

Dear Stakeholders

Subject: Update of Plan for Plastics Exemption Process

Western Australia's Plan for Plastics ban on single-use plastics has helped remove hundreds of millions of single-use plastic items from circulation, with up to 1.1 billion items to be saved from landfill every year once the plan is fully implemented.

Under the *Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018*, the Chief Executive Officer (CEO) can provide an exemption to a person or class of persons for a prescribed plastic item, where the CEO considers that it is reasonably necessary to do so.

Stage 1 bans commenced on 1 July 2022. Class exemptions were provided for items where necessary, allowing businesses to seek new compliant supplies. This exemption expired on 31 December 2023.

A class exemption covering Stage 2 products is currently in place for those awaiting a certification outcome. Exemptions for hot beverage cups and food trays made from plastic lined paperboard is valid until 1 March 2025. Lids for food containers, bowls, trays, or plates made from plastic lined paperboard are current until 1 September 2025.

To meet the goals of Western Australia's Plan for Plastics, the Department of Water and Environmental Regulation (the department) uses the Single-use plastics exemption application considerations to guide decisions on exemption applications.

Exemption processes and guidance are being updated to reflect the passage of time since the bans were introduced and based on advice from industry stakeholders on the availability of suitable alternatives. These developments and have led the department to make several changes to the exemption application process:

Stage 1

New exemption applications for Stage 1 items will not be accepted after **1 December 2024** for:

- supply chain issues; or
- transitional supply.

Stage 1 exemptions for transitional supply that are lodged to gain Australasian Bioplastics Association (ABA) certification will expire no later than **31 December 2024**, regardless of whether they have received certification.

These timelines have been selected based on extensive conversations with the ABA to determine the length of time the certification process takes and considers the independent auditor assessment processes.

Stage 2

The Stage 2 bans started on 1 March 2023 with staggered enforcement dates between 2023 and 2025 to provide time for businesses to comply.

Class exemption [SUP0001/2022/2](#) for Stage 2 items applies for transitional supply, where suppliers and purchasers have a pending AS4736 or AS5810 certification. For hot beverages and food trays made from plastic lined paperboard, the exemption will end on 1 March 2025. The exemption for lids for food containers, bowls, trays, or plates made from plastic lined paperboard will expire on 1 September 2025.

If there are any additional exemption applications for transitional supply pending ABA certification, these will expire after six months from the date of issue.

New exemption applications for Stage 2 items will not be accepted six months beyond the expiry of the relevant class exemptions for:

- supply chain issues; or
- transitional supply.

An information sheet with the updated guidance, will be published on the department's [WA Plan for Plastics Exemptions](#) webpage.

We believe these updates will streamline the exemption process and ensure the effective implementation of regulations. We appreciate your cooperation and support as we work towards a more sustainable future.

If you have any questions or need assistance throughout the application process, don't hesitate to contact the Priority Materials team through plastic-exemptions@dwer.wa.gov.au.

Yours sincerely



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