



## EXEMPTION NOTICE

|                                    |   |
|------------------------------------|---|
| <b>Exemption number</b>            | SUP0087/2023/1  |
| <b>Issued under</b>                | Regulation 20(1)  |
| <b>Exemption holder</b>            | The Port Kennedy RSL Sub-Branch (Incorporated)<br>27 Paxton Way<br>PORT KENNEDY WA 6172 |
| <b>ABN</b>                         | 63 396 543 659  |
| <b>Registered business address</b> | 27 Paxton Way<br>PORT KENNEDY WA 6172   |
| <b>DWER file number</b>            | DWERVT11860~4   |
| <b>Date of issue</b>               | 24 April 2023   |
| <b>Duration</b>                    | 25 April 2023 to 26 April 2023  |

**Table 1: Prescribed plastic items and exempt specified circumstance**

| Prescribed plastic items   | Specified exempt circumstance  | Exemption reason                |
|--|--|---------------------------------|
| The following items are exempt under this Notice:<br><ul style="list-style-type: none"><li>1) 425ml clear plastic cups<br/>Brand: Capri<br/>Supply code: C-PDC425</li><li>2) 230mm diameter plastic plates<br/>Brand: Capri<br/>Supply code: C-PL0962</li><li>3) Plastic knives<br/>Brand: Cost wise<br/>Supply code: HL-CUT-K</li><li>4) Plastic forks<br/>Brand: Castaway Elegance<br/>Supply code: CA-PCW-F</li></ul> | The supply of a prescribed plastic item listed in this Table is only exempt where that item is used to deliver or consume food or beverages provided by the Exemption Holder for the 2023 ANZAC Day event. | Unavoidable supply chain issues |



## 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 SUP0087/2023/1.

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.

**Daniel Nevin**

**Executive Director,**

**Strategic Policy**

**Department of Water and Environmental Regulation**

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

Delegation No. 161

24 April 2023

## 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.

### Non-compliance reporting

2. 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

3. 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.

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## END OF CONDITIONS

## Definitions

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

**Table 2: Definitions**

| Term                 | Definition  |
|----------------------|---|
| 2023 ANZAC Day Event | means the 2023 ANZAC Day commemoration event organised and held by the Exemption Holder on Tuesday 25 April 2023 at the registered business address   |
| ABN                  | means Australian Business Number, registered with Business Registration Service   |
| ANZAC                | means Australian and New Zealand Army Corps   |
| 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<br/>Locked Bag 10<br/>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 Port Kennedy RSL Sub-Branch (Incorporated), ABN 63 396 543 659  |
| 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  |