

## Environment and Public Affairs Committee

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**From:** Office of Lynn MacLaren MLC  
**Sent:** Thursday, 16 June 2016 12:13 PM  
**To:** Environment and Public Affairs Committee  
**Cc:**  
**Subject:** Petition No. 121 - Pesticides and harm to public health - submission



**Lynn MacLaren** MLC

Member for the South Metropolitan Region  
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Attention: Ms Margaret Liveris, Committee Clerk  
Standing Committee on Environment and Public Affairs  
Parliament House  
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Dear Committee Members

### **PETITION NO 121 – PESTICIDES AND HARM TO PUBLIC HEALTH**

Thank you for your letter dated 19 May 2016 inviting me to provide a written submission regarding Petition No. 121. I confirm that I wish the Committee to inquire into the matters raised in the petition. To the best of my knowledge, the issues have not been taken to the Ombudsman.

There is a long history of petitions to Parliament relating to the use of pesticides and their potential to harm public health. It can be surmised from the reports tabled that none of these have garnered an in depth inquiry.

Prior to the current petition, I tabled Petition 25—Opposing use of pesticides on public land and open spaces in December 2013. This petition contained 251 signatures. When inquiring into Petition 25 the committee sought evidence from the heads of three agencies: the Minister for Local Government, the CEO of the WA Local Government Association (WALGA) and the Minister for Health.

The Minister for Local Government advised that neither he nor his department had legislative authority to direct local governments in these matters. The acting CEO of WALGA stated that WALGA already supported best management practices for herbicide and pesticide use. Further, the Minister for Health advised that pesticides are registered nationally by the Commonwealth Australian Pesticides and Veterinary Medicines Authority following rigorous assessments. The committee deemed these responses about the efficacy of current systems and approaches sufficient to conclude its inquiries without seeking further evidence.

Some years earlier, on 12 November 2008 my then colleague the Hon Giz Watson MLC also tabled a petition. This petition contained 954 signatures. These petitioners sought support for “the urgent introduction of legislation that would protect the community’s health and environment, and to support the guiding principle that the Ministers for Environment, Planning and Infrastructure, Local Government and Health exercise their full legislative powers” to, amongst other environmental protections, stop public sale of synthetic chemical herbicides and pesticides, and stop use of such herbicides/pesticides on areas such as footpaths, verges, medians, drainage sumps, parkland, playing fields, playgrounds and bushland.

Apart from the submission provided in support of the petition, it is apparent from the report tabled that the only evidence taken by the Committee at that time was from Hon John Castrilli MLA, the Minister for Local Government. His response (dated 22 December 2008) was that he did not have legislative power to ... control the sale of herbicides/other chemicals (arguably something the petition implicitly acknowledged by its request for new legislation to be introduced).

Further, I note in more recent times that Mr. Chris Tallentire MLA tabled a petition in the Legislative Assembly on 6 May 2014 to stop the spraying of pesticides such as herbicides, fungicides, insecticides and biocides on public land and open spaces. This petition was signed by 287 people. I am unaware of any action taken following its tabling.

It is evident that many members of the public have enduring concerns about the use of herbicides and pesticides and these concerns have not yet been afforded due consideration or adequately addressed.

It is not only members of the public who have raised these issues, the Western Australian Auditor General has also noted concerns about the use of pesticides in Western Australia in the report *Management of Pesticides in Western Australia* dated 14 June 2015. One of the most concerning findings in the Auditor General’s report is the State-based food monitoring program has shown that accepted levels of pesticide residue have been exceeded in up to 11 percent of food samples in some years. Even more worryingly it was found that there was limited follow up or reporting of these results. This means that agencies are unable to effectively identify the causes of why these limits were exceeded and therefore they are not able implement measures to reduce exposure.

The Auditor General also found that the Department of Health and the Department of Agriculture and Food WA rarely carried out legislative checks which in the Auditor General’s opinion “increases the potential for inappropriate use of pesticides to occur and go undetected.” It is clear that the legislative framework surrounding the use of pesticides is outdated and is not serving to adequately protect the Western Australian community.

With the increasing use of pesticides within the Local Government and agricultural sectors, it is important that appropriate management and accountability measures are put in place. The European Union is managing the possible risks associated with the use of pesticides by issuing a directive aimed at promoting a sustainable approach. All EU countries are required to adopt National Action Plans aimed at setting quantitative objectives, targets, measures, timetables and indicators to reduce risks and impacts of pesticide use on human health and the environment as well encouraging the use of alternative pest management. We need to recognise the potential for harm and ensure our systems are adequately protecting our community.

Given the high levels of public concern coupled with the failings identified in to the Auditor General’s report, the Greens (WA) support an in-depth investigation through a Royal Commission into the all aspects of use of pesticides in WA. If there is one certainty to glean from the inquiries thus far, there is a lack of compliance measures and the gaps of responsibility between agencies are of such scale as to drive a road train through them. Hence I support the call for a Royal Commission level inquiry – its wide scope and investigative powers are sufficient to encompass the range of issues and to engage relevant stakeholders, including chemical manufacturers who are best placed to provide data on the safety of their products.

Yours sincerely



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**Member for South Metropolitan Region**  
June 2016

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