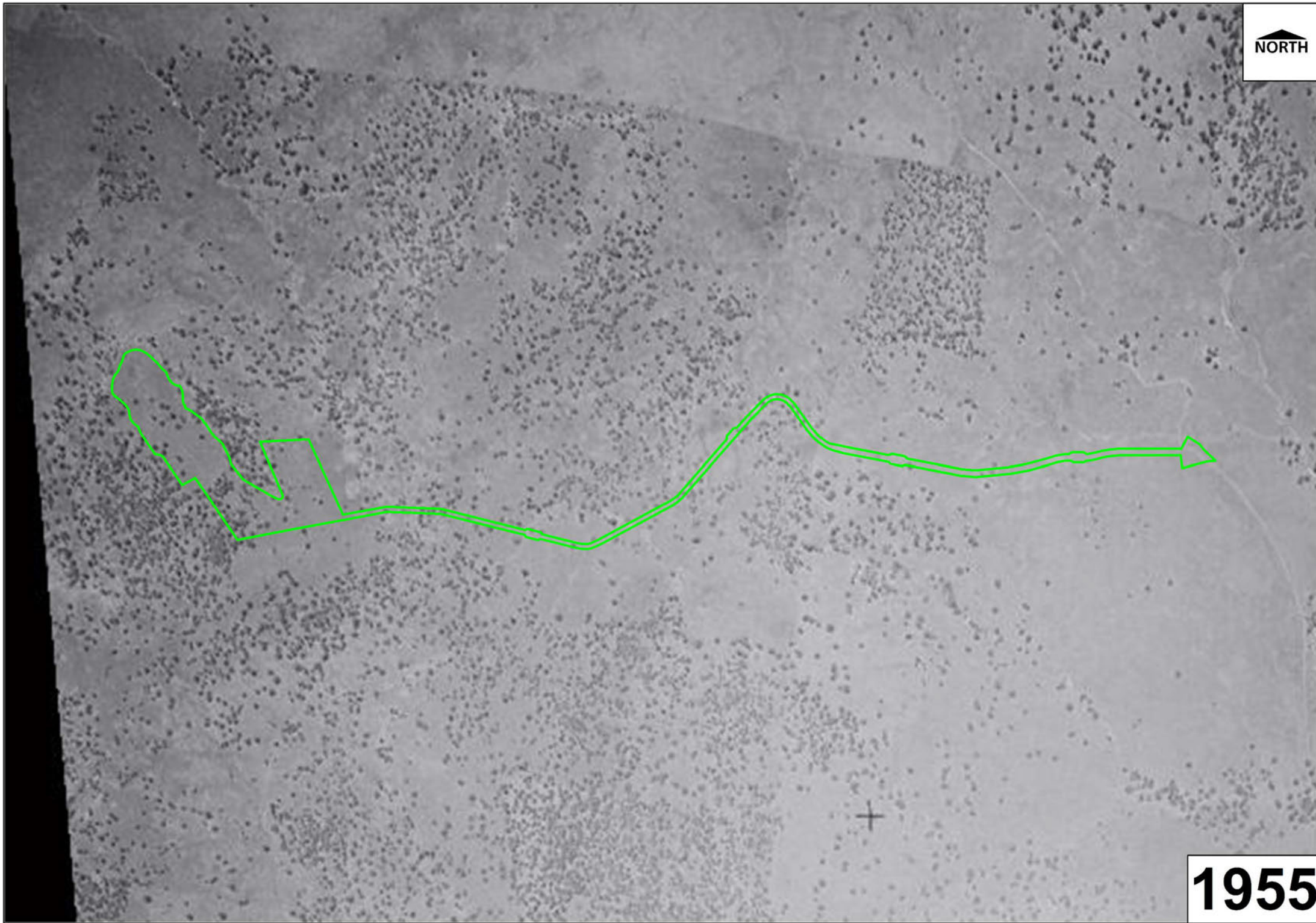
Appendix B

Historic Aerial Photos

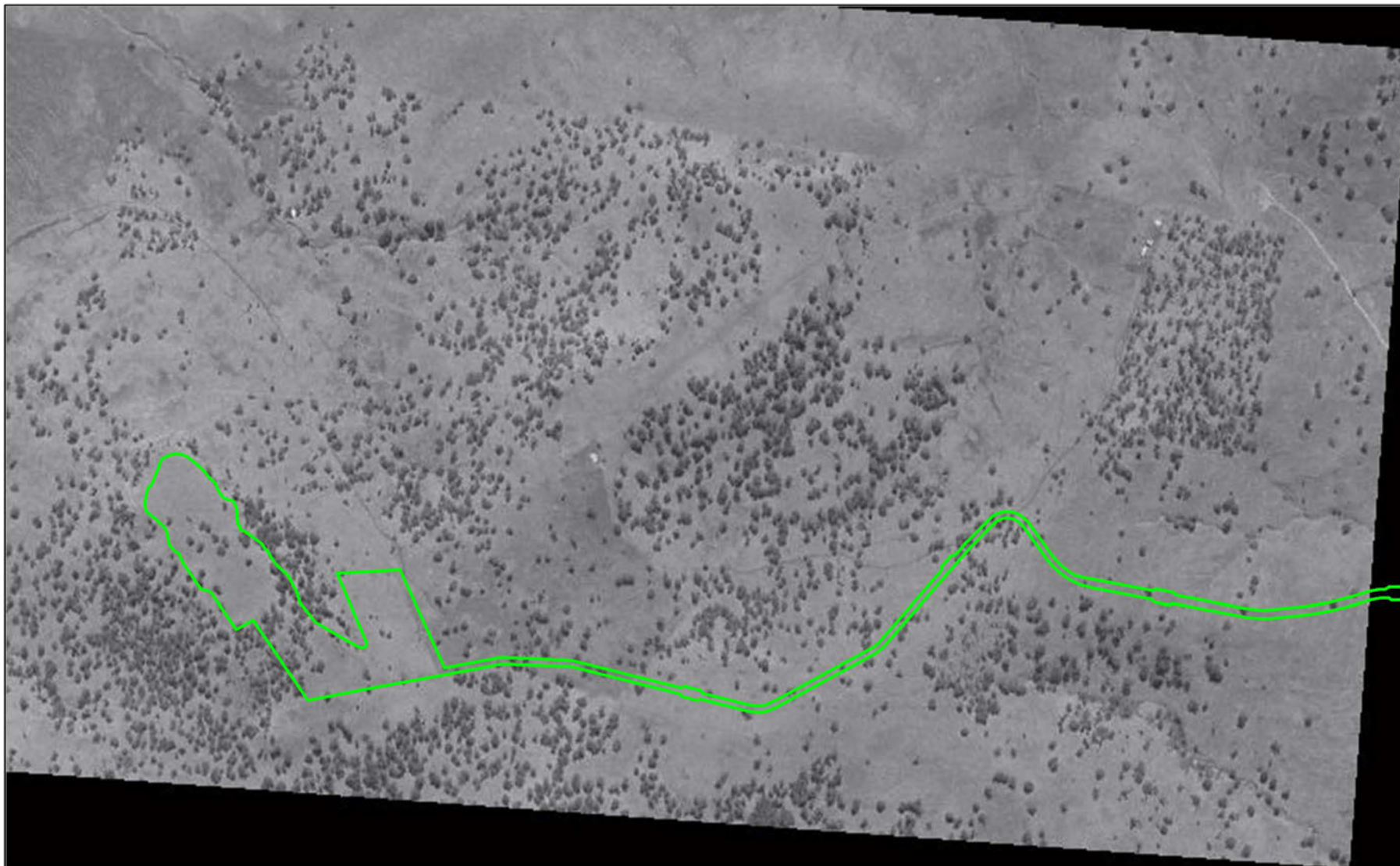


NORTH

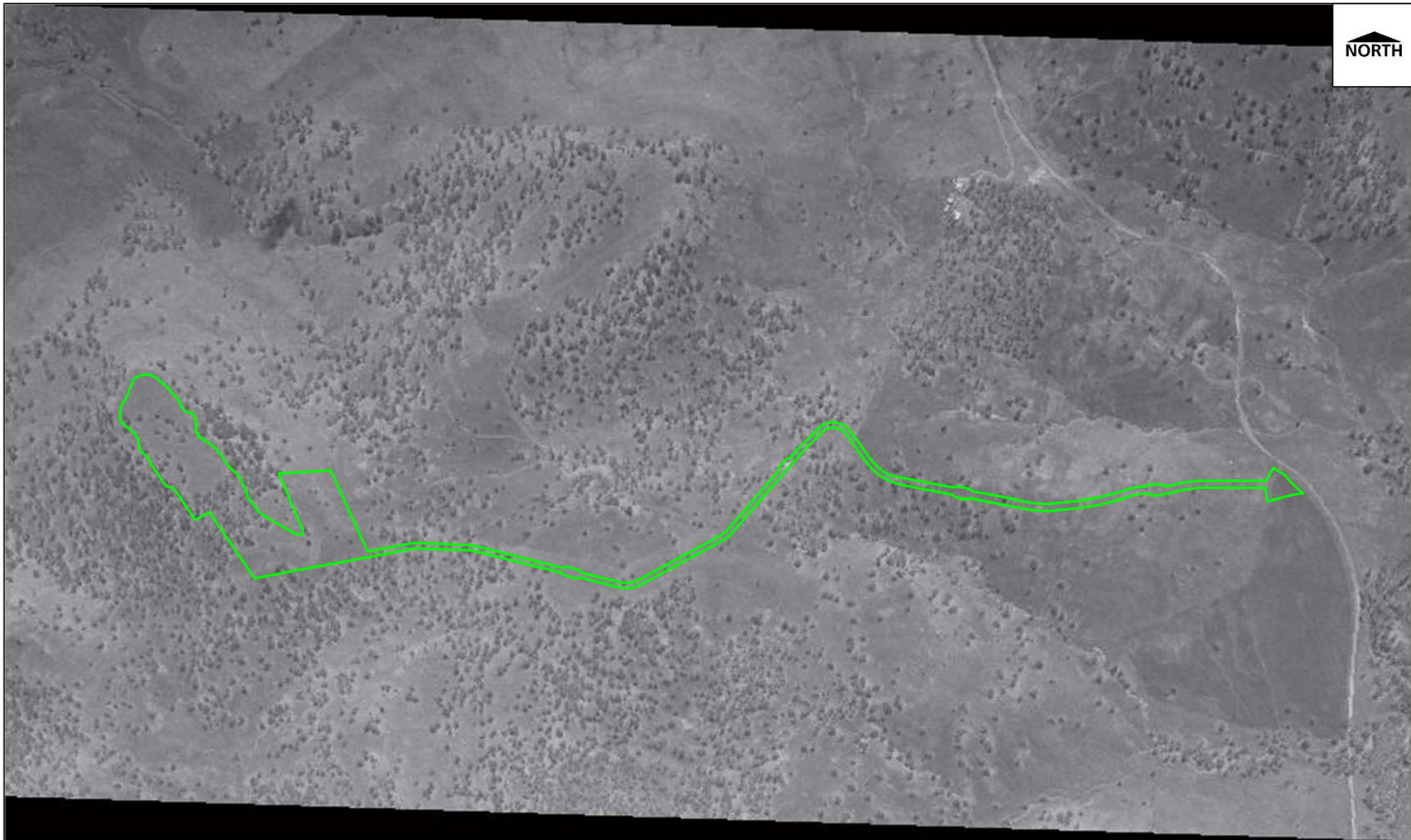
1955



NORTH



1970





1989





1999



NORTH



2011

An aerial photograph of a landscape with a green boundary line. The boundary line starts on the left, forms a small loop, then extends horizontally with some undulations, ending on the right. The landscape is a mix of brownish-tan and dark green patches, possibly representing different vegetation or land use. A road or path is visible on the right side of the image.

