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Attorney-General
Minister for Justice, Corrections and Rehabilitation
Minister for Small Business, Trade and Consumer Affairs
Minister for Environment and Climate Change

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Mr Brian Mitchell MP
Member for Lyons
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6 OCT 2026

Dear Mr Mitchell *Brian*

In the House of Assembly, you asked the following question on behalf of your constituent Aaron, from Brighton:

Tasmanian Botanics does important work growing medicinal cannabis that has come under scrutiny recently over persistent odour complaints and the fact that it's situated a stone's throw from where the Government plans to build a new youth justice facility. Aaron is aware Brighton Council is currently the Tasmanian Botanics environmental regulator but he doesn't believe local ratepayers should bear the cost of environmentally regulating Tasmania's medicinal cannabis sector. Minister, what plans does the Government have to bring Tasmanian Botanics Pontville facility under the direct oversight of the EPA, relieving Brighton rate payers of this unfair burden and properly bringing medicinal cannabis environmental regulation under the purview of the state?

Councils are environmental co-regulators under the *Environmental Management and Pollution Control Act 1994* (EMPCA) for environmentally relevant activities and are responsible for the day-to-day environmental regulation of 'level 1 activities'. The Tasmanian Botanics facility at 12 Rifle Range Road, Pontville is a level 1 activity under the EMPCA, with Brighton Council responsible for environmental regulation (including nuisance odours) of the facility.

The EPA is the environmental regulator for 'level 2 activities'. These are generally larger industrial facilities and are defined in Schedule 2 of the EMPCA, by the type of activity and, in many cases, also by a processing capacity or production threshold. Under the EMPCA, the EPA has no power or authority to 'step in' and undertake the environmental regulation of the Tasmanian Botanics facility under the current circumstances.

It is the Government's position that the Brighton Council is the appropriate environmental regulator for the activity, in accordance with the normal regulatory arrangements for level 1 activities under the EMPCA.

I understand that the EPA has offered assistance to the Brighton Council in relation to aspects of regulation of the Tasmanian Botanics facility; however, the Council has not yet approached the EPA to request assistance.

Thank you for your question and I trust this information is of assistance.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Guy Barnett', with a stylized flourish at the end.

Hon Guy Barnett MP
Minister for Environment and Climate Change