



EXEMPTION NOTICE

Exemption number	SUP0017/2022/1
Issued under	Regulation 20(1)
Exemption type	Class of persons
Exemption holder	Armadale Health Service (trading under the Metropolitan Health Service) 3056 Albany Highway MT NASURA WA 6112
ABN	13 993 250 709
Registered business address	Kirkman House, Royal Perth Hospital Campus 10 Murray Street PERTH WA 6000
DWER file number	DWERVT9714~20
Date of issue	17 August 2022
Duration	17 August 2022 to 16 August 2024

Table 1: Prescribed plastic items and exempt specified circumstance

Prescribed plastic item	Specified exempt circumstance	Exemption reason
Plastic cutlery comprising knives, spoons and forks.	The supply of a prescribed plastic item listed in this table is only exempt under this notice where that prescribed plastic item is supplied: 1) to an involuntary inpatient receiving care and treatment within the Yorgum Ward (High Dependency Mental Health Ward) of the Armadale Health Service; and 2) to assist in the delivery and/or consumption of food, liquids or medications during mealtimes.	Safety and/or security requirement



Declaration

In accordance with regulation 20(1) of the *Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018* I consider that it is reasonably necessary to grant Exemption Notice SUP0017/2022/1.

I HEREBY EXEMPT the Exemption Holder from regulation 7(1) of the *Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018*, subject to the conditions set out in this notice.

Sarah McEvoy

Executive Director, Strategic Policy

Department of Water and Environmental Regulation

Officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

Delegation No. 161

17 August 2022

Interpretation

In this Exemption Notice:

- (a) the words 'including', 'includes' and 'include' in conditions mean "including but not limited to", and similar, as appropriate;
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (d) unless specified otherwise, all definitions are in accordance with the EP Act.

Conditions

Conditions of supply

1. The Exemption Holder may supply the prescribed plastic items listed in Table 1 of this Exemption Notice in the specified exempt circumstance and for the corresponding exemption reason only.

Reporting

2. Prior to 30 June 2024 the Exemption Holder must prepare and submit to the CEO an Exemption Evaluation Report that provides the following information:
 - (a) a review of the implementation of the Exemption Notice within the Yorgum Ward and how the notice has addressed safety and security concerns within the ward;
 - (b) a review of all available reusable plastic or non-plastic disposable cutlery items and an assessment for each product to identify if it is fit-for-purpose and can replace the current exempt items; and
 - (c) where available reusable plastic or non-plastic items are identified as being fit-for-purpose, a Phase-out Plan is required that details how and when the current exempt items will be phased out and replaced with the suitable reusable plastic or non-plastic disposable alternatives.

Non-compliance reporting

3. Within 14 business days of becoming aware of any non-compliance with the conditions of this Exemption Notice, Exemption Holder must notify the CEO in writing of that non-compliance and include in that notification the following information:
 - (a) which condition was not complied with;
 - (b) the time and date when the non-compliance occurred;
 - (c) the details and result of any investigation undertaken into the cause of the non-compliance;
 - (d) what action has been taken and the date on which it was taken to prevent the non-compliance occurring again; and
 - (e) what action will be taken and the date by which it will be taken to prevent the non-compliance occurring again.

Revocation or Variation

4. In accordance with regulation 20(5) of the regulations this exemption notice may be revoked or varied by the CEO or a Delegated Officer at any time by written notice.

END OF CONDITIONS

Exemption No: SUP0017/2022/1

Definitions

In this Exemption Notice, the terms in Table 2 have the meanings defined.

Table 2: Definitions

Term	Definition
ABN	means Australian Business Number, registered with Business Registration Service
CEO	<p>means Chief Executive Officer of the Department of Water and Environmental Regulation.</p> <p>“submit to / notify the CEO” (or similar), means either:</p> <p style="padding-left: 40px;">Director General Department administering the Environmental Protection Act 1986 Locked Bag 10 Joondalup DC WA 6919</p> <p>or:</p> <p style="padding-left: 40px;">plastic-action@dwer.wa.gov.au</p>
Delegated officer	an officer under section 20 of the EP Act
EP Act	means the <i>Environmental Protection Act 1986</i> (WA)
Exemption Holder	means the Armadale Health Service (trading under the Metropolitan Health Service), ABN 13 993 250 709.
involuntary inpatient	has the same meaning given to that term in the <i>Mental Health Act 2014</i>
regulations	<i>means the Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018.</i>
supply	has the same meaning given to that term in the regulations