

AGRICULTURE AND FOOD — PERMIT PER13333

149. Hon Robin Chapple to the Minister for Agriculture and Food:

I refer to Permit Number PER13333 that allows for a range of scheduled poisons to be used in non-crop areas, which is in force from 2 March 2012 to 31 March 2022, and of which the Department of Agriculture and Food Western Australia (DAFWA) is the permit holder, and ask:

- (a) does this permit provide authorisation for DAFWA or local government authorities to use this list of chemicals in the urban environment at the locations described, that is cemeteries, rights of way, wetlands, bushland, industrial and commercial premises;
- (b) the permit describes those able to use these chemicals as “persons generally”:
 - (i) what does this mean exactly;
 - (ii) is this definition sufficient to ensure those applying these chemicals have the necessary training and qualifications; and
 - (iii) could this definition result in a person with no licence, experience or qualifications being able to apply these chemicals;
- (c) is there a formal arrangement between DAFWA and any other State or local agency in Western Australia to transfer any authority for the use of this permit to others;
- (d) if DAFWA does have authority to apply these chemicals in the urban environment, does DAFWA undertake any public health risk assessment prior to application;
- (e) if yes to (d), is there any oversight by the Department of Health or any other State agency;
- (f) how exactly is the risk analysis, including cost benefit, environmental values/protection, agricultural risk, balanced against risks to public health;
- (g) which agency has ultimate authority to make these decisions;
- (h) a number of active ingredients listed are schedule 7 poisons that are not permitted to be used in residential settings, so how does this permit relate to the label instructions of those poisons that clearly state “not to be used in residential areas”;
- (i) fluazifop is listed as an active ingredient, which is not registered for use in Australia, so is this permit referring to fluazifop-p-butyl and, if so, why is this not explicitly stated;
- (j) is it possible that DAFWA could apply fluazifop under this permit and, if so, why;
- (k) who is responsible for the compliance monitoring of applications of poisons authorised under this permit;
- (l) what responsibility does DAFWA have to inform the public and other relevant agencies to provide prior notification to the public of the application of poisons in these non-crop areas;
- (m) is DAFWA required to uphold the same responsibilities and practices as those required of local government authorities;
- (n) does DAFWA keep an adverse experience or complaints register when applying poisons in non-agricultural settings;
- (o) if no to (n), why not;
- (p) are there any other poisons listed in this permit that are banned overseas for use on non-agricultural areas, and/or restricted for use in residential areas, and/or not permitted to be used in other Australian states in non-agricultural areas;
- (q) was there any review or consideration of potential long term ecological and human health impacts prior to allocating another six year extension for this permit; and
- (r) if no to (q), why not?

Hon Alannah MacTiernan replied:

- (a) Yes.
- (b) (i) ‘Persons generally’ means the Australian Pesticides and Veterinary Medicines Authority (APVMA) has not restricted the permit to a particular department, company, person or class of person.
 - (ii) Yes.
 - (iii) No.

- (c) No, there is no formal arrangement between Department of Primary Industries and Regional Development (DPIRD) (was DAFWA) and any other agency. Use of the term ‘Persons generally’ in the permit allows other departments, local government authority, community group or person to use the permit.
- (d) No. The APVMA carries out risk assessments before approving the permit.
- (f) This is undertaken by the APVMA and needs to be directed to them.
- (g) For matters related to public health, the Health Department take the lead.
- (h) Environmental weed permit 13333 specifically excludes use in residential areas.
- (i) Full chemical names are given at the start of permit 13333, in the section, “Conditions of Use”. This section refers to “fluazifop-p present as the butyl ester” and is the approved active ingredient that is registered for use in Australia.
- (j) No.
- (k) Permit conditions are enforced under the *Health (Pesticides) Regulations 2011*, which is administered by the Health Department.
- (l) Responsibility lies with the user.
- (m) Government departments must comply with the same legislation for general pesticide use as for any other user.
- (n) No.
- (o) The APVMA has an Adverse Experience Reporting Program.
- (p) The APVMA regulates agvet chemical products that are registered/permited for use in Australia and makes regulatory decisions on the continued use of these products.
- (q) Yes, this is undertaken by APVMA.
- (r) Not Applicable.