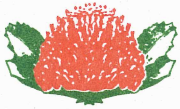


INQUIRY INTO HEAVY VEHICLE SAFETY

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**WASTE CONTRACTORS
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The Committee Manager,

Staysafe Committee

Parliament House,

Macquarie Street,

SYDNEY NSW 2000

23rd March, 2009

Dear Sir / Madam,

The Waste Contractors and Recyclers Association of NSW ("WCRA") is a significant employer association representing the interests of Members involved in the transport, management, processing and disposal of waste and recycling materials throughout NSW. Our Members operate across all facets of the industry (solid and liquid wastes).

Wherever a Council contracts out its domestic waste it generally does so to one of our Members and our Members account for approximately 90% of waste & recycling collection vehicles across NSW.

In 2008 WCRA celebrated 60 years of service to the waste and recycling industry, WCRA was first registered with the NSW Industrial Relations Commission on 7th May 1948.

The concerns conveyed to us by Members in relation to heavy vehicle safety pertain to the time restrictions imposed by Councils on the collection of domestic waste & recycling and commercial waste (such restrictions are generally through Local Approvals Policies and are non-compliant with WorkCover Code of Practice for Domestic Waste). The powers of Local Government to mandate (late start) collection times without proper risk assessments is a major problem for the transport of waste & recycling. The safest times to collect waste are generally in the early hours (when there is no traffic, no school children, less pedestrians, fewer parked cars, fewer commuters, fewer shoppers, etc).

State & Federal Governments need to legislate and remove the power of Local Government to mandate collection times (most often these collection times are merely pushed as an issue by an Elected Councillor who has received minor noise complaints from a resident or a group of residents). Further, any such legislation should reverse any of the very unsafe existing restrictions that Councils currently have in place (let's start by addressing the City of Sydney, Mosman and Warringah Council policies and/or tenders).

The Waste & Recycling industry is of the very firm view – *“that the safe interests of Waste Industry Workers and the Members of the Public should trump a minor noise complaint over early hour collection times”*. Any failure by Government to assist industry in addressing this concern is likely to lead to more injuries, more accidents and more fatalities.

These failures are compounded by Government Departments (Councils, WorkCover and Department of Local Government being the main offenders) to regularly work with each other. By way of example - we recently witnessed in the NSW Industrial Relations Commission a situation where WorkCover refused to comment on safety and intervene into a tender for domestic waste and recycling collections that called for a 7am start. Imagine the safety implications on major public roads and the traffic problems in peak hour of being forced to collect waste at this time. The reason given by WorkCover *“for not getting involved”* is that *“an offence had yet occurred”*, so presumably we need to wait for either the contract to start or for the contract to start and an incident to take place.

It is very clear to WCRA and our Members that Workcover is ineffective in their management of the Domestic Waste Code of Practice.

We also refer the Committee to the Coroner’s findings and the Motor Vehicle Collision Analysis Report relating to the death of Connor Greasby (Westmead Coroner’s Court matter number 348 / 07). The Coroner’s formal recommendations were as follows –

- That the Minister for Roads & Traffic and the Roads & Traffic Authority of NSW (“RTA”) in corroboration with the waste disposal industry formulate and conduct an appropriate public education campaign with the aim of raising safety awareness around the presence and operation of waste disposal vehicles in suburban streets.
- That the Minister for Local Government organise a review and feasibility study in regard to the installation of rear vision camera systems capable of recording and storing images in waste disposal vehicles.

On several occasions over the last 12 months our Association has followed up on these matters with the above bodies and the lack of any formal progress on these matters should be pursued by your Committee.

We have had numerous attempts at trying to communicate our Members’ concerns to WorkCover, the NSW Minister for Local Government and the Department of Local Government, but all to no avail.

I hope that this submission assists and we would be prepared to elaborate on these concerns at any hearing that the Commission may hold in to these matters.

Yours Faithfully,

Tony Khoury

Executive Director

