



Dr Marisa Paterson MLA

Minister for Police, Fire and Emergency Services

Minister for Women

Minister for the Prevention of Family and Domestic Violence

Minister for Corrections

Minister for Gaming Reform

Member for Murrumbidgee

RESPONSE TO QUESTION ON NOTICE

Questions on Notice Paper No 7

16 May 2025

Question No. 460

MR SHANE RATTENBURY MLA: To ask the Minister for Police, Fire and Emergency Services

Given the response to question on notice No 235 noted that one reason that the *Drugs of Dependence (Personal Cannabis Use) Amendment Act 2019* did not change the prohibition of soil cultivation in a greenhouse and/or with artificial light was “not agreed on the basis that the ACT Government supports police being able to make a clear distinction between cultivation for personal use and cultivation for large scale or commercial purposes by criminal operators”, and given that there is a limit of two plants that can be grown by an individual, or four in a household, how would the location of the growth of these plants impact a clear distinction between cultivation for personal use and large scale production.

DR MARISA PATERSON MLA - The answer to the Member’s question is as follows:

The *Drugs of Dependence Act 1989* prohibits artificial cultivation of cannabis including hydroponic cultivation or using an artificial light or heat source, and the *Drugs of Dependence (Personal Cannabis Use) Amendment Act 2019* did not change this prohibition.

Artificial cultivation of cannabis, including hydroponic cultivation or using artificial lights are commonly associated with large scale or commercial purposes by criminal operators. The distinction in the legislation is necessary to prevent the manipulation of laws by criminals seeking to profit on the cultivation of cannabis in the ACT.

ACT Policing’s highly trained officers use a combination of experience and critical analysis techniques in their decision-making processes to differentiate between cannabis plants being cultivated for personal use and being grown for commercial or large-scale production.

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The following considerations are taken into account by police officers when a plant is located within a premises:

- The size of the crop.
- The presence of commercial-grade hydroponic equipment.
- The redirection of electricity from the power main to the premises.
- Houses that are rented yet un-occupied; and
- Criminal history of the person of interest, for example links to Outlaw Motorcycle Gangs or other organised crime groups.

The deliberate efforts to conceal the presence of the crop are the primary indicators of an unlawful commercial cannabis grow house. A grow house will generally be concealed inside the premises to avoid law enforcement detection.

Approved for circulation to the Member and incorporation into Hansard.

M. Paterson

Dr Marisa Paterson MLA

Minister for Police, Fire and Emergency Services

Date: 25/7/25

This response required 2hrs 45 mins to complete, at an approximate cost of \$261.78.