

Australian Capital Territory

# Commissioner for Sustainability and the Environment Appointment 2026

Disallowable instrument DI2026–36

made under the

**Commissioner for Sustainability and the Environment Act 1993, s 4 (Commissioner for Sustainability and the Environment)**

## EXPLANATORY STATEMENT

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### Introduction

This explanatory statement relates to the *Commissioner for Sustainability and the Environment Appointment 2026* as made by the Minister for Climate Change, Environment, Energy and Water and presented to the Legislative Assembly. It has been prepared in order to assist the reader of the instrument and to help inform debate on it. It does not form part of the instrument and has not been endorsed by the Assembly.

### Overview

Section 4 of the *Commissioner for Sustainability and the Environment Act 1993* (the *Act*) requires the Minister to appoint a person as the Commissioner for Sustainability and the Environment (the *commissioner*). Section 5 of the Act provides that the commissioner must not be appointed for a term longer than 5 years.

The instrument appoints Dr Ashley Bunce as the commissioner until 30 April 2031. Dr Bunce is not a public servant.

Dr Bunce is a highly experienced regulatory practitioner with over 20 years of leadership across environmental regulation, biodiversity conservation, biosecurity, animal welfare, agriculture, waste management and resource recovery. He has held senior executive roles in multiple jurisdictions, delivering major reforms and leading crisis responses. Dr Bunce's work spans policy, legislation, operational delivery, stakeholder engagement and strategic system transformation.

ACT Remuneration Tribunal Determination 2 of 2025 for Full-Time Statutory Office Holders determines the remuneration, allowances and other entitlements of the commissioner.

Under the *Legislation Act 2001*, an appointment to a statutory position is a disallowable instrument and requires consultation with the relevant Assembly

standing committee. In this case, the Standing Committee on Environment and Planning was consulted on Dr Bunce's appointment as commissioner and noted the appointment.

### **Regulatory Impact Statement**

The Legislation Act requires a regulatory impact statement (a *RIS*) for disallowable instruments, subject to specified exceptions. In this case, a RIS is not required because the determination does not impose any appreciable costs on the community or part of the community (see Legislation Act, s 34 (1)).

### **Human rights**

Section 27C of the *Human Rights Act 2004* provides that everyone has the right to a clean, healthy and sustainable environment. The appointment of the commissioner positively engages with the right to a healthy environment as the commissioner's functions are related to ensuring that ACT Government agencies comply with their environmental stewardship obligations and investigating complaints about the management of the environment.

Specifically, under section 12 (1) of the Act, the commissioner's functions are:

- (a) investigating complaints about—
  - (i) the management of the environment by the Territory or a territory authority; and
  - (ii) issues relating to ecologically sustainable development in the ACT;
- (b) conducting investigations as directed by the Minister;
- (c) conducting, on the commissioner's own initiative, investigations into actions of an agency where those actions would have a substantial impact on the environment of the ACT; and
- (d) preparing a state of the environment report.