

Nature Conservation (Scientific Committee) Appointment 2018

Disallowable instrument DI2018–212

made under the

**Nature Conservation Act 2014, s 36 (Scientific committee—appointment of members)
and s 37 (Scientific committee—chair and deputy chair)**

EXPLANATORY STATEMENT

Section 31 of the *Nature Conservation Act 2014* (the Act) establishes the Scientific Committee. The Scientific Committee has the following functions:

- to advise the Minister about nature conservation (section 32 (a) of the Act)
- to advise the Conservator of Flora and Fauna about nature conservation (section 32 (b))
- to exercise any other function given to the committee under the Act or another territory law (section 32 (c)).

This appointment instrument is made under sections 36 and 37 of the Act. Sections 36 (1) and (2) provide that the Minister must appoint seven members to the Scientific Committee, and must ensure that at least four members of the committee are not public servants. The Minister must not appoint a person to the committee unless satisfied that the person has appropriate scientific expertise in biology, ecology, conservation science, or conservation management.

This instrument appoints the following members to the committee who are not public servants and who have the scientific expertise indicated:

- Distinguished Professor Arthur Georges (conservation biology of native Australian species and the ecology, evolution and systematics of Australian reptiles and amphibians)
- Honorary Professor Penny Olsen (ornithology, wildlife management and behavioural ecology)
- Associate Professor Mark Lintermans (ecology and management of aquatic systems, fish, waterbirds and wetlands)
- Dr Barry Richardson (endangerment theory, conservation genetics, conservation policy, ecology and taxonomy of mammals and invertebrates)
- Assistant Professor Jasmyn Lynch (conservation biology, plant ecology, rare and threatened plant species, recovery planning and botanical survey)

- Dr Kenneth Hodgkinson (grasslands ecology, conservation of threatened ecological communities including natural temperate grasslands and woodlands in the ACT).

This instrument also appoints Dr Chloe Sato to the committee. Dr Sato is a public servant and has expertise in herpetology, applied vegetation ecology, alpine-subalpine ecosystems, and box-gum grassy woodlands, especially in the ACT context. Under section 227 (2) (a) of the *Legislation Act 2001*, the appointment of a public servant is not subject to disallowance.

This instrument also appoints the chair and deputy chair of the Scientific Committee, Distinguished Professor Arthur Georges and Associate Professor Penny Olsen respectively.

The appointment of members of the Scientific Committee, including the chair and the deputy chair is until 30 June 2021. Section 36 (5) of the Act requires these appointments to be for a period that is not longer than 3 years.

Section 228 of the Legislation Act requires the relevant standing committee of the Legislative Assembly to be consulted as part of the process for appointments by the Minister (with some exceptions; in particular, not relating to the appointment of public servants). The Standing Committee on Environment and Transport and City Services has been consulted on the appointments in this instrument. (Note, the appointment of Dr Sato was included in the consultation with the standing committee because she was not employed as a public servant at that time.)

Section 36 (7) of the Act provides that this appointment instrument is disallowable (apart from the appointment of a public servant).

A regulatory impact statements (RIS) is ordinarily required for disallowable instruments under section 34 of the Legislation Act. A RIS is not required in this instance as the appointment of members of the Scientific Committee is an administrative matter which is not likely to impose appreciable costs on the community, and the preparation of a RIS is not required under section 36 of the Legislation Act.