

EXECUTIVE REPORT

November, 2009

Members, Associates, Sponsors and Other Interested Stakeholders,

It is with a great deal of pleasure that I present to you the 2009 Year Annual Report for the Waste Contractors and Recyclers Association of NSW (“WCRA”), which represents our sixty-first year of service to the waste & recycling industry in NSW.

Over this period WCRA and its Members have continually adjusted to the needs of the industry, the service demands of the clientele and the requirements of Government. In 2009 WCRA remains as relevant to its Members and to the industry as at any point in its history.

It is with a great deal of satisfaction that I am able to report to you that our audited Profit & Loss Statement for the year ending 30 June 2009 has a recorded surplus of \$117,220 and a Balance Sheet which details an accumulated surplus of \$440,734. As a consequence, for the sixth consecutive year WCRA has not had to burden its Members with a Special Levy. The Association on a whole is in a very sound financial position.

Since September 2005 WCRA has occupied leased premises at 31 Hallstrom Place, Wetherill Park. Whilst these premises meet the current operational needs of the WCRA business, the Executive is closely examining the prospect of buying our own property.

Over the years WCRA has proudly retained its independent identity, with registration at the Industrial Relations Commission of NSW and other statutory bodies, whilst continuing to provide direct services to our Members. Since October 2007 WCRA has also had Transitional Federal Registration under the Federal Workplace Relations Act (1996) and we are currently exploring the options for converting this into a Permanent Federal Registration.

To accommodate the needs of our Members and to assist our Executive Director Mr Tony Khoury in the management of WCRA, we have the following arrangements in place:

- Hunt & Hunt currently acts as Employment Relations Advisors to WCRA where we have access to Special Counsel Mr Martin Dunne.
- Mrs Nicki Price, Mrs Fiona Assender and Mrs Juliette Quagliata are contracted to work on a permanent, part-time basis and to assist with membership services, administration and the book-keeping function.

As at 31st October, 2009 WCRA has 130 Members (this time last year 127 Members). We continue to represent the majority of waste management and recycling contractors in NSW and in the vast majority of cases wherever a Council contracts its waste and / or recycling service, it is a WCRA Member who provides the service.

The Executive Members for the 2009 year were the following:

• Jim Perry	Veolia	President
• Harry Wilson	SMS	Senior Vice-President
• Barry Thomas	Thiess Services	Secretary
• John Kernahan	Sulo Recycling Services	Treasurer
• Ritchie Venn	URM	
• Gary Leach	SITA	
• Glenn Horne	Visy Recycling	
• Greg Turner	JR Richards & Sons	
• Stewart Holmes	JJ Richards Liquid Waste Solutions	
• David Harrison	Superior Pak	
• Jeff Brandstater	Brandster Services	
• Glenn Gauslaa	Viking Waste Services Pty Ltd	

I would like to extend my personal thanks and appreciation to the Executive Members of WCRA for the valuable time that they have provided to the Association in attending meetings and in the support of Industry issues. We are very fortunate to have such a committed group of experienced people who are prepared to give up their valuable time to address the many challenges that face our industry.

We also extend our gratitude to Mr Paul Angove who as consequence of his resignation from JJ Richards also resigned from his position on the WCRA Executive (in April 2009). Paul served a 6 year period on the WCRA Executive and at the time was the Association's Treasurer. We extend our best wishes to Paul who is now establishing a waste management business with his sons.

We have had to manage a variety of issues over the last twelve months including the following:

- As a consequence of the Federal Government's Award Modernisation process and following consultation with Members and the approval of the Executive, WCRA made comprehensive submissions to the Australian Industrial Relations Commission ("AIRC") which were supported by attendance at hearings in December, February and July. On 3rd April 2009 the AIRC handed down the Waste Management Award 2010 which will commence on 1 January, 2010 with transitional wage rate provisions to apply from 1 July, 2010.
- It is worth noting that the AIRC accepted the arguments put forward by WCRA that the waste management industry should have its own waste management award. Further, WCRA provided the AIRC with the only submission for a wage classification structure and this was adopted for inclusion in the Waste Management Award 2010.
- To ensure that Members better understand this Award (and the transition provisions that will apply over the next five years) WCRA will be holding training workshops in November.
- Notification to Members in relation to the 2009 decision of the Fair Pay Commission not to increase the wage rates in the two NSW waste awards (NAPSA agreements).
- WCRA made several appearances at the NSW Industrial Relations Commission relating to:- a Section 19 review of the Transport Industry Waste Collection & Recycling (State) Award, Transport Industry Fuel Levy Contract Determination, a variation of the Waste Collection & Recycling Contract Determination and Warringah Council matter (non compliance with the Domestic Waste Code of Practice).

- Continued to advise Members on the requirements and implications of the Mutual Responsibility in Road Safety Award and Contract Determination, including the requirements relating to Workplace Drug and Alcohol policies / testing and Blue Card.
- Continued to advise Members on an individual basis on a broad range of industrial relations issues. These matters included – wage rates, classifications, unfair dismissals, deeds of release, contractor disputes, award interpretation, disciplinary issues, representations at the IRC, representations to the Workplace Ombudsman, etc,
- WCRA has held discussions & made representations to Fair Work Australia in relation to the conversion of our existing Transitional Federal Registration into a permanent registration.
- Submissions were made to the NSW Department of Commerce in relation to the very many local public holidays that exist across NSW.
- The Liquid Waste Group met on a quarterly basis with representatives of DECCW and Sydney Water. Amongst the key issues have been OH&S (and public liability) concerns surrounding corroded grease trap lids, the new Wastelink System, issues surrounding the Liquid Waste Levy and changes to the Dangerous Goods Code.
- The Skip Waste Group has also met on a quarterly basis. Amongst the key issues that have been discussed are DECCW recycling guidelines (including resource recovery exemptions), the Section 88 waste levy, recycling specifications, asbestos management plans, regulations & compliance and liaising with the WMAA Construction & Demolition Group.
- The issue of Government Tendering and Policy has continued to be of concern for Members. This included a change to Government Tendering Regulations where Councils are to consider the existing Employees and their working conditions when making decisions on new collection contracts, concerns to the Department of Commerce in relation to the Schools & Government Departments collection tender, failure by some Councils to comply with the Domestic Waste Code of Practice and the Model Collection Contracts/Service Timelines that have been developed by the DECCW and a failure by NSW Health to advertise its clinical waste tender at the expiry of the contract period.
- Facilitated discussions on behalf of Members with NSW DECCW in relation to issues including Better Practice Guide for Multi Unit Dwellings, Resource Recovery Exemptions, Section 88 waste levy, better communications on regulatory and enforcement practices, delivered a presentation to DECCW staff on commercial resource recovery practices, surveyed Members on behalf of DECCW in relation to commercial waste and we are in discussions with DECCW for the promotion of a training course for resource recovery facility staff. Throughout the year the Association distributed many updates to Members from DECCW.
- WCRA had several meetings with senior staff from the office of the Minister for the Environment & Climate Change and senior DECCW staff and provided briefings on relevant issues concerning the waste and recycling industry in NSW.
- On several occasions throughout the year senior DECCW Staff addressed WCRA Members on these and other critical issues (WCRA Convention, September Breakfast Briefing and several Member gatherings).

- Appointment of Bluescope Steel in October 2009 to develop guidance material for the Industry to ensure compliance of Hooklift, Dino & Marrel system trucks with the Load Restraint Guide.
- Met with representatives of the RTA in relation to issues affecting waste and recycling transport including the Load Restraint Guide, Fatigue Management, Road Rules, etc. This included a presentation from RTA staff on the RTA Skip Bin Placement Policy which was launched in September 2009.
- Continued to make representations to the RTA and to the Minister for Roads in relation to the National Heavy Vehicle Fatigue Reforms. Whilst WCRA broadly supports this most important initiative there are a couple of areas that the RTA will need to refine (exempt waste drivers from these laws when responding to emergency incidents and allow waste & recycling drivers to work night hours as a standard hour option as it is very broadly acknowledged that night time collections are generally the safest period to be on the road). These issues remain unresolved and will be the subject of further action by WCRA. To date, via our partnership with Sustainable Learning, WCRA has provided training for in excess of 200 Drivers & Supervisors in these Fatigue Management regulations.
- Made submissions to both the Joint Standing Committee Inquiry into Heavy Vehicle Safety and to the Joint Standing Committee Inquiry into Pedestrian Safety highlighting the risks imposed on waste management workers when Councils mandate unsafe working hours.
- Continued addressing issues for the Scrap Metal Transport Group of Members. In particular this included submissions and representations to the NSW Premier, the Minister for Roads and to the RTA Tow Truck Licensing Branch (“TTL”) over the unreasonable insistence by the TTL that HIAB trucks that collect scrapped vehicles be licensed under the Tow Truck Act. In addition representations and submissions were made to the TTL in relation to operational concerns and OH&S issues relating to the recycling of end-of-life vehicles.
- WCRA in partnership with the UNSW & Work Options has continued to manage the grant supplied by WorkCover and has submitted a draft final report into the study of manual handling practices and concerns in the collection of domestic waste and recyclables.
- Met with WorkCover over concerns by Members that the Domestic Waste Code of Practice is not being adequately referred to by Councils. WCRA plans to continue to pursue this matter on behalf of our Members with the objective of better recognition by Councils of the importance of safe working conditions for Waste & Recycling Employees and Contractors.
- An offer from WorkCover to enter into a formal partnership agreement with WCRA for the promotion of better OH&S outcomes in the waste industry which will be tabled for the review and approval of the WCRA Executive.
- Attendance at a presentation by WorkCover where preliminary details have been supplied in relation to a national harmonised OH&S system.
- Followed up with the ACCC in relation to our formal submission relating to the concerns that the industry has over solid waste class one market power issues in the Sydney Waste Collection market. This included interviews & clarification with ACCC staff and a presentation to Members at the WCRA Breakfast Briefing on 15th September, 2009.
- Finalised project funded by DEEWR for the development of a strategy to identify positions across NSW in waste and recycling for the employment of Indigenous Australians.

- Continued to hold meetings of the WCRA Credit Bureau whereby Members met 6 times throughout the year for confidential discussions on credit and account application concerns.
- WCRA continues to manage training agreements with TAFE NSW Sydney Institute, AIG Training Services and Sustainable Learning in an attempt to ensure that our Members have access to good quality training for their Employees. This includes assistance with access to Government Funded Traineeships, Blue Card OH&S / Induction Training, Fatigue Management Training and a variety of short course training requirements.
- In October 2009 WCRA made a formal submission to the NSW Department of Education for traineeship funding for the estimated 222 Owner/Drivers that are engaged in the waste & recycling industry.
- Represented the industry in submissions relating to waste management issues with Local Councils (in particular the City of Sydney & Warringah).
- Held regular Executive meetings on the second Tuesday of each month – which were open to all Members and Sponsors to attend. All meetings were well supported and issues were openly and frankly discussed.
- Continued to promote the WCRA Worker's Compensation Scheme with Allianz (Sponsor).
- Continued to work with our alliance partner Work Options (an Associate Member) for Members to obtain injury management advice including instances where trauma counselling services have been required.
- Lodged a formal submission in July 2009 on behalf of Members to the Inquiry into the Beverage Container Deposit and Recovery Scheme.
- Lodged a formal submission in February 2009 on behalf of Members to the Productivity Commission detailing concerns with regulatory burdens.
- Lodged a formal submission in April 2009 into the potential impacts on the waste industry of a Carbon Pollution Reduction Scheme.
- Attended the NSW Green Skills Job Summit in February 2009.
- Sent Circulars & E Mails to Members informing them of a range of issues including public holiday pay rates, Fair Pay Commission wage increases, workplace compliance requirements, RTA skip policy, RTA seat belt requirements for waste truck drivers, Heavy Vehicle Fatigue Management issues, fuel price movements, CPI increases, etc.
- Throughout the year WCRA held events for the benefit of Members and Sponsors that included race nights at Harold Park Paceway, Breakfast Briefings, an Annual Convention in May 2009 and a Melbourne Cup Day Charity Harbour Cruise in November 2008 where \$6,130 was raised for the benefit of the Australian Rotary Mental Health Research Fund.
- The WCRA Annual Dinner will this year be held on 27th November at the Novotel Sydney Olympic Park. This year we are very fortunate to have the evening's entertainment by the very popular Mr Vince Sorrenti.

At this point I would like to acknowledge the very generous support of the Sponsors of WCRA for the 2009/2010 year:

- Software Integrators
- TWUSUPER
- Tyres4U
- OAMPS Insurance Brokers
- TAFE NSW, Sydney Institute
- Volvo Construction Equipment / CJD Equipment
- MEGT
- Allianz
- Hunt & Hunt

Everyone associated with WCRA appreciates the support extended by these quality organisations and this support is very much appreciated by our Members and the whole of our industry.

With the continued support of all Members, Sponsors and other Stakeholders, everyone associated with WCRA is hopeful of a very promising future and we are certainly well positioned to increase the positive impacts and the profile of our Association. However, we operate in an industry that is extremely competitive, constantly changing and very tightly regulated. In terms of the immediate 2010 outlook we anticipate that it will be even more the case.

Finally on behalf of the Members I would like to thank our Executive Director Mr Tony Khoury who continues to show a great deal of commitment to oversee and control a period of significant growth and change for WCRA. With guidance from the Executive and the assistance from the rest of the team at WCRA – we again we have consolidated on the previous year's achievements, and we continue to establish an efficient platform for the operation and growth of WCRA long into the future.

To all of our Members - we look forward to your continued support at WCRA meetings and events. WCRA is your industry Association and for the long term benefit of your businesses we urge you to continue the outstanding past support that you have extended to WCRA.

I wish all Members and Sponsors a happy and prosperous 2010 and thank everyone concerned for their support of our Industry Association.

With best regards,

Jim Perry
President
Waste Contractors & Recyclers Association of NSW
10 November 2010