

Climate Change and Greenhouse Gas Reduction Act (Council Member) Appointment 2022 (No 2)

Disallowable instrument DI2022–96

made under the

Climate Change and Greenhouse Gas Reduction Act 2010, s 20 (Membership)

EXPLANATORY STATEMENT

Introduction

This explanatory statement relates to the *Climate Change and Greenhouse Gas Reduction (Council Member) Appointment 2022 (No 2)*. It has been prepared in order to assist the reader of the disallowable instrument and to help inform debate on it. It does not form part of the disallowable instrument and has not been endorsed by the Assembly.

The Statement must be read in conjunction with the disallowable instrument. It is not, and is not meant to be, a comprehensive description of the disallowable instrument. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

Overview

The *Climate Change and Greenhouse Gas Reduction Act 2010* (the *Act*) section 20 (Membership) provides for the appointment to the Climate Change Council (the *Council*) of suitably qualified members of the community to provide advice to the Minister on matters relating to the reduction of greenhouse gas emissions and adaptation to climate change. The appointment for the non-public employee members of the Council is by way of a disallowable instrument which must be notified on the Legislation Register and tabled in the Legislative Assembly under the *Legislation Act 2001* (the *Legislation Act*).

Section 20 (3) of the Act provides that the Minister may appoint a person as a member to the Council only if satisfied that the person is committed to addressing climate change and has knowledge and experience in an area relevant to the operation of the Act.

Appointment

The disallowable instrument reappoints Dr Cristopher Brack as a member of the Council. Dr Brack is not a public servant. Dr Brack is appointed for the period 1 July 2022 until 30 June 2025.

Dr Brack is reappointed to the Council to represent the community's interest in climate change and has a broad range of skills and knowledge relating to addressing, or adapting to, climate change. Dr Brack has previously served a three-year term on the Council and is eligible to serve a second three-year term.

Dr Brack is an Associate Professor with the Fenner School of Environment and Society at the Australian National University (the *ANU*). Dr Brack holds a PhD and completed a Bachelor of Science with first class honours at the ANU as a Forestry Commission Trainee. Since joining the ANU in 1996, his research, teaching and outreach has been directed centrally and consistently towards improving forestry practices; enhancing the forestry sector's economic contributions; and strengthening its role in climate change mitigation and adaptation.

Dr Brack's most significant research contributions have been the development of optimal sampling strategies, modelling tools, and decision-support systems for trees and associated biota at stand, landscape and continental scales. This research integrates his knowledge of and innovation in applied statistics (for sampling), data acquisition (from remotely sensed imagery and ground-based surveys), modelling (of tree and stand dynamics), and expert and decision support systems (as integrating methods).

The appointment has been made by the Minister for Water, Energy and Emissions Reduction. The Minister consulted the Standing Committee on Environment, Climate Change and Biodiversity in accordance with section 228 (Consultation with appropriate Assembly committee) of the Legislation Act. Any response from the Standing Committee was incorporated as appropriate.

A Regulatory Impact Statement (*RIS*) is not required for this disallowable instrument as it is unlikely to impose appreciable costs on the community (section 34 (1) of the Legislation Act). Further, in accordance with section 36 (1) (b) of the Legislation Act, a RIS is not necessary as the matter does not operate to the disadvantage of anyone by adversely affecting the person's rights or imposing liabilities on the person.

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.