



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

**ANNUAL REPORT**  
**2022/2023 Year**  
**14<sup>th</sup> November 2023**

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## President's Report, Mr Harry Wilson, Life Member



In May 2023 WCRA celebrated 75-years of continuous industrial registration and assisting our Members. Throughout this period, we have been able to unite various small waste and recycling groups into one strong industry association. In doing so, we have been able to provide our Members with access to professional advisors who can address issues related to legal, industrial, environmental, training and WHS matters. We are constantly looking to expand our partnerships and resources to better serve the needs of our Members as the industry evolves so that we continue to maintain high levels of service and support for WCRA's Members.

Throughout 2022/2023 the waste management industry continued to be at the frontline of providing an essential service to householders and businesses. 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 workers, along with an ageing workforce.
- Educating the workforce to come to terms with their role in chain of responsibility, WHS and the environment and the potential ramifications for non-compliance.
- A greater focus on work/life balance, leading to an increased preference for working from home that is affecting both small and large businesses, as we see a breakdown in workplace team collaboration.
- Further increased regulations leading to complexity and higher compliance costs.
- Increasing insurance premiums (compounded by the impacts of fires caused by batteries).
- The federal ban on the export of unprocessed recyclables and changing specifications and demand.
- The major organisations who are tendering and increasing emphasis in reuse, recycling, and diversion of waste materials and in some cases many materials that are not designed for recycling.
- Decreasing revenues for commodities due to oversupply in addition to 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 & the absence of a due diligence defence)
- A newly appointed Minister for the Environment in the Hon. Penny Sharpe who has a long list of portfolios under her control.

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 implementation of recommendations by the EPA from the independent review of the NSW resource recovery framework undertaken by Dr Cathy Wilkinson.

Waste disposal infrastructure continues to be significantly lacking in NSW, with many transporters unable to tip-off during periods with high-waste-volumes, heavy rain, bushfire and other emergency events. It is still 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 a new 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.

I thank our WCRA staff and Executive Members for their dedicated service and commend the 2023 WCRA Annual Report to you.

Harry Wilson, President  
14<sup>th</sup> November 2023

*In December 2022, the WCRA Executive were advised by our Executive Director Tony Khoury that he would be standing down in December 2023. Following an extensive search, in June 2023 the Executive announced the appointment of Brett Lemin as Executive Director. Looking forward, all Members, Sponsors & Stakeholders should be assured that Tony will work with Brett to ensure that he receives a proper, orderly and professional introduction into WCRA. At the same time, I would like to thank Tony for his 20 plus years of excellent service to WCRA, where he has overseen the growth, development and resourcing of our Association. The legacy Tony leaves behind will ensure that WCRA is well-placed to continue representing the sector long into the future.*

WCRA President, Harry Wilson





*Hot loads are a major issue for our industry with the increase of lithium-ion batteries being disposed of incorrectly.*

#### *Message to Government*

*In June 2023 it was announced that the waste levy would increase by 8% from 1 July. The NSW Government now collects an estimated \$830 million pa in waste levies. And by 2027 it is estimated that they will collect more than \$1 billion pa.*

*Less than 15% of these funds are hypothecated back to the waste management sector (local government and business combined). In coming years, we will face a critical shortage of infrastructure and in recent times during periods of heavy rain and extreme bushfires, we have not been able to deal with the additional waste from these events and still process our daily waste and recycling collection volumes.*

*With uncertainty about planning timeframes and the risk that new projects won't proceed due to the lack of social license, it is imperative that the bulk of our waste levies are directed into NSW Government supported waste management infrastructure.*

*Tony Khoury, Executive Director*

## 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 2022/23 financial statements. The surplus of \$49,800 reflects a marginally better result compared to the previous year, whilst supporting Members (compliance material, standards, research into training, online communications, etc.).

### Five-year historical comparison

**Table 1**

	2019	2020	2021	2022	2023
<b>Net Surplus / Deficit</b>	\$4,747	\$48,866	-\$32,431	\$32,833	\$49,800
<b>Balance Sheet Net Assets</b>	\$1,499,183	\$1,548,049	\$1,515,618	\$1,577,563	\$1,627,363

### Key Ratios

**Table 2**

	2019	2020	2021	2022	2023
<b>Current Ratio</b> (Current Assets/Current Liabilities)	2.72	2.47	2.47	2.53	2.23
<b>Total Asset Turnover</b> Revenue/Total Assets	0.37	0.32	0.25	0.32	0.35
<b>Return on Assets</b> Net Surplus/Net Assets*100	0.32	3.16	-2.14	2.08	3.06

WCRA's 2022 AGM was held on 8<sup>th</sup> November at Dooleys, Silverwater. Members were presented with an overview of the years activities by Mr Harry Wilson (President) along with the audited accounts by Mr Glenn Caffyn on behalf of Hany Abdel-Sayed & Co Pty Ltd.

Financial statements for year ending 30 June 2022 were lodged with the Registered Organisations Commission and NSW Industrial Relations Commission in November. The S269 certificate was issued. The Annual return for year ending 31 December 2022 was signed by WCRA's secretary Ms Ford and lodged with the Registered Organisations Commission.

WCRA is the oldest waste management industry association in Australia and the oldest waste and recycling employer body 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 under the Fair Work (Registered Organisations) Act 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**

<b>Members</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
>40 Revenue Earning Vehicles	8	11	11	9	9
7-40 Revenue Earning Vehicles	42	40	42	45	48
Up to 6 Revenue Earning Vehicles	104	114	112	111	112
<b>Associate Members</b>	38	40	44	43	39
<b>Total</b>	192	205	209	208	208
Change on Prior year	5.5%	6.8%	2.0%	-0.5%	0%

### Staff & Support Services

WCRA's offices and 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 20 December 2023. Transector currently 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 Scott Bayliss
IT and Maintenance Support	Peter Cochrane
Exclusive Member Service Offer	Scott Bayliss

## WCRA Executive

The Members of the Executive on 30 June 2023 were:-

Harry Wilson	SMS Municipal Services	President
David Gater	Veolia	Vice President
Bijal Dixit	JR Richards & Sons	Treasurer
Michelle Ford	Brandster Services	Secretary
David Johnston	United Resource Management	Executive Member
Graham Knowles	iQRenew	Executive Member
Mark Falanga	Kollect Group	Executive Member
David Harrison	Viscount Plastics (Australia) Pty Ltd	Executive Member
Ros Dent	Bingo Industries	Executive Member
Joe Richards	JJ's Waste & Recycling	Executive Member
Damien Vella	Breen Resources	Executive Member
Stuart Baird	Cleanaway	Executive Member

The following movements of the Executive took place in 2022/2023:-

- Susie McBurney did not seek re-election from 2 November 2022
- Jeff Brandstater did not seek re-election from 2 November 2022
- Gregory Turner did not seek re-election from 2 November 2022
- Joe Richards elected to the Executive on 2 November 2022
- Bijal Dixit elected to the Executive on 2 November 2022
- Michelle Ford elected to the Executive on 2 November 2022
- Stuart Baird elected to the Executive on 2 November 2022

We acknowledge and thank Ms McBurney, Mr Brandstater and Mr Turner for their many years of service to the Executive and WCRA.

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 81% for the financial year ending in June 2023 (this compares favourably with the minimum provision of 50% in the Rules).

Elections for positions on the Executive Committee are conducted every four years according to the Associations rules. Nominations for committee members were invited in October 2022. The Australian Electoral Commission supervised the process where 12 Members nominated for the 12 available positions. As a result, no election was required. The Australian Electoral Commission then supervised an election for senior positions on the Executive on 8th November 2022. Mr Wilson was nominated for the role of President with Mr Gater nominated for Vice President. Ms Dixit & Ms Ford were nominated for the positions of Treasurer and Secretary respectively. The Australian Electoral commission noted that nominees were not opposed, and each was awarded the role that they were nominated for. Election results were posted on the Association's website in November and the Registered Organisations Commission was formally notified.

Each of the newly elected Executive Members have undertaken the compliance and governance training required under the Fair Work Registered Organisations regulations.





*Ms Ros Dent, Executive Member, Ms Michelle Ford, Secretary, Ms Bijal Dixit, Treasurer and Mr Tony Khoury Executive Director. It should be noted that 25% of WCRA's Executive of 12 are women.*

## Sponsors 2022/2023

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.

AMCS	Waste operations and management software
TWU Super	Superannuation
Ryan Tax	Suppliers of global tax services, software & technology
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
- Greg Turner (elected to Life Membership November 2022)
- Jeff Brandstater (elected to Life Membership November 2022)
- Glenn Gauslaa (elected to Life Membership November 2022)

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



*Kevin Song (representing Greg Turner), Jeff Brandstater, WCRA Vice President, David Gater, WCRA Executive Director, Tony Khoury, WCRA President Harry Wilson and Glenn Gauslaa, WCRA Annual Dinner*

## WCRA Long Serving Members

WCRA acknowledges Long Serving Members for their service to the waste management industry and the Association.

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).

## 75 Years of WCRA

On 7 May 2023 WCRA celebrated 75 years of championing the cause of our waste and recycling employer Members.

As the world's oldest known waste management employer association, we have established ourselves as a leading voice in the field, consistently at the forefront of emerging challenges, including transport, collections, recycling, processing and disposal. We are uniquely positioned to serve and support our Members with our extensive experience and deep understanding of industry requirements.

At WCRA, we take great pride in our long and successful history. We are committed to using our knowledge, expertise, and professional approach to continually support our Members and the wider waste management industry.

WCRA continues to work tirelessly to provide its Members with advice, opportunities, and professional training programs to navigate the industry's complexities. We remain committed to keeping Members informed and connected through regular events that provide opportunities for peer-to-peer support and connection. These events enable Members to remain updated with the latest industry trends and regulations.

**"Congratulations to WCRA on another quarter of a century. The association shows the power of combined and unified efforts with reconciled differences of opinion and approach. It's an amazing story: so many 'old' names have continued on and moved with the times and social needs."**

**Bernadette Byrnes, Secretary to the President and then  
Executive Director, WCRA (1975 to 2003)**

## 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 training sessions and presentations were conducted by WCRA using the services of Jay Clowes from Fishburn Watson O'Brien, addressing issues including developments about classifying casual workers and contractors and the sweeping changes to employment law under the recent "Secure Jobs, Better Pay" amendments. Mr Clowes also highlighted the Federal regulatory changes on collective bargaining provisions. This resulted in WCRA forming an Industrial Relations sub-group.

Members are informed about award changes throughout 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 family and domestic violence leave, additional public holiday, collective bargaining provisions and industrial action by TWU.

On 1 July 2022 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 4.6%. Members were informed of this decision.

### Front & Side Lift in 2023

- As per the Waste Management 2020
- Level 6
- \$1,043.29 per 38 hour week
- EBA's approximately 25% greater than the Award
- Time & half rate \$41.18
- Meal allowance \$17.78

## Services (cont'd)

### 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 2022/23 on a range of relevant insurance matters.

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 continuation of the offer to Members for 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.

### Exclusive Members' Service Offer

In December 2022 WCRA launched its Exclusive Members' Service Offer. The services offered by WCRA include driver assessments, general worker assessments, toolbox talks and short-term leave cover. The cost of these services is negotiated with the Member on a job-by-job basis.

The most popular to date has been the driver assessments. Members who have engaged WCRA have been thrilled with the quality and professionalism of the on-the-job assessment of heavy vehicle drivers, providing scores and feedback in the operation of specialised waste equipment.

Several of our smaller Members have utilised this service to review and develop their safety and compliance procedures, including formal toolbox talk sessions.



## 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, Safety Wise (RTO ID 21871) for ICAM training, along with Pentrans Consulting for fatigue management (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 four of these sessions were delivered at WCRA Wetherill Park, sessions were also delivered at Adelaide, Camden, Newcastle, Woodlawn, Minto, Rutherford, Blacktown, Kemps Creek, Picton and the ACT.

The following table summarises WCRA's training & workshop delivery across the year.

Training &/or workshops in 2022/2023	Unit nos.	No. of sessions	No. of Attendees
<b>Chain of Responsibility</b>	TLIF0009	17	219
<b>Chain of Responsibility, Toolbox</b>	N/A	2	20
<b>Chain of Responsibility, non-accredited</b>	N/A	0	0
<b>Fatigue Management</b>	TLIF0005	1	11
<b>Work Safely Near Overhead Wires, non-accredited</b>	N/A	3	46
<b>Work Safely Near Overhead Wires, Toolbox</b>	N/A	2	20
<b>Incident Cause Analysis Method (ICAM)</b>	RIIWH5301D & BSBWWH505B	2	30
<b>Intro. to Waste &amp; Resource Recovery</b>	N/A	3	36
<b>Driver Workplace Assessments</b>	N/A	1	25



*Safety is a key priority for all waste transporters. CoR training proved popular throughout the year, with many training sessions conducted at the WCRA office in Wetherill Park.*

## WCRA working with Government

### Economic & environmental impacts of NSW energy from waste regulations, (report prepared for WCRA by The CIE)

The NSW Government has enacted a prohibition on energy from waste (EfW) in NSW, except in specific designated locations across rural NSW.

In late 2022 WCRA engaged The CIE to undertake a review of the development of the regulation against the NSW Better Regulation Principles and to evaluate potential impacts of the regulation.

The report from The CIE concluded that it is not clear what the basis for the regulation is and why the preferred options have been selected.

- The problem is identified as a potential oversupply of energy from waste facilities. There is no evidence of this problem and in fact NSW Government strategic planning indicates that NSW is running out of space to deal with residual waste and critical residual waste infrastructure is urgently needed. Certainty of feedstock is a key factor for businesses in developing energy from waste proposals, and there is no reason to think the government needs to manage this.
- The overarching objective is identified as to maximise efficiencies in infrastructure, waste management, innovation and energy recovery and ensure consistency with the transition to a circular economy. This is a reasonable objective to underpin regulation of EfW.
- The options developed are not aligned to the overarching objective. The regulatory change that has been made would reduce efficiency if it forces energy from waste to more distant locations, with higher transport costs (including social and environmental costs of transport).
  - ✓ Selecting specific locations does not allow for businesses to find locations that optimise on commercial costs, while accounting for the other non-commercial criteria relevant to the NSW community
  - ✓ Options not considered that would better meet objectives include building relevant criteria into the assessment processes for proposals, where these are not already part of existing assessment processes. This would ensure that any proposal which meets identified criteria can proceed rather than restricting EfW to specific locations
- The regulatory change was also intended to increase certainty for potential EfW projects. However, interviews with industry showed that certainty has not been provided, largely because the basis for the regulations is weak and businesses do not believe that specifying specific locations is a credible long term regulatory framework.
  - ✓ It is evident that obtaining community support for an EfW facility or any other residual waste facility is difficult and politically challenging. Restricting locations does not assist with this. However, there may be other government levers that could better address community concerns with EfW facilities and make the planning process less uncertain, such as clear objective criteria for where EfW is and is not acceptable

## Economic and environmental impacts of NSW energy from waste regulations (cont'd)

- Outside of Better Regulation Principles, the regulatory changes enacted for energy from waste violate the Intergovernmental agreement on competition and productivity enhancing reforms signed by the NSW Government in 2016. The changes are a clear restriction on competition and show no evidence that the benefits outweigh the costs or that the objective could not be achieved without restricting competition. The impacts of the regulations will depend on what EfW facilities or other residual waste facilities will occur under the regulations, versus what would occur if the regulations had not been introduced.
- Of the four specified locations, the most likely to be commercially viable is at Woodlawn Goulburn. Other locations are either not of interest from their owners or are expected to have logistics costs that make them prohibitively expensive (note that there remain some other issues that would need to be resolved to enable any EfW facility to reach financial close, such as clarity on long term waste levy arrangements for EfW
- There were a large number of EfW proposals that were under active development that are in locations not allowed under the regulations. The capital investment specified for proposals that are now prohibited is in excess of \$2 billion. We do not expect that all of these would have become projects without the regulations, but some would have proceeded to be built. Cleanaway is actively progressing its investment in EfW in other states (Victoria and Queensland) following the regulatory changes made by the NSW Government.



*Tony Chappel, CEO, NSW EPA and WCRA President, Harry Wilson  
at WCRA's Silverwater Breakfast Briefing on 8<sup>th</sup> November 2022*

## Economic and environmental impacts of NSW energy from waste regulations (cont'd)

The regulatory change that has been made has not been shown by the NSW Government to have benefits in excess of its costs, with no attempt to quantify impacts, costs and benefits of proposed options. This is a significant failure given that the regulatory option prohibits a number of proposals that are under active development.

In our assessment, the transport costs of moving EfW to more distant locations will far outweigh air pollution benefits from EfW occurring in areas with higher population density

- based on an assessment of the transport costs of moving waste to the specified locations from the most likely source of waste (Sydney), the cost to a single EfW facility could be in excess of \$25 million per year.
- the air pollution costs from moving an EfW further from major population centres are conservatively estimated to be about one tenth of this

There is not a robust reason to restrict EfW facilities to specific regional locations on the basis of the impacts on the community

- NSW has enacted very strict pollution controls on EfW
- the populations within a catchment of EfW plants in Western Sydney or many other potential locations is much smaller than in other countries, such as the UK. For example, most UK EfW plants have 10 000 people within a 2km catchment. Cleanaway's proposed plant in Western Sydney is forecast to have less than 500 people within a 2km catchment by 2056.

If restrictions on EfW lead to additional landfilling, this would be inconsistent with the overarching NSW Government intentions for waste management. However, it may well have benefits in excess of its costs because landfills have a lower development cost than EfW facilities (excluding the waste levy). A possible alternative is that no capacity is developed in the medium to longer term to deal with residual waste, leading to capacity constraints. This could lead to a waste crisis. Greater policy certainty will be required to ensure that viable residual waste options, whether landfills or EfW, can be developed by private businesses, or governments would need to take a more proactive role in providing or contracting for residual waste disposal infrastructure themselves.

The most obvious changes to improve the NSW EfW regulations are to make the criteria for an allowed location objective and to allow any location to be used where the criteria were met. This would remove the significant anti-competitive framing of the existing regulation. The alternative, and likely more beneficial, option is to remove the Protection of the Environment Operations (General) Amendment (Thermal Energy from Waste) Regulation 2022 in full, recognising that NSW already has in place sufficient regulations to address environmental impacts of EfW facilities.

## Federal bans on the export of recyclables

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 is now required to export all types of waste plastics
- From 1 December 2021, a licence is now 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. The rules around this ban continue to be debated and are yet to be finalised. WCRA has highlighted to Government that inadequate consultation combined with poorly designed rules are likely to lead to significant, adverse resource recovery outcomes.
- The Federal Government has discussed a cost recovery fee per tonne for waste exports. \$3.98 p/t was nominated in the discussion paper, however due to lobbying efforts, the commencement of this system has been delayed until 2024-25 financial year.

## 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, in particular lithium-ion batteries (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 implementation of the recommendations from independent review of the NSW resource recovery framework by Dr Cathy Wilkinson, by the EPA and the NSW Government.

## NSW Small Business Commissioner

In July 2022 WCRA met with the NSW Small Business Commissioner and agreed that where appropriate WCRA would send a short note detailing concerns with NSW EPA. It was also agreed that WCRA would contact the Commissioner's office and provide examples of issues and concerns with iCare's system for the management of injured workers.



## 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 July 2022 WCRA met with the Hon. Paul Scully MP, Member for Wollongong to discuss waste management issues relevant to the Illawarra area.
- WCRA held discussions in August 2022 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 September 2022 WCRA met with Ms Honora Campbell, senior advisor to the Hon Minister for the Environment James Griffin discussing issues in WCRA's 2022 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, the need for better emergency waste management in NSW, invitations to future WCRA events and to detail our case for a funding allocation for training from the waste levy.
- In November 2022 Mr Khoury and Mr Wilson met the Hon James Griffin, Minister for the Environment and provided a copy of The CIE report prepared for WCRA on the EfW regulations.
- In February 2023, WCRA provided a copy to the Hon Penny Sharpe of The CIE report prepared for WCRA on the EfW regulations.
- The NSW elections were held on Saturday 25 March 2023 with Chris Minns' Labor Government winning the election. This resulted in the Hon Penny Sharpe being appointed Minister for the Environment.
- A list of priorities along with a meeting request was sent to the Hon Penny Sharpe which resulted in Mr Wilson attending a round table discussion on 14 June 2023.
- Despite several formal approaches by WCRA to the federal Environment Minister, the Hon Ms Tanya Plibersek congratulating her on her appointment and seeking a meeting, there has never been a reply.



*Government funding is required to educate waste generators to keep lithium-ion batteries out of the general & recycling waste streams. At date of this report, an estimated 3 fires per day across the country are caused by batteries in either collection trucks and/or at waste & recycling facilities.*

## Work Health and Safety – SafeWork NSW

- The WCRA WHS Group met bi-monthly throughout 2022/2023 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 Mark McKibben of Gallagher regarding Psychosocial Risk, highlighting the need to identify gaps from a user perspective.
  - Lithium-ion battery fire risk was discussed throughout the year. Members provided WCRA with data detailing the frequency of fires, incidents & explosions potentially caused by lithium-ion batteries. This data was aggregated and passed onto SafeWork NSW and the EPA to make it a priority issue.
  - Driver shortages, fire risks, pedestrian separation from plant and overhead wire incidents were some of the consistent industry concerns discussed at the meetings.
  - SafeWork NSW presented on silica dust. Great information and Q&A with a commitment to work together in this area, especially with the C&D recycling group to protect workers.
  - Collection of Domestic Waste Code of Practice to be reviewed in the coming year.
  - 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.

*“We need to regularly discuss & share key safety learnings from across the waste & recycling industry, and if we do, we will better protect our most valuable assets, our workers”*

*Glenn Caffyn  
Projects Manager, WCRA*

## Transport for NSW / NHVR

- WCRA delivered NHVR funded Chain of Responsibility training workshops at Camden, Wetherill Park, Moree and Coffs Harbour.
- WRIQ has continued to develop the NHVR endorsed national code for waste vehicle load management compliance. WCRA has provided assistance through its existing, approved load restraint guidance material, along with a new section to address concerns relating to collections from no standing / no stopping zones. WCRA continues to monitor and advise Members with any relevant updates.
- In both April and May 2022 WCRA provided submissions for grant funding to the NHVR for CoR training across NSW and the ACT.



*Brett Mirrow & Ben Presser, JJ's Waste & Recycling, receiving the 2022 WCRA WHS award from Michael Darmanin, TWU Super at the WCRA Annual Dinner*

## 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, the area for improvement would be for EPA to better understand the commercial implications of their decision making, actions and/or inactions. 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.

In mid-2022, the EPA appointed Tony Chappel to the office of CEO, which is a very pleasing appointment. EPA Chair Rayne de Gruchy welcomed this appointment stating *"we're delighted to welcome Tony Chappel to lead the EPA. His breadth of experience is ideally suited to lead on the critical environment protection issues that are so important to our communities, industry and government."*

WCRA, via Executive Director Tony Khoury, has continued our solid working relationship with EPA with regular meetings and communications, including attendance at the EPA's Waste Advisory Group meetings. There have been many interactions between WCRA and EPA staff throughout 2022/2023 and whilst we continue to have our differences, all discussions and interactions were conducted with a healthy, professional respect.

Throughout the year WCRA President Mr Wilson and Mr Khoury met with the EPA's Mr Chappel. The agenda at these meetings was to promote high level discussions on the key issues affecting our industry.

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

- 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
- In July 2022 WCRA met with EPA staff to progress the long outstanding issue of local government Model Contracts. To date this matter has not progressed
- EPA presented to WCRA Members on the proposed review of POEO Waste Regulations in 2023.
- 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 has resulted in 22 recommendations which the EPA supports in principle. It is hoped that the outcomes of this review will create better and more sustainable opportunities for legitimate recycling and resource recovery across NSW. WCRA looks forward to the detailed work program, budget and timetable to support the implementation of these recommendations.
- A range of recycling industry concerns, with solutions presented by WCRA
- Emergency and incident waste and recycling disposal – planning and co-ordination
- The need for a meaningful, achievable & sustainable NSW waste management infrastructure plan. Throughout 2022/2023 WCRA has passed on the concerns of Members to EPA for much needed additional infrastructure (inefficient transfer station network, with major operational impacts on waste transporters).
- Waste levy rates for 2023/2024 with WCRA expressing concerns that the EPA provide insufficient notice to the industry ahead of these increases.

## NSW EPA (cont'd)

- Energy from Waste issues, including regulations that restrict EfW to 4 regional precinct areas. In March 2023 WCRA and The CIE addressed the EPA executive with the findings of the economic and financial report commissioned by WCRA
- RID squad officer warnings to drivers of caged trucks, to tarp loads of baled paper & cardboard
- 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 integrated waste tracking solutions for waste transport and classification
- A mainstream media campaign on TV and radio for the lawful disposal of lithium-ion, all batteries and all products containing batteries including vapes. The first step involved Mr Chappel and Mr Khoury jointly presenting in a video detailing best practises in disposal of these battery products. Very disappointingly the EPA have advised they don't have the budget to fund this TV / radio campaign and will instead promote lawful disposal via a social media campaign.

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.

The NSW Waste Levy rates for 2023/24 were advised by the EPA to WCRA and Members -: solid waste metropolitan area \$163.20 per tonne (2022 \$151.60) and regional areas \$94 (2022 \$87.30). It is worth noting that since 2010 the metropolitan area waste levy has increased by 232% or \$92.90 per tonne.

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). Industry continues to have these concerns and awaits the EPA's implementation of the recommendations by Dr Wilkinson (referred to above).

At present, waste disposal infrastructure is significantly lacking in NSW. It is 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.



## Corporate relationships

### 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 conducted throughout the year with venues alternating to different state capitals. WCRA's involvement in NWRIC is an opportunity to progress contentious and national issues. This involvement with NWRIC maximises 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 Ms Alison Price and WCRA maintain a good working relationship. WRIQ is still 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.

### 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 concerns relating to fires from batteries, scrap metal, export bans on recycling and resource recovery issues.

## 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
- The Total Environment Centre
- 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 held in Darling Harbour in August 2022. A number of WCRA Members presented at the AWRE summit in a session chaired by Mr Khoury including Mr Damien Vella, Ms Ros Dent and Ms Susie McBurney. WCRA & AWRE have signed a three-year partnership agreement through to August 2025.



*AWRE Summit resource recovery session included Mr Vella & Ms Dent and chaired by Mr Khoury*

## 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

WCRA had a series of discussions which were confirmed in writing to ACT NoWaste representatives detailing industry concerns that ACT landfill and MRF price increases were not advised until 23 June 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.

A number of meetings were held throughout the year with ACT NoWaste including 8 September 2022 (new proposed FOGO service, planned tender for MRF, price increase 01/01/2023, GST on CDS and lithium-ion batteries). Earlier that day Mr Khoury and several Members address the ACT Government's standing committee on environment with these same issues.

On 7 December 2022 Members were advised that all ACT disposal and recycling pricing would increase by 1.75% effective 1 January 2023.

A further ACT Group meeting was held on 30 March 2023 with support from ACT NoWaste (main discussion centred around a proposal for finance, design, construction, operations and maintenance of a new ACT MRF, noting the previous ACT MRF was destroyed by a battery related fire).

### 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.

Throughout 2022/2023 WCRA continuously followed up Sydney Water in relation to their commitment to industry, including the plan for non-compliant accounts and the need to review the draft Waste Safe Transporter agreement. Sydney Water don't have the resources to address these issues and this was confirmed by their inaction throughout the year.

The EPA's waste levy on liquid waste was set at \$81.20 for 2022/23 (previously \$78.80). 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.

Looking ahead to 2024, the sector will face a number of challenges including the inactions of Sydney Water, 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.

Throughout 2022/2023 the EPA delivered a number of presentations to WCRA Members on a nationally consistent hazardous waste tracking system (entitled integrated waste tracking solutions). This will most likely be implemented in late 2023.

## C&D Waste Group

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. On 15 June 2023 senior EPA staff advised the group that EPA will accept AS4694 as the test method for asbestos in C&D recycling, supported by site-specific unexpected find procedures.
- 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.
- As at, 30 June 2023 a balance of \$55,057 remains unspent from the WMRR and WCRA C&D groups recovered fines project.
- 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 December 2022 the Court of Criminal Appeal fined Grafil \$100,000 with Mr McKenzie not fined. This case highlights that NSW has no leeway on trace levels of asbestos in recycled products.
- Looking ahead into the coming year, this sector is still 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, review of standards for managing C&D waste in NSW, recovered fines education program and a continuation of the debate on a procedure for managing asbestos in recycling facilities.



*A sample showing asbestos waste.*



## Groups (cont'd)

### Scrap Metal Group

Throughout 2022/23, a 25% 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 be reviewed by the EPA in a waste levy review in late 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.

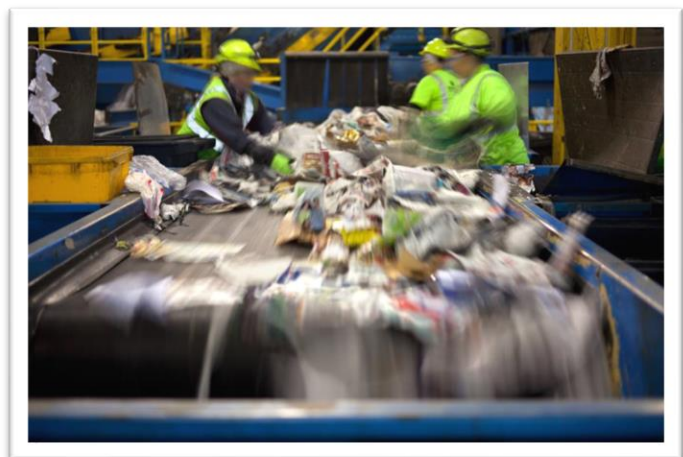
NSW regulations pertaining to no cash payments for scrap metal continue in NSW, albeit with the Police no longer having a dedicated unit for the proper enforcement of these laws. This lack of enforcement continues to cause business issues for legitimate operators, whilst the business model of rogue operators' 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
- Discussions with Gallagher to address insurance risk and premiums
- A letter to the Federal Government detailing concerns for the export ban of paper and cardboard, along with the proposed export tax of \$3.98 p/t.
- National collection specifications being developed by NWRIC.
- National accreditation specifications being developed by ACOR.



*Workers on a conveyor line at a MRF dealing with contamination in recycled products.*

- Tendering practices, specifications, emerging trends, improvement to the model contract and unreasonable risk provisions in tender contracts.
- Supply chain issues including substantial 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 for disaster waste and risk resilience.



## The Issues We Address

### Access to Solid Waste Disposal Infrastructure

Unprecedented rain events in 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 mid-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 still have been no updates provided by EPA on this very critical issue.

WCRA supported an application by Southern Sydney Regional Organisation of Councils (SSROC) to Resilience NSW for contingency planning funding for the disposal of Sydney's household waste. A number of WCRA Members who operate critical infrastructure attended these meetings throughout the year.

### NSW Container Deposit Scheme

The NSW CDS has now been in operation for five 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 9.9 billion containers in just over five years.

A number of issues remain unresolved:

- Several Members expressed concerns to WCRA that bin raiders continue to take 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 most jurisdictions reviewing their CDS regulations, there are possible implications for NSW (wine bottles, spirit bottles & value per eligible container all under review)
- WCRA has initiated a class action to the ATO for MRFs to be refunded the GST deduction from the 10c per eligible container under the MRF refund sharing protocol. This application is being managed by Ryan Tax, with the claim back dated to the start of the scheme.



*Ms Suzanne Toumbourou (ACOR CEO) and Mr Tony Khoury  
at Return & Earn's 5<sup>th</sup> birthday in December 2022*

## The Issues We Address (cont'd)

### 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. WCRA has made significant contributions by offering the approved NSW load restraint documents for Hooklift, Dino, Skips & Bin Delivery systems. Further WCRA has successfully lobbied for inclusion of a section on the collection of waste & recyclables from no standing and no stopping areas. 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 rural NSW, SE QLD and the ACT. This activity results in poor environmental and resource recovery outcomes.

Conversely, it has also been reported to WCRA that general waste is being transported from SE Qld to rural NSW landfills (in non-regulated areas, where there's no NSW waste levy). These economic arbitrage transactions create perverse safety and negative environmental outcomes and can be avoided if there were national laws on waste levy portability.

### 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 (8) 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 Technical Committee PL-047 which includes industry representatives met throughout 2022/2023 reviewing parts 1 to 7 and drafting part 8. This process will continue in 2023/2024.

### 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.

## Media

WCRA continues to review the industry and general media for articles of specific interest to WCRA Members. Across 2022/23, approximately 18 media articles per month were brought to the attention of the Executive. Amongst the key media themes were the following-:

- NSW fire fighters fight Rockdale transfer station fire
- Challenges in securing workers in the waste sector
- Coffee cups and the circular economy, achieving an idealistic dream
- New NSW EfW regulation in place
- The implementation of mandating unsafe work times
- WCRA comments on contamination in recycling & trivial noise complaints
- WCRA happy with Fair Work award increases
- Huge fine to man for providing false information to NSW EPA
- Review of the NSW resource recovery framework, findings need to be implemented
- RED Cycle soft plastic scheme closes
- Veolia sends out pre-Christmas battery warning
- Lithium-ion battery causes fire in rubbish truck
- Recyclables export tax, a blow to the industry
- EPA serves Coles & Woolworths with cleanup notice over RED Cycle
- Bosses must ask staff before rostering to work public holidays
- Batteries blamed for destroying Hume, ACT MRF
- The economic and environmental impacts of the NSW EfW regulations
- Remondis to trial hydrogen truck
- Waste myth, 'household recycling is just sent to landfill'
- Visy, regular advertisements in daily newspapers, 'Hiring drivers across Australia'

## What do WCRA Members want from Government?

### WCRA Members

- Want a level commercial playing field;
- Regulations that provide certainty;
- Regulations that provide for a return on investment;
- Want to 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, Local Government, NHVR, T4NSW, Police, ATO, SafeWork NSW, Health, ACT NoWaste, etc.
- NSW Government (with ~ \$830 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 2022/2023 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](http://www.wcra.com.au)

### WCRA Annual Dinner and Awards night – December 2022

The very popular WCRA Annual Dinner was held on 9 December 2022 in the Sales Arena at the luxurious The William Inglis Hotel at Chipping Norton, with 215 guests in attendance.

The Work Health and Safety Award, sponsored by TWU Super, was awarded to JJ's Waste & Recycling for their fire suppression project with Ben Presser and Brett Mirrow accepting the award.

The President's Award, sponsored by Gallagher, was awarded to Loop Organics. In circular economy terms, Loop Organics takes organic waste material that would otherwise end up in landfill and applies it to land as a fertiliser.

The inaugural Youth in Waste Awards, sponsored by WCRA, was jointly awarded to Mark Napper from Bingo Industries, Hannah Partland from iQRenew & Nina Ho also from iQRenew.



*Inaugural Youth in Waste Award winners at the 2022 Annual Dinner Nina Ho, Hannah Partland and Mark Napper represented by Shiloh Ainuu*



*WCRA's Sponsor Mark Bramley, Gallagher & President Harry Wilson presenting the President's Award for 2022 to Loop Organics, Lisa Rawlinson & Matthew Brown at the WCRA Annual Dinner.*



## Functions and Events (cont'd)

### Industry Update Conference – June 2023

This annual event was held at the Kirribilli Club on 8<sup>th</sup> June 2023. 150 delegates attended the update sessions followed by the WCRA 75-year anniversary dinner with over 190 guests in attendance.

The update session presentations included:

- Getting new waste & recycling facilities through the NSW planning system
- Legal risks and strategies for developing waste facilities.
- EfW, the economic & environmental implications of the NSW regulations
- NSW EPA update - status of the review of the resource recovery framework
- NHVR, introduction to the National Waste & Recycling Code
- “Secure jobs, better pay”: Federal regulatory changes including collective bargaining.



*Asela Attapattu from NSW EPA, with an update on the status of the review of the resource recovery framework*



*WCRA Industry Update held in June 2022 at the Kirribilli Club.*

## Functions and Events (cont'd)

### Breakfast Briefing

Mr Tony Chappel, CEO, NSW EPA addressing 90 Members, Sponsors & other Stakeholders with a presentation detailing the EPA's plans & vision to better work with the sector to achieve lawful & sustainable resource recovery outcome at the WCRA Breakfast Briefing on 8<sup>th</sup> November 2022. At the same briefing, Mr Michael Bates, Head of ANZ Region, AMCS Group provided attendees with an update on innovation & digital solutions for the waste & recycling industry.



*Michael Bates, AMCS Group at the Breakfast Briefing on 8<sup>th</sup> November 2022 detailing innovation & digital solutions for the waste & recycling industry*

On 14<sup>th</sup> March 2023 WCRA held a breakfast briefing at Dooleys, Lidcombe which featured:



*A presentation from Ms Belinda Hughes from the National Heavy Vehicle Regulator on compliance, how Safety Management Systems can assist to manage the risks associated with your transport activities, chain of responsibility obligations and recent prosecutions.*



*At the same briefing Mr Jay Clowes, Principal, Fishburn Watson O'Brien addressed delegates on developments about classifying casual workers and contractors and the sweeping changes to employment law under the recent "Secure Jobs, Better Pay" amendments.*

## Functions and Events (cont'd)

### Industry Updates via Zoom

WCRA hosted three (3) online briefings via Zoom throughout the year to ensure Members were armed with the most up to date information. An estimated one hundred Members attended these online sessions covering the following topics:

- July 2022, Employment Relations update provided by Jay Clowes from Fishburn Watson O'Brien
- December 2022, the economic and regulatory impacts of the NSW Energy from Waste regulations provided by Phil Manners from The CIE
- March 2023, an update on the NSW amendments to waste levy regulations provided by Ross Fox from Fishburn Watson O'Brien

### WCRA Golf Day

The Ron Horswell Memorial WCRA Golf Challenge was held for the eleventh time on 18<sup>th</sup> November 2022 at Cabramatta Golf Course. Twenty-two 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 Veolia, captained by Scott Bond.



*The Veolia golf team take out the 2022 Ron Horswell Memorial Cup*



## Functions and Events (cont'd)

### Long Serving Members Luncheon

The annual luncheon for Long Serving Members from across the waste management industry was held on 14<sup>th</sup> March 2023 at Dooleys Lidcombe. This is a very popular and well attended get-together. Name tags maybe added to next year's luncheon due to some Members not remembering names, even their own. Unfortunately, some Members were unable to attend due to health issues. At the event WCRA President, Harry Wilson made a special presentation to Tony Khoury celebrating his 20 years as WCRA Executive Director.

### Harness Racing, WCRA Sponsor's Night

This annual event was held at the Penrith Harness track on Thursday 11<sup>th</sup> August 2022 with 60 Members, Sponsors and their Guests. The 7 races were named after Sponsors of WCRA, who receive national publicity across the media, pubs, clubs and betting outlets. The second chance prize barrel was overflowing with losing betting tickets but a great night was had by all.



*The very happy sponsors of race 6, Tomra Cleanaway with James Dorney and staff holding the sash.*

## 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.



*It is highly likely that within a decade, Sydney will experience a significant waste disposal problem. Landfill space is rapidly running out and there are no current energy from waste (EfW) facilities. We can minimise the amount of waste we generate, and we can recycle more (via bins with yellow and green lids), but when it comes to the contents of the bin with the red lid, we need disposal options for this waste residue. We also require disposal options for general commercial waste residues. The only current live application for EfW in NSW is the application by Veolia at Woodlawn. It is important for this application to be approved, not only for the waste management industry and business confidence, but to provide a valuable reference point for regulators of what is possible and what good quality EfW infrastructure should look like in NSW.*

*Tony Khoury, Executive Director*



## Tony Khoury, Executive Director, at 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 22 recommendations from the independent review of the NSW resource recovery framework by Dr Cathy Wilkinson is a positive start. But these recommendations will need to be acted on and implemented. 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 2024, it has long been the view of WCRA that waste transporters should be licensed, similar to the Victorian scheme. 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.

WCRA's ACT and NSW Members should be very proud of their efforts which include collections of in excess of 250 million MGBs per annum from approximately 3.2 million dwellings, plus the full range of commercial, industrial, liquid and hazardous waste services. These services are all undertaken in an environment that ensures compliance with all WHS and chain of responsibility regulations. Further, standardised bin colours and systems, well-planned productive collection routes and highly trained workers have our Members providing collection services that are as safe and productive when compared with anywhere in the world.

With WCRA having celebrated 75-years of continuous industrial registration on 7<sup>th</sup> May 2023, I am extremely proud and feel fortunate to have served 20 plus years as WCRA's Executive Director. Whilst we have had to encounter many challenges and frustrations, we have also kicked many, many goals and it has been a very rewarding period of time.

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. Without this support WCRA would not be in the strong financial and representative position that it is in today.

## WCRA's valued Sponsors

We would like to thank our generous Sponsors for their continued support of the Association. Sponsors assist us to provide better services to our Members and to the industry. When seeking a product or a service, we encourage Members to please support our Sponsors by requesting a proposal for their product or service offering. Here is a link to the Sponsor's page on the WCRA website, <http://wcra.com.au/Partnership.html>



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