



Government of **Western Australia**
Department of **Health**

Consultation Summary Report

For the discussion paper –

**Managing Public Health Risks Associated with Pesticides in
Western Australia.**

January 2020



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Summary

This report summarises the information received by the Department of Health (DOH) in regard to its consultation on the *Health (Pesticide) Regulations 2011*. It also summarises the responses and intended next steps for the DOH. It is not possible in a summary report to represent every view, so this report attempts to capture the main issues and themes raised and the key points of contention.

In July 2019, the discussion paper '*Managing Public Health Risks Associated with Pesticides in Western Australia*' was released for a three month comment period and extended for a further 2 weeks at the request of the Minister for Health. The paper discussed three options: repeal of the existing regulation without replacement (Option A); Retention of the existing regime by making new regulations identical to those under the *Health (Miscellaneous Provisions) Act 1911* as far as practicable (Option B) or Provide new updated regulations under the *Public Health Act 2016* (Option C).

The purpose of this consultation was to inform the implementation of the Public Health Act and associated review of existing regulations under the *Health (Miscellaneous Provisions) Act 1911*. The DOH sought to gain a better understanding of the potential impacts the proposed changes may have on industry, local government, other government agencies and members of the public associated with the management of public health risks associated with pesticide use and management.

The DOH received a total of 234 responses during the comment period (Refer to Appendix 1 for list of respondents). Overall there was majority support for Option C, (53.22%) While Option B gained 38.63% of the preferences; it became evident from the comments provided that many of these respondents would prefer Option C but were not supportive of Proposal 7 within Option C which proposed the DOH transfer enforcement responsibility to local government. Low levels of support were found for the remaining options. The DOH has analysed the responses to the proposed options outline in Option C and proposed their adoption or modification.

There was general agreement from all sectors that any approach should be risk based and if new regulations were to be developed that they must be clear, concise, maintain the status quo or preferably strengthen the current legislation. The majority of respondents felt the DOH was the best organisation to continue the management and enforcement of the regulations.

Further, clarification on a number of proposals under Option C has provided the DOH with the information required to be able to make decisions on which parts of the legislation need to be modified or strengthened and where the pest control industry, and private residents see changes to be necessary. The comments in this document are the views of respondents only and should not be taken as the views of the DOH. Recommendations by the DOH have been provided in italics.

Methodology

The objective of this review is to ensure appropriate measures are in place to minimise public health risks associated with the use of pesticides in Western Australia (WA). Whilst the pesticide industry has not raised any significant concerns with the existing regulations, an opportunity exists as part of this reform to consider emerging practices and improvements to further streamline and reduce any unnecessary regulatory burden on both the industry and the enforcement agency. The first option (A) is a choice of whether to continue with regulation or to remove regulation (See Appendix 2 for the consultation questions). Pesticide treatments in WA include any of the following:

Algicides	Avicides	Fumigants
Fungicides	Herbicides	Insecticides
Mineral	Molluscicides	Plant Regulators
Rodenticides		

The paper was circulated to a total of 138 local governments, 2,892 licenced pest management technicians, 933 registered pest management Businesses, state agency contacts, interest groups as well as over 400 subscribers to the DOH Environmental Health list server including local government staff and members of the general public. The consultation was also advertised on the Environmental Health Directorates webpages, the DOH's consultation hub website, the pesticide safety newsletter and also a presentation to the pest industry.

Stakeholders were asked to read the DOH's discussion paper '*Managing Public Health Risks Associated with Pesticides in Western Australia*' (available on the DOH website) and provide comment via:

1. the online citizen space survey;
2. email to publichealthact@health.wa.gov.au; or
3. mail to the Environmental Health Directorate.

Consultation findings

The DOH received a total of 234 responses.

Stakeholder	Responses	
State government	5	
Local government	71	
Industry:	Broadacre Industries	10
	Associations	10
	Pest Management Businesses – Urban & Fumigation	70
	Gardening Services	14
Action Groups	3	
General Public	5	
Unknown	46	
Total	234	

In total, the 234 responses were received via:

- 175 online citizen space consultation survey responses
- 44 email written submissions
- 11 Coordinated responses via WA Local Government Association (WALGA) excluding duplicated submissions by local governments that either completed the online citizen space survey or submitted their own written responses;
- 3 responses based on clear preferences for proposed options stated in email communication requesting extensions to the consultation period (however, no formal responses were submitted); and
- 1 late submission.

Local government respondents included those from both the environmental health and building professions with over 50% of local governments providing input into the consultation process. Responses were received from only 0.04% of the industry stakeholders contacted. This response rate is lower than would be expected compared to other external online consultations which typically averages a response rate of 10-15%. However, the total of 234 responses overall was significantly more than achieved for other public health consultations, which may have been diluted due to the size of the industry involved and number of licensed pesticide management technicians across the State.

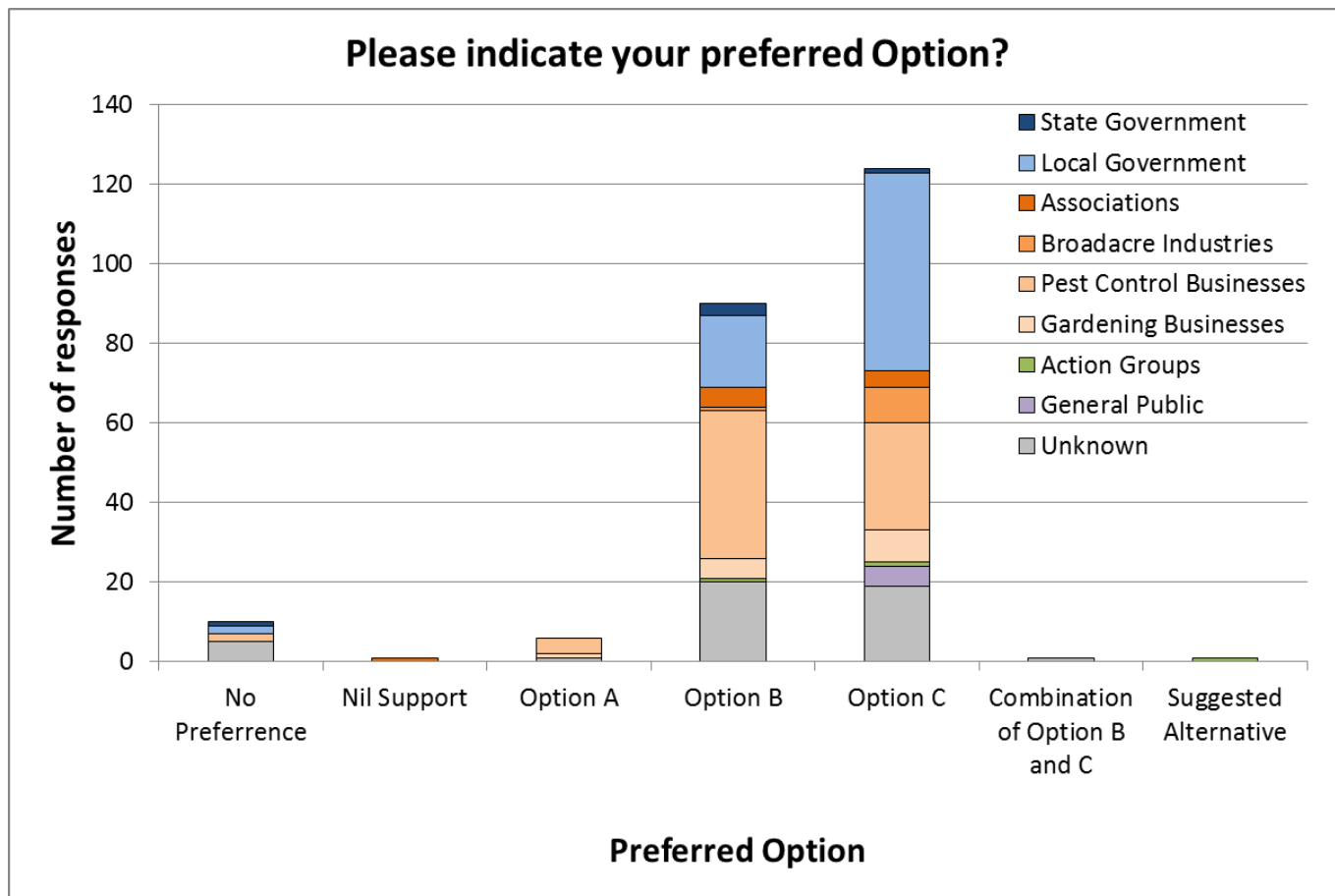
Findings on regulatory options

Respondents were asked to nominate their preference of three proposed options consisting of:

- 1) repealing the regulations without replacement (Option A);
- 2) retention of the existing regime by making new regulations identical to those under the *Health (Miscellaneous Provisions) Act 1911* as far as practicable (Option B); and
- 3) Provide new updated regulations under the *Public Health Act 2016* (Option C).

From the 234 respondents, 7 preferences were discernible including:

- 4.29% of respondents choosing not to provide a preferred option;
- 0.43% of respondents choosing not to support any of the proposed options;
- 2.58% of respondents supporting Option A;
- 38.63% of respondents supporting Option B;
- 53.22% of respondents supporting Option C;
- 0.43% supporting the combination of Option B and C; and
- 0.43% supporting a suggested alternative option.



No preference indicated

4.29% (10 respondents) did not select a preferred option out of the three proposed options explored in the consultation paper. Of these, five responses were from unknown sources, two from local governments, two from pest management businesses and one from a state government organisation.

Reasons for not choosing a preferred option appeared to be related to one of two concerns:

- 1) concerns in relation to proposal 7; the proposed transfer of responsibilities for the current enforcement agency of the pesticide industry from the DOH to local governments. Reasons cited for not agreeing with local governments taking on the enforcement role for the pesticide industry included:
 - Local governments in regional, rural and remote areas of WA do not have the financial nor the resources or expertise, to provide management and regulatory oversight of pesticide and chemical use within their districts;
 - Any new regulation that centres on management and oversight of pesticide use in WA must continue to be a core responsibility of the State Government;
 - Individual local governments should be given the opportunity to act as an agent on behalf of the DOH (should they choose) on a full cost recovery basis;
 - This is simply a transfer of responsibility, costs and liability away from the State to Local Government;
 - The legislative responsibility must remain with one head of power (i.e. the DOH) and not spread across 138 individual government authorities which will only lead to interpretation issues and increased inconsistency with how the legislation is implemented and/or enforced;

- I foresee major conflicts and discrepancies being created with the input of inexperienced personnel within the Shires; and
- Local Government Authorities (LGAs) are already poor at using and ensuring safe practices on their lands and hence should not be expected to regulate the pest control industry.

2) Increasing clarity and stakeholder engagement including:

- If new regulations are to be put into place, further clarity and broad stakeholder engagement on the content of the new regulations should be sought.

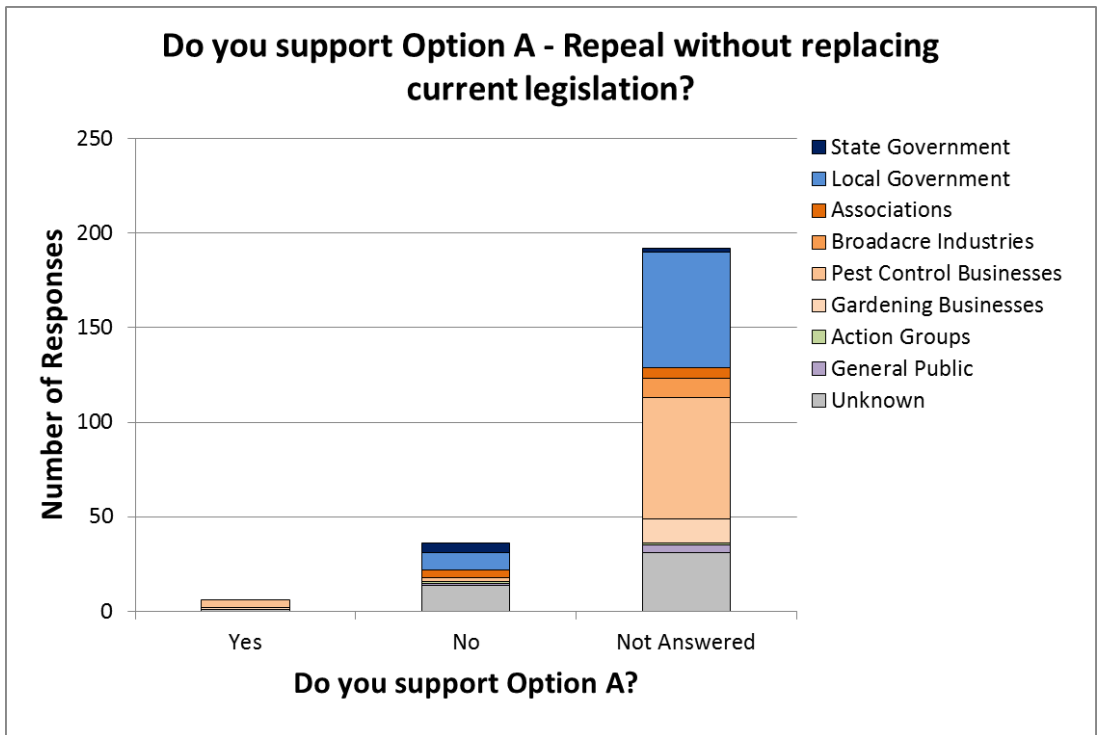
Support none of the proposed options

0.43% (1 respondent) stated that they did not support any of the three proposed options explored in the consultation paper. This single response was submitted by an industry association.

Reasons stated for not choosing a preferred option appeared to be related to a concern that the options proposed may disrupt efforts for harmonisation of national guidelines. The AgVet Regulatory Framework is currently under review and it was expressed that any proposal for the control of use or licensing regulations in WA would be premature and has the potential to disrupt efforts at national harmonisation.

Option A: Repeal without replacement

2.58% (6 respondents) supported the repeal of regulations without replacement. Of these, four respondents were from the pest management industry, one from a gardening business and one response was unidentified.



However, after review of the comments submitted from these respondents, it is clear that three of the respondents may have misunderstood the question by providing comments including:

- “It’s regulated well as it is”;
- “It’s working”; and
- “Because I don’t think we need to change”.

All three of the responses seem to suggest that they support the current legislation (Option B) and the responses go against repealing the current legislation, contradicting the respondents support for Option A to repeal without replacing the current legislation.

Further, a fourth respondent provided comment stating “works for me” that could be interpreted in two opposing ways. However, the comments provided by this respondent at the end of the online survey stated, “I think I have been in the game for that long that change is not needed”. Once again, this statement indicates that the respondent has misinterpreted the question to repeal without replacing current legislation that would lead to unregulated use of pesticides.

Of the two respondents that stated they supported Option A; one also provided comment on the proposals provided under Option C including providing support for the proposal:

- to expand the criteria for exemption from licensing on primary production sites in remote locations;
- to remove current exemptions from licensing for State and local government employees;
- for minimum standard signage indicating pesticide use in public spaces to be prescribed; and
- that registration and licence validity be amended to include a 3-year option.

Further, the same respondent also stated they did not support the proposals to:

- recommend prescriptions regarding fumigations to be excluded from regulation;
- recommend prescription regarding registered pesticides to be excluded from regulation;
- for local government to replace the DOH as the enforcement agency; nor
- the proposal to include substance management plans in the requirements for registered proprietors and any individuals exempt from licensing that use restricted chemicals.

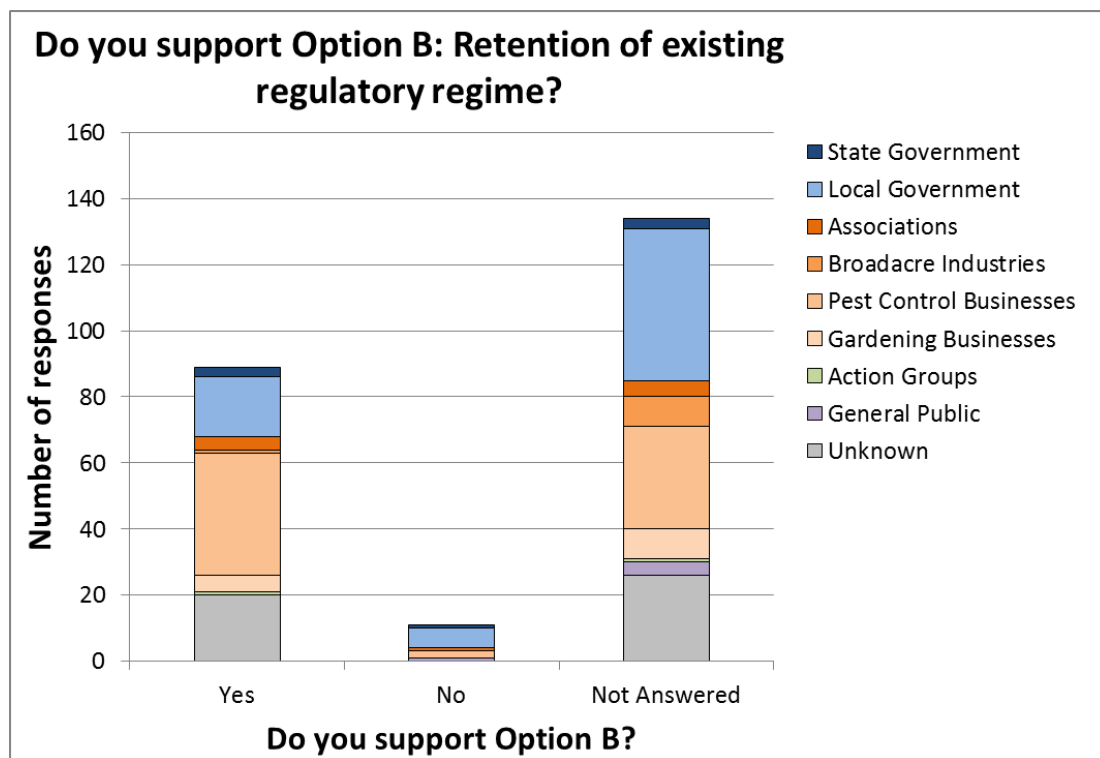
Reasons provided by respondents for not supporting Option A included:

One respondent pointed out that WA “is part of the National Registration Scheme for agricultural (pesticides) and veterinary chemicals, as agreed by the Council of Australian Governments (COAG)” and that if the “*Health (Pesticides) Regulations 2011* were repealed without replacement; WA would be in breach of the COAG agreement”.

Option B: Retention of the existing regulatory regime by making new regulations under the *Public Health Act 2016* identical to those in force under the *Health (Miscellaneous Provisions) Act 1911*.

38.62% (89 respondents) supported the retention of the existing regulatory regime by making new regulations under the *Public Health Act 2016* identical to those in force under the *Health (Miscellaneous Provisions) Act 1911*. Support for Option B was across all categories including:

- State Governments Departments – 3 respondents;
- Local Governments – 18 respondents;
- Associations – 4 respondents;
- Broadacre industry – 1 respondent;
- Pest management businesses – 37 respondents;
- Gardening businesses – 5 respondents;
- Action Groups – 1 respondent; and
- Unknown respondents – 20 responses.



Those who supported Option B perceived the key benefits as follows:

- It applies a scientifically based approach across the State;
- Maintains the status quo, especially while the national guidelines are under review;
- Maintains the regulatory oversight and leadership of the DOH and does not pass on the burden to local government;
- Maintains the prescriptive nature of the existing regulations which is preferable;
- Maintains the current effective management and systems in place;
- The regulatory regime currently seems to have served the community well and regulatory burden to local government is minimal; and
- Because they are sensible, reasonable and don't need changing.

Further themes emerged in participants responses to Option B including:

Protection of public health

Some respondents stated that the DOH is the best organisation to control the pesticide industry with unbiased rulings and many respondents saw this option as the only way to continue to ensure acceptable public health outcomes.

Consistency and certainty

Some respondents noted that state-wide legislation is needed to provide clarity and certainty to enforcement agencies and industry. Under Option B legislative requirements can be applied consistently across the state by a single agency, being the DOH. Pesticide application is regulated and licensed by the DOH with consistency across the whole state, regardless of local government's jurisdictions. Pesticide regulations should be governed by a single regulatory body for the entire industry.

The current Regulations have only been in operation since 2011 and reflect best practice in managing the risk of using hazardous chemicals such as pesticides. Industry have shown much support when they were introduced in 2011 replacing the outdated 1956 Regulations. Industry also supports uniformity, certainty and direction.

Maintaining corporate knowledge

Further, some respondents stated that the DOH was the best organisation to control the pesticide industry and felt a centralised place for licensing and regulations was less confusing, providing clarity and central repository for information.

Many of the respondents chose to maintain the status quo due to concerns around some of the proposals outlined in Option C. One of the major concerns raised by respondents selecting Option B was that devolving responsibility to local governments was irresponsible, would be costly to implement and maintain would place pressure on local government staff and resources and lead to inconsistency in management, interpretation and enforcement of the Regulations. 35 (39%) respondents that chose to support Option B stated that they did not support Proposal 7 of Option C to promote local governments as the enforcement agency.

Although many respondents supported Option B, they also stated that changes were required in the current legislation for the following reasons:

- Improvements are required in the regulation and enforcement of public, environmental and occupational aspects of the current regulatory regime;
- the regulatory obligations are considered over and above the potential public health risk posed by pesticide application particularly for the forestry sector;
- there should be consistency across Australia and changes are required to bring Regulations into alignment with other states and territories;
- The DOH should be able to enforce safe practices and ban and fine 'off-label' practices on the spot;

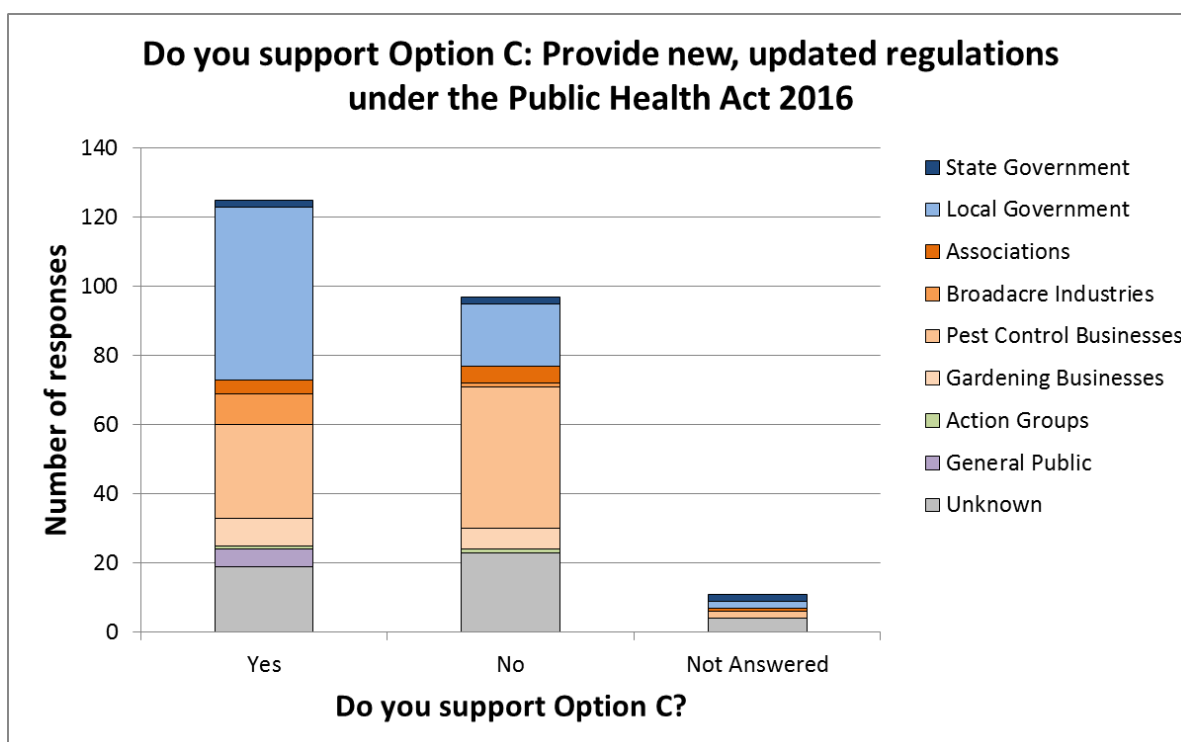
- The signage requirements for pesticides in public areas should be clearly defined to identify the minimum number and size of signs that must be displayed; and
- Find an alternative safe option to the use of glyphosate.

In conclusion, it became evident from the comments provided by many respondents that their support for Option B was largely in response to proposal 7 under Option C to devolve responsibility for licensing and enforcement of the pest control industry to local governments. It should be stated that the intention of Option C was to modify the proposed regulations if supported by the majority of respondents. Thus, many of these respondents could have chosen Option C and rejected Proposal 7. However, it appears that many respondents felt they had to choose Option B to ensure the regulations were not changed and management, licensing and enforcement of the pesticide industry remained the domain of State Government.

Option C: Provide new, updated regulations under the Public Health Act 2016.

Overall, 53.22% (125 respondents) stated that they preferred Option C to provide new, updated regulations under the *Public Health Act 2016*. Support for Option C was across all organisation categories including:

- State Governments Departments – 2 respondents;
- Local Governments – 50 respondents;
- Associations – 4 respondents;
- Broadacre Industry – 9 respondents;
- Pest management businesses – 27 respondents;
- Gardening businesses – 8 respondents;
- Action Groups – 1 respondent;
- General Public – 5 responses; and
- Unknown respondents – 19 responses.



Those who supported Option C perceived the key benefits as follows:

Modernise and improve current legislation

Some respondents felt that the DOH has the opportunity to modernise the legislation and continue to maintain best practice. More specific responses also indicated that there was an opportunity to significantly improve current agricultural pesticide use and to update the regulations to enable progressive change to address current limitations. This would ensure that the legislation is contemporary and meets future challenges. It would also take into account the evolution of new and emerging pesticides with different chemical compositions and ensure the legislation looks to the future in both the chemicals coming on to the market and in the methods used to deploy them into the environment.

Protection of public health

Some respondents stated that the DOH is the best organisation to control the pesticide industry and as the only way to continue to ensure public health outcomes. New regulations can provide the regulatory safeguards whilst at the same time providing a risk-based framework that would be consistent across all jurisdictions in WA. New regulations will provide an opportunity to address new and emerging public health risks through assessment of updated information on safety that may have recently come to light.

Consistency and certainty

Some respondents noted that statewide legislation is needed to maintain standards, yet to be equitable across the state in its administration. Others felt that this option provides the opportunity to allow some of the current inconsistencies to be addressed and provide more flexibility to the industry.

Licensing, training and safety

New updated regulations were also cited as an opportunity to continually improve the professionalism and safety of the industry. They could ensure that correct licensing and training is obtained by competent and professional individuals and that the environment could be protected further through additional education to ensure the proper use of pesticides.

Further, respondents who supported Option C also stated that new regulations could:

- provide improved investigative powers for enforcement agencies;
- limit or remove the use of pesticides especially near schools and homes;
- strengthen the use of scheduled pesticides as technology changes and the products change, which will allow the DOH to be in a stronger position rather than relying on a multitude of local laws;
- simplify the system and reduce red tape; and
- incorporate performance-based criteria.

Lastly, a number of respondents requested the opportunity for further clarity and stakeholder engagement prior to the adoption of any new regulations.

Option C: Additional Proposals

Respondents who supported Option C: were asked for feedback on the additional proposals that could be considered by the DOH. Comments on these proposals have been detailed below. It is recommended that the following options are progressed:

Proposal 1: Do you support the listed recommendations to maintain registration requirements for pest management businesses? is adopted and will be retained in the *Public Health Act 2016*.

Proposal 2: Do you support the listed recommendations to maintain licensing requirements for individuals undertaking pest management treatments unless they meet the criteria to qualify for an exemption from licensing? is adopted and will be retained in the *Public Health Act 2016*.

Proposal 3a: Do you support to expand the criteria for exemption from licensing on primary production sites in remote locations to include all forms of pesticide applications is adopted. As the risks associated with pesticide use are substantially reduced due to the remote nature of these primary production sites, the sparse population in the vicinity and the fact that primary producers do not provide a fee for service. Further, the DOH understands that there are other processes in place through the Department of Primary Industries and Regional Development (DPIRD) to manage pesticide use by primary producers.

Proposal 3b: Do you support the proposal to remove the current exemption from licensing for State and local government employees? is not adopted. The DOH notes that this option has generated considerable discussion without a clear division in response. The current State and local government exemption from licensing will be retained within the new regulations along with a new provision that all State government and local government employees who are exempted from licensing and apply pesticides must meet an equivalent training standard to that required for licenced PMTs. The Chief Health Officer will issue a guideline that will specify the minimum training requirements for State and local government.

Proposal 4: recommendations for minimum standard signage indicating pesticide use in public places should be prescribed? is adopted. It was considered by many that prescribing minimum standard signage within the regulations would remove confusion and provide consistency in the approach, especially regarding use in public spaces where signage would allow the public to be able to make an informed decision on whether to enter areas that were or had undergone pesticide treatments.

Proposal 5: recommendations for prescription regarding fumigations should be excluded from regulation? is not adopted, as the consensus was that this activity is considered to be high risk and a consistent approach is required. Further, it was considered that minimum qualifications are required for fumigations to ensure public health standards.

Proposal 6: Do you consider that any of the recommendations for prescription regarding registered pesticides should be excluded from regulation? is not adopted. In general, the public consultation found 65.6% of respondents were content with the status quo under the existing legislation.

Proposal 7: Do you support the proposal that local government replaces Department of Health as the enforcement agency? is not adopted. The general consensus from the public

consultation was that the DOH should remain as the enforcement agency. The administrative burdens placed on local governments, the loss of consistency in applying the regulations and loss of a centralised database were the main reasons cited to maintain the current role of enforcement by the DOH.

Proposal 8: Do you support the proposal that registration and licence validity be amended to include a 3-year option? is adopted, with 75% of respondents in agreement with the addition of a 3-year registration and licensing system being put in place.

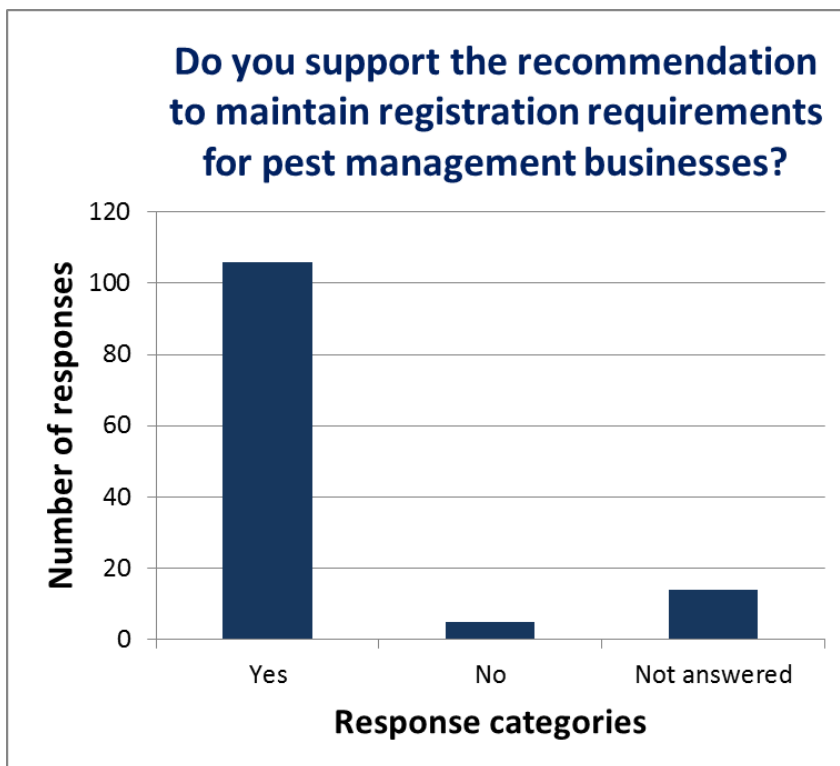
Proposal 9: Do you support the inclusion of substance management plans in the requirements for registered proprietors and any individuals exempt from licensing that use restricted chemicals? is adopted with 72% of the respondents in favour of the development of substance management plans.

Proposal 1: Do you support the listed recommendations to maintain registration requirements for pest management businesses?

85% of the 125 respondents supported Proposal 1 to maintain registration requirements for pest management businesses.

In general, supporters for the maintenance of registration of pest management businesses indicated several broad reasons for this including:

- maintaining best practice;
- identification of businesses; and
- auditing and reporting.



Maintaining best practice

In general, many respondents supported maintenance of registration requirements for pest management businesses as this was believed to lead to and maintain best practice for the industry. They believed business registration increased responsibility and ownership onto the pest management businesses themselves, ensuring the majority did the right thing. Others believed this was essential for businesses to be accountable, ensuring staff remained trained in the correct use and application of chemicals. Others suggested that the current standards should be maintained, while others believed the regulations could be strengthened regarding business licensing requirements. Overall, many of these respondents suggested that maintaining business registrations would reduce the risk of inappropriate use of chemicals and the overall risk to Public Health.

Identification of Businesses

Many of the respondents stated that the registration of businesses provided a central database that is imperative in monitoring those businesses undertaking potentially hazardous work. It was also felt that registered businesses provided clarity and confidence in the industry and provided a means by which the general public could identify legitimate businesses. A few respondents mentioned that registered businesses could be identified through their business registration number that is required to be displayed on vehicles and offices. This would allow members of the public to be able to identify specific businesses or technicians with whom they may have a complaint or wish to report a business for investigation.

Auditing and Reporting

It was also felt that the maintenance of registrations for businesses provided a means for auditing and ensured compliance of the industry. It was also felt that registrations allowed tracking of businesses and provided evidence of compliance for the industry. Some respondents felt that the registering of businesses allowed assessment of those businesses, allowing businesses providing services to be assessed, inspected and held accountable for their actions.

Overall the consensus indicated that the cost to business for registration was minimal but was considered to be beneficial in helping to ensure appropriate standards are maintained and also assists in investigations should complaints from the public be received. Some respondents felt that the maintenance of registration of businesses would allow “rogue operators” not undertaking work appropriately to be identified which was considered to help protect genuine pesticide businesses doing the right thing. It was also felt that businesses should be registered so that they are easily contactable. Some respondents felt registered businesses can be similarly assessed and inspected and proves a level playing field for all in the industry. In addition, requiring businesses to be registered against certain standards of operation will improve compliance and the level of service as well as reducing public health risks.

A couple of respondents stated that if the industry was unregistered, it would lead to an increase in untrained or unskilled operators that would lead to underperformance, inappropriate use of chemicals and a general increase in the risk to the general public. If the industry was unregulated the associated public health risks are likely to increase and the potential harm to the public was felt to be greater.

While the majority of respondents were in favour of maintaining registration for pest management businesses, a few made requests for consideration by the DOH including:

- a once off payment for registration;
- the rules on requirements to be registered to be strengthened; and
- gardening businesses felt that registration of their gardening businesses became costly when the application of chemicals made up such a small part of their day-to-day duties.

Recommendation:

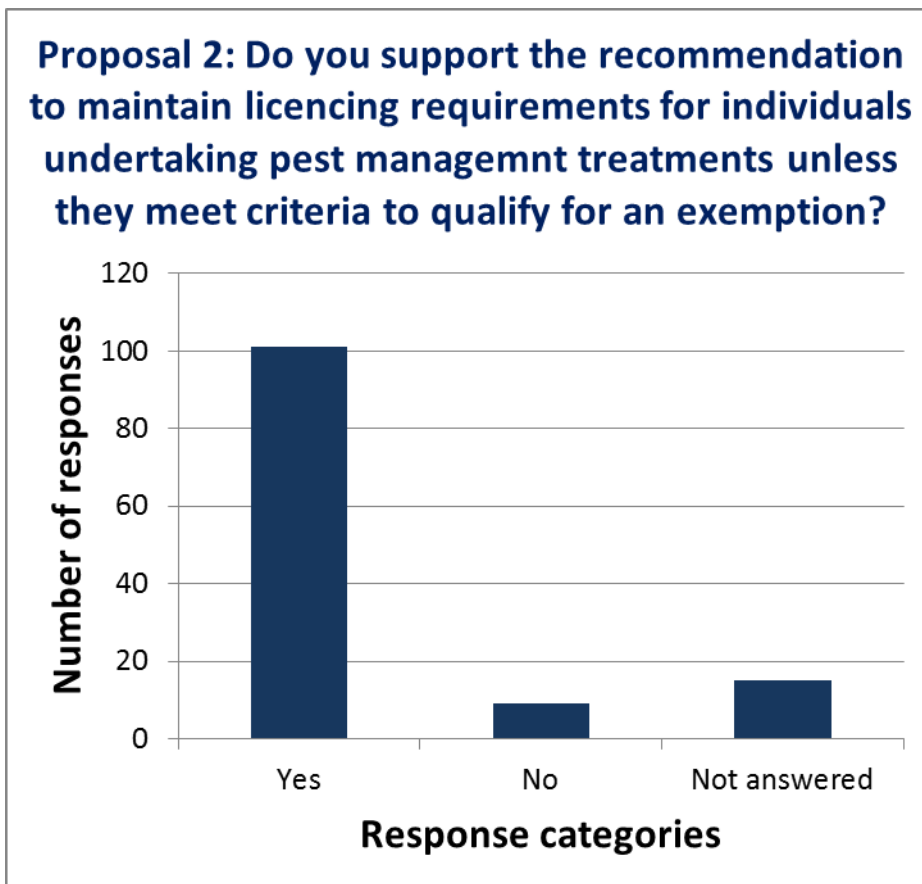
The DOH recommends that this proposal be adopted. Maintaining the registration requirements of pest management businesses sets a standard for the industry, ensures personnel are trained appropriately, allows identification and inspection of businesses and will continue to maintain public health standards. 85% of respondents supported the proposal with a further 11% not responding to the proposal. There is consensus to maintain the registration of pest management businesses and there will be little impact on processes or workload for private businesses to continue the registration of pest management businesses as per the current Health Pesticide Regulations.

Proposal 2: Do you support the listed recommendation to maintain licensing requirements for individuals undertaking pest management treatments unless they meet criteria to qualify for an exemption?

81% of the 125 respondents stated that they supported the recommendation to maintain licensing requirements for individuals undertaking pest management treatments. 7% were not in favour of maintaining licensing requirements for individuals undertaking pest management treatments while 12% did not respond to the proposal.

Common responses to this proposal included:

- the need to maintain licensing;
- ensuring trained technicians and improving industry standards; and
- concerns on exemptions to this requirement.



Need to maintain Licensing

81% of respondents recommended maintaining licences for individuals undertaking pest management treatments. Many stated that licensing is used for similar purposes to control individual activities (e.g. driving vehicles, asbestos removal, electrical contractor etc.) and thus licences for applying pesticides should have similar levels of controls and educational proficiency requirements. Similarly, it has been stated that practitioners promoting health have to be licensed and registered so why not individuals that may use chemicals for the control of pests that may then come into contact with the general public. Overall, maintaining licences for pest management treatments was felt to ensure pesticide related activities are consistent with best practice.

It was also stated that the DOH should maintain a database to monitor licensed individuals undertaking the pest management treatments, as this is a good way for the public to identify legitimate technicians and be able to report or make complaints to local governments or the DOH.

Ensures trained technicians and maintaining standards

Many respondents also felt that licensing was required to ensure staff were trained appropriately and that a set of standards were created and maintained. General consensus was that pest management technicians needed to be adequately trained for the activities they undertake to ensure they are carried out in a safe and practical manner that does not expose risks to the pest control operator or the general public.

A licensing system for individuals will help ensure that each person applying pesticides has suitable skills and knowledge to handle the products in question, without putting the safety of the public at risk. Depending on the activity and products being used, the level of risk may change, and technicians may need to be skilled at various levels for the pesticides they may apply. Low risk activities may not require the same level of oversight as higher risk chemicals and a licensing system will ensure high risk activities are restricted to those people suitably qualified. Licensing ensures standards are known and required to be maintained. Imposing conditions and listing restricted-use pesticides on the licence is very helpful, particularly when investigating compliance issues.

A couple of respondents felt that the current licensing arrangements for pest management technicians needed to be maintain and strengthened. Some felt that stricter licensing requirements were needed to improve the technicians and their knowledge and that this would lead to improved public health outcomes.

Exemptions

Some respondents had contradictory points of view on exemptions to the requirements for licensing. Some felt that local government employees should be able to apply for exemptions for basic weed and mosquito control. Similarly, comments in regard to remote primary producers using pesticides on their own properties where the public health risks are minimal should also be able to be exempt from licensing requirements. In addition, some businesses/people who hire seasonal workers felt it was difficult to obtain appropriately trained and qualified personnel for minor treatments and that it was an economic drain to have to gain licences for these seasonal staff.

However, others felt that there should be no exemptions to the requirement for a licence, stating that all pest management technicians should be required to have suitable qualifications for the use of pesticides. Some felt that the level of qualifications should be increased, and the level of scrutiny heightened to ensure maintenance of a highly qualified and safe industry.

Clarity is required around the criteria for qualifying for an exemption.

In general, the advantages for maintain licensing of individuals undertaking pest management treatments is to ensure standards are known, understood and maintained. A licensing system for individuals will help ensure that each person has suitable qualifications, skills and knowledge to handle the products in question without putting the safety of the public at risk. Depending on the activity and products in question, the level of risk to the individual and the general public may change, and a rating system based on skills may overcome concerns in relation to the application of pesticides of differing levels of risk. Low risk activities may not require the same level of oversight or restrictions as higher risk treatments and a licensing system may ensure high risk activities are restricted to those with suitable qualifications.

However, others proposed the opposite argument indicating that there should be no exemptions.

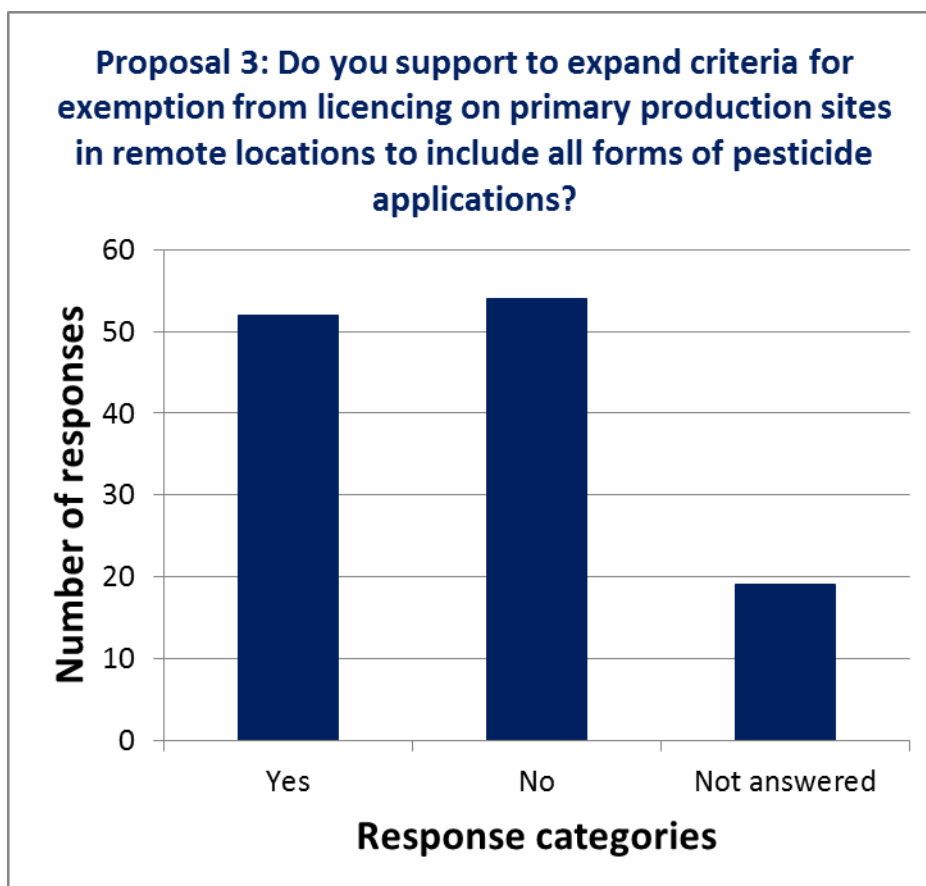
Recommendation:

The DOH recommends that this proposal be adopted. Maintaining licensing requirements for individuals undertaking pest management treatments sets a standard for the industry, ensures personnel hold a minimal qualification and will continue to maintain public health standards. 81% of respondents also supported the proposal with a further 12% not responding to the proposal. There is a consensus to maintain the status quo and maintain licensing requirements for individuals performing pest management treatments.

Proposal 3a: Do you support to expand the criteria for exemption from licensing on primary production sites in remote locations to include all forms of pesticide applications?

Of the 125 respondents who provided responses to proposal 3; 42% indicated they supported an exemption from licensing for primary production sites in remote localities, while 43% did not. 15% refrained from answering the question.

General comments in support of the exemptions indicated that some thought the proposal was a practical approach for remote primary production sites and where the general risk to the public is minimal. Some respondents felt that pesticides were not cheap and primary producers



were not going to apply pesticides at a higher rate than needed or when it is not required. It would also mainly apply to private property so the risk to the general public is low. It may be possible to still build in a safety net even with providing an exemption using a set of guidelines (i.e. Pesticide Guidelines developed by the DOH) which would then be required to be adhered to and may provide some safety despite an exemption. If there was an offence specified for failing to comply with the guidelines this would still create an enforcement option whilst still removing the administrative and licensing burden for remote primary producers.

Although some respondents opposed this proposal, they stated that expanding the criteria for exemption from licensing on primary production sites in remote locations to include all forms of pesticide application was supported except for Schedule 7 poisons and fumigants. There should also be a minimum standard of training for these exempted individuals so that they are aware of proper safety requirements for the handling of the chemical and appropriate personal protective equipment.

Others who opposed this proposal stated that being remote, there is a possibility of primary producers starting up a pesticide business and carrying out work on other people's property, not just their own and this needs to be considered.

General themes in response to the proposal for the exemption of primary production sites in remote locations for all forms of pesticides included:

- the protection of farmers, their families, and the general public;

- maintenance of requirements for minimal personal protective equipment;
- maintenance of training and basic knowledge;
- concerns around exposure;
- future land use and infrastructure concerns; and
- the definition of “remote”.

Protection of farmers, their families and general farm workers:

General comments rejected the provision of exemptions for primary production sites in remote locations due to concerns that many farmers may be at risk of exposure to numerous chemicals on a regular basis, without any formal training. It was considered that the provision of exemptions would increase the risks to farmers, farming families and farm workers. The critical training and knowledge required to safely implement pesticides was lacking if exemptions were allowed in remote localities. It was felt that all users, regardless of their location, need to be adequately trained in the use of pesticides. Some respondents stated that a training program should be implemented, similar to that of the Department of Agriculture, where training of a compulsory nature could take place.

Personal Protective Equipment

Several respondents felt that the provision of exemptions on primary production sites in remote localities could lead to a decline in the use of personal protective equipment by untrained handlers. It was recognised that some handling of pesticide concentrates was occurring without adequate personal protective equipment, but it was felt that this was largely by untrained and unsupervised individuals. The provision of exemptions at primary production sites was cited as a possible link to a reduction in the use of personal protective equipment leading to a higher risk to agricultural sector.

Training and maintaining a basic knowledge base.

Some respondents suggested that there needs to be a form of education and training for growers who wish to use restricted chemicals on farm settings to ensure their own safety. While it was agreed that the risk to the general public was lower in remote localities and on farm properties, it was still felt that the DOH had a duty of care to farmers and their families and workers. In summary, some respondents felt that less regulation of the industry would lead to a decline in people with the correct knowledge and skills for the use of pesticides and that would lead to an increased risk for farmers, their families and employees. If exemptions were to be provided, the primary producer should still have to provide a management plan to ensure the pesticide applicators are aware of the risks, safety precautions required, the environmental considerations and personal care that should be considered prior to the use of chemicals.

Further, some respondents were concerned that exemptions on remote primary production sites could lead to farmers using seasonal farmhands, fruit pickers, back packers and so forth to apply pesticides without being adequately trained or without knowing the risks and appropriate application methods. The maintenance of licensing requirements would help ensure farmers are held responsible for all chemical use on their primary production sites.

Fumigations using the higher risk pesticides (with the potential for greater environmental damage and/or public health risks) should be undertaken by fully qualified personnel, regardless of

location. Assessment should include consultation with the local government; however approval should be undertaken by a centralised body that has subject matter experts in fumigation. Exemptions should not be provided for high risk pesticide applications like fumigations, even on remote primary production sites.

Exposure

The provision of exemptions could result in contamination or risk to public health. Run-off from primary production sites (e.g. farm causing environmental pollution, bioaccumulation and inadvertently working its way up the food chain). Although this issue may be covered by other relevant authorities, consistency should dictate that regulation remains at primary production sites.

Others felt that the provision of exemptions for primary production sites could lead to exposure if the use of broadacre herbicides were used without appropriate knowledge and skill. For example, spray drift may occur if wind and weather conditions were not taken into account due to a lack of knowledge and understand through the removal of licensing requirements. It was also felt that exemptions could lead to a greater risk to terrestrial and aquatic environments, impact sensitive crops and potential impact on humans and animals/livestock. Further the disposal of empty chemical drums was cited as a further concern.

The provision of exemptions will only work if the operators undertaking the pest control activities do so in accordance with current regulatory requirements in terms of such things as pesticides used and rate of application.

Land use planning and future development

Some respondents felt that exemptions should not be provided to primary producers in remote localities as future land use and development on the outskirts of regional communities may be impacted by residues/contamination from pesticide use in what was once an agricultural setting. Some discussed the potential for farms near towns that may be considered "remote" could potentially become locations for future housing and it was felt that the risk to future landholders was of concern. As we cannot predict the future land use of an area, or where future populations may exist, the exemption to primary producers in remote localities should not be implemented.

Definition of remote?

Some respondents felt that the term 'remote' was not adequately defined for them to be able to make an informed comment on the proposal for exemption of primary production sites. The discussion paper infers that properties zoned rural would be considered as remote, which is often not the case (for example in the south west, large scale farming properties/orchards are often located adjacent to rural residential zoned properties with resultant issues concerning spray drift leading to conflict). Others cited the example of the northwest Kimberley region or areas around Carnarvon where agricultural activities often take place in close association with established town sites or residential areas.

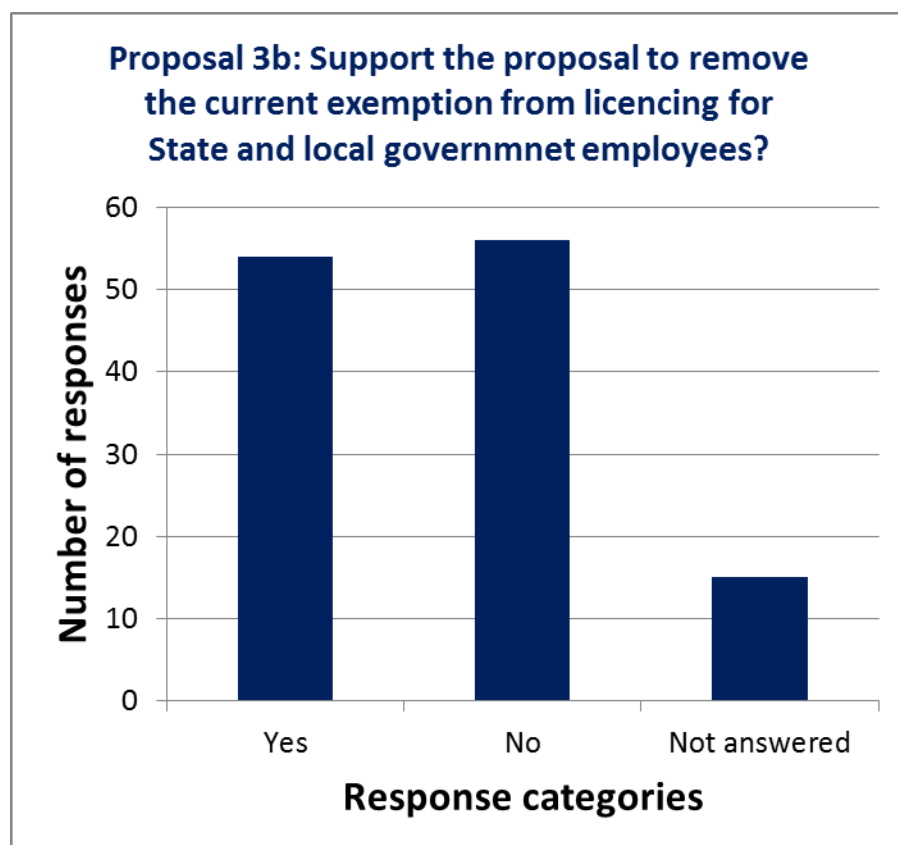
More information as to what would be deemed as 'remote' is needed to be able to make an informed decision on the proposal outlined.

Recommendation:

The DOH recommends this proposal be adopted. As the risks associated with pesticide use are substantially reduced due to the remote nature of these primary production sites, the sparse population in the vicinity and the fact that primary producers do not provide a fee for service.

Further, under the Health Medicines and Poisons Act 2016, primary producers are still required to undertake appropriate training in order to procure and use schedule 7 chemicals. Also, the DOH understands that there are other processes in place through the Department of Primary Industries and Regional Development (DPIRD) to manage pesticide use by primary producers.

Proposal 3b: Do you support the proposal to remove the current exemption from licensing for State and local government employees?



43.2% of respondents were in favour of removing the current exemption from licensing for State and local government employees, while 44.8% were not. Overall 15% of respondents did not answer the question in regard to the proposal to remove exemptions for State and local government employees.

Common themes from the respondent's comments included:

- training;
- level playing field;
- additional cost to local government; and
- provision of a duty of care.

Training

General comments suggested that training was an essential aspect for the safe and effective application of pesticides, especially in public places. It was considered inappropriate to allow untrained individuals to have the ability to use pesticides without appropriate training and knowledge as this could lead to safety concerns for the individual applying the chemical and the general public. All people applying chemicals in open public space should be trained and hold an appropriate licence to complete these activities. There must be a duty of care to ensure everyone using pesticides and herbicides has the appropriate training.

Local governments already train operators and have systems in place to alert the public of pesticide spraying, such as public consultation and advertising. The risk factor is very low being mostly verge spraying on their own land.

Level playing field

Some respondents felt that State and local governments competed for work, yet they were not subject to the same rules and regulations as contractors or pesticide businesses. Removing the exemption for State and local government officers would level the playing field and ensure that anyone who applies pesticides is required to meet the same standards. Further some respondents felt that State and local government employees regularly apply chemicals in open spaces that could impact the health of the general public and therefore they should be held to the same standards as pesticide businesses. The rules should be the same for all, no matter who the pest management technician works for.

Some felt that exemptions could be based on a risk approach, depending on the categories of the chemicals used and should be on a case by case basis. Others stated that it could be made mandatory for all local government to have a Pesticide Management Plan in place in order for the exemption to apply which would still provide some safety net whilst also minimising any administrative costs.

Additional costs, administration and staffing for Local Governments

Several local governments raised concerns in regard to the additional costs that would be associated with having to ensure staff were trained and licensed to carry out these day-to-day activities. Some stated that the costs to hire, train and licence pest management technicians through local government would need to be passed on to rate payers. However, some local governments stated that they had already licensed employees as pesticide operators to be able to demonstrate to the community that the council takes the application of pesticides seriously and largely sees itself as needing to uphold the standards that apply to the commercial sector. This is particularly important because the local government receives frequent criticism from (mostly ill-informed) members of the community. Therefore, from the perspective of the council, the requirement for all local government employees that use pesticides needing to be licensed is unlikely to present with any significant issues as the local government is already mostly compliant. However, it is recognised that this may not be the case for many local governments and therefore may impose an extra cost burden to them and their rate payers. Increasing the red tape for regulatory authorities is not a feasible option.

However, other local governments felt that the removal of this exemption would reduce the overall risks to their staff. One council stated they currently had 30 staff that were currently exempt from licensing requirements and although the Council provides its own training, procedures and supervision, it would improve the diligence and reduce the overall risk to the applicators as well as the general public. Some felt that having a licensed pest management technician on local government staff would increase the level of safety in pesticide application by the local government. Individual licensing may also protect the council against future liability claims from staff utilising pesticides.

While other respondents indicated that local governments would not be able to provide these services if exemptions for pest control were no longer available for local government employees. Further, it was felt that local government was often responsible for managing large areas of public space for a range of pest control activities and if they were required to licence staff, the size of the areas that the council could continue to manage would need to be reduced due to the expense of having to train and maintain licensed staff.

Some respondents claimed that the results to proposal 3b to remove the current exemption for State/local government employees may be biased dependent on the locality of the local government responding to the question. This was investigated and the following analysis did not help clarify the responses to the proposal. Slightly more metropolitan local governments (12) were in favour of the removal of the exemption compared to 9 regional local governments. In addition, a slightly stronger response against the proposal was observed by regional LGA's (10) compared to four metropolitan local governments. Similar numbers of local governments were unsure or did not respond to the proposal with five metropolitan LGA's and eight regional LGA's choosing

not to provide a response. Thus locality of the respondent does not appear to be a significant factor in the neutral responses observed to this proposal.

Duty of care

Local government also has a duty of care to its employees and community to undertake any activity safely and through best practise. The removal of exemptions would enhance skills of staff and provide added confidence for the general public.

However, others felt there was a contradiction in the proposals put forward by the DOH suggesting an exemption be put in place for primary producers in remote localities while removing exemptions for State and local governments.

Recommendation:

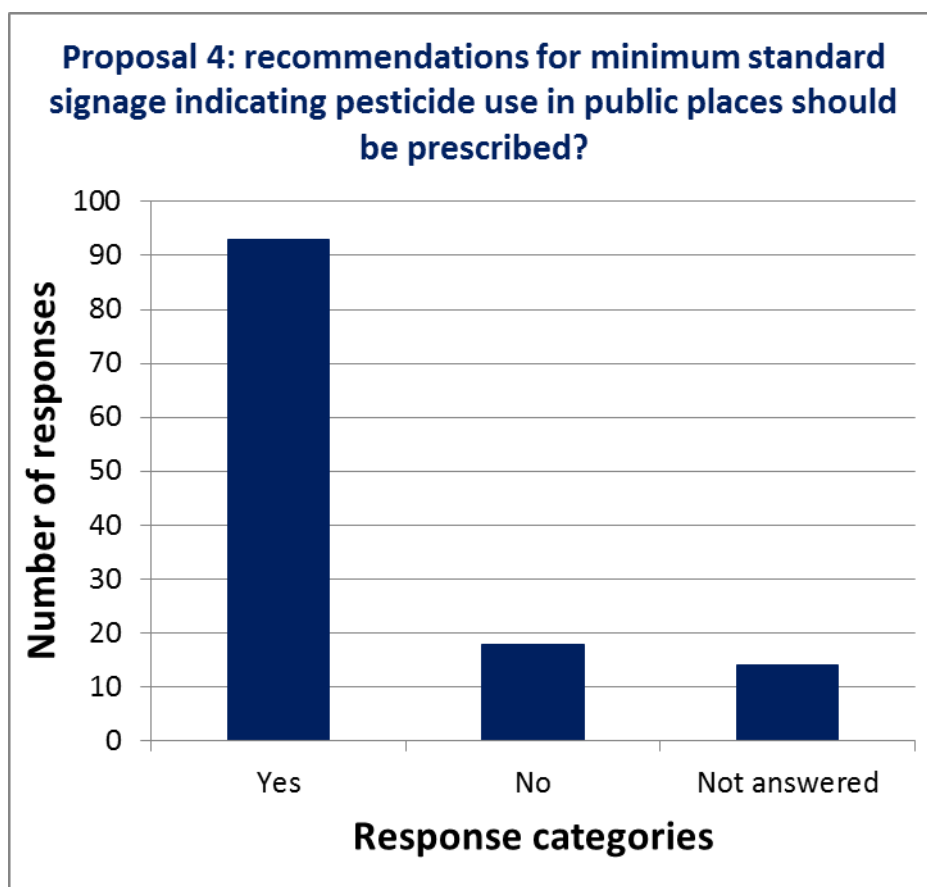
The DOH notes that this option has generated considerable discussion without a clearly defined stakeholder preference. The current State and local government exemption from licensing will be retained within the new regulations along with a new provision that all State government and local government employees who are exempted from licensing and apply pesticides must meet an equivalent training standard to that required for licenced PMTs. The Chief Health Officer will issue a guideline that will specify the minimum training requirements for State and local government.

Proposal 4: Do you believe that the recommendations for minimum standard signage indicating pesticide use in public places should be prescribed?

74.5% of respondents agreed with the proposal for minimum standard signage to be implemented in public places to be prescribed within the legislation. 14.5% of respondents were not in favour of changing the legislation while the remaining 11% did not respond to the public consultation question.

General themes that emerged from respondents' comments included:

- the public's right to know what is being applied; and
- the provision of a consistent point of reference.



Right to know what is being applied

Most respondents felt the public should have the right to be protected from hazards associated with pesticides. Therefore, the use of pesticide treatments needs to be made obvious and clear to the public. Signage was considered by many respondents as a method of warning the public of the pesticides being applied to public spaces and being able to make an informed decision on whether to enter an area or not. Signage is an important way of identifying that spraying works are being undertaken and was considered to reduce the risk to the public.

Consistent point of reference

This will ensure that the operator is aware of what is required, and that the public have a consistent point of reference. Currently, the requirements for signage are ambiguous depending on the chemical being applied. It is proposed that signage will be required to meet a minimum lettering dimension with all exceptions to be approved by the Chief Health Officer. It is proposed that signage be displayed in prominent locations that can be readily seen by members of the public. Vehicles will be required to display flashing yellow warning lights during spraying in public places. However, while signage was supported by most respondents some were concerned that vehicle signage and flashing lights would only draw attention to the activities being undertaken.

However, other respondents were concerned that there would be an impost on small businesses to create all the necessary signs for each of the chemicals being applied if this was to be prescribed.

Lastly, several questions were posed by the respondents around the proposal to prescribe signage including the need to specify:

- the size of lettering required on signage to meet the requirements for the public to be able to see, read and then make an informed decision in relation to entering an area being treated with pesticides?
- when signage required to be placed out prior to treatments?
- how long signage needs to be left out after treatments are completed? and
- how many and where are signs going to be required to be placed prior to and after treatments?

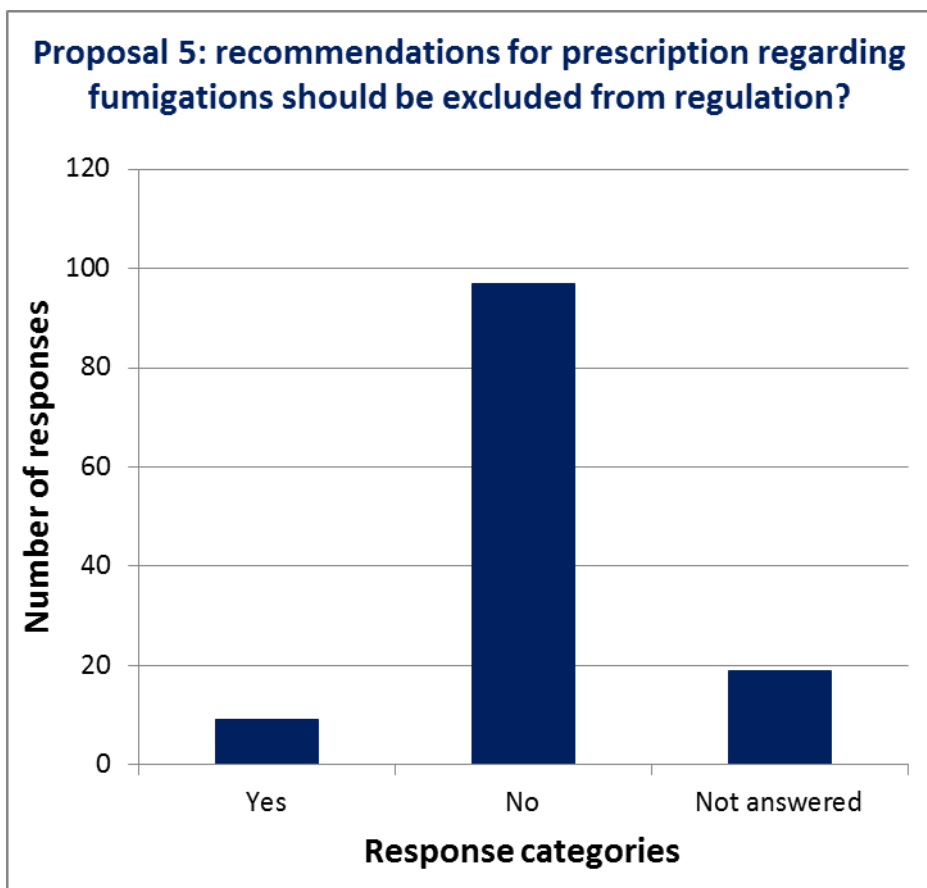
Recommendation:

The DOH recommends that this proposal be adopted. The provision of prescribed recommendations for signage to inform the public of treatments being undertaken will allow them to make an informed decision as to whether they should stay in the area or not. Ultimately, this will protect public health, especially for people with chemical sensitivities. 74.5% of respondents also supported the proposal while 14.5% did not support the proposal. There is a consensus to prescribe signage for use prior to, during and after pesticide treatments.

Proposal 5: Do you consider that any of the recommendations for prescription regarding fumigations should be excluded from regulation?

77.6% of respondents (97) stated that they were not in favour of the recommendation for prescription regarding fumigations to be excluded from regulation. Only 7.2% of respondents indicated support for the removal of fumigation from the regulations, while a further 15.2% had no preference.

In general, the overwhelming response to this proposal was that fumigations were a high-risk operation compared to other chemical applications and that strict control and regulation is required to be maintained or further strengthened.



Overall, the common themes that emerged from the public consultation included:

- fumigation is a high-risk operation that needs to be regulated;
- the need for consistency and centralised reporting; and
- strengthening of legislation and training requirements.

Fumigation is a high-risk activity

A number of respondents indicated that fumigation was considered to be a high-risk operation, often requiring technical expertise and therefore needed to be regulated. Fumigations are currently highly regulated and given the dangers posed by this activity, the industry needs to remain regulated. The control of fumigation was considered an important aspect for the management of minimising public health risks.

Centralisation, consistency and compliance

Some of the respondents indicated that the DOH should maintain the current requirements for the regulation of fumigations and ensure a central database of fumigators in Western Australia is created and maintained. It was also felt that this would provide a consistent approach for fumigation activities across the sector and across the State. This is important for consistency in approach to fumigations, the requirements and training needs for the safety of operators and the general public.

In addition, it was felt that a centralised system would assist enforcement agencies (like the Department of Health) in determining compliance and assist in ensuring industry comply with the regulations.

Strengthen legislation and enhance training/guidance

Due to the high-risk nature of fumigations, it was felt that very strict regulations are required including prescriptions on how and when fumigations can take place. Fumigation is toxic and needs strict rules to manage operator and ensure the safety of the public and environment. Fumigation should only be carried out by trained individuals and the DOH should ensure the training and qualifications are appropriate to the tasks being undertaken. In addition, a range of risk management tools should be developed and implemented; ensuring fumigators are fully trained in their use. It was also suggested that the DOH provide a guide on how to undertake risk assessments, fumigation plans and emergency management plans when undertaking fumigation.

In contrast to the views stated above, some primary producers made statements indicating that provisions should be made for feral vertebrate pest control and the requirements of conducting fumigation for pest control in rural communities. The fumigation of burrows/warrens for feral vertebrate control needs to be simplified. One respondent indicated that they were required to complete a fumigation plan for each treatment they undertook on their property (between 30-80 separate warrens fumigated) leading to a substantial workload prior to completing the fumigations. The system needs to be streamlined, particularly for feral vertebrate pest control.

Recommendation:

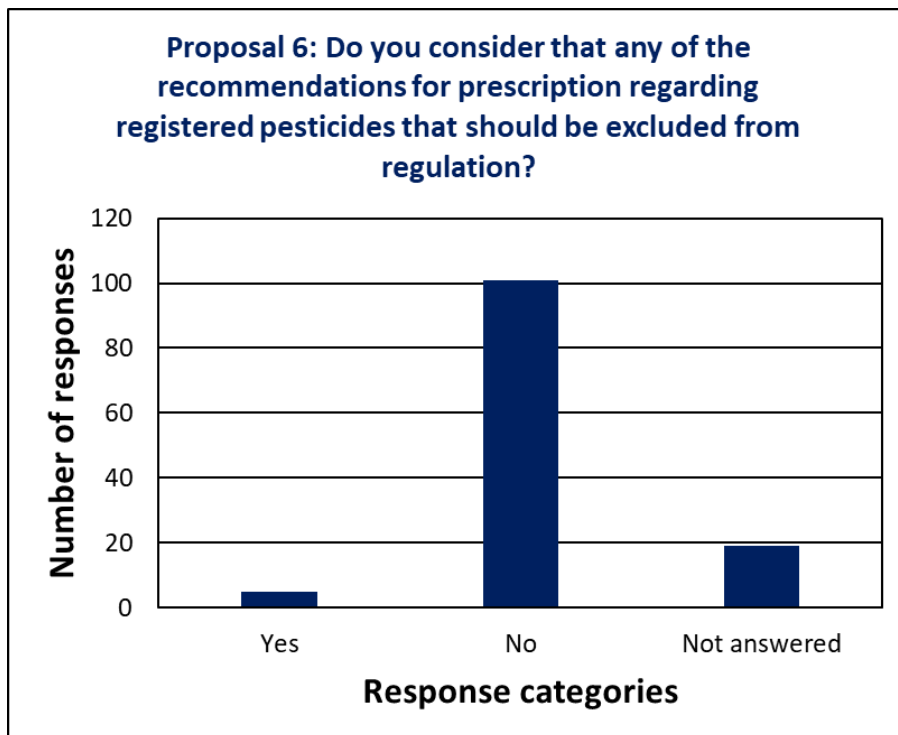
The DOH recommends that this proposal not be adopted. Maintaining licensing requirements for individuals undertaking fumigations will ensure a standard model for the industry, ensures personnel hold a minimal qualification and will continue to maintain public health standards. 77.6% of respondents also did not support the proposal with a further 15.2% not responding to the proposal. There is a consensus to maintain the licensing requirement for individuals performing fumigations.

Proposal 6: Do you consider that any of the recommendations for prescription regarding registered pesticides that should be excluded from regulation?

In general, 80.8% of respondents indicated that they were content with the current prescriptions regarding registered pesticides and the do not need to be excluded from regulation. A further 15.2% of respondents did not respond to the proposal, while only 4% of respondents requested additional registered pesticides to be excluded from regulation.

These recommendations generally fell into three common categories including:

- all registered pesticides should be covered by the regulations;
- safe work practices;
- buffer zones;
- emergency exemptions for fumigations; and
- disclosure of fumigation information.



All Registered Pesticides should be covered by the regulations

Pesticides are all hazardous to some degree. A level of safety when handling and applying is necessary. Registered pesticides should be included in the regulations and there should be no exclusions and they should be heavily regulated. Other respondents stated that it was important that these pesticides were covered by the law to ensure the public and pest management businesses had no option but to comply, rather than suggesting it is optional.

Some respondents stated that they supported registered pesticides being managed, and made suggestions on how these regulations could be strengthened including providing additional regulations to cover:

- storage;
- use;
- transport;
- decontamination;
- disposal; and
- unregistered pesticides should only be used with Chief Health Officer authorisation.

It was also suggested that registered pesticides should be covered by a management plan.

Further, some respondents stated that they did not support the removal of Schedule 5 poisons (including Glyphosate and various uses at high concentration formulations of this product) from regulatory control.

Lastly, a respondent also suggested that the use of pesticides with an “off-label” approval should be recognised in the regulations, as these usually have specific requirements and conditions attached to them anyway.

Safe work practices

The current regulation of pesticides is comprehensive and sufficient to ensure the safety of the operator and the general public. The regulations in place promote safe work practices and would be effective in reducing the risk of contamination and public health issues.

Recommendation:

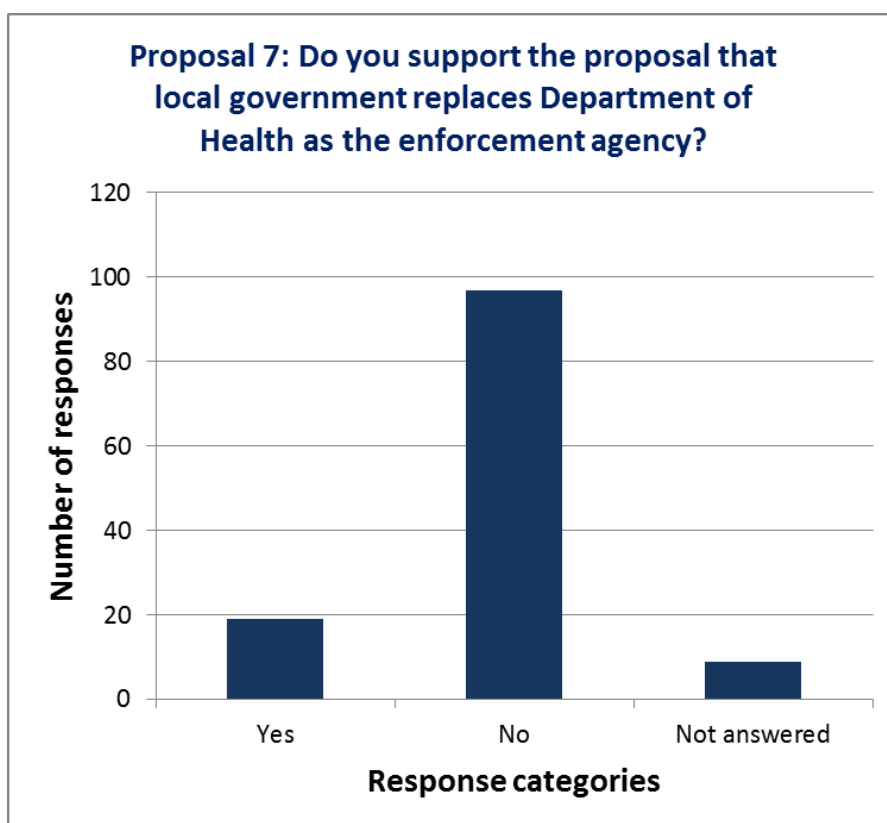
The DOH recommends that this proposal not be adopted. Maintaining the current regulations around registered pesticides is in alignment with most views expressed through the public consultation. 80.8% of respondents also did not support the proposal with a further 15.2% not responding to the proposal. There is a consensus to maintain the status quo and maintain the current prescriptions regarding registered pesticides.

Proposal 7: Do you support the proposal that local government replaces Department of Health as the enforcement agency?

The majority (77.6%) of respondents stated that they did not support proposal 7 for local government to replace the DOH as the enforcement agency. Only 15.2% of respondents were in favour of local government becoming the enforcement agency and a further 7.2% chose not to respond to the proposal.

A number of common themes emerged from the respondent's comments in regard to this proposal including:

- the administrative burden, resourcing and impact on local governments;
- lack of consistency;
- loss of a centralised database on the industry; and
- requirement for multiple registrations over local government boundaries.



Administrative burden, resourcing and impact on local governments

Several respondents indicated that replacing the DOH with local governments as the enforcement agency would add a substantial cost to local governments in to perform these functions. There are currently not the specialised personnel, to be able to assess pest management businesses, nor administrative staff to carry out these functions. Local governments are simply not resourced or manned to be able to provide these functions.

It was felt by many that the DOH was the best agency to continue to manage the pest control industry due to their emphasis on public and environmental health, while concerns were raised about the potential for conflict of interest to develop between pest management businesses and individual local governments. It was also stated that the DOH was more transparent in their dealings with the pest control industry, although it was also suggested that WorkSafe should be the organisation that manages pest management businesses.

Lack of consistency

Several respondents indicated concerns in the lack of consistency that could develop in the interpretation of the regulations between multiple local governments enforcing the rules. It was felt that there would be inconsistencies in the enforcement and management of the pest control

industry by different local governments leading to confusion or the provision of loop holes that could be abused by pest management businesses.

Regulation and management must be standardised across all local government authorities, as many pest management businesses operate across multiple local government authorities in WA and need to work under one set of rules. A respondent felt local government will be at risk of altering conditions to suit local interest groups to the detriment of others. This would lead to inconsistency in how the regulations are applied.

It was also felt that many of the local governments would not have the experience or knowledge to be able to manage and implement the *Health (Pesticides) Regulations 2011* and that it would be unfair to place this burden on local governments without providing support, training and assistance for a prolonged period to ensure local governments had the skills required to successfully manage the process.

Loss of a centralised database

A concern highlighted during the public consultation was the loss of a centralised database on registered pest management businesses and pest management technicians. Each local government would be required to develop their own database to conduct these tasks, leading to the breakdown of the current centralised system in place under the Department of Health. This was seen as a major drawback to the implementation of Proposal 7.

Multiple registrations over local government boundaries

A number of pest management business raised the concern that they travel according to where their clients are, travelling over many local governments particularly around WA. They were concerned that they would be required to register their business and hold valid licences for the pest management technicians across multiple local government jurisdictions. This would be difficult to coordinate and manage and may limit pest management businesses' abilities to perform work across all local governments.

Benefits to local government enforcement

A couple of respondents stated that local government enforcement had the benefit of having local staff in the regions that would be able to tackle issue and conduct audits and investigate complaints due to their proximity to the pest businesses. Others felt that local governments had the inspectorate staff within the regions and this made complete sense for them to take over the role to enforce the regulations.

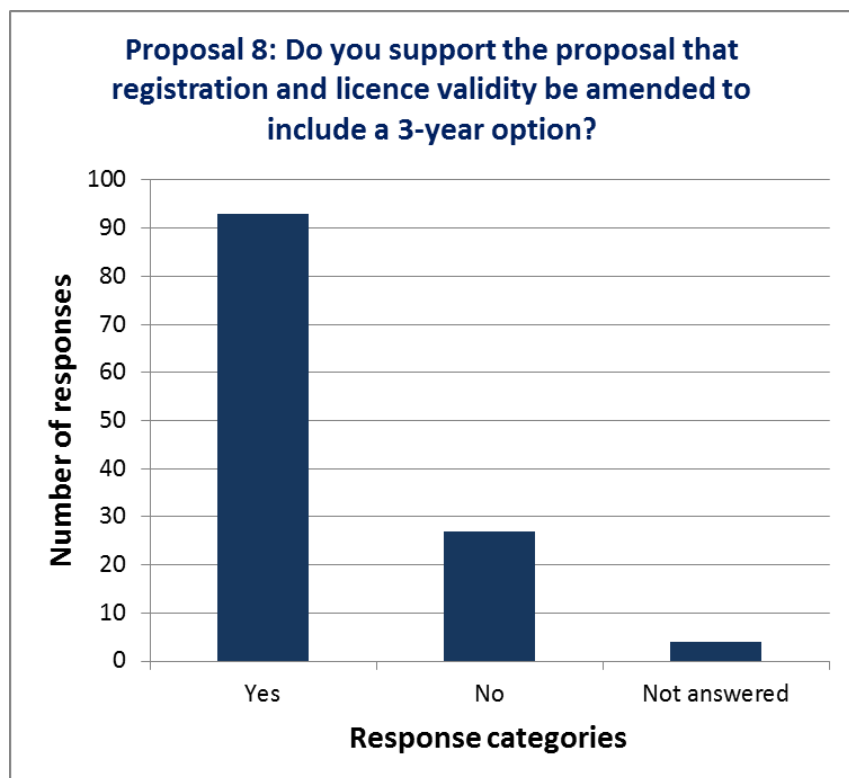
Disadvantages of Local Government enforcement

However, it was also felt that local government were often the biggest offenders of applying chemicals without correct personal protective equipment, training or management and thus they should not be promoted to the role of enforcement agency. Further, the inconsistency in the skills of individual officers and their interpretation and use in applying the regulations would differ substantially from region to region.

Recommendation:

The DOH recommends that this proposal not be adopted. 77.6% of respondents were not in favour of Proposal 7 for local government to replace the DOH as the enforcement agency. Concerns regarding consistency in approach, maintenance of a central database and the impact of the administrative burden on local governments largely make this proposal difficult to support. There is a consensus for the DOH to maintain their role as the enforcement agency of the Health (Pesticides) Regulations 2011.

Proposal 8: Do you support the proposal that registration and licence validity be amended to include a three-year option?



75% of respondents were in support of Proposal 8 to include an option for registration and licensing to include a three year option. 21.8% of respondents were not in support of a three year option while 3.2% of respondents refrained from making comment.

In general, those in favour of Proposal 8 stated the following reasons for supporting a three-year registration and licensing option:

- bring WA into alignment with other States and Territories;
- reducing administrative burden on businesses;
- provides flexibility to the

industry; and

- development of enforcement guidelines.

Bring WA into alignment with other States and Territories

A number of respondents stated that there is a general move away from annual renewal of registration and licensing to other models. It was felt that this option would bring Western Australia into alignment with other States and Territories around Australia and could also bring the pest management industry into alignment with other industry bodies who already offer a three year licensing option.

Reducing administrative burden on businesses

A number of respondents all stated that the option of a three-year registration and licensing option would reduce administrative burden on businesses needing to complete registration and licensing applications on an annual basis. It was felt that a three-year option may make pest control more accessible for smaller businesses to develop a business by reducing the administration, resourcing and paperwork and allow smaller businesses an option to develop within the industry. A licence card should be implemented (much like a driver's licence) which could be used to demonstrate to clients that the pest control operators and businesses are current. Many of the respondents wanted to know if the price of a three-year registration/licence would be reduced compared to annual registration/licence as the administrative burden would be reduced for the DOH. They stated that a fees structure should be developed to implement 1, 2 and 3 yearly registration/licence options which would allow each business and pest management technician the ability to make an informed decision on which is the best option for them considering their circumstances.

Several respondents indicated that the DOH should continue to offer a one-year licence and a three-year licence option to provide flexibility to the industry. Further it should be indicated to all industry that they are responsible for notifying the DOH of any changes in conditions (e.g. addresses, business names etc) to maintain relevance and ensure information is up to date. Further, if three-year registrations and licences are made available, it should be stated that they are non-refundable to ensure industry can make an informed decision in regard to which licence they apply for.

Flexibility to the industry

Some respondents felt a three-year option would be beneficial to pest management technicians as they could be licensed at different times ensuring that the business had a number of licensed staff on hand to complete treatments as required. Some pointed out that there were often delays in obtaining licences from the DOH, and a three year option would provide flexibility to the business's workforce if a delay occurred in the delivery of a pest management technician's licence.

Development of enforcement guidelines

Some respondents also stated that there should still be 6 monthly inspections (by local governments) or an annual inspection (by the DOH) to ensure skills, equipment and businesses are operating within the industry code. This will ensure compliance by industry and maintain records and standards within the industry. Further, more flexibility in registrations and licensing was considered important for the industry, however, some respondents felt that performance/probationary options should be incorporated into the registration model as well as options to suspend or cancel a registration/licence if found in breach of the industry standards or legislation.

Lastly, there were some respondents who requested a direct debit option for payment of registrations and licences, stating that cheques and bank orders were considered outdated and difficult to organise in today's economy.

Several respondents did not support the proposal for a three-year registration/licence option. In most cases, the negative responses were based around issues including:

- compliance with industry standards;
- maintenance of skills and training; and
- shift in responsibility from DOH to local governments

Compliance with industry standards

Some respondents felt that a three-year option for registration and licence renewal would come at a cost to the industry in a reduction in compliance to the industry standards. They felt that there would be a reduction in inspections and audits and the businesses themselves would not maintain records and other documents until they needed to renew licences.

Further, some felt that industry would support a three-year licensing system as this would reduce contact between the enforcement agency and the pest control industry.

Maintenance of skills and training

A small number of respondents cited concerns in ensuring businesses and pest management technicians remained current, up to date and held all appropriate qualifications. Some felt that pest management technicians should be trained on an annual basis, particularly on safety standards, first aid and best practice. Thus, it was felt that licensing renewals should be completed at the conclusion to an annual refresher course.

Shift in responsibility to local government

A further comment made in response to the possibility of a three-year registration/licence system was the thought that this was a strategy by the DOH to shift responsibility of management, registration and licensing to local government. Some felt that this proposal may have been a way to make the workload of registration and licensing look minimal for local government authorities and thus be a method to shift the management of pest control businesses to local governments.

Recommendation:

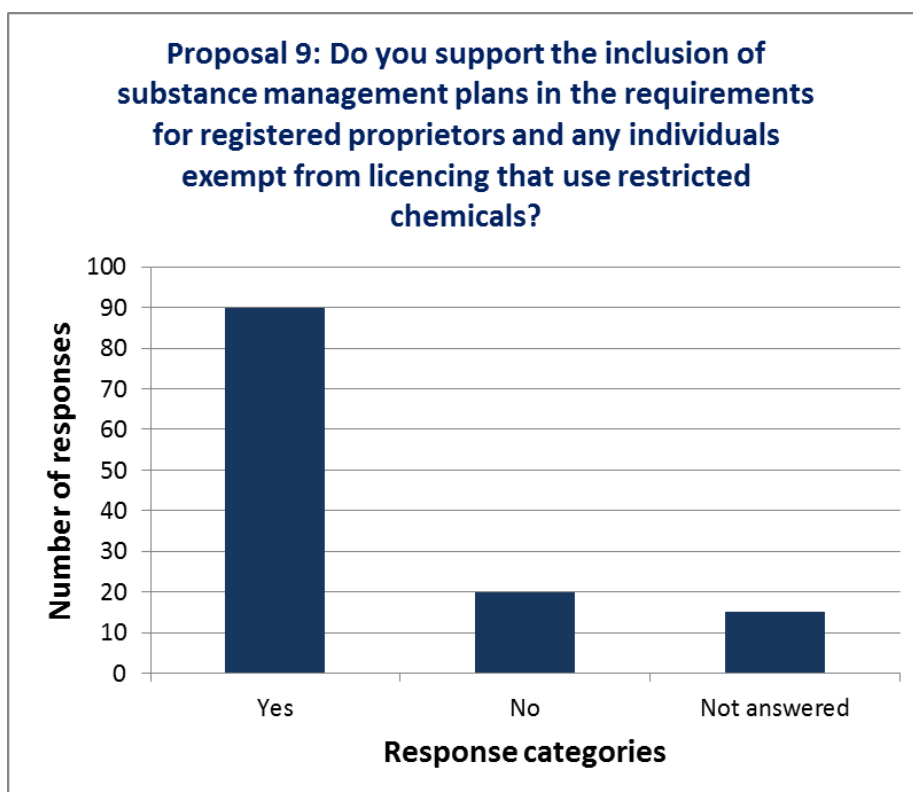
The DOH recommends that this proposal be adopted. The provision of a three-year registration and licensing system would reduce the administration and resource burden on industry to complete registration and licensing on an annual basis. However, it was felt that flexibility should be provided with the option of an annual or 3-yearly registration/licence option being made available. 75% of respondents also supported the proposal. There is a consensus for the implementation of proposal 8.

Proposal 9: Do you support the inclusion of substance management plans in the requirements for registered proprietors and any individuals exempt from licensing that use restricted chemicals?

Overall, 72% of respondents were in favour of the inclusion of Substance Management Plans (SMPs) in the requirements for registered proprietors and any individuals exempt from licensing that use restricted chemicals. A further 16% of respondents did not support the proposal, while 12% did not provide a response to the proposal.

General comments provided by respondents included:

- provides peace of mind for the public
- Best Practice and standard for pest management technicians;
- reduces harm to the environment;



Provides peace of mind

Some respondents stated that this proposal would provide peace of mind that the pest management technicians were fully trained and aware of their responsibilities. This would be a benefit to the general public in building confidence in the industry.

Best Practice and standards for pest management technicians

Some respondents stated that SMPs should be done to a minimum standard (perhaps an AS/NZS) while others stated that the DOH should develop an approved template for use by industry to ensure standards are maintained. Further, some felt that SMPs should not be developed by the businesses applying the treatments themselves, but rather by consultants with specialised knowledge or have the SMP's assessed by local governments and the DOH.

It was felt that SMPs would enable comparison between products, pest management businesses and technicians in their handling of chemicals and improve the basic standards currently employed within the industry. It was felt that these plans would increase the knowledge, understanding and safety measures put in place by pest management technicians into the future. It would provide best practice to have a documented plan; although it should be concise and

predominantly have safe work procedures, service agreements and record keeping for verification by authorised persons.

It was also stated that the plans would be essential if there was an incident and should be made available to emergency services or first responders under such circumstances.

Some also felt Material Safety Data Sheets only provided a minimal amount of information, and the development of SMPs could provide a more detailed document outlining when, what and how pesticides would be applied in a safe and practical manner.

Reduces harm to the environment

Some respondents felt that SMPs would help reduce chemical run-off and spray drift, leading to better protection for the environment.

Some negative aspects of SMPs were also raised including:

- impact on industry and duplication of effort;
- enforcement; and
- training.

Impact on industry and duplication of effort;

The development of SMPs was recognised as taking effort and increasing the workload for most businesses, however, this was not seen as a major obstacle by many respondents. It was felt that the first management plans would take time, but once developed could be used as a template for successive treatments. Others stated that they already produce similar plans as a requirement for WorkSafe and this would be a duplication of effort for little benefit. Further, others stated that these were already covered under Occupational Health and Safety guidelines for many businesses and would only be an additional administrative burden on these businesses.

Others felt the administrative burden of developing SMPs would be excessive, in particular for small businesses and gardening businesses that use chemicals less than 5% of their time. Some stated that only businesses for which pesticide use is their principal mode of business should be required to produce the SMP's.

Enforcement

Some respondents stated that some businesses already had SMPs or similar documents; however, they did not follow them. SMPs need to be enforced; however, this would need to be a role for local governments that would once again allow interpretation and differences in standards to develop.

Training

Some respondents commented that if the technician was trained through the courses to obtain their licences then this information would be known and understood by those directly applying the pesticides and they should be able to make an informed decision on how and what needs to be done to complete the treatments effectively and safely. If you regulate who has access to the products then the business and the technician can make the necessary measures to ensure the safety of the technician and the public. Further, some stated that training would be required for people who are required to develop SMP's and for local government officers to be able to prepare, assess and understand SMP's which would be a drain on resources, time, effort and personnel.

Further respondents suggested the following should be included in the SMPs:

- clearly identified storage areas;
- maximum amount of chemical transported to treatments;
- maximum amount of chemical to be stored at any one time;
- laundry of clothing;
- decontamination;
- storage of empty containers;
- disposal plan;
- where work vehicles be cleaned to avoid runoff into natural environments; and
- how and where tanks are rinsed to avoid water into creek or soak wells etc.

Recommendation:

The DOH recommends that this proposal be adopted. The provision of a SMP was seen as a benefit by 72% of respondents, however, the discussion centred on reducing duplication, administration and complexity that could lead to declines in business productivity. There is a consensus for the implementation of Proposal 9.

Combination of Option B and Option C:

0.43% (1 respondent) stated that they supported in principle a combination of Option B and Option C.

This respondent stated that they supported in principle the proposal to retain the existing regulations but under another legislative instrument. However, improvements to the regulation and enforcement of public, environmental and occupation safety aspects of the current regulatory regime are also necessary. They also in principle supported Option C and again requested the DOH to strengthen the existing regulations.

Further, this respondent supported the following proposals under Option C:

- maintenance of registration requirements for pest management businesses – stating that the regulations be strengthened;
- maintenance of licensing requirements for individuals undertaking pest management treatments unless they qualify for an exemption;
- recommendations for minimum signage indicating pesticide use in public places to be prescribed (stating they support strict control with better management and enforcement);
- recommendation for prescription regarding fumigations should be excluded from regulation;
- recommendation for prescription regarding registered pesticides should be excluded from regulation (including strengthening the legislation for all pesticides to trained/licences individuals/businesses only);
- The proposal that local government replaces the DOH as the enforcement agency (only if there are clear guidelines and continued support and funding (up to 50% of costs received from the DOH));
- the proposal that registration and licence validity be amended to include a three year option (however, not greater than this period to ensure licensed personnel are fully trained and understand any changes/amendments to legislation); and
- the proposal to include SMPs as requirements for registered proprietors and individuals exempt from licensing that use restricted chemicals.

Further, this respondent did not support:

- providing exemptions for licensing on primary production sites in remote locations (stating that there should be no exemptions).

Suggested alternative – new enforcement agency

0.43% (1 respondent) refuted all proposed options (A, B and C) and proposed the establishment of a new enforcement agency with a strictly defined role to introduce stronger pesticide regulations for better protection of the environment and public health. The respondent stated that Option A (removal of legislation) was a high-risk scenario that did not protect public health or the environment); Option B was unsuitable as the current regulations require strengthening and enforcement while Option C passed the management and costs of licensing to local governments which are all unacceptable.

Overall Recommendation:

The DOH recommends that 'Option C: Provide new, updated regulations under the Public Health Act 2016' be adopted. Overall, this Option had the greatest level of support from the responses to the public consultation. Further, the responses to the nine proposals put forward and assessed by the public consultation were generally in support of the position of the DOH, maintaining most of the current legislation while making minimal changes to a small number of clauses of the legislation to provide greater clarification and remove confusion or misinterpretation that will ultimately strengthen and improve public health outcomes.

The DOH acknowledges that industry is subject to a range of requirements in relation to the purchase and use of pesticides. However, the potential public health impacts of these are not adequately addressed under any other legislation. While other agencies may also be responsible for upholding Agricultural Chemical use, the Health (Pesticide) Regulations 2011 remain an important piece of legislation for the protection of Public Health.

Further comments and stakeholder impacts

Respondents were invited to make any additional comments that they hadn't included in the rest of their response. These included:

- “Pesticides should be much more strictly monitored and updated with current research on dangers”;
- “Improvement in enforcement strategies is necessary”;
- “Broaden 'public health risk' to include the extinction of all species which effects ecology (web of life) including humans, not just limited to humans. Our wellbeing is directly linked to the wellbeing of all species”;
- “Pesticide spraying is well recognized within the community, however as you can get most of these from Bunnings and the local supermarket people are aware there is sometimes requirements get professional in. People are unaware of this for weed spraying, as local lawn mowing contractors ignore the rules and know they are never inspected or just refuse to follow the regulations”;
- “There is no real visible enforcement for the smaller mobile lawn mowing contractor whom could be spraying 6-10 properties a week without PPE or a License or care for being caught as it does not happen to them with 100's of lawn mowing contractors in Perth whom spray without a license”;
- “During a recent course I had a contractor say he had his license for the first year and since then (18 years) has never been asked or seen an inspector and can't justify the costs for the licensing as the fines are too small for him to worry about. Stating he sprays 3-4 lawns a week”;
- “Most of the members of the Lawn mowing Association of WA spray for weeds and going by comments during those meetings about 40% are licensed with regular meetings of 60-80 contractors shows a huge lack of enforcement outside of the farming community”;
- “Products that are labelled not to be used in home garden are still available and sold to general public”;
- “Current interest in carcinogenic damage from glyphosate is an example of a long-term risk. Although, label requires PPE when using so I am unsure how that risk has developed if users are adhering to label requirements”;
- “the safe use of pesticides and herbicides are fundamental to the safety and food security of Australia and the world, this shouldn't be under-estimated. I read recently the removal of glyphosate worldwide would create food shortages that would lead to sovereign risk issues”;
- “Improved overview and recording would hopefully improve awareness and increase use of required etc”;
- “Don't necessarily base all your risk inferences on population distribution. Chemicals are often accumulative and residual, and actively distribute throughout the environment across great distances (100's to 1000's km) (eg. chemical drift in agricultural areas) by water or air transport mechanisms”;
- “Need for modern legislation, strong investigative powers and retention of Enforcement agency role by the Department of Health”;
- “Just because the human population in a "remote" area is sparse, does not mean the risk to human health is "low". Nor does it in any way mitigate the risk of high chemical use in that area from naturally transporting to areas of higher density”;
- “Would reconfirm there is no support for DOH to pass any form of responsibility onto Local Governments”;
- “Besides, ten lives in a regional area are just as important as 1000 lives in a metropolitan one....”;

- “Regulation of pesticides in WA should still be shared between State and local government; and exemptions from licence requirements should remain for State and local government officers in order to ensure that officers are able to continue carrying out essential public health functions as easily as possible”;
- “We are still looking up to the State Health Department to take the lead in this space and the Local Governments will act as implementer. We cannot afford to shift this important regulatory responsibility to Local Governments some of them are already struggling with budgetary issues and this will be left in the back-burner”;
- “Ensuring WA regulations are harmonized with National standards and Regulations”;
- “Any changes to regulations should include a total ban on spraying glyphosate on hard surfaces and upon or adjacent to our creeks, rivers and wetlands as these offer direct conduits via ducting, drains and runoff into our aquatic systems”;
- “It is important the department does not add to the paperwork already required to run a fumigation. Public safety and PMT safety is paramount, but it's vital that the SWMS, FMP and emergency plan documents are easy to follow, complete and streamline. Over complicating documents deters employees from completing paperwork thoroughly. This is where the public will be put at risk”;
- “The current restrictions on some S7 poisons are not being complied with and no one checks”;
- “Well planned fumigation for instance only require well written SWMS, FMP and procedures that cover all elements that have been addressed in your proposed SMP”;
- “When fumigating on a commercial stage our clients induct our PMT's to the site and provide specific EEP for us to follow”;
- “It is vital that regulation reflects the most recent and most accurate scientific understanding of the impact of herbicides and pesticides. Worldwide, glyphosate use is being reduced because of concern about the risk to human health and the environmental impact on pollinators. In light of these recent concerns, it is quite bizarre that the proposals in this discussion have been raised, to further deregulate use of herbicides and pesticides. I do not support deregulation. On the contrary, I urge those in the position to do so, to be leaders in making changes that preserve and protect the environment and ecosystems of which we are a part. Human health is dependent upon the health of the environment”;
- “Your liability is obvious & we all know you're not going to stop your huge contracts with chemical companies even when other countries have banned certain chemicals”;
- “This injunction needs to go as far as stopping all councils in Western Australia from being permitted to spray glyphosate or any other pesticide in our streets, sports grounds, dog parks, playgrounds, beaches, roads, and parklands”;
- “I believe we need to review all management practices related to pesticides. I believe they are overused, resistance is occurring, and we have become far too complacent and lazy”;
- “Stop only looking for chemical solutions that is continually putting our community at risk”;
- “Use steam weeding where suitable, hand weeding won't hurt anyone: yes, not efficient but 100% safe”; and
- “It is easier to state that public health risks are not managed but rather dismissed because the pesticides being used are registered for use by the APVMA”.

Some further comments from various questions that fell outside the scope of the options and proposals listed in the consultation paper are listed in Appendix 3.

Next steps

The information gathered in this consultation indicates that there is a majority preference for the ongoing regulation of pesticides under the *Public Health Act 2016*. Many respondents to the public consultation indicated a preference for Option C to develop new, updated regulations.

The DOH will seek to consult with the following agencies during the development of the new legislation:

- Pesticide Advisory Committee (PeAC);
- Department of Primary Industry and Regional Development;
- Department of Water Environment and Regulation; and
- Department of Mines Industry Regulation and Safety.

For information on the DOH's *Public Health Act 2016* and regulation review program, visit the **WA Health website**"

<https://ww2.health.wa.gov.au/Improving-WA-Health/Public-health/Public-Health-Act/Regulation-review-program>;

or sign up to the **Environmental Health Directorate Newsletter** to be notified of any upcoming consultations at:

<https://health.us7.list-manage.com/subscribe?u=bbc68d42eff51a06d25cb71db&id=618b4db23b>.

Appendix 1 – Consultation submission list

Submissions to this consultation were received from the following organisations*^{1,2} :

State government	
Department of Primary Industries and Regional Development	
Forest Products Commission	
Department of Biodiversity, Conservation and Attractions	
Small Business Western Australia	
Member for the Southwest Region	
Local government	
Western Australian Local Government Association	
City of Albany	Shire of Laverton
Armadale	Shire of Leonora
Shire of Ashburton	Shire of Manjimup
Town of Bassendean	Shire of Meekatharra
City of Bayswater	Shire of Menzies
City of Belmont	Shire of Merredin
Shire of Bridgetown-Greenbushes	Shire of Mingenew
Shire of Broome	Shire of Mount Magnet
Shire of Brookton	Shire of Mundaring
Shire of Bruce Rock	Shire of Murray
City of Bunbury	Shire of Nannup
City of Busselton	Shire of Narrogin
Town of Cambridge	City of Nedlands
Shire of Canning	Shire of Northam
Shire of Capel	Shire of Northampton
Shire of Chapman Valley	Shire of Perenjori
Shire of Chittering	Shire of Pingelly
Town of Claremont	Town of Port Hedland
City of Cockburn	Shire of Quairading
Shire of Cuballing	Shire of Sandstone
Shire of Cue	City of Stirling
Shire of Dalwallinu	City of Subiaco
Shire of Denmark	City of Swan
Shire of Derby-West Kimberley	Town of Victoria Park
Shire of Dumbleyung	City of Vincent
Shire of East Pilbara	Shire of Wanneroo
City of Gosnells	Shire of Wiluna
City of Greater Geraldton	Shire of Wyndham-East Kimberley
Shire of Halls Creek	Shire of Yalgoo
City of Joondalup	Shire of Yilgarn
City of Karratha	Metropolitan Environmental Health Managers Group
Shire of Kellerberrin	Wheatbelt East Regional Organisation of Councils
Industry (Broadacre)	
Albany Plantation Forest Company Pty Ltd	Co-operative Bulk Handling (CBH)
Australian Bluegum plantations	Mara Crann Pty Ltd
Bluewood Industries	Mining Company

Bunbury Fibre Exports	WA Plantation Resources
Bunbury Fibre Plantations Pty Ltd (Plantation Forestry)	Western Forest Management
Industry Associations	
Cottesloe Residents & Ratepayers Association	Mandurah Environment and Heritage Group
CropLife	National Working Party on Grain Protection
Forest Industrial Federation of WA	PGA Research Officer; Grains; Livestock
Grains Research and Development Corporation	WA Farmers
Industry - Pest Management Businesses	
AllPest WA	Kununurra Pest Management
Animal Pest Management Services	Landcare Weed Control
Aussie Feral Pests	LPMT
Australian Environmental Pest Managers Association	McGrath Pest Management
Banks Pest and Weed Control	Mitchell's Spray Service
Best for Less	Narrogin Hay/Pentarch Grains
Broadspectrum	Natural Area Management
Cekas Pest Management	Orkin Australia
Champion Pest Control Pty Ltd	Quality Pest & Weed Solutions Pty Ltd
Davies Pest Control	Spray Max Control
DB2 Pest Control and Building Inspection Services	Systems Pest Management Perth / EcoTherapy Australasia
Directional Services	Termi Home and Commercial South West
Elite Pest Control	Termico
Farmill Pest Control Services	Termipest
Fast Action Pest Control	Termistop Environmental Solutions
Fintran Australia	Terrestrial Ecosystems
Flysgone	Tranen Pty Ltd
Flysgone & Dirty Deeds	Tritan Fumigation
Fumrite Pty Ltd	Westate Pest Control
Ghems Holdings Pty Ltd	
Greg Northover Pest & Weed Control	
Julian's Pest Control	
Industry – Gardening Businesses	
Advanced Gardening Services	Matt's Garden Magic
Chorus	Matt's Garden Maintenance
Evergreen Blades	Ryan V Gardening Services
Garden Home Services	Tidy Toms Mowing and Gardening Services
Jardin Designs	Value Gardening and Handyman Services Pty Ltd
Just Gardens by Bev	VIP Home Services WA Pty Ltd
Lochness Landscape Services	
Action Groups	
Alliance for a Clean Environment	Pesticide Action Group

Local Environmental Awareness Forum	
Private Residents	
Belinda Clarke	Rachel Seton
Colin Dent	Rosemary Walsh
Jakki Dodd	
Unknown Respondents (no organisation listed)	
Adrian Wilson	Karin Bankin
Amanda Nordstrand	Kath Butler
Anna Speight	Kylie Colum
Barry Dufall	Lara Warwick
Brett	Linda Robertson
Cameron Johnson	Lindy Twycross
Catherine Anderson	Marg Pearce
Celia Mary Gray	Margaret Owen
Chilla Bulbeck	Marie Schulz
Claire O'loughlin	Martin Robinson
David Miller	Michele Kwok
Dianne Sulman	Naomi McNally
Donna Brown	Pauline Andrews
Elizabeth Sprivulis	Peter Money
Guy Sullivan	Richard J F Hurst
Heidi Hardisty	Sally Pyvis
Jacob Fry	Samantha Lucas
Jane Lord	Sarah Davies
Janet Dufall	Selwyn
Janet Grogan	Stephanie Worrall
Jenny Balson	Susannah Wilson
Jessica	

*1 Respondents who requested to remain anonymous are not included in the above list of respondents to the public consultation.

*2 Responses from multiple individuals within the same businesses/businesses/industries have only been recorded once in the above table.

Appendix 2 – Citizen Space online survey questions

Question 1: What is your name?

Question 2: What is your email address?

Question 3: What is your organisation?

Question 4: Please indicate your preference from the three options presented below. This choice you make will determine which proposals are presented to you to provide comment. If either Option A: or Option B: is selected, no regulatory proposals will be presented for comment. If Option C: is selected, nine regulatory proposals will be presented for comment.

Question 5: Do you support the adoption of Option A: Repeal without replacement?

Question 6: Can you identify any further advantages or disadvantages of Option A?

Question 7: Do you support the adoption of Option B: Retention of the existing regulatory regime by making new regulations under the Public Health Act 2016 identical to those in force under the Health (Miscellaneous Provisions) Act 1911?

Question 8: Can you identify any further advantages or disadvantages of Option B?

Question 9: Do you support the adoption of Option C: Provide new, updated regulations under the Public Health Act 2016?

Question 10: Can you identify any further advantages or disadvantages of Option C?

Question 11: Do you support the listed recommendations to maintain registration requirements for pest management businesses?

Question 12: Do you believe that there are any recommendations for registration not listed that should be included? Please provide specific examples.

Question 13: Do you support the listed recommendations to maintain licensing requirements for individuals undertaking pest management treatments unless they meet the criteria to qualify for an exemption from licensing?

Question 14: Do you believe that there are other recommendations that should be included for licensing?

Question 15: Do you support the proposal to expand the criteria for exemption from licensing on primary production sites in remote locations to include all forms of pesticide applications?

Question 16: Can you identify any situations where expanding the exemption criteria from licensing for individuals on primary production sites could lead to a high risk scenario?

Question 17: Do you support the proposal to remove the current exemption from licensing for State and local government employees?

Question 18: Do you believe that the recommendations for minimum standard signage indicating pesticide use in public places should be prescribed?

Question 19: Do you consider that any of the recommendations for prescription regarding fumigations should be excluded from regulation?

Question 20: Do you believe that there are any recommendations not included for fumigations that should be prescribed?

Question 21: Do you consider that any of the recommendations for prescription regarding registered pesticides should be excluded from regulation?

Question 22: Do you believe that there are any recommendations not included for registered pesticides that should be prescribed?

Question 23: Do you support the proposal that local government replaces Department of Health as the enforcement agency?

Question 24: Do you agree or disagree with any of the listed advantages and disadvantages for local government authorities as enforcement agency?

Question 24a: Please detail any views that you have about Proposal 7.

Question 25: Do you have any suggestions about how Proposal 7 (local government authorities as enforcement agency) could be implemented?

Question 26: Do you support the proposal that registration and licence validity be amended to include a 3-year option?

Question 27: Do you support the proposal to include a substance management plan in the requirements for registered proprietors and any individuals exempt from licensing that use restricted chemicals?

Question 28: Do you have any suggestions for alternative options that have not been considered? Please explain your ideas by providing examples of complaints, case studies, data or other evidence.

Question 29: Do you have any other comments to make on how public health risks associated with pesticides are managed in Western Australia?

Question 30: Continue on to review Proposals 7 - Proposal 9 or proceed to the end of the survey.

Appendix 3 – Other comments outside scope of the current consultation paper

Schedule 5 Poisons:

- “I DO NOT SUPPORT the removal Schedule 5 poisons (including glyphosate and various off-label uses of high concentration formulations of this product) from regulatory control. I reject the DoH’s inaccurate premise that Schedule 5 poisons are low risk, are all publicly available for purchase and can all be legally applied in the residential setting. These pesticides are registered for use under the APVMA and have use restrictions clearly stated on their label. The exclusion of schedule 5 poisons is inconsistent with the APVMA, Poisons Act and comparable overseas authorities. Therefore the Schedule 5 poisons must be retained. It is a responsibility of the State to enforce and fine APVMA off-label uses”;
- “Schedule 5 poisons should be regulated. The vary fact that these are POISONS is reason enough. These and other pesticide products should NOT be made readily available to the public. I would go a huge step further and restrict the use of ALL pesticides to properly trained contractors only. The public cannot be trusted to use pesticide products properly. The chemical companies that produce these products will object to such a proposal, but they should be ignored. Pesticide use can affect food security. Countries like Canada are banning neonicotinoid-based-pesticides that pose risks to bees”
- “The Discussion Paper does not include Schedule 5 poisons for consideration and claims that “Schedule 5 pesticides have not been considered in this assessment as products can generally be purchased and used without restriction.”

Glyphosate:

- “I strongly believe the Government of Western Australia and Department of Health needs to look at the scientific studies on Glyphosate and the health problems it causes in humans and animals”;
- “I am asking to put a temporary injunction on the APVMA current Glyphosate safety standards until they have been updated and revised without the influence of Monsanto who manufactures Glyphosate”;
- “I believe it would be prudent to reconsider what pesticides and herbicides are allowed to be used in Western Australia and if APVMA has any invested interests on why Glyphosate is allowed in Australia when steam weeding is a safe viable option”;
- “Given the increasing awareness in our communities and the growing conflicts around the use, particularly of Glyphosate (a schedule 5 poison) commonly used in public spaces, it is not OK to exclude these poisons from the review.
- “The European Chemical Agency (ECHA) has unequivocally declared this product as 'Toxic to Aquatic Life'. Life on earth ultimately depends on a healthy aquatic system”;

Remote Locations:

- ‘Vigilant public education and protection of flora and fauna is required, in order to protect the health of the public’;
- “Historically making an assumption that a remote place experiences absence of population is an incorrect one. I refer to the last Aboriginal people contact by 'white man' - the Woomera weapon release area assumed no one lived there when infant there was a tribe of Indigenous people caring frothier country there. One can never predict when an area

might become populated. Also what is the result on humans (remotely placed) from the extinction of animals who also perish as well as the pests the pesticide is aimed at?

Strict controls and enforcement:

- “Any further use of Pesticides should be under strict control. And improvement to the enforcement strategies of Pesticide use is necessary.
- “The DOH should be able to enforce safe practices and ban and fine ‘off-label’ practices on the spot.”
- “LGA’s tend to use contractors for spraying and I have seen unsafe practices by incompetent contractors. These must be stopped and perpetrators fined.”
- “We need more accountability for businesses complying with industry regulations when spraying pesticides in public places. These regulations must not be corrupted or influenced in anyway by the pesticide manufacturer Monsanto.”
- “Does the legislation intend to include thermal fogging, misting, smoke bombs, cans of insecticides purchased at supermarkets? There are some pretty big misting and thermal fogging machines available!”
- “Removal of the exemption from licensing for State and local government employees would create difficulty when carrying out public health protection tasks, particularly in relation to reducing mosquito population numbers in areas where mosquito-borne viruses are a significant public health risk. Pesticide treatment work for mosquito control is usually sporadic and conducted in response to unexpected and unpredictable rainfall events and other sources of mosquito breeding sites. Therefore, it must be as easy as possible for local government officers to carry out their role in absence of extra difficulties.

Cancellation of all pesticide use:

- “I am in favour of ENDING Pesticide use in the urban environment altogether and while I know it's not under discussion, in agriculture altogether.”
- “Dangerous pesticides should be banned everywhere, especially to protect native fauna.”

Contamination of Food:

- “Contamination of food products.”

Environmental Concerns:

- “As many Pesticides come in plastic containers and plastic is becoming an environmental hazard perhaps decontaminated containers could be used as tree guards or similar; returned cut up in flat panels to normal plastic recycling facilities OR as an overall solution replaced with metal containers that do rust quite readily when crushed and can be recycled as scrap metal.”
- “The waterways and runoff that is diverted to rivers and streams is at risk. The fauna and flora of the wider region are at risk, from the poor practice of farmers who are complacent by their desire to save time and avoid proper good practice.”
- “Herbicides and pesticides can enter the water table and local bodies of water via run-off, which has the potential to impact the health of anyone drinking that water, as well as the health of plants and animals in the area.”

Terrorism:

- “Anybody who has access to chemicals that could be used for terrorism (bomb making) in large amounts should be registered for safety & security purposes.

Mosquito Control:

- “Mosquito control includes State owned land and some training should be mandatory.”
- “Who is licenced for the aerial mosquito treatments? DoH, Heliwest, or the LGA?”

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