

NSW Planning ref: SSD-8753-PA-60

Kevin Thompson
Managing Director
CONCRUSH PTY LIMITED
18 Tirriki Street
Charlestown NSW 2290

09/09/2025

Sent via the Major Projects Portal only

Subject: Concrush Resource Recovery Facility Expansion - 2024/2025 Annual Review

Dear Mr Thompson

I refer to the Annual Review for the period 1 April 2024 to 31 March 2025 (2024/2025 Annual Review) for the Concrush Resource Recovery Facility Expansion (Concrush), submitted as required by condition C14 of SSD-8753 as modified (the consent) to the NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 14 August 2025.

NSW Planning has reviewed the 2024/2025 Annual Review and considers it to generally satisfy the reporting requirements of the consent. Please make publicly available a copy of the 2024/2025 Annual Review on the company's website within 30 days.

Please note that the NSW Planning's acceptance of the 2024/2025 Annual Review is not an endorsement of the compliance status of the project.

The NSW Planning response letter for the 2023/2024 Annual Review required you to follow the format of NSW Planning's *Compliance Reporting Post Approval Requirements* (May 2020). I note that this has not been carried out satisfactorily in the 2024/2025 Annual Review.

Under the provisions of condition A3 of the consent, as nominee of the Planning Secretary, I require all future Annual Reviews for Concrush to follow NSW Planning's *Compliance Reporting Post Approval Requirements* (May 2020) and also address all the requirements specified in condition C14 of the consent.

Specifically, future Annual Reviews are to include the following sections:

1) Introduction to satisfy the requirements of condition C14(a)

- Include a current figure illustrating the development boundary and the operational areas. I note that during the 2023/2024 and 2024/2025 reporting periods, you did not include a

current site plan/map showing the facility boundary and operational areas although referred to as being provided in Appendix A.

- Include separate tables detailing:
 - the total tonnage of general solid waste (non- putrescible) received and processed during the reporting period
 - the total tonnage of garden and wood waste received and processed during the reporting period
 - the maximum tonnage of general solid waste (non- putrescible) stored at any one time during the reporting period and
 - the maximum tonnage of garden and wood waste stored at any one time during the reporting period.

2) Previous Actions – Provide concise information on actions previous Independent Environmental Audits (IEA) and Annual Reviews (AR)

- I note that there are some outstanding actions from previous IEA and AR reports that were not included and addressed in the summary table of the 2024/2025 Annual Review. Therefore, NSW Planning could not establish if these actions have been completed or when they were completed. Such actions relate to conditions B13, B21, B35, B37 B45, B48 and C7.
- Please insert a new column to the summary table that clearly states what actions have been completed during the Annual Review period. This can then be followed by the action status column.

3) Compliance Status Summary to satisfy the requirements of condition C14(c)

- Please note that that all non-compliances must be duly captured in the Annual Review report. I note that non-compliance with condition C19 was identified by NSW Planning but was not reported in the 2024/2025 Annual Review.

4) Environmental Performance to satisfy the requirements of condition C14(b), C14(d) and C14(e)

- I note that you did not report on any monitoring results for all the required environmental performance for in the 2024/2025 Annual Review.
- Providing a statement such as *Concrush continue to implement its OEMP* is not adequate to fulfil this requirement.

- As per condition C14(b) of the consent, the Annual Review must include a comprehensive review of the monitoring results for water, air quality, noise and waste that includes a comparison of these results against the:
 - relevant statutory requirements, limits or performance measures/criteria
 - requirements of any plan or program required under the consent
 - monitoring results of previous years and
 - the relevant predictions in the EIS and Response to Submissions.

5) Incidents to satisfy the requirements of condition C14(c)

6) Complaints to satisfy the requirements of condition C14(b) and

7) Measures to be implemented in the next reporting period to satisfy the requirements of condition C14(f)

NSW Planning have assessed the non-compliances identified in the 2024/2025 Annual Review in accordance with the NSW Planning Compliance Policy and determined to record the breaches with non-compliances against conditions A2, B11 and C19 with no further enforcement action proposed.

Please note that recording the breach does not preclude NSW Planning from taking an alternative enforcement action, should it become apparent that an alternative response is more appropriate.

Further correspondence may be sent in relation to other non-compliances identified in the 2024/2025 Annual Review, including conditions A7, B13, B37, B45 and B48 of the consent.

Should you wish to discuss the matter further, please contact Toba Olaoye, Senior Compliance Officer, on 0437 885 559 or email compliance@planning.nsw.gov.au

Yours sincerely



Heidi Watters
Team Leader
Compliance

As nominee of the Planning Secretary

