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**Deputy Premier of Western Australia  
Minister for Health; Indigenous Affairs**

Our Ref: 25-04102

Mr Wayne Monks  
wmonks@westnet.com.au

Dear Mr Monks

Thank you for your letter of 12 March 2009 regarding the death of trees within the Cities of Stirling and Joondalup in the metropolitan area, and in the Shire of Wyndham-East Kimberley, principally the town site of Kununurra.

I note your correspondence on this matter to Hon Donna Faragher MLC, Minister for Environment, and the possibility of a potential breach of the *Environmental Protection Act*. There is no need for me to comment specifically on the circumstances surrounding the death of trees, which falls within the portfolio of the Minister for Environment.

The Department of Health (DOH) received information from the Department of Environment and Conservation (DEC), regarding the application of a herbicide containing the active constituent hexazinone.

The DEC, although concerned about the herbicide possibly causing the death of trees, was also concerned that the herbicide may have contaminated the sub-surface aquifer. Although the aquifer is not used for drinking water, it was agreed that the DEC would take water samples, the results of which would be provided to the DOH in order to identify any potential risks to human health. The results of sampling to date have not shown any risk to public health.

In 2008, the Pesticides Advisory Committee requested all local governments be contacted and provided with an information check list to assist them with tendering processes for the application of herbicides on land under their control. This information could be used to ensure that the most appropriate herbicides for use within their respective areas is used. This document will also address the use of alternative measures to herbicides to control weeds. It also suggests that councils alert their residents as to where herbicides will be applied and for those who have concerns to contact them. The checklist is nearing completion and will be forwarded to local governments in due course.

Although the DOH licenses individual pesticide operators and registers their firms under the *Health (Pesticides) Regulations 1956*, it is appropriate that the DOH focuses its attention on investigating matters that relate directly to risks to public health.

The *Health (Pesticides) Regulations* are the subject of amendments that will require vehicles involved in the application of herbicides in public areas to have additional signage and a warning light fitted to alert the public about spraying in progress.

Other matters relating to pesticides which may involve damage to the environment are primarily the responsibility of the DEC. However, the DOH will consult with, and provide advice to the DEC and other government agencies where there is a likelihood of a pesticide affecting public health.

Thank you for bringing this matter to my attention. I trust the information provided is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kim Hames', with a stylized flourish at the end.

Dr Kim Hames MLA  
DEPUTY PREMIER  
MINISTER FOR HEALTH

14 APR 2009