

To the Public Works Committee,

Common sense tells us that no child-focused facility, let alone a youth justice centre for highly vulnerable young people, should be built between Australia's largest marijuana cultivation and medicinal processing facility and an active gun club. These are high-impact, high-risk land uses that produce odour, emissions, and gunfire noise. It is self-evidently an unsuitable environment for rehabilitation, safety, or wellbeing.

This project has been rushed, poorly assessed, and pushed forward despite clear risks to children, the community, and the planning system itself. I ask the Committee to request a full, independent reassessment.

1. Odour Impacts from Tas Botanics

The development application contains **no odour assessment**, despite the facility being located next to Tas Botanics, a major cannabis cultivation and processing operation. (See photo attached of incineration at Tas Botanics)

Scientific research shows that emissions from cannabis facilities can cause **“burning eyes and throat, problems sleeping, nausea, and headache”** (Appendix: *Cannabis Cultivation Facilities: A Review of Their Air Quality Impacts*).

Brighton Council and the EPA have stated that odour impacts may have *“major financial and political implications if a legitimate nuisance can be established, and legal action becomes necessary”* (Appendix: EPA response to Tas Botanics).

The *From Harm to Healing* joint statement also warns that *“marijuana odours from a nearby medical marijuana production facility pose risks of adverse childhood events, traumatisation, re-traumatisation, and relapse for children.”*

Despite all this, the DA:

- includes no odour modelling,
- does not meet the planning scheme's attenuation requirements.

This alone should stop the project.

2. Gun Club – Noise and Trauma Risks

The site is also close to an active gun club. Gunfire is a known trauma trigger for many young people in detention.

The planning scheme requires a 2km attenuation distance for this type of noise source. This requirement has not been met.

Placing vulnerable children within earshot of gunfire is not trauma-informed care.

3. Brighton Council Road Approvals Not in Place

The required Brighton Council approvals for road access and upgrades are not yet in place. The project is being advanced without the basic infrastructure approvals that any ordinary development would be required to secure first.

4. Lack of Accessibility and Essential Services

The proposed site is not accessible. There is **no public bus service** to the site. Many families of young people in detention rely on public transport, and the absence of any bus route will severely limit their ability to maintain contact, a key factor in rehabilitation and stability.

Essential services are also located at a significant distance:

- **The nearest hospital is too far away** to provide timely emergency medical care.
- **The nearest police station is also distant**, creating delays in response times for incidents or emergencies.

A youth justice facility must be located where emergency services can respond rapidly and where families and support networks can maintain regular contact. This site fails both basic requirements. The lack of public transport and the distance to essential services make the location fundamentally unsuitable for a facility intended to support vulnerable young people.

5. Government Pressure to Close Ashley Youth Detention Centre

The closure of Ashley Youth Detention Centre has been repeatedly delayed, now pushed out to 2028. Under political pressure to show progress, the government has attempted to fast-track the Pontville facility.

Minister Roger Jaensch publicly stated that legislation would be introduced to “ensure certainty for time frames for the approval process.” This is not independent planning, it is political intervention.

The pressure placed on Southern Midlands Council compromised its ability to make a balanced, independent decision. Procedural fairness was undermined.

“The government has historically weaponised delays to the closure of AYDC against any critiques of Pontville in ways which problematically seek to quash valid concerns. They also continue to cite advancement of planning processes for Pontville as a reason to proceed with a fundamentally flawed decision and project, as if resources already invested in planning are good enough a reason to perpetuate future harms against children.” (Appendix: From Harm to Healing joint statement)

6. Marginal Council Vote Despite Overwhelming Objections

The DA was approved by a narrow **4–3** vote (Southern Midlands Council Minutes, 10 December 2025).

This is despite:

- **43 written representations**, plus 2 late submissions
- **A joint statement from 16 organisations**
- **A petition with 57 signatories**
- **100 written objections** during the 2023 site selection process
- The *From Harm to Healing* statement endorsed by **15 major organisations**, including Anglicare Tasmania, Save the Children, and Laurel House

Hundreds of community and expert objections were effectively overridden by a single-vote majority. This fails to give proper weight to community input, contrary to Section 57 of the Land Use Planning and Approvals Act 1993.

7. Community Consultation Was Misrepresented

The *Youth Justice Facility – Community Consultation and Feedback Summary Report (2023)* presents a narrative that the consultation was “iterative,” balanced, and responsive to community concerns. This is simply not true.

The report:

- **Does not meaningfully respond to any of the concerns raised**
- **Frames objections as misunderstandings rather than legitimate issues**
- **Presents the process as collaborative when it was one-way communication**
- **Describes “engagement” that was, in reality, a series of briefings telling the community what would happen**
- **Ignores the overwhelming opposition to the Pontville site**

The consultation was not a dialogue. It was a presentation. Community concerns were not addressed — they were documented and then disregarded.

The Summary Report attempts to create the appearance of a fair, iterative process, but the substance shows the opposite: the site was predetermined, and the consultation was used to justify a decision already made.

This is not genuine engagement. It is a procedural box-ticking exercise.

8. Scale and Heritage Impacts

The proposal includes:

- An **8,200m² custodial compound**
- Buildings up to **11.8 metres high**
- A **6-metre security fence**

Surrounding rural homes will be dwarfed by this institutional complex eg all surrounding houses are lower than 6.4m high as a comparison.

This proposal fails to respect the local context. Its bulk, height, and institutional form will dominate the landscape, destroy pastoral views, and diminish the heritage integrity of Pontville.

9. Extensive Planning Scheme Non-Compliance Overlooked — Community Silenced Under Legal Pressure

The proposal contains **numerous and significant non-compliances** with the Tasmanian Planning Scheme, the Attenuation Code, the Scenic Protection Code, the Rural Zone standards, and LUPAA Schedule 1. These issues were repeatedly raised by residents, experts, and community organisations — yet they were dismissed or minimised during assessment.

Instead of addressing these legitimate planning concerns, the process became adversarial. Multiple lawyers acting for the proponent engaged directly to create an environment of pressure and intimidation. Ordinary residents attempting to participate in the statutory process felt silenced, overwhelmed, and discouraged from exercising their right to be heard. This is the opposite of transparent, community-centred planning.

The following major non-compliances were raised but not resolved:

- **Heritage Precinct & Rural Cultural Landscape Impacts (20.3.1, LUPAA Schedule 1)** The 6 m security fencing, floodlighting, and institutional built form are incompatible with the surrounding heritage precincts and rural cultural landscape. No heritage impact assessment was provided.
- **Attenuation Code Breaches — Organic Chemical Works (C9.0, Table C9.1)** Tasmanian Botanics' cannabis extraction and processing activities meet the definition of an "organic chemical works," requiring a **500 m buffer**. The Youth Justice Facility is **149.18 m** away — more than **350 m inside** the required distance.
- **Failure to Demonstrate No Constraint on Existing Industry (C9.5.2)** The application did not show that Tas Botanics' lawful operations would not be

constrained by the introduction of a sensitive use. This is a mandatory requirement.

- **Cannabis Odour & BVOC Exposure — No Modelling Provided (C9.0, C9.5.2)**
Peer-reviewed research confirms cannabis cultivation emits BVOCs that disperse well beyond site boundaries. No odour modelling, dispersion analysis, or cumulative impact assessment was undertaken.
- **Composting & Incineration Odours — Not Assessed (C9.0, Table C9.1)**
Composting and biomass incineration at Tas Botanics require attenuation. No assessment was provided.
- **Gunfire Noise — Trauma Impacts Ignored (C9.0)** The Hobart Clay Target Club is within audible range. Council assessed only hearing damage, ignoring trauma-related impacts, despite extensive evidence.
- **Cumulative Impacts — Not Assessed (C9.0)** Children would be exposed to cannabis odour, BVOCs, composting odours, incineration emissions, and gunfire. No cumulative assessment was undertaken.
- **Building Height & Bulk (20.4.1)** The 11.8 m buildings and 6 m fences create an institutional presence inconsistent with rural character.
- **Setbacks & Visual Impact (20.4.2)** The facility would be highly visible from the Midland Highway and Bagdad Rivulet. No visual impact assessment was provided.
- **Adjoining Landowner Impacts — Privacy, Amenity, Safety (20.3.1, LUPAA Schedule 1)** The adjoining landowner's privacy, amenity, and sense of safety would be significantly diminished. These impacts were not meaningfully assessed.
- **Carpark in Scenic Corridor (C8.6.2)** The carpark sits within the Scenic Road Corridor. No assessment of visual intrusion was provided.
- **Lighting Impacts — No Lux Modelling (20.3.1)** The 24-hour lighting and 6 m fence-mounted luminaires will create an institutional glow across the valley. No lighting assessment was provided.
- **Failure to Consider Social, Economic & Health Impacts (LUPAA Schedule 1)** Trauma triggers, community wellbeing, emergency access delays, and property impacts were not considered.
- **Incomplete Application (Part 6.1)** Essential information — including attenuation modelling, transport access, and signage — was missing. An incomplete application cannot be validly assessed.

These are not minor technicalities. They are **core planning requirements** designed to protect public safety, community wellbeing, and the integrity of the planning system. The fact that so many unresolved non-compliances were overlooked, while community members faced legal pressure simply for participating, demonstrates a process that was neither fair nor lawful.

Conclusion

The proposed Pontville Youth Justice Facility is being advanced despite missing assessments, planning scheme breaches, political pressure, and a consultation process that did not genuinely consider community input.

The combination of cannabis odour, gunfire noise, inadequate planning, and misrepresented consultation makes this site fundamentally unsuitable for vulnerable young people.

I urge the Public Works Committee to stop this project and request a full, independent reassessment.

Regards,

Ross Tudor & Rebecca Wilkie

[REDACTED]

[REDACTED]

Appendices:

1. *Cannabis Cultivation Facilities: A Review of Their Air Quality Impacts*
2. EPA Response to Tas Botanics
3. *From Harm to Healing* Joint Statement
4. Minister Roger Jaensch – Public Statement (2025)
5. Southern Midlands Council Minutes – 10 December 2025 (DA2500106)
6. *Youth Justice Facility – Community Consultation and Feedback Summary Report* (2023)



Janine Banks

From: Incident Response [REDACTED]
Sent: Friday, 13 June 2025 1:55 PM
To: Brent Bastian
Cc: Alex Woodward
Subject: RE: Tasmanian Botanicals

Caution: This is an external email and may be **malicious**. Please take care when clicking links or opening attachments.

Hi Brent,

Thank you for the response.

I have put some comments in red to your email. We will continue to direct any complainants to council.

If you need to discuss further let me know.

Regards,

Keegan

Incident Response Team
Environmental Investigations and Incident Response
Environment Protection Authority

W: www.epa.tas.gov.au



ENVIRONMENT PROTECTION AUTHORITY

Incident Response [REDACTED]

From: Brent Bastian [REDACTED]
Sent: Friday, 13 June 2025 11:26 AM
To: Higgs, Keegan [REDACTED]
Cc: Alex Woodward [REDACTED]
Subject: RE: Tasmanian Botanicals

Dear Keegan,

If a client has a legitimate issue, they are welcome to contact Council directly, posting it on Facebook is not the process of lodging a complaint and Council cannot follow up postings on social media due to their unreliability and inability to be used in court. **Whilst I agree that posting on Facebook is not the correct channel to raise a formal complaint to council, it does provide council with intelligence**

from the community regarding the potential odour issues that may be occurring, where they are occurring and how many residents are being affected.

As you would be aware, to establish a nuisance under EMPCA ("Act") it has to be proven that a created nuisance '*unreasonably interferes with a person's enjoyment of the environment*', briefly smelling an organic order when a person is driving past on the highways or when they are out walking their dog would not stand up to the scrutiny of a Court prosecution to being unreasonable, certainly smelling the odour at the persons residence or place of employment would. **We are aware that to establish nuisance, the odour must unreasonably interfere with a person's enjoyment of the environment. The complainant lives in Brighton and was being affected at his residence and has been for some time. The information regarding the Bridgewater Bridge was to merely provide some context as to how widespread the odour was.**

Council have advised all complainants and there has been a significant number, that if the nuisance can be detected at either of these points then Council will have an authorised officer attend, including afterhours to do an assessment to determine in their opinion if the odour is 'unreasonable' and therefore an offence under the Act, once this has been established Council is able to take action. **Did council note any odour during today's inspection around the Brighton area?**

To date no one has contacted Council so such an assessment can be undertaken.

Council have had multiple site visits to the premises, the odour appears not related to the burning of any waste in the approved waste incinerator but due to the volume of material that is being produced, and the ongoing expansion of the business. The organic odour has been noted to be strong on occasion in surrounding areas but not close to any of the complainants premises, it is also an approved activity at that location under the Planning scheme so what they are doing is legal but potentially, if it can be proven, the odour may not be, this then may lead to legal action being taken for creating an environmental nuisance under s53 of the Act.

However as these concerns are continuing to escalate and there has recently been the proposal for a youth detention facility close to the Tasmanian Botanicals site, Council is of the opinion that this matter is certainly now of State Significance and believe the EPA should be involved in the regulation of the business as it potentially has some major financial and political implications if a legitimate nuisance can be established, and legal action becomes necessary.

Therefore, can you please organise a meeting between EPA representatives as Council Senior Management Staff wish to discuss this issue further as a matter of urgency.

If council wish to discuss this matter, the EPA require further information for the basis of this discussion.

Unfortunately, the EPA is not able to resume the regulation of a site quickly and there is a process which would need to be followed. I would suggest that council prepare a comprehensive break down of the issues being encountered, with some justification as to why this activity is getting beyond councils' ability to manage.

This will allow the EPA to review the request and provide suitable consideration of whether a meeting is necessary.

Yours sincerely

BRENT BASSTIAN
SENIOR ENVIRONMENTAL HEALTH OFFICER



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We acknowledge the traditional owners who once walked this country, the Mumirimina people, the original custodians of land and water of kutalayna (Jordan River). We forward our respect to the palawa/pakana (Tasmanian Aboriginal) community traditional and original owners of lutruwita (Tasmania).

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From: Higgs, Keegan [Redacted]
Sent: Friday, 13 June 2025 8:54 AM
To: Admin Emails [Redacted]@[Redacted]
Cc: Brent Bastian <[Redacted]>
Subject: Tasmanian Botanicals

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Good morning,

The EPA has received a complaint this morning in relation to Tasmanian Botanicals and the odour that is coming from the site. It was allegedly detectable last night in the Bridgewater area and is particularly noticeable this morning in Brighton.

The complainant has advised that this has been happening for some time. The complainant also advised that there are complaints on the local Facebook page regarding the issue.

It is allegedly quite bad now, so a trip out may be worth it. Is there any information that might assist the EPA in dealing with these complaints or perhaps a process change council is aware of at the facility that is increasing the odour?

I directed the complainant to call the council in the first instance.

Regards,

Keegan

Incident Response Team
Environmental Investigations and Incident Response

Environment Protection Authority

[REDACTED]

E: [REDACTED]

W: www.epa.tas.gov.au



ENVIRONMENT PROTECTION AUTHORITY

Incident Response [REDACTED]

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Janine Banks

From: Alex Woodward
Sent: Tuesday, 15 July 2025 9:16 AM
To: Duttmer, Kate; James Dryburgh
Cc: Murdoch, Catherine
Subject: RE: Meeting request

Good morning Kate,

Nice to meet you both and thank you for your time yesterday. We appreciate your offer for assistance, and we will no doubt take you up on this. I will keep in touch as this progresses.

Kind regards

Alex Woodward
DIRECTOR DEVELOPMENT SERVICES



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From: Duttmer, Kate [REDACTED]
Sent: Monday, 14 July 2025 4:38 PM
To: Alex Woodward [REDACTED] James Dryburgh
[REDACTED]
Cc: Murdoch, Catherine [REDACTED]
Subject: FW: Meeting request

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Hi James and Alex,

Thank you for coming in to the EPA offices this afternoon to discuss Tasmanian Botanic and ongoing odour issues. As mentioned, the EPA is happy to assist Council in developing requirements around air/odour

monitoring/modelling, should Council decide to pursue that path with Tasmanian Botanics, and/or assist in drafting EPN conditions.

Just a couple of resources as a bit of a start – which you may very well be across already, but I thought I'd point you in that direction in case -

- When the environmental assessment of a new proposal is being scoped out, for those proposals where odour is expected to be an issue, there will generally be requirements to undertake modelling of air odour impacts – as an example, see these requirements for Tassal Margate, specifically on page 4 for air quality: [Project Specific EIS Guidelines](#). Essentially you will want to see information on the sources of all odour emissions on site, descriptions of the processes occurring on site which are or could potentially cause odour, provide results of an atmospheric dispersion model, etc.
 - Schedule 3 of the Air EPP - [ENVIRONMENT PROTECTION POLICY \(AIR QUALITY\)](#) provides your justification for requiring atmospheric dispersion modelling – *“If a regulatory authority is satisfied that odour from a source is causing or is likely to cause an environmental nuisance or material environmental harm, an atmospheric dispersion calculation should be performed to ensure that the predicted maximum (“worst case”) ground level concentration does not exceed the concentration criteria specified below.”* The criteria for unknown compounds is 2 odour units at the boundary of the premises – if the odours are being detected at Old Beach I'd suggest they're probably emitting odours well above this.
- This is a bit more of a technical document that is generally provided to proponents/their consultants during the assessment process - [Atmospheric Dispersion Modelling Guidelines](#). Probably what will be of most interest/relevance to you at this point is section 11 which outlines what the report should look like. This is the sort of information that I think Council will be wanting from the company, as well as recommendations and a plan included for any controls that they will be putting in place to reduce odour emissions.
- The EPA has a set of standard conditions and definitions that we include in environmental permit conditions and EPNs, which may assist in drafting an EPN, should that be required - [Standard Conditions and Definitions | EPA Tasmania](#) See page 15-16 for odour-specific conditions, but some of the more general conditions will be potentially useful too.

My contact details are at the bottom of this email, so just get in touch when you're ready, and I can put you in touch with the right people in here to discuss things further.

Kind regards

Kate

Kate Düttmer | [Acting Director, Environmental Regulation](#)
Environmental Regulation Division
Environment Protection Authority

[Redacted]

[Redacted]

[Redacted]

W: www.epa.tas.gov.au



Note: I work a 9 day fortnight; rostered day off is pay-week Friday

From: Alex Woodward [redacted]@ [redacted]
Sent: Monday, 16 June 2025 11:02 AM
To: Murdoch, Catherine [redacted]
Cc: Andrew Paul < [redacted] >; James Dryburgh [redacted]@ [redacted]
Subject: Meeting request

Good morning Catherine,

Please accept my apologies for emailing you directly with no introduction first. My name is Alex and I am the Director Development Services here at Brighton Council. James Dryburgh our CEO has been speaking with Andrew Paul and he suggested that we reach out to you about a matter we are currently dealing with.

I am not sure if you are aware, but we have a medicinal cannabis facility, Tasmanian Botanics, located in our municipality at Pontville. This facility has been in operation since 2017. Over the past 12 months we have seen a significant increase in community concern about the odour emanating from the site. This has been verified by staff in locations up to 12 km from the site. However, we have yet to determine if an Environmental Nuisance exists or take any action. Recently, it was also announced that the State were proceeding with the new Youth Justice Facility just across the highway from the facility. This resulted in Council placing a submission to parliament about our concerns.

James and I were hoping to arrange a meeting with you to discuss these issues, particularly around the regulation of this type of activity, given it is a relatively new industry.

We look forward to hearing from you.

Regards

Alex Woodward
DIRECTOR DEVELOPMENT SERVICES



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Fw: Composting Facility - Tas Botanicals Processing Facility - 12 Rifle Range Road

From Jo Blackwell [REDACTED]
Date Tue 8/04/2025 9:09 AM
To [REDACTED] 'Atkin, Charlotte' [REDACTED]
Cc Alex Woodward [REDACTED]

2 attachments (3 MB)
H2016 S-02 rev A Site Plan Composting Compound v2.pdf; Screenshot 2025-04-02 131219.png;

Good morning John and Charlotte,

Further to my conversation with John recently regarding odour emissions from the site, Council officers have met with Tas Botanicals . During that conversation, it has been identified by the operators that they would like to intensify the use of the site, to include composting at the facility as follows:

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Hi Alex,
Roughly speaking as a maximum, we could have 1000m3 of composting material in windrows, 80% of which would be cool, 10% our greenwaste, 10% other materials to aid the composting process (wood chips).
I have attached the current draft site plan showing the composting compound in relation to our existing facility.
I also looked on the LTO system to see the distance to the nearest house. Attached is a screenshot showing no houses are within a 1300m radius for the proposed site.
Please let me know what might be required from council.
Regards

Could you please advise whether you consider the volume of composting to be a level 2 status? From my reading of Schedule 2, the use appears to be exempt due to 3(d)(B)

- (d) Resource recovery: the conduct of works for –
 - (i) the production of compost or mushroom substrate, being works with a production capacity of 100 tonnes per year or more, other than –
 - (A) backyard composting for domestic use; and
 - (B) on-farm composting for use on agricultural land having the same owner as the land on which the compost is produced; and
 - (C) works in respect of silage for use on agricultural land; or

Please do not hesitate to telephone me if you have any queries.

Regards
Jo

JO BLACKWELL
SENIOR PLANNER

Please note that I don't usually work Fridays.



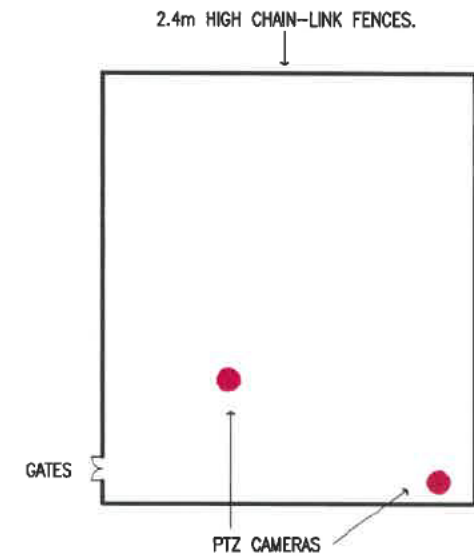
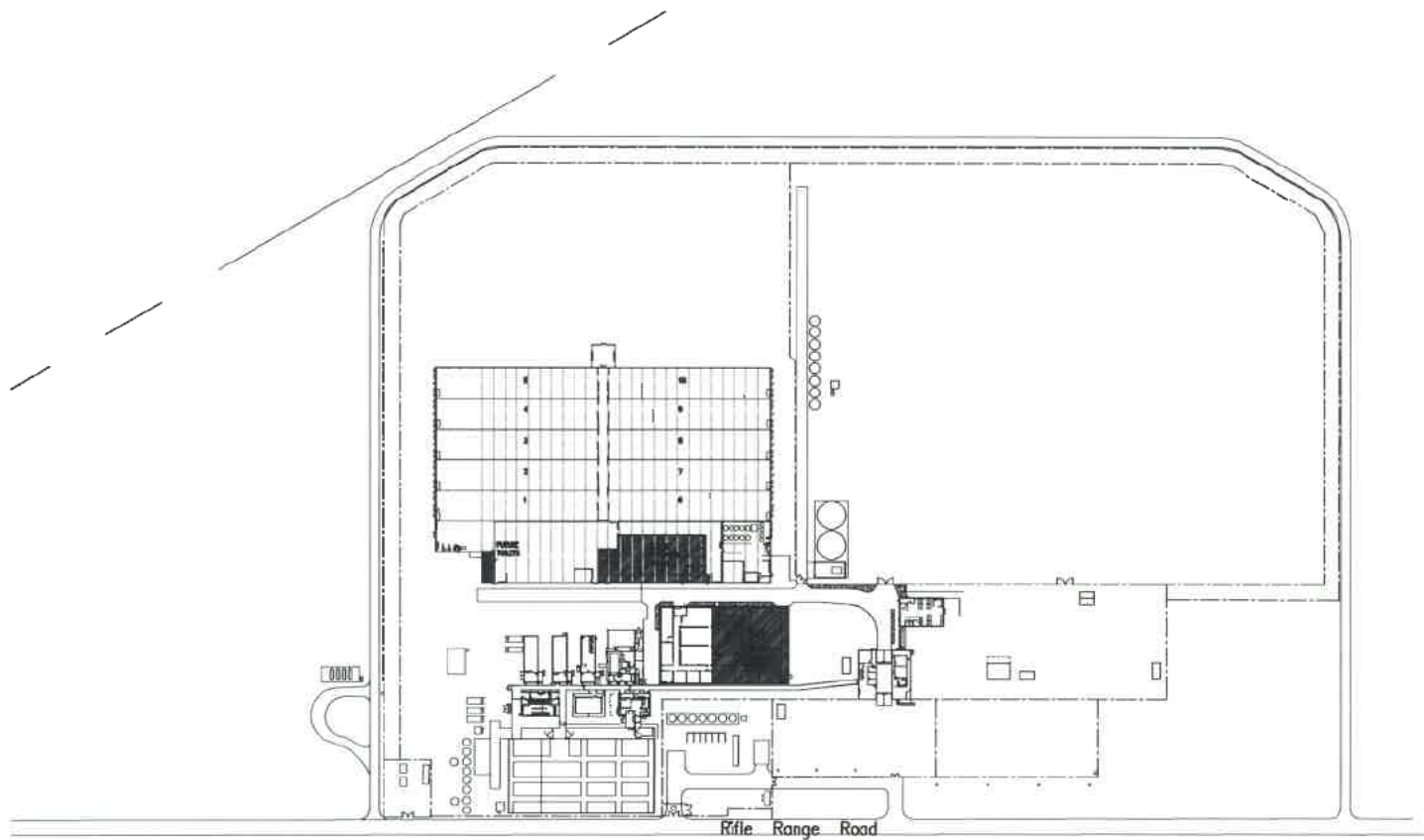
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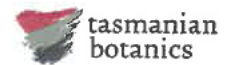
REV.	DATE	DETAILS
A.	26.03.25	NEW DRAWING COMPOSTING COMPOUND

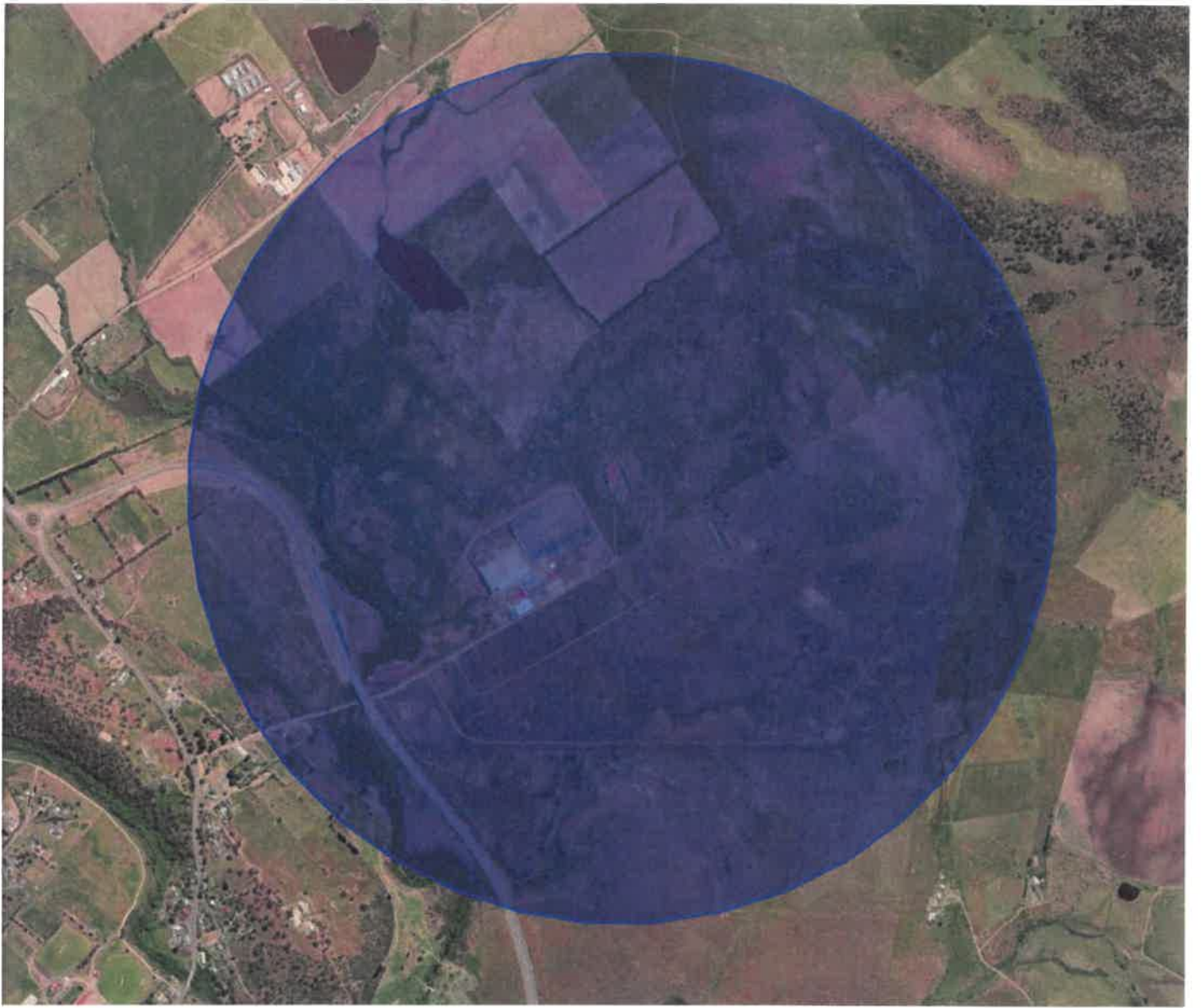
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TASMANIAN BOTANICS – PONTVILLE SITE
 12 RIFLE RANGE ROAD, PONTVILLE
 for : TASMANIAN BOTANICS
SITE PLAN – COMPOSTING COMPOUND

scale N.T.S.
 drawn MH
 date 26.03.25
 project **H2016** sheet **S-02** rev **A**





Janine Banks

From: Patrick Carroll
Sent: Tuesday, 7 April 2020 10:25 AM
To: [REDACTED]
Subject: 12 Rifle Range Road, Pontville - Proposed Incineration of Waste

Good morning Craig,

Thank you for your query regarding the possibility of installing an incinerator at 12 Rifle Range Road, Pontville to incinerate green waste at your property.

I can confirm that obtaining planning approval is your first step. I referred your query to Council's Senior Environmental Health Officer, who has stated that the following would be required as part of your Development Application to Council.

As part of the development application, Tasmanian Botanics will need to demonstrate that the proposed incineration will not create an environmental nuisance. It is recommended that a suitably qualified environmental consultant is engaged to prepare an Environmental Management Plan for the incineration, including details on how the incineration is proposed to be undertaken, the type and volume of materials incinerated etc. Ultimately, the report will need to demonstrate that the activity can be done without creating a nuisance.

Prior to lodging the DA, I also recommend that you or your consultant make contact with the EPA regarding the activity, and seeing whether they have any recommended inputs into the management plan. Council may refer your application, once submitted, to the EPA for their comment.

If you have any other questions or queries, please do not hesitate in contacting us.

Kind Regards,

PATRICK CARROLL
PLANNING OFFICER
WORK DAYS: TUESDAY - FRIDAY



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