



WASTE CONTRACTORS &
RECYCLERS ASSOCIATION
OF N.S.W.

ANNUAL REPORT 2021/2022

8th November 2022

Waste Contractors and Recyclers Association of NSW
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President's Report, Mr Harry Wilson, Life Member



Throughout the 2021/2022, the world has continued to deal with the many issues caused by the Covid-19 pandemic. As stated in previous years, the unprecedented issues resulting from this pandemic have had significant and lasting impacts on our total way of work, life and travel.

In NSW, the ACT and every other Australian jurisdiction, public health orders were issued (and in many cases re-issued and varied) to protect the community and to reduce the spread of the infection. These health orders listed restrictions to activities and places that were closed, however the waste and recycling industry which provides an important service for the community and businesses continued to operate.

In the waste management industry, throughout this time (and as always) our Members are at the frontline of providing an essential service to householders and those businesses that continue to trade. Without the efforts of our Members and their many wonderful, authorised workers, we would be faced with some very major health, hygiene and sanitation issues.

The waste management & resource recovery sector continues to face a range of major issues and challenges, including:-

- The inability to access skilled and experienced labour (due to Covid-19 health issues, public health order restrictions, lower migrant intake, and the assessment of work/life priorities by many across the community)
- Further increased regulations leading to complexity and higher compliance costs
- Increasing insurance premiums (mainly the loss impacts of fires)
- The federal ban on the export of unprocessed recyclables and changing specifications and demand.
- The many materials that are not designed for recycling
- Decreasing revenues for commodities with increased shipping costs and supply chain issues
- A resource recovery order and exemption system that allows the NSW EPA to make material changes without undergoing a proper regulatory impact study
- The absence of a well-thought-out, implementable waste management infrastructure plan for NSW
- The absence of a practical & well-thought-out disaster waste management plan for NSW
- The inability of the NSW EPA to deal with waste & recycling businesses operating without an environmental protection license
- C&D recycling and the on-going issues with asbestos (detection, zero tolerance & absence of a due diligence defence)
- A continued restructure of the NSW EPA with three different CEOs across the 12-month period
- A newly appointed Minister for the Environment in the Hon. James Griffin who is still coming to terms with the complexities of the waste management sector.

Despite these issues and challenges the simple fact is that recycling has never been as important to the Australian community as it is today. For most householders the practice of recycling via the bin with the yellow lid is their single biggest regular environmental contribution or initiative. And what drives many basic recycling programs is the need to conserve our finite, precious natural resources, to save limited landfill space and to save on costly disposal bills. As a result, it has never been more important for Australia's governments, at all levels, together with the waste and recycling sector to co-operatively solve these issues.

We continue to face a number of unique regulatory challenges including a dysfunctional NSW resource recovery order system that provides investors with little or no certainty, the lack of a regulatory procedure to deal with unexpected asbestos finds in a C&D recycling facility, the highest waste levy in Australia (most of which goes to Treasury) and major question marks over whether our regulators (EPA, SafeWork and Sydney Water are suitably resourced). Whilst these issues remain unresolved from previous years, we look forward to the report & recommendations from independent review of the NSW resource recovery framework by Dr Cathy Wilkinson, including the EPA's response.

At present, waste disposal infrastructure is significantly lacking in NSW, an issue that was both exacerbated and brought to the fore during the recent unprecedented rain events in February / March 2022. It was evident to all stakeholders, including the government and regulators, that NSW has limited disposal options for Sydney's waste, and we are lacking an infrastructure network to safely address our essential waste management disposal needs. In light of these ongoing challenges, it is critical that EPA and the NSW government support the NSW waste management and resource recovery sector by ensuring that the regulatory framework does not hinder legitimate and sustainable resource recovery operations.

As we move towards a circular economy, energy-from-waste, FOGO and a focus on a better quality of recycling materials, the waste management industry and the key regulators are in a very interesting place. WCRA is proud of our many Members and Sponsors who through their dedicated workers, day-in, day-out provide for the safe, reliable, sustainable and cost-effective containerisation, collection, processing, transfer and disposal of the full range of waste and recyclable materials.

As we move into what will be WCRA's 75th year, the Association continues to play a significant role in highlighting the issues which impact our Members' businesses. We are well-placed to continue to ensure that the position of the industry is delivered and understood by other stakeholders and in bringing the key parties together in search of solutions.

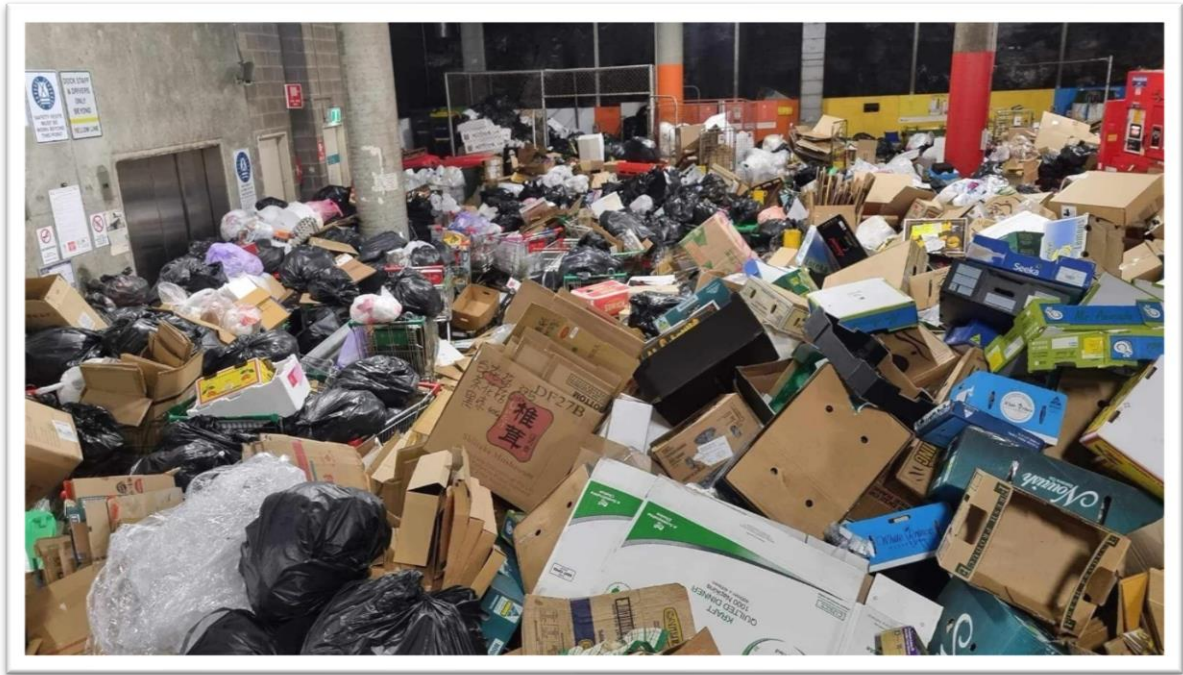
And now that government has lifted the many public health order restrictions forced on us by the pandemic, we are optimistic that 2023 will be a year of solutions, partnerships and progress.

I thank our WCRA staff and Executive Members for their dedicated service and commend the 2022 WCRA Annual Report to you.

Harry Wilson, President
8th November 2022

"Whilst we continue to address the many challenges faced by the waste management sector, the 2021/2022 year was another successful year for the Association. On behalf of our Executive, I am confident to state, that WCRA is very well placed to continue serving the future needs of our members, sponsors and relevant stakeholders. And a big thanks to all Members and Sponsors for the support extended to WCRA over the last 12 months"

Harry Wilson, President, WCRA



The unprecedented wet weather in early 2022 resulted in major backlogs and the closure of many waste facilities across Sydney. This stockpile of non-collected waste at a shopping centre dock typifies the issues faced by the C&I waste sector.

Message to Government

“To invest with confidence, industry needs a level commercial playing field, all regulations to be enforced by all government departments along with regulations & laws that provide certainty and the opportunity for payback and a commercial rate of return. “

Tony Khoury, Executive Director, WCRA

Finance & Administration

WCRA exists to provide information, advice and support to its Members on a broad range of technical, regulatory, employment and industrial matters. The WCRA membership represents the majority of the waste and recycling transport and processing operators in NSW and ACT.

WCRA funds the services it provides to its Members through:

- Annual fees paid by the Members
- Charges for the provision of training services
- Profits from hosting industry events
- Government grants
- Commercial arrangements with corporate partners and sponsors

WCRA continues to be recognised as a well-managed industry association with a secure financial position.

Hany Abdel-Sayed & Co Pty Ltd provides financial auditing services to WCRA and has approved the 2021/22 financial statements. The surplus of \$32,833 reflects that a marginally better result compared to the previous year, whilst supporting Members (compliance material, standards, research into training, online communications, etc.). On the recommendation of Hany Abdel-Sayed & Co Pty Ltd the property at suite 2, First Floor, 12-16 Daniel Street Wetherill Park was commercially valued by OPTEON with the updated value reflected in the year end accounts.

Five-year historical comparison

Table 1

	2018	2019	2020	2021	2022
Net Surplus / Deficit	\$77,865	\$4,747	\$48,866	-\$32,431	\$32,833
Balance Sheet Net Assets	\$1,494,436	\$1,499,183	\$1,548,049	\$1,515,618	\$1,577,563

Key Ratios

Table 2

	2018	2019	2020	2021	2022
Current Ratio (Current Assets/Current Liabilities)	2.56	2.72	2.47	2.47	2.53
Total Asset Turnover Revenue/Total Assets	0.39	0.37	0.32	0.25	0.32
Return on Assets Net Surplus/Net Assets*100	5.21	0.32	3.16	-2.14	2.08

WCRA's 2021 AGM was held on 9th November at the WCRA office, Wetherill Park, with a Zoom attendance option for Members. Members were presented with an overview of the years activities by Mr Harry Wilson (President) along with the audited accounts by Mr Tony Khoury on behalf of Mr Roger Williams, Stirling Williams.

Financial statements for year ending 30 June 2021 were lodged with the Registered Organisations Commission and NSW Industrial Relations Commission in November and further letters were sent in December. The S269 certificate was issued. The Annual return for year ending 31 December 2021 was signed by WCRA's secretary Mr Brandstater and lodged with the Registered Organisations Commission.

WCRA is the oldest waste management industry association in Australia and one of the oldest in the world. Since 1948, WCRA has represented the NSW & ACT waste and recycling transporters and processing facility operators. WCRA is an independent association registered with the Industrial Relations Commission of NSW and Fair Work (Registered Organisations) 2009.

Our People

Members, Partners & Sponsors

There was minimal change to the structure of the industry over the last twelve months. As in previous years, WCRA continues to represent the majority of waste and recycling operators across NSW and the ACT.

Table 3

Members	2017	2018	2019	2020	2021	2022
>40 Revenue Earning Vehicles	7	6	8	11	11	9
7-40 Revenue Earning Vehicles	40	40	42	40	42	45
Up to 6 Revenue Earning Vehicles	104	100	104	114	112	111
Associate Members	39	36	38	40	44	43
Total	190	182	192	205	209	208
Change on Prior year	-1.6%	-4.2%	5.5%	6.8%	2.0%	-0.5%

Staff & Support Services

WCRA offices and its services are available to Members via phone or in person Monday to Friday during business hours.

WCRA's current agreement with Transector Pty Ltd expires on 30 June 2023 and is due to be reviewed by the President, Vice-President, Secretary and Treasurer and then ratified by the Executive. Transector provides the services of Executive Director, Tony Khoury plus the support staff needed to operate the Association.

Mr Khoury, is supported by the following staff and specialist advisors:

Administration, Invoicing, Debtors, Creditors and Bookkeeping	Ann Maree Kopos
Reception, Marketing, Events & Office Management	Jamal Alameddine
Environmental Planning & Regulatory Affairs	Ross Fox (Fishburn Watson O'Brien)
Employment & Industrial Relations	Jay Clowes (Fishburn Watson O'Brien)
Projects	Glenn Caffyn
Training Delivery	Tony Khoury Glenn Caffyn
IT and Maintenance Support	Peter Cochrane

WCRA Executive

The Members of the Executive on 30 June 2022 were:-

Harry Wilson	SMS Municipal Services	President
Susie McBurney	Remondis Pty Ltd	Vice President
Greg Turner	JR Richards & Sons	Treasurer
Jeff Brandstater	Brandster Services	Secretary
David Johnston	United Resource Management	Executive Member
Graham Knowles	iQRenew	Executive Member
Mark Falanga	Wastefree (Aust) Pty Ltd	Executive Member
David Harrison	Viscount Plastics (Australia) Pty Ltd	Executive Member
Ros Dent	Bingo Industries	Executive Member
David Gater	Veolia	Executive Member
Damien Vella	Breen Resources	Executive Member

The following movements of the Executive took place in 2021/2022:-

- Damien Vella was elected to the Executive on 1 March 2022
- David Clancy resigned from the Executive on 31 March 2022

Executive meetings are held on the second Tuesday of each month, except for January. The purpose and function of the Executive is particularised in the registered rules of the association. Executive meetings are open to all Members of the Association. Members can contribute to discussion and debate and raise points of general business. Voting is restricted to Executive Members.

Executive Members are drawn from the ranks and are the nominated representatives of Members. All are practising industry professionals with many years of experience and subject to heavy demands for their time. Sponsors are also invited to speak at meetings on matters of interest.

Meetings in the reporting year were well attended with a broad range of matters discussed and actioned. The overall attendance at Executive meetings stood at 79% for the financial year ending in June 2022 (this compares favourably with the minimum provision of 50% in the Rules).

Due to the continued impact of Covid-19 there was a reliance on meetings via the virtual world, to comply with social distancing and lockdown measures. This required Executive meetings to be conducted online. Whilst the Zoom option has allowed WCRA to meet its statutory compliance obligations, the preferred meeting style is face-to-face, as this provides for better dynamics, communications and decision making.

In November 2021 a conflict-of-interest protocol was agreed to by the WCRA Executive. This protocol complements the WCRA rules and reminds executive members that when attending association meetings, they must represent the association and not their personal or business interests.

Elections for positions on the Executive Committee are conducted every four years according to the Associations rules. The term of office of the current Executive Committee will expire in November 2022. Throughout the year nominations were called to fill one casual vacancy. The Australian Electoral Commission supervised the process where one Member (Damien Vella, Breen Resources) nominated for the available position. As a result, no election was required. The results were posted on the Association's website in March 2022 and the Registered Organisations Commission, along with the NSW IRC were formally notified.

Following the resignation of Mr Clancy, the Registered Organisations Commission was notified and it was agreed that this position would be resolved through the nominations' process in the November 2022 4-year term elections.



WCRA's Executive Director Tony Khoury & President Harry Wilson presenting the President's Award for 2021 to SIMS Metal Management's staff, John Barksby & Faith Ljeyan at the WCRA Annual Dinner .

Sponsors 2021/2022

WCRA was generously supported by key corporate associates. These organisations contributed essential funding for the Association as well as providing invaluable specialist advice, proposals and assistance to Members.

Wastedge.com	Waste operations and management software
TWU Super	Superannuation
Tyres4U	Heavy vehicle and plant equipment tyres
CJD Equipment/Volvo/SDLG	Construction and waste management plant and equipment
Daimler Trucks Huntingwood	Mercedes Benz, Freightliner and Fuso Heavy Vehicles
Arthur J Gallagher	Insurance broking
Green Goanna – Shell	Oil specialists
Bucher Municipal	Waste industry equipment

Our corporate Sponsors provide specialist expertise and options to our Members, together with essential funding for the services offered by WCRA.

On behalf of all Members, the Association acknowledges the support of its Sponsors and its gratitude to these organisations and their representatives.

Life Membership

Life membership is the highest honour that can be given to a member of the waste and recycling industry who is associated with WCRA. Life membership may be awarded to a member in recognition of outstanding service given to WCRA over a prolonged period.

The Executives, in accordance with the Guidelines for life nomination for Life Membership, considers the following with regard to prospective Life Members:

- Must never have brought the Association or the industry into disrepute.
- Must have consistently put the interests of the Association and the industry ahead of their personal and business interests in the discharge of WCRA duties and responsibilities.
- Must have, through their involvement with WCRA, enhanced the operation and reputation of the Association and the industry.

The following former and present Members are Life Members of WCRA

- Ron Horswell (deceased)
- Mike Creswell (deceased)
- Arthur Baker (deceased)
- Bernadette Byrnes
- Terry Dene
- Mike Noble
- Barry Thomas
- Harry Wilson

WCRA stays in touch with our Life Members by inviting them to attend our events such as the Annual Dinner and the Long Serving Members Lunch.

WCRA Long Serving Members

WCRA acknowledges Long Serving Members for their service to the waste management industry and the Association. The Executive met on 14 December 2021 and decided to proceed with a Long Serving Member offer.

Long Serving Members are entitled to the following:

- Invitation to an annual luncheon (previously known as the Retiree's Lunch) where they will receive an update on topical industry issues.
- Email updates on matters of interest.
- (At the discretion of the Executive Director) one Long Serving Member will be invited to attend and present at WCRA's regular Waste & Resource Recovery training sessions
- Invitation to a lunch meeting at the WCRA offices where they will participate in the annual Youth in Waste judging process (with the winner to be announced at the WCRA Annual Dinner).

Services

Industrial & Employment Relations

The Association continues to provide Industrial Relations support for all its Members. As well as providing key information about pay rates & conditions, leave, injured workers, HR, unfair dismissals, redundancy, public holidays, etc. WCRA continues to represent Members and the industry in various industrial relations discussions and negotiations.

WCRA is a registered body of employers under the Fair Work Act 2009 (Registered Organisation's Act) and NSW Industrial Relations Act 1996. WCRA representatives are involved in negotiations with Trade Unions and assist government bodies such as the Fair Work Commission and the Fair Work Ombudsman with industrial matters affecting the waste management industry. WCRA is recognised as the peak employer association representing the interests of its Members in both NSW and the ACT.

A number of online training sessions via Zoom were conducted by WCRA using the services of Jay Clowes from Fishburn Watson O'Brien, addressing issue such as Covid-19 employment matters and the newly introduced family domestic family leave provisions.

Members are informed about award changes through the year including updates to the Waste Management Award and FWO's Pay Guide. Information about general employment law has been circulated as well as information about leave accruals, casual employees, and Covid-19 disaster payments.

On 1 July 2021 the Fair Work Commission announced that the National Minimum Wage along with all Modern Award wage rates, including Waste Management Award 2020 was to increase by 2.5% with some awards not increasing until 1 November 2021. Members were informed of this decision.

Front & Side Lift Pay Rates 2022

- As per the Waste Management 2020
- Level 6
- \$997.45 per 38 hour week
- EBA's approximately 25% greater than the Award
- Time & half rate \$39.38
- Meal allowance \$17.38

Insurance and Workers Compensation

WCRA, in collaboration with our sponsor Gallagher (Specialist Insurance Brokers), have provided Members with advice on a broad range of insurance matters. In the last few years there has been an increased number of fires at waste management facilities resulting in significant insurance premium increases.

The issue of lithium-ion batteries continues to be a source of fire risk in transport, recycling, processing and across the rest of the industry. Insurers have commented on the significance of this risk and the need for better management.

Several online information and training webinars were promoted to WCRA Members in 2021/22 including supply chain cyber security, demystifying WHS due diligence and workplace risk.

Throughout the year Gallagher continued to support WCRA Members by providing discounted CTP rates for their vehicle fleets and ongoing advice to assist with better premium outcomes. There was a new offer to Members of discounted property insurance premiums.

The Association meets with iCare (workers compensation insurer for NSW) on an as required basis and then circulates updates to Members.

Training

WCRA offered Members a broad variety of highly industry focussed training courses dealing with contemporary issues affecting the waste management industry. In the delivery of these training services, WCRA has maintained a formal relationship with TAFE NSW Sydney Institute, along with a new relationship with Pentrans Consulting (RTO ID 91427).

Training is a valuable and well utilised component of the Association's suite of services. Many Members rely on WCRA to provide high quality and industry tailored training for employees and contractors. Through its work in this area, WCRA makes a significant contribution to ensuring that safety, environmental standards and compliance are practiced at a high level of competence across the NSW and ACT sector.

Nationally accredited training courses covering Chain of Responsibility ('CoR') regulations and obligations, Fatigue Management regulations and Work Safely Near Overhead Wires were delivered throughout the year. Whilst most of these sessions were delivered at WCRA Wetherill Park, sessions were also delivered at Tuncurry, Camden, Lane Cove, Banksmeadow, Goulburn, Smithfield, Arndell Park, Raymond Terrace, and Wollongong,

WCRA was successful in obtaining a grant to provide CoR training under the Heavy Vehicle Safety Initiative 2021-22, Round 6 from the NHVR.

Due to the impacts of Covid-19 and the subsequent lockdowns WCRA's ability to deliver training throughout 2021/22 was severely limited, with many planned training sessions cancelled, especially in the first half of the financial year. The following table summarises WCRA's training & workshop delivery across the year.

Training &/or workshops in 2021/2022	Unit nos.	No. of sessions	No. of Attendees
Chain of Responsibility	TLIF0009	6	87
Chain of Responsibility, Toolbox	N/A	3	45
Chain of Responsibility, non-accredited	N/A	0	0
Fatigue Management	TLIF0005 & TLIF0006	7	79
Work Safely Near Overhead Wires, non-accredited	N/A	1	20
Work Safely Near Overhead Wires, Toolbox	N/A	2	18
Incident Cause Analysis Method (ICAM)	RIIWH301D & BSBWWHS505B	2	28
Intro. to Waste & Resource Recovery	N/A	1	15
Mental Health First Aid Training, non-accredited	N/A	3	39
Driver Workplace Assessments	N/A	1	12
Sustainable Homes Challenge at UOW	N/A	1	25



Safety is a key priority for all waste transporters. The waste management transport sector is the only part of the heavy vehicle sector that visits every household and business on a minimum weekly basis.

WCRA working with Government



Mr Ross Fox, Principal, Fishburn Watson O'Brien addressing a WCRA Breakfast Briefing at Doileys Waterview Silverwater 12th April 2022.



EPA Interim CEO Jacqueline Moore also presented at this Breakfast Briefing.

Waste & Sustainable Materials Strategy 2041

In 2021 the NSW Government released the NSW Waste & Sustainable Materials Strategy 2041 along with a guide to future infrastructure needs and a plastics action plan. In releasing these plans, the Hon Minister Matt Kean confirmed that the NSW Government is committed to playing its part in making the transition to a circular economy over the next 20 years. Supported by \$356 million in funding over a 5-year period, some of the key reforms will include:

- phasing out problematic single use plastic items
- financial incentives for manufacturers and producers to design out problematic plastics
- having government agencies preference recycled content and invest in research and pilots for recycling innovation
- introducing tighter environmental controls for energy from waste in NSW, with further consideration of planning and infrastructure needs underway
- mandating the source separation of food and garden organics for households and selected businesses
- incentivising biogas generation from waste materials.

Federal bans on the export of recyclables

Throughout the year a number of forums were attended by WCRA including discussions with the Hon. Trevor Evans MP, Assistant Minister for Waste Reduction and Environment Management. In summary the Federal Government has passed Recycling and Waste Reduction legislation confirming the following:

- From 1 January 2021, a licence is now required to export waste glass
- From 1 July 2021, the rules for what plastic can be exported have changed
- From 1 July 2022, a licence will be required to export all types of waste plastics
- From 1 December 2021, a licence will be required to export tyres
- From 1 July 2024, a licence will be required to export mixed paper and cardboard
- A number of Members have expressed concerns that a ban on the export of mixed paper and cardboard will create potential adverse competition issues.

Waste management challenges & opportunities

There are numerous challenges facing the waste management industry, including but not limited to -:

- The Federal restrictions on the export of unprocessed recyclables
- Fire safety risks & compliance (and the continued increases in insurance premiums)
- The economic and environmental impacts of the current NSW Energy from Waste regulations
- The absence of a well-thought-out, implementable waste management infrastructure plan for NSW
- The absence of a practical & well-thought-out disaster waste management plan for NSW
- The inability of the NSW EPA to deal with waste & recycling businesses operating without an EPL
- C&D recycling and the on-going issues with asbestos (detection, zero tolerance & absence of due diligence defence)
- The report & recommendations from independent review of the NSW resource recovery framework by Dr Cathy Wilkinson, including the EPA's response.

IPART Domestic Waste Management Charges Review

WCRA commissioned and submitted a report to IPART detailing the extraordinary issues and events that have occurred in the industry. WCRA stated that due to these issues and events and the wide and varied services offered to Councils, any attempt to control pricing by IPART is likely to hamper good outcomes for Councils. In handing down their decision IPART has concluded that there will be no public hearing and pricing decisions will continue to be made through the existing local government processes.

Matters involving Government included:

- WCRA has long been concerned that our industry is poorly represented on the EPA's Board. This concern has been agreed by WCRA Executive & communicated to the Minister for the Environment.
- In October 2021 WCRA met with the Hon. Paul Scully MP, Member for Wollongong to discuss waste management issues relevant to the Illawarra area. Also at this meeting was the Hon Anoulcak Chanthivong MP Macquarie Fields.
- WCRA held discussions with the Hon. Penny Sharpe MP, NSW Shadow Minister for the Environment in relation to the need for C&D recycling sites to have an asbestos detection procedure, along with discussions relating to EfW in NSW.
- In May 2022 WCRA met with the newly appointed Hon Minister for the Environment James Griffin discussing issues in WCRA's 2021 Annual Report, along with EPA's regulatory role, the need for a review of the waste levy, lack of commercial reference group at EPA, failure by EPA to undertake regulatory impact studies, lack of business experience on EPA board, the importance of EfW, the lack of disposal infrastructure in the Sydney area and the need for better emergency waste management in NSW.
- A follow up meeting was held with Minister Griffin's senior advisor to discuss the above issues along with invitations to future WCRA events and to detail our case for a funding allocation for training from the waste levy.
- In July 2021 representatives of the NSW Government addressed Members at an investment incentive seminar. Several Members expressed their disappointment to WCRA and the Government that the prequalification criteria of creating 30 fulltime jobs will disqualify many innovative resource recovery projects.
- In September 2021 WCRA wrote to the then Minister for the Environment, Hon Matt Kean expressing serious concerns about the EPA's intended revocation of the resource recovery orders for recovered fines. The Shadow Minister for the Environment, Hon Penny Sharpe was provided with the same briefing. Minister Kean organised for WCRA to brief his Parliamentary Secretary.
- In October 2021 Premier Gladys Berejiklian resigned forcing a reshuffle of the ministry with the Hon James Griffin, MP Manly appointed as the new Minister for the Environment.
- In December 2021 WCRA organised for federal Minister Trevor Evans to visit several waste and recycling facilities. Mr Evans commented to WCRA, he finds NSW EPA very challenging to deal with.

Matters involving Government included:

- In February 2022 at the invitation of several Members, Mr Khoury attended a NSW Cabinet dinner meeting where he had the opportunity to brief a range of Ministers in relation to relevant waste management industry issues.
- In February 2022 Mr Khoury met with Ministers Stokes and Griffin and briefed them on the implications of the EPA's intention to revoke the resource recovery orders for recovered fines.
- In May 2022 Mr Khoury addressed members of the NSW Parliamentary Academy training workshop for Commonwealth Government officials.
- In June 2022 WCRA wrote to the new federal Environment Minister, the Hon Ms Tanya Plibersek congratulating her on her appointment and seeking a meeting.



Recycling units outside a major supermarkets for soft plastics, batteries, and mobile phones. With lithium ion batteries posing a major fire hazard in waste and recycling transport and facilities, there needs to be more disposal options for waste generators.

Work Health and Safety – SafeWork NSW

- The WCRA WHS Group met bi-monthly throughout 2021/2022 via Zoom with the following charter.

The WCRA WHS Group is a forum for advancing health and safety in the industry.

We agree to:

- ✓ *Maintain ethics and treat each other's contributions with respect.*
 - ✓ *Not to share commercially sensitive information and, if received, such information to not be shared outside of the group.*
 - ✓ *When sharing agreed information outside of the group (such as lessons learnt from an incident/event) that best efforts are made to maintain the privacy / confidentiality of the people/businesses involved.*
- Mr Gregg Frost, State Inspector with SafeWork NSW presented at all the meetings providing the Group valuable updates on the latest SafeWork NSW initiatives and resources.
 - A presentation by Mr Varenya Mohan-Ram of TWU Super regarding *Fit for Purpose Super Funds & Insurance* highlighting the traps when new workers enter our industry with their current superannuation fund or funds.
 - The Mental Health First Aid Training funded by an enforceable undertaking with SafeWork NSW proved to be extremely popular. Many Members provided feedback, with some stating *"it was the most valuable training they had ever completed"*.
 - Driver shortages, fire risks, lithium-ion batteries, pedestrian separation from plant and overhead wire incidents were some of the consistent industry concerns discussed at the meetings.
 - Throughout the year WCRA, distributed a number of safety alerts including Chassis Mounted Exhaust Systems & Fires, mental health and a broad range of workplace injury and fatality issues.
 - In May 2022 WCRA made a submission to SafeWork NSW on demolition licensing in NSW.
 - The *"around the grounds"* portion of the WHS Group meeting allows Members to table common issues and share best practice, whilst working together for a zero-harm objective to all workers.

"Across the marketplace, we are fierce competitors. However, when it comes to workplace safety, we need to discuss & share key learnings"

*Glenn Caffyn
Projects Manager, WCRA*

Transport for NSW / NHVR

- WCRA was successful in its 2021/2022 application for NHVR funding to deliver Chain of Responsibility training workshops and toolbox sessions throughout the NSW & the ACT. In accordance with our agreement, these sessions have been delivered across regional NSW, metropolitan Sydney and at the WCRA offices at Wetherill Park.
- WRIQ is developing an NHVR endorsed national code for waste vehicle load management compliance. WCRA will continue to monitor and advise Members with any relevant updates.
- In April 2022 the NSW Freight Advisory Council sort expressions of interest for membership. WCRA's application was unsuccessful.
- In April 2022 WCRA met with NHVR's Fatigue Choices Consultation Team where we discussed, reviewed and validated the training and assessment material used by the Association.
- In June 2022 the NHVR wrote to WCRA confirming that the NHVR will be taking over from Transport for NSW in the regulation of heavy vehicles from 1 August 2022.



WCRA regularly receives concerns from Members highlighting the operational issues with lawfully collecting solid & liquid waste from No Standing / No Stopping zones. This sign demonstrates the level of confusion that drivers face on a daily basis.

NSW EPA

With NSW EPA having direct responsibility for resource recovery and enforcement, the relationship between WCRA and the EPA is of critical importance to the effective operation of our industry. As stated in annual reports over a number of years, on occasions this relationship is extremely challenging. WCRA has long advocated that a healthy, dynamic waste management and resource recovery industry needs a strong, well-resourced, well-informed, politically independent & operationally transparent regulator to enforce all regulations and to provide a level playing field for industry.

The current year has seen a number of changes in the CEO's position at the NSW EPA with Tracy Mackey departing in December 2021, Jacqueline Moore acting as interim CEO for 6 months and in June 2022 it was announced that Tony Chappel would take over this office.

WCRA, via Executive Director Tony Khoury, has continued our solid working relationship with EPA via regular meetings and communications, including attendance at the EPA's quarterly Waste Advisory Group meetings. There have been many interactions between WCRA and EPA staff throughout 2021/2022 and whilst we continue to have our differences, all discussions and interactions were conducted with a healthy professional respect. A further feature of these discussions was the regular contact and clarification from Steve Beaman throughout the Covid-19 crisis.

Throughout the year WCRA President Mr Wilson and Mr Khoury met with the EPA Chairs Ms Rayne de Gruchy along with the various EPA CEOs. The agenda at these meetings was to promote high level discussions on the key issue affecting our industry.

WCRA continued to pursue the EPA for a resolution to a broad range of issues such as:-

- The NSW Waste & Sustainable Materials Strategy (funded at \$77m pa, compared with the previous funding under Waste Less Recycle More of \$88m pa)
- Better funding outcomes for the industry
- To more effectively regulate rogue and unlicensed operators
- The Federal Government's exports bans and the impacts on the recycling sector
- A realistic asbestos strategy that is not based on a zero-tolerance level at recycling facilities and due diligence defence provisions for directors and managers
- Construction and demolition recycling issues (reported in this report under this sub-heading)
- The waste levy rebate on shredder floc
- The independent review of the NSW resource recovery framework by Dr Cathy Wilkinson and WCRA's position paper on Resource Recovery Orders and Exemptions (prepared by Ross Fox). It is hoped that the outcomes of this review will create better and more sustainable opportunities for legitimate recycling and resource recovery across NSW.
- A range of recycling industry concerns, with solutions from WCRA
- Critical industry issues resulting from the Covid-19 pandemic
- Emergency and incident waste and recycling disposal – planning and co-ordination
- The need for a meaningful, achievable & sustainable NSW waste management infrastructure plan
- Waste levy rates for 2022/2023
- Energy from Waste issues, including regulations that restrict EfW to 4 regional precinct areas
- RID squad officer warnings to drivers of caged trucks, to tarp loads of baled paper & cardboard
- EPA's use of drone surveillance technology to assist in compliance activities
- EPA's 3-year contract to WCRA to undertake annual surveys of C&I food & organics waste
- Rapidly rising cost of shipping containers (~300% = \$10k per container) and impacts on recyclers
- EPA's proposed accreditation of waste transporters and waste classifiers
- Financial assurances policy & guidelines
- EPA's proposed review of the POEO Waste Regulations (2014)

NSW EPA (cont'd)

Covid-19 continued to have a major impact on the health and safety of waste management industry workers. Throughout 2021/22, the NSW Government updated the fact sheets relating to the waste management sector. These fact sheets included “Keeping waste and recycling facilities open”, “Information for the waste and recycling industry” and “Information for non-healthcare facilities”. These fact sheets provided valuable advice that addressed the following:-

- Essential waste services to continue
- Public health order restrictions on movements into and out of various local areas
- Keeping waste and recycling facilities open for workers
- Worker health and safety
- How to protect yourself and others
- Covid-19 testing and compliance with the NSW Public Health Orders
- Covid-19 safe work plans (including business continuity plans)

As mentioned elsewhere in this Report, agreement on a procedure or protocol to deal with an unexpected find of asbestos in a C&D recycling facility is no closer now, than what it was in previous years.

Throughout the year there were a number of EPA sessions and draft documents on the proposed 20-year waste strategy. WCRA attended several focus group sessions and was interviewed by several EPA appointed consultants. This strategy was released in June 2021, entitled, “NSW Waste Sustainable Materials Strategy”, “Guide to Infrastructure Needs” and the “NSW Plastics Action Plan”.

The NSW Waste Levy rates for 2022/23 were advised by the EPA to WCRA and Members -: solid waste metropolitan area \$151.60 per tonne (2021 \$147.10) and regional areas \$87.30 (2021 \$84.70). It is worth noting that since 2010 the metropolitan area waste levy has increased by 216% (\$81.60/t)

The sudden announcement by the EPA in 2018 that the processed outputs from AWT facilities would no longer be lawfully applied to agricultural, forestry and mining land continues to cause unease across the entire industry. The debate and the fallout from this decision has led to genuine wide-spread industry concern that Resource Recovery Orders and Exemptions (RRO/E) can be too easily changed and amended by the EPA. This decision has resulted in a lack of confidence from general investors, in waste management infrastructure. These concerns were further magnified by the EPA’s proposed plan to revoke the RRO/E for recovered fines from mixed C&D waste inputs (as reported elsewhere in this report, the industry undertook the appropriate studies, then lobbied hard, with EPA re-thinking this matter and the revocation did not take place).

At present, waste disposal infrastructure is significantly lacking in NSW, an issue that was both exacerbated and brought to the fore during the recent unprecedented rain events in February / March 2022. It was evident to all stakeholders, including the government and regulators, that NSW has limited disposal options for Sydney’s waste, and we are lacking an infrastructure network to safely address our essential waste management disposal needs. In light of these ongoing challenges, it is critical that EPA and the NSW government support the NSW waste management and resource recovery sector by ensuring that the regulatory framework does not hinder legitimate and sustainable resource recovery operations.

It is worth noting that organisations such as WCRA invest heavily (time, expertise, money, resources) in making submissions to NSW EPA. The EPA rarely provides detailed formal feedback to our submissions. In our view, it would be very much appreciated if we were to receive this formal feedback. And if it is a lack of resources that prevents the EPA from addressing this issue, then the EPA needs to be allocated additional resources.

Relationships

INDUSTRY REPRESENTATIONS

Throughout 2021/22, the NSW EPA sort to revoke the resource recovery orders for recovered fines. This had the potential to shut down substantial parts of the industry. As a result of these concerns, joint representations were made by WMRR and WCRA to the NSW EPA and the NSW Government seeking a better waste management outcome for the C&D recycling sector. These representations (underpinned with scientific, economic and regulatory impact studies) proved to be effective and on 10 May 2022 the EPA issued a statement that they will not be revoking the RRO for recovered fines.

WMRR

WCRA has a good working relationship with the Waste Management & Resource Recovery Association of Australia's (WMRR), in particular the C&D Waste Group, chaired by Jason Sweeney, where we jointly continue to lobby the EPA to develop a procedure for the safe management of a small piece of asbestos at C&D recycling sites. WMRR is led by Gayle Sloan who is a strong industry advocate with regular comments on industry developments, regular media releases and branch activities in each Australian capital city.

NWRIC

WCRA is the NSW and ACT Affiliate of the National Waste & Recycling Industry Council (NWRIC), which is led by CEO Rick Ralph. Membership of the Council is restricted to organisations with national operations. The current Council members are:- Cleanaway, Veolia, JJ Richards, Resource Co, Sims, Sell & Parker and Solo. State and Territory Associations represented at Council meetings as observers are: WRIQ, WRINT, WRIWA, WRISA, VWMA and WCRA. Council meetings are held approximately every three months with venues alternating to different state capitals. WCRA NSW & ACT was represented throughout the year by Harry Wilson and Tony Khoury. Executive Officer meetings are held each month, either by teleconference or at face-to-face meetings, where Tony Khoury provides a short update on relevant NSW and ACT matters. WCRA's involvement in NWRIC is an opportunity to progress contentious and national issues. These regular meetings & updates maximise the potential for better communication across all Australian jurisdictions. It should be noted that NWRIC competes with WMRR & ACOR.

AORA

Australian Organics Recycling Association, WCRA collaborates with AORA led by John McKew on matters of joint interest including the NSW Resource Recovery Orders and Exemptions.

VWMA

Victorian Waste Management Association (VMWA), led by Executive Officer Brett Lemin, and WCRA continue to enjoy a close relationship and work together on a number of matters including resource recovery, transport, environmental training and stockpile management training.

WRIQ

Waste Recycling Industry Queensland (WRIQ) led by CEO Dr Georgina Davis and WCRA maintain a good working relationship. WRIQ is currently leading the national project on a code of practise for load management.

ALOA

Australian Landfill Owners Association (ALOA) led by CEO Colin Sweet and WCRA collaborate on matters of mutual benefit to our Members as and when they arise.

Relationships (cont'd)

ACOR

Australian Council of Recycling (ACOR) Led by CEO Suzanne Toubourou is the peak national industry recycling association. WCRA continues to work with ACOR on matters of joint interest, in particular the Recycle Mate APP (to reduce contamination in kerbside recycling), general recycling, the export bans on recycling and discussions on accreditation for recycling facilities.

The Total Environment Centre (TEC)

The TEC has worked with Australian communities for over 40 years to preserve the ecosystems that support living landscapes and healthy communities across Australia. They also push for recycling infrastructure to protect our waterways and oceans from plastic pollutants, and sturdy legislation around native animals and plants to ensure food and water security for future Australians. They advocate for renewable energy by encouraging innovation, a more flexible modern energy market, and incentivising government investment.

WCRA has held several discussions with the TEC concerning unexpected asbestos finds in C&D recycling including visits for the TEC's Jeff Angel to several Member yards in Western Sydney.

Other Organisations

WCRA collaborates and cooperates with a large number of organisations whose interests and expertise are relevant, including -:

- NSW Civil Contractors Federation
- Asbestos Diseases Foundation
- Clean Up Australia
- Keep Australia Beautiful NSW
- Australian Packaging Covenant Organisation
- Institute of Public Works and Engineering
- Waste Recycling Industry South Australia
- Waste Recycling Industry Western Australia
- Waste Recycling Industry Northern Territory
- Fiji Waste Management & Resource Recovery Association
- Secretariat of the Pacific Regional Environment Programme

AWRE

The Australian Waste and Recycling Expo (AWRE) was scheduled to be held in Darling Harbour in September 2021 but was cancelled due to the NSW Covid-19 lockdown restrictions. WCRA & AWRE continue to enjoy mutual support and promotion through an ongoing agreement which covers 2022 (we are in the 10th year of our corporate partnership).

Groups

Within WCRA there are a number of single-sector, industry or regional sub-groups. Meetings and workshops for these groups are scheduled and facilitated by WCRA and reported in the WCRA Executive monthly meetings.

WCRA ACT GROUP

Due to the economic impacts of the COVID-19 pandemic, WCRA has concluded that the introduction of a waste levy in the ACT has been abandoned.

COVID-19 impacted the ability of this group to meet throughout 2021/22, in particular the lockdown period from August to October 2021.

WCRA had a series of discussions which were confirmed in writing to ACT No Waste representatives detailing industry concerns that ACT landfill and MRF price increases were not advised by 31 May 2022. Members have long expressed these concerns that ACT waste management price increases could not be communicated to customers in time to reflect actual cost recovery.

Liquid & Hazardous Waste Group

Many specific issues affecting this group relate to Sydney Water (who regulate the disposal of grease trap waste and trade waste discharges). Amongst the issues referred to Sydney Water were reminder notices for missed scheduled services, re-instatement of service frequencies resulting from business shutdowns due to Covid-19, potentially non-compliant operators & concerns relating to waste tracking (lawful disposal).

Members continue to be concerned that Sydney Water has inadequate resources to fulfil its regulatory oversight of the sector. WCRA continues to seek reassurance and to address these concerns by obtaining a re-commitment from Sydney Water via our existing Code of Practice.

In May 2022 Sydney Water met with Members and discussed their re-found commitment to industry, a plan for non-compliant accounts and an opportunity to review the draft Waste Safe Transporter agreement.

The EPA's waste levy on liquid waste was set at \$78.80 for 2021/22 (previously \$78.20). These funds are part of the consolidated revenue for NSW and are not hypothecated back for the benefit of the NSW liquid waste sector.

In previous years the EPA conducted a series of compliance audits on the resource recovery orders for the land application of treated grease trap waste. As at the date of this report these findings have not been tabled by the EPA for discussion with industry.

An enforceable undertaking issued by the EPA resulted in a Member engaging EnviroCom to develop national guidelines for the collection and management of PCB contaminated waste oil.

Looking ahead into the coming year, this sector will face a number of potential challenges including PFAS acceptance criteria at liquid treatment facilities, question marks over the EPA's Resource Recovery Orders (land application of treated grease trap waste) and a strategy to pressure the regulators (EPA & Sydney Water) to enforce compliance with the NSW liquid waste & grease trap waste regulations.

In September 2021 the EPA delivered a presentation to WCRA on a nationally consistent hazardous waste tracking system.



Meeting in May 2022 of the WCRA Liquid Group with Sydney Water

C&D Waste Group

EPA's proposed revocation of the RRO for recovered fines

- On 2 September 2021 the NSW EPA advised the industry of its intention to revoke the resource recovery order for recovered fines.
- A circular was sent to Members on 9 September 2021 highlighting that this revocation will significantly impact C&D recycling activities.
- At the request of WCRA, EPA clarified that recovered fines cannot be produced from mixed C&D waste inputs.
- There were 6 initial industry meetings between 6 September and 8 October 2021 with WCRA and WMRR C&C group members.
- WCRA & WMRR requested an extension for submissions to 31 December 2021, this was denied and submissions were lodged on 29 October 2021.
- 14 Members contributed a total of \$140,000 allowing WCRA/WMRR to appoint The CIE to undertake a regulatory impact study, En Risks to undertake a scientific & health study and Talis Consultants to prepare a submission to detail the potential impacts along with a transition package.
- 50 submissions were received by the EPA including the WCRA / WMRR submission of 420 pages.
- The potential impacts of the EPA's revocation included the loss of 500 C&D recycling & transport jobs, increased waste management costs of \$2,400 in the construction of an average sized 2 storey home, a net present value cost over a ten period to the NSW economy of \$950 million and the potential landfilling of an estimated 3.5 million tonnes pa of mixed C&D waste (without the ability to beneficially reuse recovered fines, the viability of recycling mixed C&D wastes is unprofitable).
- WCRA / WMRR and Members met with a range of stakeholders including MP Felicity Wilson, Minister Stokes, Minister Griffin, Minister for Small Business Eleni Petinos, and Commissioner for Small Business Mr Chris Lamont.
- On 10 May 2022 the EPA issued a statement that they will not be revoking the RRO for recovered fines. The statement highlighted that EPA will be focusing on education, monitoring and compliance. They also raised concerns about skip bin waste pricing and along with Office of the Small Business Commissioner they propose to refer the matter to the ACCC.
- As at, 30 June 2022 a balance of \$55,057 remained unspent.

Groups (cont'd)

The Group's activities continued to be chaired by Mr Brent Lawson from Concrete Recyclers and throughout the year met several times to discuss and address a range of issues including -:

- An allowable asbestos limit or procedure for dealing with a rogue piece or two of asbestos in a C&D recycling facility. This group along with WMRR's C&D group have had numerous meetings with the EPA in an attempt to address this matter. With a first draft having been produced in November 2011, however we seem to be no closer now to a resolution than we were in 2011.
- A series of meetings and discussions were held with the Office of the Minister for the Environment (Mr Christian Dunk) to detail the Group's concerns relating to the lack of an allowable asbestos limit or procedure for dealing with a rogue piece or two of asbestos in C&D recycling.
- The impacts & management of Asbestos on the NSW Construction and Demolition Industry, an Industry based exercise supported by the industry associations, WMRR and WCRA. The industry has collectively contributed \$111,500 to cover the cost including consultant's scientific report, economic analysis and legal advice. As at, 30 June 2022 a balance of \$24,525 remained unspent.
- The Group continues to work closely with WMRR C&D Group and meets jointly from time to time presenting a united voice in response to (often ill-considered) Government regulatory proposals.
- WCRA continues to promote the EPA's Standards for Managing Construction Waste in NSW to Members. These Standards detail how an incoming load is to be inspected. Further sections include sorting, storage and transport. There is also a section on training. On behalf of Members, WCRA lobbied the EPA and the Minister for the Environment seeking clarification on sorting requirements, inspection points, storage, rejected loads, funding for asbestos detection equipment and the education of waste generators.

In November 2021 the NSW Land and Environment Court sentenced Grafil Pty Ltd & Bruce McKenzie in a prosecution that lasted 9 years (among the longest ever pursued by NSW EPA). In summary, we report the following key findings in this long running prosecution:-

- The Court was scathing of the EPA's handling of the matter and of the state's resource recovery exemption regime. The Court found the state's resource recovery exemption regime places significant legal and financial risks on consumers of recovered materials. Notably, the Court concluded there was nothing that the defendant could have done to prevent asbestos coming onto the site. Further, no actual harm to the environment had been proven as the mere presence of asbestos in the material did not constitute harm.
- During sentencing, Justice Pain noted that *"The EPA cannot shy away from its own responsibility for its decision to sit on its hands and let the stockpiles grow while it watched in secret, doing nothing to stop it."*

This sentencing decision followed the Court of Criminal Appeal's findings in 2019 arising from the same prosecution that:

- Any fragment of asbestos in a stockpile, no matter how large the stockpile or small the fragment, means that the entire stockpile must be treated as "asbestos waste".
- Any non-compliance with a resource recovery order or exemption will mean that the order or exemption will not apply.
- Any application of material where there has been a failure to comply with a resource recovery order or exemption would constitute an offence of unlawful application to land separate from the failure to comply with the order or exemption.

Looking ahead into the coming year, this sector is facing a number of major issues including the EPA's comments and actions on the review of the resource recovery framework by Dr Cathy Wilkinson, the definition of asbestos waste, due diligence defence for directors and a continuation of the debate on a procedure for managing asbestos in recycling facilities.

Groups (cont'd)



Brent Lawson hosting James Griffin, Member for Manly on a site tour of Concrete Recyclers. The Hon Mr Griffin was appointed as the NSW Minister for the Environment in December 2021. At the time of this site tour, Mr Griffin was very sympathetic to the concerns and needs of the C&D recycling sector

Scrap Metal Group

Throughout 2021/22, a 37.5% waste levy reduction applied on floc waste landfilled within NSW. This concession is an initiative from the NSW Government that is designed to encourage metal recyclers to accept scrap from regional areas along with products that have a marginal scrap metal value (fridges, washing machines, etc. that contain significant plastic, non-scrap metal parts). An additional benefit of this concession was that it removed the economic incentive to transport floc waste residue to cheaper SE QLD landfills. This concession will reduce to 25% by 1 July 2023.

Throughout the year, there were several fires at car wrecking yards across NSW. It was noted by Members and advised to Fire + Rescue NSW (and NSW EPA) that these yards are not covered by the NSW Fire Waste Guidelines. Further, a vast majority of scrap metal and car wrecking yards are not covered by EPA licence requirements.

NSW regulations pertaining to no cash payments for scrap metal continue in NSW, albeit with the Police no longer having a dedicated unit for the proper enforcement of these laws. This lack of enforcement continues to cause business issues for legitimate operators, whilst the business model of rogue operators' flourishes. To this extent WCRA and Members lobbied Government to review the Scrap Metal Industry Act 2016 and the Motor Dealers and Repairers Act. Both of these Acts have now been updated; however the industry continues to lobby for better police enforcement of these laws.

It was reported to WCRA by Members that due to the significant volume of exported unprocessed scrap metal, to ensure there was adequate feedstock, NSW steel mills have imported scrap metal shipments from overseas. As a result, major scrap metal operators have advocated to the federal government to ban the export of unprocessed scrap metal.

Materials Recovery Facility (MRF) GROUP

Throughout the year the WCRA MRF discussion Group met and discussed the following issues:

- A review of the MRF protocol
- An update of the recycling report produced by A. Prince Consulting
- Meeting with ACOR to better understand project Recycle Mate
- Discussions with Gallagher to address insurance risk and premiums
- A letter to the Federal Government detailing concerns for the export ban of mixed plastics
- National collection specifications being developed by NWRIC.
- National accreditation specifications being developed by ACOR.
- Tendering practices, specifications, emerging trends, improvement to the model contract and unreasonable risk provisions in tender contracts.
- Supply chain issues including 300% increases in the cost of shipping containers used for export purposes.
- Working with local government to achieve better contract collection and processing outcomes. This has led to several discussions and presentations from the Southern Sydney Region of Council (SSROC), including the regulatory reforms required for a circular economy.



Craig Salan from Kurrajong Recyclers in Wagga Wagga with bales of compacted aluminium cans recovered from the sorting of dry recyclables. Kurrajong processes dry recycled materials, on-selling to Australian & international buyers. They have a workforce of 90, more than half of whom have a disability. Kurrajong began 60 years ago with the aim of meeting the needs of people with disability so they can lead a life of their choice.

The Issues We Address

Access to Solid Waste Disposal Infrastructure

Unprecedented rain events in early 2022 caused the closure of transfer stations and access issues to landfills across the Sydney solid waste network. This La Nina weather event caused significant rainfall across the landfill and rail infrastructure, resulting in unsafe road surfaces, rail line closure out of Sydney, tip face conditions, wait times at landfill and challenging operations at transfer stations.

These closures and delays caused major issues for our C&I collection Members.

In June 2022 WCRA attended a meeting with the NSW EPA in Parramatta to discuss the above issues and potential solutions for disaster recovery and contingency purposes. As at the date of this report, there have been no further updates provided on this very critical issue.

NSW Container Deposit Scheme

The NSW CDS has now been in operation for four and a half years with the NSW Government reporting that the scheme has been a phenomenal success story. Conceived as a litter reduction initiative, Return and Earn has now collected more than 9 billion containers in just over four years.

A number of issues remain unresolved:

- NSW EPA advised industry that the MRF refund sharing protocol has been updated in April 2022.
- Several Members expressed concerns to WCRA that bin raiders are taking eligible CDS containers from kerbside bins. These concerns include public liability, personal injury, littering and loss of revenue.
- The issue of CDS refunds for commercial co-mingled materials remains unresolved.
- With South Australia reviewing its CDS regulations, there are possible implications for NSW (wine bottles, spirit bottles & value per eligible container all under review)



Lina Goodman from Tyre Stewardship Australia & Tony Khoury at Tyrecycle's facility at Erskine Park. This new plant was declared open in December 2021 by the Federal Minister for the Environment Hon Sussan Ley, Assistant Minister Hon Trevor Evans and NSW EPA Chair Rayne de Gruchy.

AdBlue

In the later part of 2021, a shortage of AdBlue product sent the federal government scrambling to find new supply sources. This liquid additive which acts as an anti-pollutant in diesel engines is vital to the freight and logistic sectors. In December 2021, WCRA communicated the concerns of Members and detailed the implications to collections to the NSW and Federal Governments. With question marks continuing over the manufacturing of AdBlue in Australia, waste transporters will need to continue monitoring this situation.

Load Management Waste & Recycling Industry Code of Practice

WRIQ is leading the development of a NHVR endorsed Waste & Recycling Industry Code of Practice for Load Management. The code is currently being reviewed by NHVR with view to a draft being issue for public consultation.

Long Distance Transport of Waste

Despite the failure by EPA to enforce the Proximity Principle, it continues to retain its place amongst NSW regulations. And despite the introduction of a QLD waste levy, substantial volumes of waste continue to be transported to SE QLD. Disappointingly, there were several major road accidents involving waste carted by long-haul trucks. Further, this activity also results in poor environmental and resource recovery outcomes.

Standards Australia – MGBs and Mobile Bin Lifting Equipment

In mid-2020 the Technical Committee established for a review of the Mobile Waste Container Standard along with an additional part for mobile bin lifters began to take shape. In February 2021 WCRA, WMRR and Australian Industry Group representatives agreed on the 15 stakeholder organisations to be consulted in the review of AS4123.1 to AS4123.7. Standards Australia has agreed to the constitution of Technical Committee PL-047 and the committee has now commenced the review.

COVID-19

Throughout the 2021/2022-year WCRA updated Members on a range of COVID-19 issues including -:

- A circular on vaccination of workers entitled “no jab no work”.
- Public health order updates, including matters relating to authorised workers, Covid testing, LGA restrictions and gatherings across greater Sydney.
- Mandatory QR code check-in for businesses, social distancing, and the use of face masks.
- WCRA regularly met with EPA for clarification on authorise worker exemptions, bulky kerbside collections, workplace safety plans, charity clothing bin collections, multiple workers in the cab of the garbage truck, vaccine priority for waste workers, RAT for drivers, etc.
- EPA’s response to the above was to publish a series of fact sheets on their website, including a Q&A web page.
- WCRA also informed Members about NSW business support payments and federal COVID-19 disaster payments.
- A circular in November to Members entitled “working with COVID-19, what you need to know”.

Definition of an essential worker

Whenever there is an emergency, disaster, further breakout of the pandemic or a supply issue, the waste management industry spends valuable time and resources detailing to government the essential nature of our industry. There is a need for government to make the appropriate amendments to ensure that this essential worker status continues in these difficult times.

Media

WCRA continues to review the industry and general media for articles of specific interest to WCRA Members. Across 2021/22, approximately 17 media articles per month were brought to the attention of the Executive. Amongst the key media themes were the following-:

- It's bin a wheely tough year, now garbage rates are going up.
- Mixed Plastic Export Bans, issues and current options for MRF's
- NSW Dumper hit with \$180,000 fine by NSW Land and Environment Court (equates to \$8.19 per tonne)
- WCRA MRF Group disagrees with Cleanaway on the recycling of pizza boxes
- Truck boss to stand trial for crash that killed 4 Victorian police officers
- Energy from Waste is inevitable in Australia
- WCRA wants industry to move fast on vaccination
- Energy from Waste is well established in Europe, 500 operating plants
- Energy from Waste and Recycling complement each other
- NSW 20-year waste strategy, 123 years to achieve 80% resource recovery on municipal
- Victoria to transition to 4 bin recycling system
- NSW fire fighters fight Kurri Kurri inferno
- New waste tyre export rules from 1 December 2021
- Big blue in small southern highlands town over giant plastics recycling plant
- WMRR and WCRA find lack of essential service exemptions frustrating
- What role will EfW play in our waste management future
- Sydney's commercial waste without a home
- All stops must be taken to stop permanent Mangrove Mountain landfill
- Skip bin tip fees could rise 500% under NSW EPA changes
- EPA proposed changes will decrease recycling rates, reduce jobs and discourage investment
- NSW EPA backflips on recovered fines waste issue
- \$45 million PET recycling plant opens in Albury NSW

What do WCRA Members want from Government?

WCRA Members

- We want a level commercial playing field;
- Regulations should provide certainty;
- We should be consulted & listened to;
- Waste including recyclables should be managed in a safe, sustainable & environmentally sound manner;
- Regulations and proper practices need to be enforced by all regulators, the EPA, DPIE, RMS, NHVR, Police, ATO, SafeWork NSW, Councils, Health, etc.
- NSW Government (with ~ \$750 m of waste levy to consolidated revenue) is well placed to intervene and assist in addressing issues that affect the waste management sector.

WCRA working with NSW EPA to better understand C & I organics

In 2022 a number of Members were jointly interviewed by WCRA & NSW EPA

The feedback included:

- FOGO services need to be cost effective
- To minimise FOGO transport costs and to ensure better productivity, additional processing capacity is required across the metropolitan area;
- The EPA needs to commit additional funds & resources to better educate C&I waste generators to minimise contamination rates in organic waste;
- The long, uncertain and costly planning times to obtain DA's and EPL's for NSW waste processing facilities is in urgent need of review and improvement;
- NSW resource recovery framework doesn't provide certainty for investors, whilst the EPA's regulatory arm is not tolerant of the source materials for organics' recycling

Functions and Events

The latest calendar of events is available and can be viewed at www.wcra.com.au

WCRA Annual Dinner and Awards night – December 2021

The very popular WCRA Annual Dinner was held on 17 December 2021 in the Sales Arena at the luxurious The William Inglis Hotel at Chipping Norton.

With 200 guests in attendance the WCRA WHS award was presented to Craig O’Loughlin, MET Recycling and the President’s award to SIMS Metal Management.

\$10,649 was raised from the Members for the benefit of the Black Dog Institute.

The Gauslaa family were recognised for their 40 years of waste management service to the communities of the Hawksbury River and Dangar Island. Other family businesses, many who have been acquired by multinationals were also recognised for their service.

Industry Update Conference – June 2022

This annual event was held at the Kirribilli Club in June 2022. 120 delegates attended the update sessions followed by dinner with special guests from the Black Dog Institute.

The update session presentations included:

- Regulatory update 2022 - current waste management & environmental matters
- Update from NSW EPA on review of the resource recovery framework
- Euro 6 – what does this mean, what’s the benefit & why the change
- Waste management during disasters, including operational impacts & lessons learnt
- Shoalhaven’s proposed new solid waste processing facility
- Workers’ compensation issues including premium trends & the impacts of Covid-19



Tim Blackstock & Enzo Magistro from Daimler Trucks Huntingwood at the Industry Update detailing the benefits of Euro 6 along with the lead times for buying new trucks.



Paul Hales, Cleanaway, Daniel Smith, Veolia, Tony Khoury, WCRA, & Alex Upitis, Talis Consultants discussing the impacts of floods, bushfires, epidemics & droughts on the waste management industry

Breakfast Briefing 12 April 2022

Jacqueleine Moore, Acting CEO, NSW EPA addressing 80 Members, Sponsors & other Stakeholders with a presentation detailing the review of the NSW resource recovery framework, the 20-year waste avoidance strategy and a Q&A session with Members.

Ross Fox, Fishburn Watson O'Brien provided attendees with an update on the recent reforms to the POEO Act including potential civil & criminal liability for senior waste industry personnel.

Recent weather event impacts on waste

- Our thoughts are with the affected Residents in the north of NSW and across the river communities in eastern NSW.
- These recent weather events have highlighted the vulnerability of waste disposal for Sydney.
- Floods and landslides closed the rail line to Woodlawn for over a week. Lucas Heights received record rainfall.
- While the waste industry and councils are very well placed with contingency plans & a general goodwill to help each other out of a tight spot, there has never been, a situation in Sydney that has resulted in the widespread closure of transfer stations and significantly limited the ability of transporters to take waste to landfill.

Industry Updates via Zoom

The Public Health Orders may limit our ability to meet together in person however, they don't stop the need for our Members to be well informed. To this end WCRA hosted six (6) online briefings via Zoom throughout the year to ensure Members were armed with the most up to date information. Hundreds of Members attended these online sessions covering the following topics:

- August 2021, Covid-19 impacts, including compulsory vaccinations & employer considerations on working from home
- September 2021, the legislative & regulatory reforms required to achieve a NSW circular economy
- October 2021, the legislative & regulatory reforms required to achieve a NSW circular economy
- November 2021, the Grafil decision by the Land & Environment Court and the impacts on the NSW resource recovery framework
- March 2022, NSW EPA update on C&I food waste mandates & changes
- June 2022, the current pressures facing waste & recycling operators along with demonstrating compliance with the Waste Management Award

WCRA Golf Day

The Ron Horswell Memorial WCRA Golf Challenge was held on Friday 4th February 2022 at Cabramatta. Twenty-one teams of Members, Sponsors and their Guests enjoyed a wonderful day and spectacular weather. The four ball Ambrose format is a popular event, with the winning team in 2022 being Cleanaway, captained by Robert Dimeo.



Winners are grinners! The Cleanaway team celebrating their success.

Long Serving Members Luncheon (previously the Retiree's lunch)

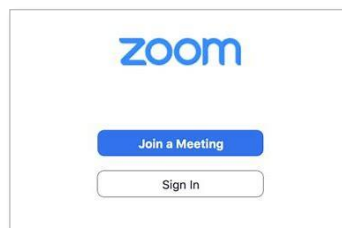
The annual luncheon for Long Serving Members from across the waste management industry was held on 12th April 2022 at Dooleys Waterview in Silverwater. This is a very popular and well attended get-together. One of the guests was a very happy retired Rod Wenzel and his good mate Richard Carlyle who travelled down from St Hubert's Island. Another guest was the retired, but equally happy Doug Dean.

Harness Racing, WCRA Sponsor's Night

This annual event was due to be held at the Penrith Harness track on Thursday 7th October 2021 was cancelled due to the NSW Government's Public Health Orders.

WCRA Premises

The premises owned by WCRA in Wetherill Park provides the Association and our Members with an excellent location for meetings, training and administration at no additional cost. The convenience of plentiful parking is an added advantage. WCRA is the only waste and recycling industry association in Australia to own its own premises. With the advent of Covid-19, the boardroom has been fitted out with the necessary hardware, laptop, speakers, camera and screen so that meetings can be held via either Zoom or Microsoft Teams.



"With the current NSW EPA licensing system, only 10 of the more than 500 scrap metal sites from across NSW are licensed by the NSW EPA. Effectively this means that EPA only has oversight on less than 2% of the industry. The implications include an unlevel playing field, poor environmental outcomes (licensed sites are better managed sites) and a financial impost on the entire industry (unlicensed facilities are over-represented in environmental incidents, fires & explosions). These incidents have impacts on the costs for the entire recycling industry (for example, higher insurance premiums)"

Tony Khoury, Executive Director, WCRA

Tony Khoury, Executive Director, WCRA, since May 2003



The waste management sector provides an important and essential service across all parts of the community, collecting a broad range of waste and recyclables from households and the business sector. What was once a relatively simple industry, is now complex and highly regulated. The key regulator in our sector is the NSW EPA and in recent years they appear to have lost touch with how to regulate to support good, legitimate waste management business operators. The independent review of the NSW resource recovery framework by Dr Cathy Wilkinson is a positive start. It is also a fact that many of our waste management laws, and regulations do not provide investors with consistency, certainty and fairness. Nor do they create an environment that promotes employment, resource recovery, recycling and circular economy outcomes.

If we are to achieve an 80% diversion rate by 2030 then industry will require meaningful assistance from both the NSW and ACT Governments. We will also require a greater slice of the NSW waste levy to be invested in new recycling and waste management infrastructure. We will require a voice within both the NSW and ACT Governments to promote the procurement of Australian recycled content and to generally champion the arguments that will support and encourage businesses to invest in sustainable resource recovery solutions.

Looking forward into 2023, it has long been the view of WCRA that waste transporters should be licensed, similar to the scheme in Victoria. The licensing should include a training and education program to promote awareness and encourage compliance with environmental laws. This will provide better control over the transport of waste and recyclables and will lead to better compliance and resource recovery outcomes.

As we enter WCRA's 75th year, there are some significant challenges ahead such as the national shortage of labour, waste disposal infrastructure system across Sydney that at critical times is just not coping, Energy from Waste (NSW) regulations that don't encourage investment, and increasing cost of business (fuel, general transport, interest rates, insurance premiums, cost of living, etc.)

Finally, I would like to extend a massive thankyou to WCRA's staff and contractors, the Executive, along with all Members, Sponsors and Stakeholders for your support and engagement.

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